

Mid Suffolk District Council

Baylham Neighbourhood Plan 2024 – 2037

Submission Draft consultation responses

In January 2025, Baylham Parish Council (the 'qualifying body') submitted their draft Neighbourhood Plan to Mid Suffolk District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from Monday 10 February until Friday 28 March 2025.

Nine representations were received. They are listed below and copies are attached.

Baylham Parish Council were also given an opportunity to respond to new issues raised at this stage. Their response is included at the end of the document.

Ref No.	Consultee
(1)	Suffolk County Council
(2)	Mid Suffolk District Council
(3)	Offton & Willisham Parish Council
(4)	Historic England
(5)	Natural England
(6)	Environment Agency
(7)	Suffolk Wildlife Trust
(8)	National Highways
(9)	Defence Infrastructure Organisation (obo MOD)
(10)	Response from Baylham Parish Council

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(1) SUFFOLK COUNTY COUNCIL

Date: 21st March 2025 Enquiries
to: Busranur Serin Tel: 01473
265631
Email: neighbourhoodplanning@suffolk.gov.uk



Planning Policy Team,
Mid Suffolk District Council,
Endeavour House,
8 Russell Road, Ipswich,
IP1 2BX

Dear Paul Bryant,

Submission Consultation version of the Baylham Neighbourhood Plan

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

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

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

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

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

National Planning Policy Framework

The plan refers to the December 2024 NPPF in paragraphs 3.2, 5.9, 6.3 and Appendix 1, however this is not the correct planning policy context for this Neighbourhood Plan. To accord with paragraph 239 of the NPPF (2024), it states that “for neighbourhood plans, the policies in this Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.”

Mid Suffolk District Council commenced submission consultation (Regulation 16) of this plan on 10 February 2025 meaning that the plan proposal would have been submitted to local planning authority under Regulation 15 before 12 March 2025. Therefore, this Neighbourhood Plan is subject to the December 2023 NPPF and references to the December 2024 NPPF should be removed.

Health and Wellbeing

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

Paragraph 8.6 makes good reference to JLP Part 1 in respect of accessible and adaptable homes under M4(2) of the building regulations. SCC suggest the Neighbourhood Plan could further highlight this important consideration through Policy BAY 7 using the following wording:

'k. in respect of developments of ten or more homes, support will be given to the provision of housing that meets or exceeds the JLP part 1 requirements to include a minimum of 50% of dwellings built to accessible and adaptable dwelling standards (Part M4(2) of Building Regulations) in order to meet the needs of the aging population, without excluding the needs of the younger occupants and families.'

The response from the Parish stated: "This amendment is not considered necessary as it would repeat the Local Plan policy".

Whilst the Neighbourhood Plan cannot set additional technical standards, and there is no need to repeat existing policies from the adopted Local Plan, the plan can still encourage within policy developers to go "above and beyond" to create better quality homes to meet the needs of a lifetime. The Neighbourhood Plan states in paragraph 2.9 that there is an aging population/increase in elderly residents. This suggested amendment will help the plan meet the needs of a wider range of groups including older and vulnerable people, reflecting paragraph 61 of the NPPF (2023), and ensures the plan is in line with Basic Condition A.

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

Natural Environment

SCC has concerns that the designations of Sites 1, 2, 3 and 4 could be interpreted as a "blanket designations" and as an attempt to block potential development. It is queried if these designations of the plan are "positively prepared" as per paragraph 16, part a) of the NPPF (2023).

Whilst none of the sites individually would be an extensive tract of land, the four combined could be considered as such (a total of 25.2 hectares), and therefore not in accordance with NPPF paragraph 106 (2023).

The justifications are also quite limited as to how the sites are considered "demonstrably special" as per paragraph 16, part b) of the NPPF (2023), and it would have been useful to provide photos of the sites to aid justification and provide context.

Public Rights of Way

As currently worded, Policy BAY14 conflates two important aspects: improving the Public Rights of Way (PROW) network; and creating biodiversity corridors. The primary function of the PROW network is to provide opportunities to access the countryside, and the policy should focus on

improvements that enable easier access into that countryside. While improvements to the PROW network can also provide benefits to wildlife and biodiversity, improvements to the network should not be conditional on biodiversity

Indeed, in the case of hedgerow corridors, these can be detrimental to the PROW network if allowed to overshadow the path, restrict air movement, prevent direct sunlight, and thereby discourage or even prevent year-round use. Instead, the policy should state improving PROW is not detrimental to biodiversity

SCC is concerned that the current wording of this policy could caveat improvements to the PROW network, as not all improvements will actively increase biodiversity, for example widening or resurfacing. Therefore, SCC proposes the following amendments to Policy BAY14:

“Development which would adversely affect the character or result in the loss of existing or proposed rights of way, will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use.” Measures to improve and extend the existing network of public rights of way will be supported, *especially* where their value as biodiversity corridors is safeguarded and any public right of way extension is fit for purpose. Where practicable development proposals should incorporate measures to enhance biodiversity within the improved or extended public right of way.”

These proposed amendments would ensure that the policy secures PROW improvements whilst still considering biodiversity, and is in line with paragraph 104 of the NPPF (2023) which states: “Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.” Thus, this ensures the plan is in line with Basic Condition A.

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,

Busranur Serin Planning Officer
Growth, Highways, and Infrastructure

(2) MID SUFFOLK DISTRICT COUNCIL

Our ref: Baylham NP - MSDC R16 Response

Dated: 28 March 2025

From: Planning Policy Team, Babergh & Mid Suffolk District Councils

To: Janet Cheesley (Independent Examiner)

cc: Keven Thomas (Chair of Baylham PC), Ian Poole (NP Consultant)

Sent by e-mail

Dear Janet,

- **Regulation 16 submission draft Baylham Neighbourhood Plan 2024 - 2037**
- **Response from Mid Suffolk District Council**

This response is made for and on behalf of Robert Hobbs, Head of Strategic Planning (Planning Policy and Infrastructure) at Babergh & Mid Suffolk District Councils.

We start by thanking the Parish Council for making a number of modifications to their Plan based on our Regulation 14 response (October 2024). The publication of the new National Planning Policy Framework (NPPF) in December 2024, and our announcement that we will no longer be preparing a Part 2 Babergh and Mid Suffolk Joint Local Plan (JLP) but, instead, will focus on a full review of the Joint Local Plan should now be reflected in this neighbourhood plan. We have suggested some wording.

Our Regulation 14 response focused on two specific matters: the Settlement Boundary, and Local Green Spaces. Having carefully considered the parish councils responses, this letter sets out latest thinking on these. We also suggested the inclusion of a non-designated heritage assets policy but see that this has not been taken up at this time.

The Parish Council will also be aware that the new NPPF introduced a revised Standard Method for calculating local housing need. This increases the number of new homes to be planned for in Mid Suffolk by 37%, above the requirement set out in the JLP Part 1. Paragraph 6.2 of this neighbourhood plan explains that, at the time of its preparation, a housing requirement figure for Baylham had not been established. This requirement figure will now be considered through the JLP Review, and we recognise that the neighbourhood plan that has been submitted will be examined against an earlier version of the NPPF.

We trust that our comments are helpful and will be happy to answer any questions.

Yours sincerely,

Paul Bryant

Neighbourhood Planning Officer | Babergh & Mid Suffolk District Councils

T: 01449 724771 / 07860 829547 | E: communityplanning@baberghmidsuffolk.gov.uk



Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
Telephone: (0300) 1234 000
www.babergh.gov.uk / www.midsuffolk.gov.uk

Joint Local Plan references

As mentioned in our covering letter, our decision to proceed with a full Joint Local review should be reflected in supporting text. References to our 'Part 2' plan appear to be limited to paragraphs 3.5, 5.1, and 6.2. We have suggested revised wording for paragraphs 3.5 and 6.2.

For **paragraph 3.5**, reword the whole as follows:

- 3.5 Work on a Part 2 Joint Local Plan, which was expected to have identified a settlement hierarchy for the two local authority areas, the distribution of any further housing growth and identify sites required to meet that growth, has now been deferred following publication of the new National Planning Policy Framework in December 2024. The two Councils (Babergh and Mid Suffolk) will now bring forward a full review of the Joint Local Plan instead. The new housing requirements etc. will be addressed at the district level as part of this review.

For the first part of **paragraph 6.2**:

- 6.2 Policy SP03 of JLP1 establishes that, pending preparation of the Part 2 Joint Local Plan, [but now the Joint Local Plan review], new housing development will come forward through existing planning permissions, windfall development and any allocations in Neighbourhood Plans. Paragraph 69 of the NPPF states that strategic policies in the local plan should set out "a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations." At the time of preparing this Neighbourhood Plan, the settlement hierarchy and housing requirements for settlements had yet to be established for Mid Suffolk. However, the 2020 Draft Joint Local Plan defined Baylham as a 'Hamlet' village where infill development within the Settlement Boundary comprising a single dwelling, or a pair of semi-detached dwellings, may be acceptable.

Chapter 5 - Settlement Boundary

Paragraphs 5.3 to 5.6, Map 2, Map 3, and the Policy Village Centre Inset Map refer. See also Consultation Statement document pages 62 to 64

Our Regulation 14 response set out concerns that we had with the proposed settlement boundary. It also referred to an 'alternate' boundary that we understood had been considered by the Parish Council but was ultimately rejected by them in favour of the one repeated in this submission draft plan. The Parish Council have explained that their boundary is based on a clear understanding of the local landscape, and that it reflects a local desire to resist backland development.

At present, the Council has decided not to pursue our previous response further. There will be other opportunities to review the settlement boundary, either through our Joint Local Plan review (in line with any new approach to be applied across the district), or at a future date if or when this neighbourhood plan is reviewed.

Local Green Spaces (LGS)

Policy BAY 6, paragraphs 7.19 & 7.20, Map 7, the Policy Village Centre Inset Map, and separate Local Green Space Assessment refer. See also Consultation Statement document pages 73 to 75

Our Regulation 14 response referred to a lack of evidence put forward at that time to explain how LGS 1 to 4 were demonstrably special. We also felt that their uniformity of use meant that they read

as an extensive tract of land. Responding, the Parish Council have stated that each space needs to be considered separately, that LGS 1 to 4 significantly impact the landscape amenity to a greater or lesser degree for many parish residents, that some have an historical context, and that the LGS 1 occupies a dominant position overlooking Upper Street. Mention is also made of three appeals against refusal for dwellings in these spaces that were not upheld. No appeal reference numbers are provided.

For now, our comments are as follows:

- We do accept that each space should be considered on its merits and are mindful that there are other neighbourhood plans which have connected Local Green Spaces; although not of the land use type seen here in Baylham.
- We do still have some concerns around this 'uniformity' of land use.
- We note that the Local Green Space Assessment (Jan 2025) now contains information relating to historical context [new text added to the entries for LGS 2, LGS 3, and LGS 4]. These all read as: *"Baylham Common is referenced in the Suffolk Landscape Appraisal '18 Rolling Valley Farmlands EP/Edit1/02.08.10' as one of only 5 historically named arable commons in Suffolk."*

Nb: For the Examiner's reference, the above-mentioned Appraisal can be found online at:
<https://suffolklandscape.org.uk/wp-content/uploads/2020/07/18-Rolling-Valley-Farmlands.pdf>

We are mindful too that the Examiner will make her own unaccompanied visit to familiarise herself with Baylham and its setting, and that she may come to her own conclusion on whether it is appropriate or not to designate all, some, or none of these proposed Local Green Spaces. We will be guided by that.

Regarding the three appeals, these appear to be following and are mentioned here for references purposes only:

Within proposed LGS 1 ~ Appeal Ref: APP/W3520/W/19/3243146 – issued 7 July 2020

See: <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3243146>

Our reference DC/19/04496. A full planning application for the erection of 1no. dwelling and change of use of agricultural land to residential curtilage and land for the grazing of horses on land south-west of Fairview Cottage, Circular Road, Baylham, IP6 8LE.

Within proposed LGS 1 ~ Appeal Ref: APP/W3520/W/20/3262603 – issued 14 May 2021

See: <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3262603>

Our reference is DC/20/00638. A full planning application for the erection of a single storey agricultural worker's dwelling in association with Chalky Bottom Orchard. [Nb: this was a re-submission of a previously refused application (Dec 2019), our ref DC/19/04925, which was for full planning permission for the erection of a 2-bed accessible single storey dwelling and change of use of agricultural land to residential curtilage.

Within proposed LGS 3 ~ Appeal Ref: APP/W3520/W/20/3239991 – issued 17 Sept 2020

See: <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3239991>

Our reference is DC18/04977. A full planning application for the erection of 4no. affordable dwellings, access, landscaping and private drainage system on land south-west of Greenbanks, Upper Street, Baylham.

Built Heritage

Paragraphs 8.12, and Consultation Statement document pages 90 to 91, and 133 to 139 refer.

Should the Parish Council decide that they do want to incorporate a non-designated heritage asset policy in a future iteration of this plan, our previous comments on the 19 listed properties and structures of local heritage interest stand.

Regarding the 'barn on Mill Lane', we thank the Parish Council for looking into this and correctly identifying that this sits within the parish of Coddensham, and not Baylham as we first thought.

Minor modifications

- Amend the Heritage Asset Assessment entry in paragraph 1.11 to read 'December 2024' to reflect the fact that this document was updated late last year.

[Ends]

(3) OFFTON & WILLISHAM PARISH COUNCIL

E from: Offton & Willisham Parish Council <clerk@offtonandwillisham-pc.gov.uk>

Rec'd: 24 March 2025

Subject: Re: Consultation on R16 Baylham NP (Mid Suffolk DC) - ends Fri 28 March 2025

Dear Paul

I write further to a public meeting held by Offton and Willisham Parish Council on 18th March.

I am pleased to advise that the Parish Council voted unanimously to support the Neighbourhood Plan for Baylham.

With kind regards

Teresa Davis
Clerk
Offton and Willisham PC

[Ends]

(4) HISTORIC ENGLAND



Historic England

By e-mail to: Paul Bryant
Babergh and Mid Suffolk Council

Our ref: PL00793241
Date: 03/03/2025
Direct Dial: 01223 582746
Mobile: 07833 718273

Dear Paul,

Ref: Baylham Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan. We apologise for the delay in responding to this consultation.

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 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



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



(5) NATURAL ENGLAND (Automated reply only)

E from: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Rec'd: 7 February 2025
Subject: Consultation on R16 Baylham NP (Mid Suffolk DC) - ends Fri 28 March 2025

Dear Sir or Madam

We will action your request as follows:

- For consultations on Development Management, we will respond within 21 days from the receipt of your email.
- For consultations on Development Plans, we will respond within 6 weeks from the receipt of your email.
- For consultations from regulators relating to marine fisheries management we will respond within 21 days or within timelines agreed with your Natural England primary contact.
- For marine licence applications (including self-service marine licence applications) we will respond within 28 days.
- If you have specified a different deadline or we agree a revised deadline with you, we will respond within the time specified or agreed.
- If you are applying for the Discretionary Advice Service, we will respond to you within 15 working days.
- If you are a member of the public, we will respond to your query within 10 working days from receipt of your email.
- If your consultation relates to a Tree Preservation Order, Advertisement Consent, Hedgerow Removal Notice or Listed Building Consent, there is no requirement to consult us and you will not receive a further response.
- If your e-mail is regarding Agricultural Land Classification you can view both Post 1988 and Provisional ALC data on the www.magic.gov.uk/ website. Provisional data can also be viewed [here](#).

If this is a Development Management consultation that is not a Nationally Significant Infrastructure Project (NSIP), EIA development, Minerals and Waste development, development affecting over 20ha of Best and Most Versatile agricultural land or does not trigger an Impact Risk Zone (IRZ), there is no requirement to consult us and you will not receive a further response

Please refer to our general advice in the Annex below.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the proposals are not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not the proposals are consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of sites and the impacts of development proposals to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We strongly recommend that local planning authorities (LPAs) use Natural England's Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) (available from the [Natural England Open Data Geoportal \(arcgis.com\)](https://naturalengland-open-data-geoportal.arcgis.com) and to use on [MAGIC \(defra.gov.uk\)](https://defra.gov.uk) along with guidance) to decide when to consult Natural England on development proposals that might affect a SSSI.

The SSSI IRZs tool is quick and simple to use and gives instant planning advice as a formal consultation response in certain locations for some development types. Use of the SSSI IRZs avoids the need for a formal email consultation on some development proposals, saving time during the planning process, and helps to reduce the demand on Natural England, enabling more focus on those development proposals with the highest risk to and opportunity for nature recovery.

[Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals), <https://www.gov.uk/guidance/consulting-on-neighbourhood-plans-and-development-orders> provides further guidance on when LPAs must consult Natural England on development proposals.

* * * * *

Annex A – Natural England general advice

Protected Landscapes

Paragraph 189 of the <https://www.gov.uk/government/publications/national-planning-policy-framework--2> (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 187 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.landscapeinstitute.org/guidelines-for-landscape-and-visual-impact-assessment-glvia3/) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/1/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty> for further information.

Designated nature conservation sites

Paragraphs 193-195 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> and Natural England must be consulted on 'appropriate assessments' (see <https://www.gov.uk/guidance/appropriate-assessment> for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://www.arcgis.com) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/sites-of-special-scientific-interest-public-body-responsibilities)).

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities \(gov.uk\)](https://www.gov.uk/government/publications/protected-species-and-development-advice-for-local-planning-authorities) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to <https://www.gov.uk/guidance/wildlife-licences> for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 187, 188 and 192 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging <https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies> may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England \(gov.uk\)](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making.

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](https://www.buglife.org.uk) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - data.gov.uk](https://data.gov.uk) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 187(d), 192 and 193. Major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/glossary) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is also applies extended to small scale development from April 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

[Biodiversity Net Gain](#) guidance (gov.uk) provides more information on biodiversity net gain and includes a link to the [Biodiversity Net Gain Planning Practice Guidance](#) (gov.uk).

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric](#) for more information. For small development sites, [The Small Sites Metric](#) may be used. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 193 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 77, 109, 125, 187, 188, 192 and 193). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](#) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 193 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions> (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 187, 188). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land> on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](https://www.gov.uk/publishing.service.gov.uk) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK](https://www.gov.uk) (www.gov.uk), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](https://www.gov.uk) provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](https://www.naturalengland.org.uk) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](https://www.naturalengland.org.uk). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://www.naturalengland.org.uk) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://www.naturalengland.org.uk) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails:

Paragraphs 105, 185, 187 and 193 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](https://www.nationaltrails.gov.uk) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

Paul Bryant
Endeavour House
8 Russell Rd
Ipswich
IP1 2BX

Our ref: AE/2025/130281/01-L01
Your ref: Reg 16
Date: 21 March 2025

Dear Paul

**CONSULTATION UNDER REG' 16 OF THE NEIGHBOURHOOD PLANNING
(GENERAL) REGULATIONS 2012 THE BAYLHAM NEIGHBOURHOOD PLAN
2024 - 2037**

BAYLHAM

Thank you for consulting us on the Submission Publication for the Baylham Neighbourhood Plan.

We aim to reduce flood risk, while protecting and enhancing the water environment.

Having commented previously on this plan we are pleased to see that much of our previous comments have been taken on board. We therefore have no further detailed comments to make in relation to this plan.

We trust this advice useful.

Yours sincerely



Mr Jack Saunders
Sustainable Places - Planning Advisor

Direct e-mail: [Redacted]
Team email: Planning.Eastanglia@environment-agency.gov.uk
Team phone number: 02030 255475

(7) SUFFOLK WILDLIFE TRUST

Baylham NP Consultation, c/o Planning Policy Team
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

24th February 2025

RE: Consultation under Reg' 16 of the Neighbourhood Planning (General) Regulations 2012 ~ The Baylham Neighbourhood Plan 2024 - 2037

Thank you for sending us details of the Baylham Neighbourhood Plan, Regulation 16 consultation, please see our comments below:

Policy Bay5: Biodiversity

Suffolk Wildlife Trust raise no significant issue with the policy wording and are pleased to see that our comments regard wording around bat and bird boxes, made at the Regulation 14 Consultation in 2024, have been addressed.

We raise no further issue or comment with the submission draft.

Thank you for offering Suffolk Wildlife Trust the chance to comment on the Baylham draft Neighbourhood Plan,

Yours sincerely,

Alex Jessop
Planning & Advocacy Officer
planning@suffolkwildlifetrust.org

Our ref: NH/25/09903
Your ref: Baylham Nhood Plan Reg 16

National Highways
Operations (East)
Woodlands
Manton Lane
Bedford MK41 7LW

Baylham NP Consultation
c/o Planning Policy Team
Mid Suffolk District Councils
Endeavour House
8 Russell Road, Ipswich, Suffolk, IP1 2BX.

25 March 2025

Via email to: communityplanning@baberghmidsuffolk.gov.uk

Dear Paul Bryant,

Consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ~ The Baylham Neighbourhood Plan 2024 - 2037

National Highways welcomes the opportunity to comment on the Regulation 16 consultation of the submission draft Baylham Neighbourhood Plan which covers the plan period from 2024 to 2037.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

In relation to the Draft Baylham Neighbourhood Plan 2024 to 2037, our principal interest is in safeguarding the operation of the A14, specifically Junctions 51 and 52.

We understand that a Neighbourhood Plan is required to be in conformity with the relevant national, regional, and local planning policies. Accordingly, the Neighbourhood Plan for Baylham Parish is required to be in general conformity with the strategic policies of the development plan for the area which complement those in the Joint Babergh and Mid Suffolk Local Plan Part 1 (adopted in November 2023). This draft Neighbourhood Plan covers the period to 2037 to coincide with the end year of the Joint Local Plan (JLP).

After our last response on the Regulation 14 and the recent revision in the National Planning Policy Framework (NPPF) supports a 'vision-led' approach; the Councils have reached a decision for not continuing with the preparation of the Babergh and Mid Suffolk Part 2 JLP Development Plan Document, but to produce a full Babergh and Mid Suffolk



Joint Local Plan Review. National Highways would expect to be consulted as and when those development applications come forward in the usual way.

Having reviewed the draft version of the Neighbourhood Plan, we note that the scale of the growth remains low. National Highways therefore consider the limited level of growth proposed across the Baylham Neighbourhood Plan area, is unlikely to have a significant impact on the operation of the SRN.

We have also reviewed the supporting document titled "*Baylham Neighbourhood Plan 2024-2037 Basic Conditions Statement*" dated December 2024. The Neighbourhood Plan does not conflict with the requirement and aspiration of the Local Plan policies.

We have no further comments to provide and trust the above is useful in the progression of the Baylham Neighbourhood Plan.

Yours sincerely,

S. H.
Dr Shamsul Hoque
Assistant Spatial Planner
PlanningEE@nationalhighways.co.uk

(9) Defence Infrastructure Organisation (obo the MOD)



Defence
Infrastructure
Organisation

Christopher Waldron

Ministry of Defence

Safeguarding Department

DIO Head Office

St George's House

DMS Whittington

Lichfield

Staffordshire WS14 9PY

Your reference:

Baylham Neighbourhood Plan 2024 - 2037
Reg 16 consultation

Mobile: +44 (0) 7800 505824

E-mail: [DIO-Safeguarding-
Statutory@mod.gov.uk](mailto:DIO-Safeguarding-Statutory@mod.gov.uk)

Our reference:

DIO 10064211

christopher.waldron861@mod.gov.uk

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

27th March 2025

Dear Paul

It is understood that Babergh and Mid Suffolk District Councils are undertaking a consultation regarding their Baylham Neighbourhood Plan 2024 - 2037 Regulation 16 documentation. 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.

Paragraph 102 of the National Planning Policy Framework (December 2024) requires that planning policies and decisions take into account defence requirements by '*ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*' Statutory consultation of the MOD occurs 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 to Local Planning Authorities by the Department for Levelling Up.

Copies of these relevant plans, in both GIS shapefile and .pdf format are issued to Local Planning Authorities by MHCLG. An assurance review was conducted by the MOD in 2023 which confirmed that, at that time, Local Planning Authorities held the most recent relevant safeguarding data. Any subsequent updates to those plans were then issued by MHCLG. If

there is a requirement for replacement data, a request can be made through the above email address.

The review or drafting of planning policy provides an opportunity to better inform developers of the statutory requirement that MOD is consulted on development that triggers the criteria set out on Safeguarding Plans and the constraints that might be applied to development as a result of the requirement to ensure defence capability and operations are not adversely affected.

The area covered by the Baylham Neighbourhood Plan 2024 - 2037 will both contain and be washed over by safeguarding zones that are designated to preserve the operation and capability of Wattisham Station.

Wattisham Station is located to the West of the Baylham Neighbourhood Plan authority area and benefits from a safeguarding zone 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.

To provide an illustration of the various issues that might be fundamental to MOD assessment carried out in response to statutory consultation, a brief summary of each of the safeguarding zone types is provided below. Depending on the statutory safeguarding zone within which a site allocation or proposed development falls, different considerations will apply.

- The airspace above and surrounding aerodromes is safeguarded to ensure that development does not form a physical obstruction to the safe operation of aircraft using that aerodrome. Zones are drawn that trigger consultation on development of various heights to ensure that their effect on the protected airspace above and surrounding an aerodrome is assessed and, if necessary, mitigated. These zones also indicate areas where development might reduce the capability or otherwise compromise the operation of technical assets such as communications, navigation, or surveillance systems including radar. In addition to permanent physical development within these zones, the use of cranes, piling rigs or other tall plant or equipment to implement development may also be of concern.
- Birdstrike safeguarding zones with a radius of 12.87km are designated around certain military aerodromes. Aircraft within these zones are most likely to be approaching or departing aerodromes and therefore being at critical stages of flight. Within the statutory consultation areas associated with aerodromes are zones that are designed to allow birdstrike risk to be identified and mitigated. The creation of environments attractive to those large and flocking bird species that pose a hazard to aviation safety can have a significant effect. This can include:
 - The landscaping schemes associated with developments including the provision of green/brown roofs, or roof gardens and/or the creation of new waterbodies such as reservoirs, wetlands, ponds and/or attenuation basins and other elements associated with sustainable drainage systems. This would also include both on and off-site provision of Biodiversity Net Gain (BNG). Where off-site provision is to provide BNG, the locations of both the host development and any other site should both/all be assessed against statutory safeguarding zones and MOD consulted where any element falls within the marked statutory safeguarding zone.

In addition to the safeguarding zones identified, the MOD may also have an interest where development is of a type likely to have any impact on operational capability. Usually this will be by virtue of the scale, height, or other physical property of a development. Examples these types of development include, but are not limited to:

- Solar PV development which can impact on the operation and capability of communications and other technical assets by introducing substantial areas of metal or sources of electromagnetic interference. Depending on the location of development, solar panels may also produce glint and glare which can affect aircrew or air traffic controllers.
- 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; and,
- 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

The MOD note the proposed: Policy BAY 5 - Biodiversity and Habitats. The MOD request that; when drafting policy and guidance which addresses biodiversity, ecology, and Biodiversity Net Gain, Babergh & Mid Suffolk District Councils bear in mind that some forms of environmental improvement or enhancement may not be compatible with aviation safety.

Enhancements that require or result in the introduction of tall structures (whether temporarily or permanently), or where plants or trees are planted may degrade aviation safety, either by introducing physical obstacles to aircraft, or by degrading or compromising the operation and capability of safeguarded technical assets. Where enhancements include ground works that might result in open water (whether temporarily or permanently), the introduction or plant/tree species that bear berries or fruit, or the introduction of tree species that provide dense canopy, and the enhanced site is within 12.87km of an MOD aerodrome, it is possible that bird strike risk can be introduced or exacerbated to the detriment of aviation safety. In summary, where off-site provision is to provide BNG, the locations of both the host development and any other site should both/all be assessed against statutory safeguarding zones and the MOD should be consulted where any element falls within the marked statutory safeguarding zone.

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) Baylham Neighbourhood Plan

Baylham Parish Council response to comments submitted at Regulation 16 Consultation Stage

Body	Parish Council response
Suffolk County Council	<p>NPPF</p> <p>The Parish Council acknowledges that the Plan is subject to the transition arrangements of the December 2024 NPPF and is happy for the Examiner to determine how the NPPF should be referenced in the Referendum Plan.</p> <p>Health and Wellbeing</p> <p>The County Council seem to want Policy BAY 7 to repeat and go “above and beyond” the content of Policy LP24 of the Part 1 Joint Local Plan. Such a desire would normally be supported by viability assessments to back up the policy. Given the level of house building proposed in Baylham, this work would be excessive given the expected outcomes.</p> <p>Natural Environment</p> <p>Comment is made about Sites 1, 2, 3 and 4 (which we assume to be the Local Green Spaces in Policy BAY 6).</p> <p>The Parish Council remains satisfied that, as identified in the Local Green Spaces Assessment, these spaces satisfy the criteria set out in paragraph 106 of the NPPF (2024).</p> <p>Public Rights of Way</p> <p>The Parish Council believes that public rights of way can also provide biodiversity corridors and, as such, the wording which reflects that in a recently made neighbourhood plan in Babergh district, is appropriate. Furthermore, the loss of hedgerows adjoining public rights of way would be strongly resisted by the Parish Council</p>
Mid Suffolk District Council	<p>Housing Need</p> <p>The comments concerning the new standard method for calculating housing need are noted.</p> <p>Joint Local Plan references</p> <p>The Parish Council considers that the suggested factual amendments to paragraphs 3.5 and 6.2 can be made as natural updating of the Plan without necessarily addressing the matters through the examination.</p> <p>Settlement Boundary</p> <p>The Parish Council has nothing further to add on this matter.</p> <p>Local Green Spaces</p>

	<p>The Parish Council thanks the District Council for providing the Examiner with links to the Suffolk Landscape Character Appraisal and the planning appeals. The Parish Council remains satisfied that, as identified in the Local Green Spaces Assessment, these spaces satisfy the criteria set out in paragraph 106 of the NPPF (2024).</p> <p>Built Heritage</p> <p>Nothing further to add</p> <p>Minor Modifications</p> <p>The suggested minor modification to the Heritage Asset Assessment can be made ahead of the Referendum as part of the natural updating of the Plan and supporting documents necessary post-examination.</p>
Offton & Willisham Parish Council	Nothing further to add
Historic England	Nothing further to add
Natural England	Nothing further to add
Environment Agency	Nothing further to add
Suffolk Wildlife Trust	Nothing further to add
National Highways	Nothing further to add
Defence Infrastructure Organisation	Nothing further to add

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