

Wetheringsett cum Brockford N'hood Plan 2022 - 2037

Independent Examination correspondence document

Introduction

This document provides a record of all relevant correspondence between the Examiner (Janet Cheesley), the Parish Council (the Qualifying Body or 'QB'), and Mid Suffolk District Council during the examination of the Wetheringsett cum Brockford Neighbourhood Plan.

As required, specific documents will also continue to be published on our Wetheringsett cum Brockford NP webpage: www.midsuffolk.gov.uk/WetheringsettNP

Copies of e-mails / letters etc. appearing on the following pages:

- 1. E from Examiner dated 16 May 2024, and response from the QB to matters of clarification**

1. E from Examiner dated 16 May 2024, and response from the QB to matters of clarification

From: Janet Cheesley
To: Robert Townshend (Chair WcB NP Steering Group), Andrea Long (NP Consultant), Lynne Cockerton (Parish Clerk), and Paul Bryant / Caileigh Gorzelak (BMSDC),
Dated: 16 May 2023
Subject: *Matters for clarification*

Dear All,

As part of the examination, I am able to seek clarification on certain matters. I am seeking clarification from the Parish Council on the following five matters.

Regards
Janet Cheesley

- 1) The third paragraph in Policy WCB10 refers to achieving a minimum net gain in biodiversity of 10%, rising to 20% where possible. The justification for this rise to 20% is explained in paragraph 7.13 where it is stated that Suffolk County Council has recently committed to deliver twice the net gain required. Please can the Parish Council provide documentary evidence of this commitment from Suffolk County Council.**

QB response:

Please see below a number of hyperlinks to the Suffolk County Council website (and relevant articles) which outlines their commitment to biodiversity. We also attach the relevant cabinet minutes

The Suffolk County Council **policy aim** was adopted in February 2022. [...] the Agenda and Minutes of the Cabinet meeting at which this policy was adopted [are] publicly available via the County Council's website: [Search Page - Committee Minutes \(suffolk.gov.uk\)](#).

The relevant section of the confirmed minutes is from page 60 onwards – '57. Biodiversity Policy Development Panel'. The policy on BNG is item 8. **[MSDC note: A copy of these minutes are reproduced at the end of this Q&A response].**

The wording of the policy as adopted is:

'a) The County Council should aim to deliver a further 10% biodiversity net gain in aggregate across the housing programme, in addition to the 10% biodiversity net gain that will be required on each site. b) That in delivering over and above the minimum required, the Council should aim to provide enhancement for species and improve connectivity.'

This policy applies only to the County Council's own housing programme, i.e. housing built by the Council, and is not a County-wide policy *requiring* BNG, however SCC and others – specifically Suffolk Wildlife Trust have made the case that the County Council's decision to commit to delivering 20% BNG for its own house-building supports the view that this is achievable and desirable in Suffolk.

Links to website and relevant articles.

<https://www.suffolk.gov.uk/council-and-democracy/council-news/councils-commitment-to-further-enhancing-suffolks-natural-environment>

<https://www.spotlightmagazine.co.uk/councils-commitment-to-further-enhancing-suffolks-natural-environment/>

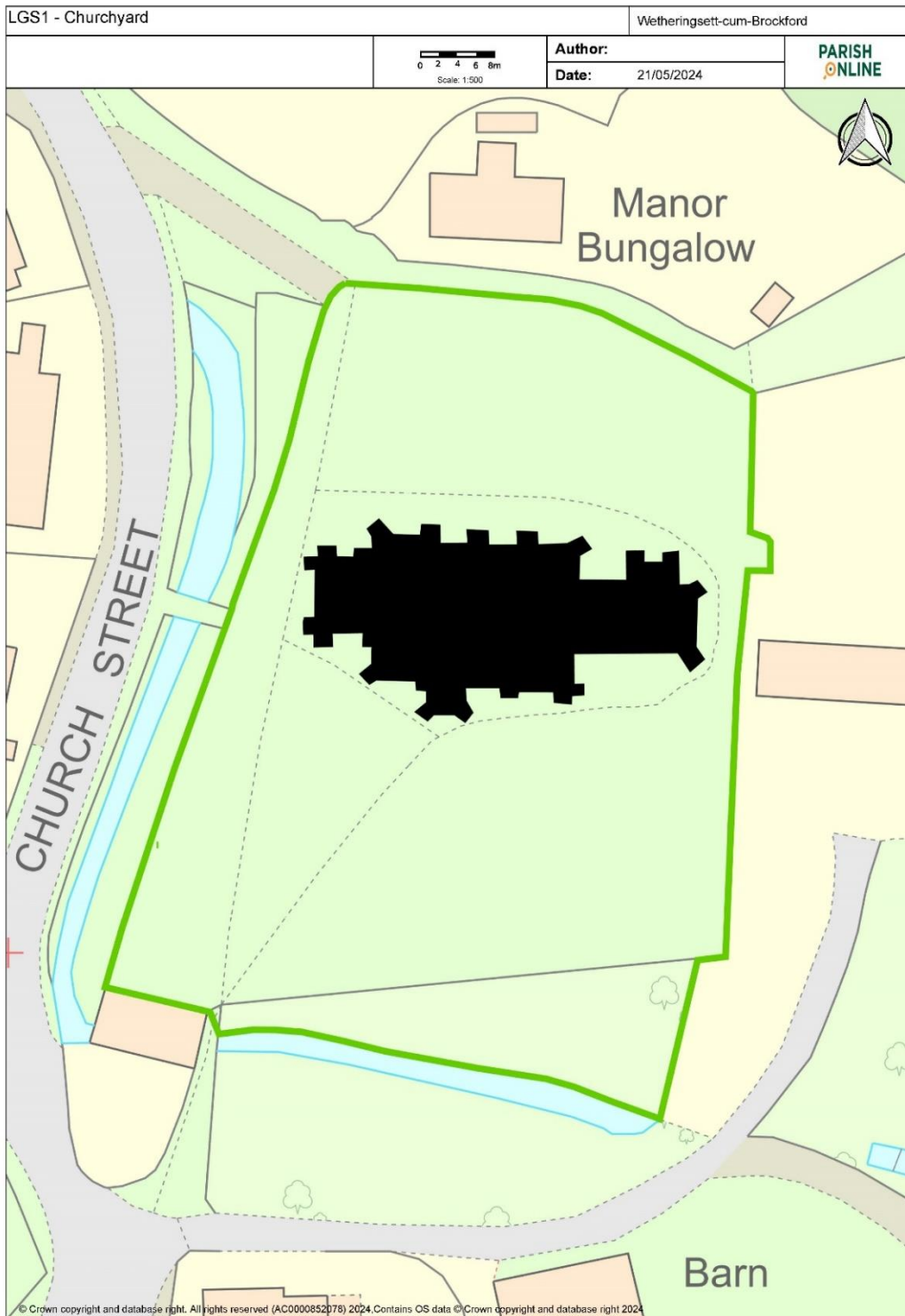
<https://www.suffolknews.co.uk/bury-st-edmunds/news/suffolk-county-council-makes-bold-and-ambitious-biodiversi-9238048/>

You may also be aware that BMSDC are currently [consulting publicly on a Biodiversity & Trees SPD](#) that states:

- 4.14 *It is recognised that on some developments the minimum 10% BNG requirement may be exceeded, and the Councils would encourage applicants to deliver at least 20% BNG where possible, for the reasons set out below.*
- 4.15 *The environmental ambitions agreed by the Councils are clear, that everything must be done that is possible to protect and enhance the precious habitats, nature rich landscapes, wildlife and species that are under huge pressure from pollution, habitat loss and climate change.*
- 4.16 *Leading wildlife organisations published their State of Nature report on the UK's current biodiversity in 2023, and this shows that nature is continuing to decline at an alarming rate, in one of the most nature-depleted countries in the World.*
- 4.17 *The State of Nature 2023 report reveals:*
- *One in six species is now at risk of being lost from Great Britain.*
 - *The wildlife studied has, on average, declined by 19% since monitoring began in 1970.*
 - *The majority of important habitats are in poor condition, though restoration projects have clear benefits for nature, people and adapting to climate change.*
- 4.18 *The stark evidence highlighted demands a strong and effective response. There is a desperate need for more, bigger, better-connected places for wildlife, so nature can recover and adapt to climate change, and healthier, happier and more prosperous communities across the Districts can be created.*
- 4.19 *Most developments must demonstrate a minimum 10% measurable net gain for biodiversity, in line with the requirements of the Environment Act 2021 and Joint Local Plan policy. However, the Councils believe there is a justification to expect more than this, where possible.*

2) Figure 24 shows a different front boundary than that shown in Appendix D and on the Parish Wide Policies Map Inset 2 for the proposed Local Green Space site 1 - Churchyard of All Saints Church. Please can the Parish Council provide a detailed map identifying the correct boundaries to this site. As a church is not a Local Green Space, the church building should be excluded from the designated area.

QB response: Please see map below



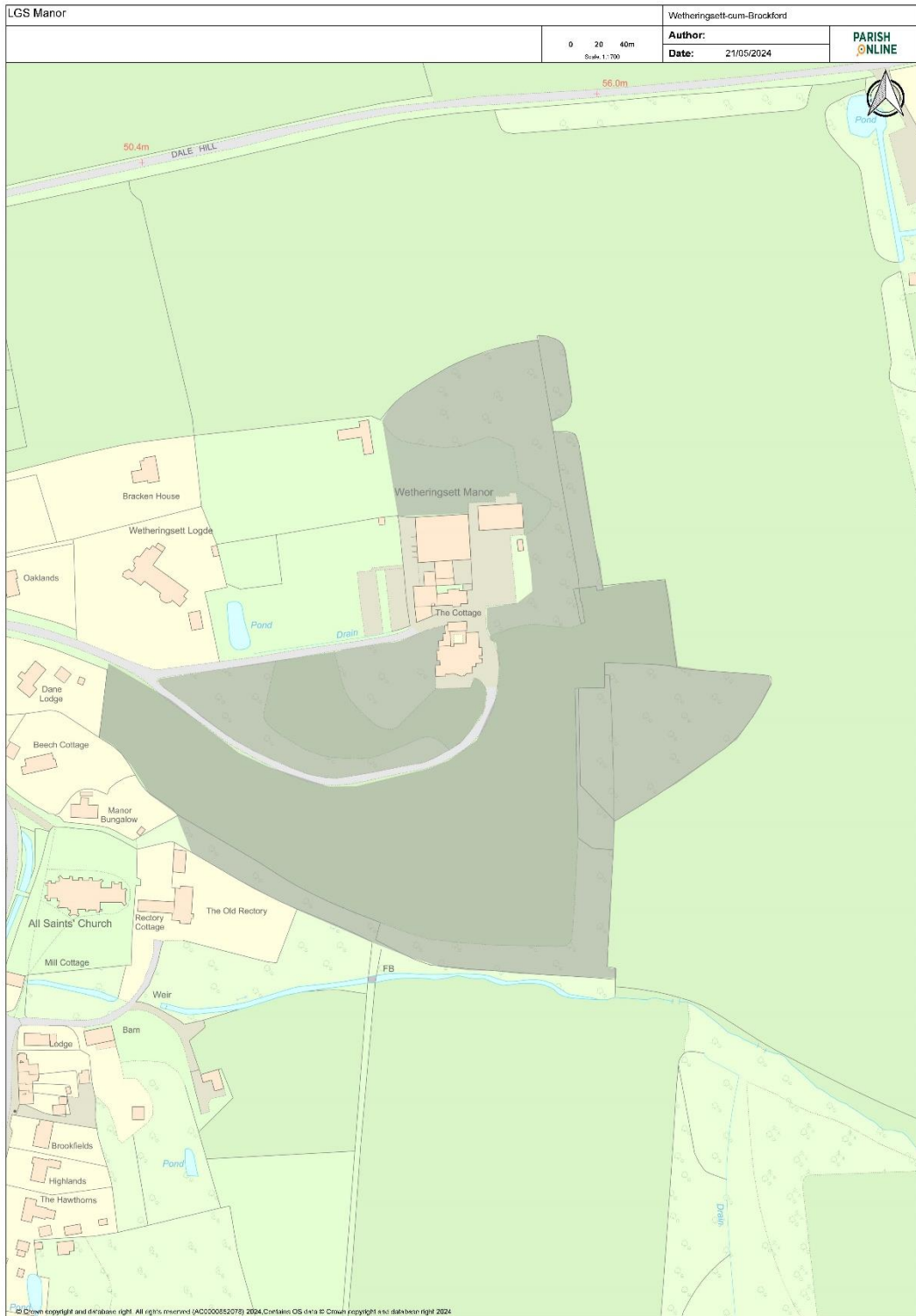
3) **Figure 24 and the Parish Wide Policies Map Inset 2 show different boundaries for the proposed Local Green Space site 5 - Meadow at Church Street. Appendix D describes the site as an area of improved grassland with hedges on three sides. Please can the Parish Council provide a detailed map identifying the correct boundaries to this site.**

QB response: Please see map below



4) Figure 24 and the Parish Wide Policies Map Inset 2 identify the whole of the Wetheringsett Manor School site as Local Green Space. Appendix D describes the site as an area of historic parkland surrounding Grade II listed Wetheringsett Manor. In addition, it states that the landowners have indicated agreement. The site identified on the maps includes the school buildings. These are not Local Green Spaces. Please can the Parish Council liaise with the owners of the site (if possible) to identify an appropriate parkland area to be defined as Local Green Space and provide a detailed revised map defining the boundaries.

QB response: Please see map below:



5) The penultimate paragraph in Policy WCB1 refers to protecting the undeveloped gaps between the defined hamlets. The preceding text in this policy refers to the defined settlements boundaries at Wetheringsett (Church) Brockford Street and Wetherup Street / Park Green. Paragraph 6.10 in the Plan explains that the Parish was divided up into nine separate character areas based largely on the distinct hamlets as a basis for the Wetheringsett cum Brockford Character Appraisal. That paragraph lists the hamlets and Figure 12 in the Plan identifies the character areas. I am seeking clarification as to whether Policy WCB1 is referring to the gaps between Wetheringsett (Church) Brockford Street

and Wetherup Street / Park Green, or between all the character areas identified in paragraph 6.10.

QB response:

This policy is intended to apply to gaps between all of the separate hamlets in the parish and not just those with a settlement boundary. Therefore it would apply to the gaps between all of the character areas identified in para 6.10.

* * * * *

Reproduced copy of the Minutes of the Suffolk County Council Cabinet Meeting held on 1 February 2022 in the King Edmund Chamber, Endeavour House, Ipswich.

Present: Councillors Matthew Hicks (Chairman), Richard Rout (Vice Chairman), Beccy Hopfensperger, Rachel Hood, James Reeder, Andrew Reid, Richard Smith MVO and Paul West

Also present: Councillors Sarah Adams, Bobby Bennett, Stephen Burroughes, Philip Faircloth-Mutton, James Finch, Jessica Fleming, David Goldsmith, Simon Harley, Graham Newman, Alexander Nicoll, Debbie Richards, Craig Rivett, Karen Soons, Andrew Stringer, Melanie Vigo di Gallidoro and Steve Wiles.

Supporting officers present: Susan Cassedy (Democratic Services Officer)

- 50. *Apologies for Absence*
- 51. *Declarations of Interest and Dispensations*
- 52. *Minutes of the Previous Meeting*
- 53. *Public Questions*
- 54. *Standing Item – Update from the Scrutiny Chairman*
- 55. *Revenue Budget 2022-23 and Capital Programme 2022-25*
- 56. *Net Zero Carbon Budget 2022*

57. Biodiversity Policy Development Panel

A report at Agenda Item 8 by the Executive Director of Growth, Highways and Infrastructure invited the Cabinet to consider the Biodiversity Policy Development Panel's (PDP) findings and recommendations for the Council to achieve the continuing decline in biodiversity in Suffolk by 2030.

The Cabinet Member for Finance and Environment introduced the report and thanked Councillor Melanie Vigo di Gallidoro, Chairman of the Biodiversity PDP and the PDP members for their hard work.

Councillor Vigo di Gallidoro presented the Biodiversity PDP report.

Decision: The Cabinet endorsed the Biodiversity policy objective at 1 below and implement the policy changes and actions recommended by the PDP at 2 – 12 below.

- 1. Biodiversity Policy objective
 - a) That the County Council should positively enhance the biodiversity value of at least 30% of its land and assets by 2030 and that the Council works with partners, businesses, landowners and communities towards achieving a similar goal for Suffolk as a whole.

- b) That a baseline of the Council's land and assets against which to measure progress towards this objective is defined by 2023 at the latest.
2. The Cabinet instructed the Executive Director – Growth, Highways and Infrastructure, in consultation with the Cabinet Member for Finance and Environment and where relevant the Cabinet Member for Operational Highways, to:
- a) Establish governance for implementation involving all relevant directorates.
 - b) Undertake the work to provide a basis for monitoring progress towards the 2030 objective from 2023.
 - c) Assess the resource requirements to:
 - i) enable implementation to be progressed as quickly as possible;
 - ii) inform the 2023 budget setting process; and
 - iii) build requirements into the Medium-Term Financial Plan.
 - d) Ensure the Highways policy changes are reflected in the procurement of the new highways maintenance contract.
 - e) Engage with partners and stakeholders to identify opportunities for joint working.
3. The Cabinet is asked to agree that the Cabinet Member for Finance and Environment provides reports on progress to Cabinet in line with the new Biodiversity Duty reporting requirements placed on the Council by the Environment Act 2021, with the first report being no later than 2 years from now.

Recommended policy changes and actions

4. Highways
- a) Roadside verges
 - i) That the Council's roadside verge management policy is amended to an approach tailored far more to managing verges to enhance their biodiversity value except where there is an overriding road safety need to maintain good visibility.
 - ii) That this revised policy is made very clear in discussions with potential contractors for the new Highways Maintenance Contract to ensure that the new contractor is able to deliver a verge management programme that meets this policy requirement.
 - iii) The Council works closely together with all local authorities across Suffolk to deliver management of roadside verges for biodiversity, including resources to provide joined-up communications and information to local communities and residents to explain the need for changes in verge management before and while they take place.
 - b) Roadside Nature Reserves

The Council continues to do all it can to protect and maintain the Roadside Nature Reserves (RNRs), with the support of volunteers and local communities, and that the Council seeks to expand the network, through extending existing RNRs as well as identifying new ones, where the quality of the biodiversity is evident.
 - c) Public Rights of Way

In undertaking maintenance, such as vegetation cutting along green lanes or byways, the Council should look at opportunities to benefit biodiversity where possible, alongside maintaining accessibility.
 - d) Use of Herbicides

The Council stops using Glyphosate in all highway maintenance operations as soon as it is able to deploy a suitable alternative, and at the latest by 2023 for routine weed treatment

programmes. The Council should work with other local authorities, both locally and through the Local Government Association, in reaching this goal as soon as possible.

e) Invasive Non-Native Species

- i) The Council works with others to raise awareness of invasive species most prevalent in Suffolk and sources of advice on how to deal with them and to minimise their spread.
- ii) The Council investigate the effectiveness of alternatives to glyphosate in controlling such invasive species.

f) Winter Service

- i) The Council seeks further information on National Highways trials on the use of alternative, and potentially less harmful, de-icing materials.
- ii) The Council consider ways to target de-icing treatment more, in order to reduce the quantity of de-icing materials used, and that this is explored with potential new Highway maintenance contractors as part of the procurement process.

g) Highway Trees

- i) The Council adopts a proactive policy of replacing any street/ highway trees that have to be removed, wherever possible in the same location, taking into consideration other constraints.
- ii) The Council adopts a management approach to existing highway trees that seeks to retain them, and their biodiversity benefit, for as long as possible, working where necessary with adjacent landowners.
- iii) The Council supports the introduction of new street and highway trees where feasible, targeting these into priority areas e.g. Air Quality Management Areas, nature recovery areas.
- iv) The Council supports the establishment of roadside hedges with trees to provide wildlife corridors alongside other benefits such as reducing flooding and snow drift on the highway.
- v) The Council establishes a dedicated budget to support this approach.

h) Street Lighting

The Council works with partners to put in place further research to understand how the new LED street lighting technology can best be managed for the benefit of biodiversity.

i) Licensing and Network Assurance

The Council waives the standard highways licensing charge for schemes on highway land, such as planting or wildflower seeding, which fit with the Council's biodiversity objectives.

j) Procurement of new Highways contract

The Council ensures the procurement of a new highways maintenance contract that encourages innovation and change to support emerging opportunities and technologies for the benefit of biodiversity, with the flexibility for trialling/ adopting new approaches as they materialise.

5. Property

- a) That the existing and potential biodiversity value of sites should be a consideration in decisions on future disposal of any sites and processes put in place to enable this, and if disposal is considered the best option, that mechanisms be put in place where possible to ensure biodiversity enhancement results from that.

- b) The Council supports operational site managers to better understand the biodiversity value and potential of their sites and to put measures in place to enhance biodiversity without compromising the service delivery requirements.
- c) That the biodiversity value and potential of the Council's non-operational sites is assessed and opportunities to enhance their biodiversity pursued, working with partners and local communities.
- d) In developing new property, the Council identify exemplars of good practice for enhancing sites for biodiversity that would become a minimum standard in future projects, backed by clear communications and standard setting across all County Council commissioning services

6. County Farm Estate

- a) The Council encourages and supports County Farm tenants to participate in the new environmental land management schemes to deliver as much enhancement of biodiversity as possible.
- b) The Council supports other partners, such as Suffolk Wildlife Trust and RSPB, to provide advice and support to farm tenants to do this.
- c) The Council should have at least 30% (3,750 acres) of our tenanted farm estate delivering enhanced biodiversity through these schemes by 2030.
- d) That a proportion of the income generated by the estate should be reinvested in its natural capital, including biodiversity, on an ongoing basis.
- e) That the opportunity for biodiversity and nature recovery should be explicitly considered alongside other factors whenever a county farm tenancy is coming to an end.
- f) Where a new agricultural tenancy is considered the best option, then clearer expectations on what the Council expects from tenants in respect of biodiversity-friendly practices are written into selection criteria and tenancy agreements.
- g) Where a decision is taken to dispose of county farmland for another purpose, such as housing, then the opportunity for this to deliver enhancement for biodiversity over and above any legal requirement through planning should be identified and included in the terms of the disposal.
- h) That woodland on the Estate that is held in-hand by the Council should be surveyed for biodiversity and appropriate management plans put in place to increase its biodiversity value as much as possible.

7. Housing

- a) The County Council should aim to deliver a further 10% biodiversity net gain in aggregate across the housing programme, in addition to the 10% biodiversity net gain that will be required on each site.
- b) That in delivering over and above the minimum required, the Council should aim to provide enhancement for species and improve connectivity.

8. Planning and related matters

- a) Planning
 - i) The Council should ensure that officer and member liaison arrangements between all Suffolk planning authorities will support roll-out of new planning responsibilities including biodiversity net gain and Local Nature Recovery Strategies.
 - ii) The Council should develop training and awareness raising tools to support these new responsibilities
 - iii) When engaging in consultations on regulations on these, the Council work with districts and borough on a Suffolk-wide approach.

- b) Transport Strategy
 - i) The Council should provide stronger guidance to developers and planners to ensure trees and other habitat creation and management measures are incorporated at an early stage of site design, and to establish clarity on the ongoing establishment/ maintenance of those once development has been completed.
 - ii) The Council should work with local planning authorities in the application of required highway standards to reduce biodiversity impacts as far as possible without compromising road safety.

- c) Lead Local Flood Authority

The Council should work with local communities, landowners, catchment partnerships and statutory bodies to raise awareness and support development of nature-based flood and water management solutions.

9. Procurement

- a) The Council should ensure further support to use of the Social Value approach including providing potential contractors/suppliers with guidance on what is needed in terms of biodiversity and additional support to staff to help achieve that through their procurement processes.
- b) The Council should adopt a clear standard around local tree and plant supply, using the Woodland Trust standard, and provide guidance for contractors in support of this.

10. Governance

- a) The Council considers expanding the requirement to consider carbon reduction in all Cabinet reports to include biodiversity.
- b) The Council establishes governance and monitoring for the policy and actions that flow from the Panel's report.

11. Capability and resources

- a) Carry out a full assessment of the Council's resourcing needs to meet the Panel's recommendations and reflect this in budget considerations going forward.
- b) The Council develops a public facing Geographical Information System (GIS) platform as soon as possible to support this work and to enable public, community and business engagement in it.

12. Suffolk-wide approach

- a) The Council should do all it can to help replicate projects such as the Suffolk Wildlife Trust's Carlton Marshes in other parts of the county, especially where this will expand and connect existing areas of biodiversity value in a 'nature recovery network', taking opportunities to use parts of the Council's own estate in this way
- b) Identify how the Council can best work with parish and town councils and other partners in supporting local engagement and community action to enhance biodiversity value locally.
- c) Roll-out the work already undertaken to map out the nature recovery priorities in our Areas of Outstanding Natural Beauty (AONBs) to the rest of the county as quickly as possible.

Reason for decision: The recommendation reflected the conclusions of the Biodiversity PDP and the actions they recommended the Council should take to help reverse the decline in biodiversity in Suffolk.

The PDP met eight times, considered evidence from external organisations, officers from across the Council and the wholly owned companies, undertook two site visits, and received detailed briefing material.

The recommended changes to policy and practice would enable the Council to help enhance biodiversity on its own land and through relevant services.

Comments by other councillors: The Cabinet Member for Public Health, Public Protection and Communities described the PDPs recommendations as an important piece of work. He advised that he had lived in Suffolk all his life and had seen the degrading of the biodiversity. He noted the work currently underway on County Farm Estate land and the work in the Suffolk Coast and Heaths and the Dedham Vale AONBs that promoted working with farmers to improve biodiversity.

With regard to roadside verges and highways trees, the Cabinet Member for Ipswich, Operational Highways and Flooding confirmed that he was happy to work positively and proactively to achieve the goals laid out in the PDP's recommendations.

A councillor noted that the PDP recommended that at least 30% of the County Farm Estate should be delivering enhanced biodiversity through the schemes by 2030 and asked what the current percentage of County Farm Estates land was managed in a wildlife friendly manner. The councillor also asked for clarification on how the process towards the 30% target would be measured over the next eight years. Officers advised that the first step in the implementation planning process was to establish the baseline position as set out in recommendation 5. Officers advised that the geographical information system and the monitoring of progress would also be considered through the implementation planning which would come back Cabinet for approval.

A councillor asked whether a flagship rewilding project could be created to demonstrate the Council's commitment and inspire others in Suffolk, given that 12.5 acres were potentially available to the Council when tenancies ended. The Cabinet Member for Finance and Environment was aware that she had visited Carlton Marshes and was very impressed with the work and acknowledged that the farming community had been at the forefront of some of this work for a long time with great examples of farmers already making huge inroads in terms of biodiversity recovery. In terms of using one of the County Farms as a landmark rewilding exercise, this again would be down to the implementation plan and future costings and whether a tenancy came up that was suitable. Officers referred to recommendation 9 e) stating that this could include many possibilities including rewilding. The Chairman of the PDP added that the PDP had discussed in some depth what could be done with County Farms, and she noted that Suffolk Wildlife Trust had areas throughout Suffolk that it was hoping to develop further, working on acquiring extra land which she considered set a brilliant example.

In noting that the PDP's recommendations were as equally as important to the Carbon Budget a councillor wished to see an annual report and a monitoring system for the progress on the actions. The Cabinet Member for Finance and Environment echoed the councillor's sentiments on giving it parity with the net zero work and explained that part of the implementation work was to establish the baseline which would provide something to monitor progress against which would then be reported back. Officers referred to recommendation 6 which also made the link with the new requirement under the Environment Act's statutory duty on the Council to report on the actions it was taking.

A councillor who was also a member of the PDP pointed out that whilst there would be upfront costs and on-going costs there would also be some policies that would be cost neutral and some with savings. The councillor also referred to the income from biodiversity offset such as carbon offset. The councillor considered that with greater biodiversity and enhancement of the natural environment, Suffolk would be an attractive destination for families.

In response to a councillor's concerns about the loss of roadside trees in Ipswich, the Cabinet Member for Finance and Environment advised of the complications around highways trees due to utilities along the roads making replanting prohibitively difficult but confirmed the Council would try to replace them on site when reasonably possible. He also confirmed that urban biodiversity was included in the recommendations. The Cabinet Member for Ipswich, Operational Highways and Flooding confirmed he was happy to work with councillors to achieve a way forward stressing that the recommendations were for the whole of Suffolk and not just rural Suffolk. The Chairman of the PDP advised that the Panel had constantly heard that trees were unable to be replaced due to the likelihood of there being underground utilities and that utility companies did not have any plans to identify where these were laid.

The Cabinet Member for Finance and Environment acknowledged the importance of engaging and working with Suffolk residents to show how everyone could play their part and help them better understand some of the wonderful natural assets in the county.

In response to a councillor's query on whether money was being made available in the Budget to deliver the outcomes in the next eight years, the Cabinet Member for Finance and Environment advised that the implementation plan would have costings and that the Capital Budget also had an additional £500,000 per annum which would enable the Council to embark on more ambitious capital schemes. Whilst there was no specific money for biodiversity the capital programme was being expanded and bids could be made.

A councillor raised concern about the Council insisting new build houses had street lighting without asking residents and whether the LED street lighting the Council used was wildlife friendly. The Cabinet Member for Finance and Environment confirmed that the LED street lighting that the Council used was wildlife friendly and that he would give further consideration to having a streetlight planning policy.

The Cabinet Member for Finance and Environment acknowledged the importance of embedding what was trying to be achieved across the work force and referred to the work done around carbon emissions as good example how the awareness had spread throughout organisation.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

58. To Determine School Admission Arrangements for the 2023/2024 School Year

The meeting closed at 4:34pm

Chairman