

## **6. CHAPTER 6 – COUNTRYSIDE AND THE RURAL ECONOMY**

### **6.1 PARAGRAPH 6.15 LANDSCAPE QUALITY**

#### **The Objections**

##### **841 Mr S Kosciuszko/Able Bishop & Company**

Objection to lack of consistency in landscape protection policies. Asks for para. 6.15 to be amended to make clear that Policy CR01 will be applied consistently throughout the District.

#### **Inspector's Reasoning and Conclusions**

6.1.1. Following my recommendations concerning other policies in this chapter, Policy CR01 is now applied consistently throughout the Plan. Therefore I do not consider that there is any inconsistency between Paragraph 6.15 and Policy CR01 and there is no need to further modify the Plan with respect to this objection.

#### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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### **6.2 PARAGRAPH 6.17 LANDSCAPE QUALITY**

#### **The Objections**

##### **1155 Lavenham Parish Council**

Wish to be consulted on Landscape Character Assessment as landscape is important to them.

##### **1178 Mr C A Reeve**

Objection to lack of Landscape Assessment and Action Programme with Alteration No.2. Hopes that Village Design Statement proposal for the two SLAs in Lavenham to be merged will be realised.

##### **1383 Suffolk Coast & Heaths Project**

Supportive of use of Landscape Character Assessment but asks that if it involves any part of the Suffolk Coast and Heaths AONB they wish to be consulted to ensure there is no conflict with their own guidelines.

#### **Inspector's Reasoning and Conclusions**

6.2.1 I note that objectors wish to be involved with the process of Landscape Character Assessment production, and that the Council should consult them on this matter.

However to include such detailed information in the local plan, on the Councils internal processes, would involve an excessive amount of detail, contrary to PPG12.

- 6.2.2 I have addressed the concern of the objector regarding the extension of the SLA to include Lavenham under my response to objections to Paragraphs 6.21–6.23 and Policy CR05. For the reasons I set out there I do not consider that the SLA should include land around Lavenham.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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### 6.3 POLICY CR01 LANDSCAPE QUALITY

#### **The Objections**

##### **1612 Tesco Stores Limited/Littman & Robeson**

The reference to the “cultural heritage of the locality” is not properly explained or defined. It is not appropriate to have a policy that requires absolute measures are taken to “maximise the potential for wildlife”. Regard should be had to providing appropriate potential. The reference to not introducing a proliferation of lighting and advertisements is set too vaguely. In any event, there are other policies that address these issues.

#### **Inspector's Reasoning and Conclusions**

- 6.3.1 I consider that whilst the term “cultural heritage” is not directly taken from any national planning guidance the term is self explanatory and does not require further definition or explanation in either the policy or its supporting text.
- 6.3.2 The wording of the policy requires developers to consider measures that would maximise potential for wildlife on sites rather than placing an absolute requirement for their inclusion in a development, which I find to be reasonable. However the intrusive effects of advertising and lighting are addressed in other Plan Policies. As the Plan should be read as a whole, this

represents unreasonable duplication and I consider that this part of the criterion should be deleted.

## **RECOMMENDATION**

Modify the Plan by deleting the reference to "lighting and advertisements" from the fourth criterion. Delete the comma after "buildings" in the revised criterion and replace with "**and**"

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### 6.4 PARAGRAPH 6.18 AREAS OF OUTSTANDING NATURAL BEAUTY

#### **The Objections**

##### **1820 Tendring District Council**

Objection to omission of AONB management plan in text and policy CR02.

##### **5454 Dedham Vale & Stour Valley Project**

The relationship between the Local Authority and its responsibilities under the CROW Act 2000 and relevant AONB Management Strategies should be more accurately described. Changes sought: "Protection of these designated landscapes" not "landscape designations".

##### **5457 Dedham Vale & Stour Valley Project**

Seeks changes to the wording of the final 3 sentences of Paragraph 6.18 to better reflect the Council's obligations under the Rights of Way (CROW) Act 2000.

#### **B.D.C is proposing a change to Paragraph 6.18 Pre-Inquiry Change 94**

Amend final sentence of CR02 to read: 'Parts of the Dedham Vale and the Suffolk Coast and Heaths Areas of Outstanding Natural Beauty (AONB) lie in the Babergh District. These designations indicate national recognition of the landscape quality, on a par with National Parks. Protection of these landscapes ~~designations~~ **designated**, will be of prime importance.'

#### **The Objections**

None

## Inspector's Reasoning and Conclusions

- 6.4.1 The Council have suggested changes at Second Deposit to the text of paragraph 6.18, which helps to explain its role in relation to the management and protection of the AONB. Furthermore, the Plan now makes appropriate reference to the relevant AONB management plans in Policy CR02. However, I find that the suggested wording of the objector is considerably more clear and comprehensive in setting out the Council's role in relation to national policy guidance than the Council's amended text. Therefore the objector's suggested wording should be used. The intention of Proposed Change 94 is acceptable but it is poorly set out and contains errors. For clarity, I will write out how I consider that Paragraph 6.18 should be reworded.

## RECOMMENDATION

Modify the Plan by amending paragraph 6.18 to read as follows:

**Parts of the Dedham Vale and the Suffolk Coast and Heaths Areas of Outstanding Natural Beauty (AONB) lie in the Babergh District. These designations indicate national recognition of the landscape quality, on a par with National Parks. Protection of these designated landscapes, will be of prime importance. Local authorities have a statutory duty under the Countryside and Rights of Way (CROW) Act 2000, when carrying out their function in relation to, or so as to affect, land in an AONB to have regard to the purpose of conserving and enhancing the natural beauty of the AONB. The CROW Act also places a duty on local authorities, acting jointly with other authorities where appropriate, to prepare and publish a plan which formulates their policy for the management of the AONB and for the carrying out of their function in relation to it. This task has been undertaken by the relevant Partnerships to produce the Dedham Vale and Stour Valley, and Suffolk Coast and Heaths Management Strategies respectively. In implementing the policies of the Local Plan, the Council will also seek to implement relevant parts of the Dedham Vale and Stour Valley, and the Suffolk Coast and Heaths Management Strategies and Action Plans and will resist development that would conflict with these aims and objectives.**

## 6.5 POLICY CR02 AREAS OF OUTSTANDING NATURAL BEAUTY

### The Objections

#### **839 Mr S Kosciuszko/Able Bishop & Company**

Policies CR02 and CR05 deal with the control of development within Areas of Outstanding Natural Beauty and Special Landscape Areas respectively. Both policies seek to apply Policy CR01 relating to protection of landscape quality and character District wide. However, Policy CR02 states that Policy CR01 will be rigorously applied whereas Policy CR05 simply says it will be applied. Whilst it is appreciated that an AONB has a generally higher landscape quality than elsewhere Policy CR01 is not open to be less rigorously applied in areas outside the AONB. It applies equally throughout the District and should be applied rigorously everywhere. It is therefore suggested that the word 'rigorously' be omitted from Policy CR02 and Paragraph 6.15 be amended to make it clear that Policy CR01 will be applied consistently throughout the District.

#### **842 Mr S Kosciuszko/Able Bishop & Company**

Suggests that applicants should be asked to demonstrate that no alternative site is available outside protected areas.

#### **1384 Suffolk Coast & Heaths Project**

Objection to policy. Local Authorities to have due regard to an AONB under CRow Act 2000.

#### **5453 Dedham Vale & Stour Valley Project - Conditional Withdrawal**

The final sentence in this policy should be more strongly worded and should comply with section 89 of CroW Act which states that AONB Management Strategies "... formulates local authority policy and action in relation to the management..." Changes required: "In considering development proposals due regard will be given to the policies and actions contained in within the Dedham Vale and Stour Valley and Suffolk Coast and Heaths Management Strategies".

#### **9550 Suffolk Coast & Heaths Unit**

Consistency of approach. The Unit recognises that a great deal of variety exists within the Suffolk Coast and Heaths AONB and that this 'mosaic' quality and diverse local character is an integral part of the areas charm. For this reason it would not be appropriate for all Local Plans covering the AONB to have identical policies with regard to all aspects of the care of this nationally important area. However, the AONB is a homogenous entity and the Unit believes that there would be advantages in ensuring a greater consistency in the standard of planning policies and in the treatment or approach

adopted by different local authorities operating in this area. This need is clearly articulated in the current Management Strategy for the Suffolk Coast & Heaths AONB.

### **B.D.C is proposing a change to Policy CR02 Pre-Inquiry Change 95**

Amend final sentence of Policy CR02 to read: '~~Reference will be made~~', replace with '**Due regard will be given**', and after the words 'to the' add '**provisions contained within** the Dedham Vale and Stour Valley, and the Suffolk Coast and Heaths Management Strategies.'

### **The Objections**

None

### **Inspector's Reasoning and Conclusions**

- 6.5.1 I note that the Policy has been amended at Second Deposit so that it is no longer "rigorously applied" to renewable energy development. However this requirement still remains in the Council's amended version of paragraph 6.18. I can see no good reason why development for renewable energy production should be subject to any more, or less, scrutiny than any other type of application. The Plan contains sufficiently rigorous policies to protect an AONB and the wider countryside, without the need to specifically single out this type of development. This requirement should be completely removed from the text, and I have recommended this in the amended version of paragraph 6.18 that I set out above. As regards the objector's other suggested amendment to the text, it must be remembered that the Policy applies to all types of development in the AONB. While in many instances the lack of alternative sites would be given as evidence, to insist on this requirement for all development in an AONB would be unduly restrictive.
- 6.5.2 Changes made at Second Deposit have gone some way to meeting objector's concerns about how the Policy addresses AONB Management Plans, and I have recommended additions to the supporting text that further clarify this matter. Proposed Change 95 strengthens the Policy to accord with these changes.

These changes also address concerns over the consistency of approach between local authorities.

## **RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 95.

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### 6.6 PARAGRAPH 6.20 AREAS OF OUTSTANDING NATURAL BEAUTY

#### **The Objections**

##### **100 Network Rail**

Advise that they are fully aware of their responsibilities in an AONB  
Suggest text be revised to explain this better.

##### **1729 National Grid Transco/Malcolm Judd & Partners**

Point out that they are fully aware of value of designated  
landscapes and work with local authorities.

##### **8781 National Grid Transco/Malcolm Judd & Partners**

Objecting to the additional text referring to the needs and statutory  
responsibilities of statutory undertakers and utility providers.

#### **Inspector's Reasoning and Conclusions**

6.6.1 The text of Paragraph 6.20, as amended at Second Deposit stage, explains the responsibilities of statutory undertakers clearly and it merely explains the need to avoid a significant adverse impact in an ANOB, having regard also to the needs and statutory responsibilities of utility providers. I find that there is no necessity to further amend this paragraph. However, see my recommendation on Policy CR03 below.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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### 6.7 POLICY CR03 AREAS OF OUTSTANDING NATURAL BEAUTY

#### **The Objections**

### **101 Network Rail**

Objection to text and suggests modifications to policy CR03 as follows:

The District Council will seek to restrict permitted development rights, taking into account the needs and statutory requirements of the operator, to prevent adverse developments in the AONB

#### **796 GO-East**

Request that the policy should relate to development and land use and be relegated to supporting text.

#### **1385 Suffolk Coast & Heaths Project**

Objection to policy. Local Authorities to have due regard to AONB under CROW Act 2000.

#### **1723 National Grid Transco/Malcolm Judd & Partners**

Policy CR03 refers to the removal of permitted development rights, granted to many public utilities, statutory undertakers and private companies. These permitted development rights allow National Grid to develop and maintain an efficient, coordinated and economic system of electricity transmission. Requests the deletion of Policy CR03.

#### **2916 Mr S Kosciuszko/Able Bishop & Company**

Suggests that applicants should be asked to demonstrate that no alternative site is available outside protected areas.

### **Inspector's Reasoning and Conclusions**

- 6.7.1 Policy CR03 states how the Council intends to use its powers to withdraw permitted development rights and as such does not form a site specific or criteria based approach to the assessment of development. Therefore the Policy does not accord with the provisions of PPG 12.
- 6.7.2 I share the concern of the Objector about the wording of Policy CR03. As written it clearly states that permitted development rights will be restricted. The Council is able to propose an Article 4 Direction, which in my experience is only confirmed in exceptional circumstances. The wording of the policy also indicates that permitted rights should be restricted only if there is a *threat* from inappropriate development. As, in my view, a blanket Article 4 Direction is very unlikely to be confirmed, this would imply that each proposal would need to be assessed on its own merits having regard to its impact on an AONB. Similarly, the imposition of conditions could only be imposed when a specific planning proposal is considered at which time such a condition taking away permitted development rights could be challenged on appeal. Under these circumstances,

and regardless of the inclusion of substantially the same policy in the previous plan, as Paragraph 6.20 above already sets out the Council's intentions for the withdrawal of permitted development rights in an AONB, I do not consider Policy CR03 is necessary.

- 6.7.3 As regards Suffolk Heath and Coast Projects concerns, this issue has already been addressed under Policy CR02 and Paragraph 6.18. No further amendment is necessary here. Similarly I have already addressed other concerns in my consideration of objections to Policy CR02 and do not consider that there is any necessity to amend the Plan in respect of this objection.

## **RECOMMENDATION**

Modify the Plan by deleting Policy CR03.

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## 6.8 POLICY CR04 AREAS OF OUTSTANDING NATURAL BEAUTY

### **The Objections**

#### **672 GO-East**

The development plan should offer certainty and clarity. The phrasing of plan policies is fundamental to this. Some phrases introduce doubt as to whether planning permission will or will not be granted and these should be avoided.

Policies in the development plan are implemented not only by the District Council, but also the County Council, the Planning Inspectorate and the Secretary of State. Policies should not therefore include phrases such as "the District Council" or "the local planning authority".

#### **1386 Suffolk Coast & Heaths Project**

Objection to policy. Local Authorities to have due regard to AONB under the CROW Act 2000.

#### **1724 National Grid Transco/Malcolm Judd & Partners**

Policy CR04 refers to the discouragement of major utilities and Overhead Lines in AONB and SLA respectively, which together cover substantial areas of the District. Within the Local Plan both areas are given the same status in terms of opposition to major utilities and overhead power lines. At present, Policy CR04 prevents National Grid from being able to route a new high voltage overhead power line through substantial areas of the District, if a line was ever required, or to replace or reinforce the electricity transmission system by overhead lines through the District. National Grid wish

to see Policies CR04 modified to place more emphasis on choosing the most suitable route. The last sentence of the policy should read:

...The District Council acknowledges that there is a requirement to locate overhead power lines in an AONB. Should overhead power lines be required in an AONB, the District Council will encourage careful line routing such lines to minimise the visual impact."

**2917 Mr S Kosciuszko/Able Bishop & Company**

Suggests that applicants should be asked to demonstrate that no alternative site is available outside protected areas.

### **Inspector's Reasoning and Conclusions**

- 6.8.1 Following changes made at Second Deposit draft, I find the wording of the Policy to be acceptable in terms of Go-East's objections. As regards Suffolk Heath and Coast Projects concerns, this issue has already been addressed under Policy CR02 and Paragraph 6.18.
- 6.8.2 As the Plan should be read as a whole no further amendment is necessary here. Similarly I have already addressed other objections in my consideration of objections to Policy CR02 and do not believe that there is any necessity to amend the Plan in respect of this objection.
- 6.8.3 NG Transco considers that Policy CR04 would prevent National Grid from being able to route a new high voltage overhead power line through an AONB. I do not read the policy in this way. It seems to me the Council in its approach is reflecting the greater emphasis on an AONB under The Countryside and Rights of Way Act 2000. I consider that in such nationally recognised sensitive areas it would be reasonable for the Council to *discourage* any development having an adverse impact on the countryside. If for some important reason development has to occur in an AONB as an exception, paragraph 6.19 recognises this and that its impact should be minimised.

### **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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## 6.9 PARAGRAPH 6.21 SPECIAL LANDSCAPE AREAS

### The Objections

#### **1054 Hadleigh Town Council**

Objection to lack of definition of river valleys within Special Landscape Areas in Proposals Map.

#### **1156 Lavenham Parish Council**

Objection to omission of locality around Lavenham from Special Landscape Area designation. Suggests that the Brett Valley and Stour Valley SLAs be joined together.

#### **1852 Mrs R Summers/John Peacock Planning**

Objection to inclusion of Sproughton locality as Special Landscape Area. Argues that the concept originated in earlier Structure Plan policy, that there are no new grounds for more designations, and that no proper assessment has taken place.

#### **9557 Suffolk Coast & Heaths Unit**

Development proposals located on the edge of an AONB can have an adverse impact on it. The Unit would like to see a recognition of this fact and a commitment to the avoidance of such impacts within the Local Plan.

### Inspector's Reasoning and Conclusions

- 6.9.1 In terms of the precise definition of SLAs, most of the District's Special Landscape Areas (SLAs) are based around river valleys. The Council both in its response to objections and in proof of evidence B284/2, states that SLA boundaries are based around landscape features such as roads, hedgerows and woodlands.
- 6.9.2 I consider that this is a logical approach and is adequately represented on the Proposals Map. There is no necessity for further amendment to the Plan in respect of this objection.
- 6.9.3 The SLA designation restricts new development in areas of largely open countryside that form SLAs in order to protect the particular landscape quality of the SLA. Outside of these SLAs, Policy CR01 still provides a high level of protection for other areas of open countryside. The District's SLA's are designated largely around river valleys and have recently been part of a reassessment process, *the Babergh District Landscape Assessment and Action Programme (CD 43A)*. This document although only available in draft form has provided the

basis of a review of SLA boundaries. As a result of this two areas of land have been given SLA status and an extension made to an existing SLA boundary. Given this process, I find that the Council have applied a systematic and logical approach to the allocation of land within SLAs.

- 6.9.4 The inclusion of land around Lavenham in the SLA would involve the merging of the Chad Brook and Brett Valley SLA. Whilst this would not involve the re-designation of a large tract of countryside, I do not consider that this can be justified in landscape terms, as the land, whilst attractive, is not of a similar landscape quality to the SLA, particularly with respect to how this land relates to river valleys. Sufficient protection can be given to this land under the provisions of policy CR01.
- 6.9.5 Land around Sproughton forms part of one of a newly allocated SLA based on the Gipping Valley. In landscape terms, although this land borders the edge of the Ipswich urban area, this land is visually linked to the wider landscape that form the Gipping Valley SLA and as such forms part of an area of high landscape quality.
- 6.9.6 While development on the edge of an AONB can have a significant effect on that AONB, where development of this nature is proposed this can be addressed as a material consideration in the assessment of any planning applications. I do not consider therefore that this matter needs specific recognition in the Policy or the supporting text.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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## 6.10 PARAGRAPH 6.22 SPECIAL LANDSCAPE AREAS

### **The Objections**

#### **1157 Lavenham Parish Council**

Objection to the omission of locality around Lavenham from Special Landscape Area designation. Suggests that the Brett Valley and Stour Valley SLAs be joined together.

**1853 Mrs R Summers/John Peacock Planning**

Objection to inclusion of Sproughton locality as Special Landscape Area. Argues that the concept originated in Structure plan policy, that there are no new grounds for more designations, and that no proper assessment has taken place.

**Inspector's Reasoning and Conclusions**

6.10.1 See my reasoning in relation to Paragraph 6.21 above. For the reasons given there I do not consider that there is any necessity to amend the Plan in the manner suggested by the objectors.

**RECOMMENDATION**

Make no modification to the Plan in response to these objections

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6.11 PARAGRAPH 6.23 SPECIAL LANDSCAPE AREAS

**The Objections**

**259-260 Taylor Woodrow/Carpenter Planning Consultants**

Objection to inclusion of Chantry Vale site in Special Landscape Area designation.

**1158 Lavenham Parish Council**

Objection to omission of locality around Lavenham from Special Landscape Area designation. Suggests that the Brett Valley and Stour Valley SLAs be joined together.

**1854 Mrs R Summers/John Peacock Planning**

Objection to inclusion of Sproughton locality as Special Landscape Area. Argues that the concept originated in Structure Plan policy, that there are no new grounds for more designations, and that no proper assessment has taken place.

**2585 Mr D Wood**

Objection to omission of Shotley Peninsula outside of AONB from SLA designation.

**Inspector's Reasoning and Conclusions**

6.11.1 See my detailed report on Chantry Vale in the Economy and Employment chapter of the Plan.

6.11.2 See my reasoning in relation to Paragraph 6.21 above. For the reasons given there I do not consider that there is any necessity to amend the Plan by either including

land around Lavenham in the SLA or excluding land around Sproughton from the SLA.

- 6.11.3 The Shotley Peninsula did not form part of the Landscape Assessment and Action Programme, as it had been part of an earlier assessment by the Countryside Agency. The study included the central part of the Peninsula as well as the AONB and did not recommend that the area outside the AONB should be subject to any designation, either AONB or SLA. Therefore the Council's approach in not including the Shotley Peninsula in an SLA is logical.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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## 6.12 POLICY CR05 SPECIAL LANDSCAPE AREAS

### **The Objections**

#### **261 Taylor Woodrow/Carpenter Planning Consultants**

Objection to inclusion of Chantry Vale site within Special Landscape Area designation and association with Gipping Valley.

#### **312 Mr and Mrs C Macadam**

Objection to omission of locality around Wenham from Special Landscape Area designation.

#### **371 Sproughton Parish Council**

Although supporting the Special Landscape Area designation for the Gipping Valley, feel that the boundaries should be fine tuned to allow for infill development. Suggest that the boundaries are based on administrative lines and on roads and field features.

#### **840 Mr S Kosciuszko/Able Bishop & Company**

Policies CR02 and CR05 deal with the control of development within Areas of Outstanding Natural Beauty and Special Landscape Areas respectively. Both policies seek to apply Policy CR01 relating to protection of landscape quality and character District wide. However, Policy CR02 states that Policy CR01 will be rigorously applied whereas Policy CR05 simply says it will be applied. Whilst it is appreciated that an ANOB is of generally higher landscape quality than elsewhere Policy CR01 is not open to be less rigorously applied in areas outside the ANOB. It applies equally throughout the District and should be applied rigorously everywhere. It is therefore suggested that the word 'rigorously' be omitted from Policy CR02

and Paragraph 6.15 be amended to make it clear that Policy CR01 will be applied consistently throughout the District.

**881 Fison & Son/Whymark & Moulton**

Objection to inclusion of locality in SLA.

**898 Mrs A H Doel**

Objection to blanket coverage of SLA for Copdock area.

**1143 Shotley Holdings Ltd**

Objection to inclusion of Folly Farm in Dodnash SLA, although supporting concept in principle. Argues that site is important in waste management terms.

**1219 Mr S Kosciuszko/Able Bishop & Company**

Objection to omission of locality south of A134 road from SLA designation, although conceding that this has been partially achieved in the First Deposit Draft. Argues that the A134 road provides a good boundary for the SLA.

**1312 The Hadleigh Society**

Objection to lack of definition of the term "valley" which should be clarified in the case of each SLA.

**1500 Mrs A H Doel**

Objection to omission of locality around Wenham from the Gipping Valley Special Landscape Area designation. Also points out the valuable wildlife in this unspoilt part of the countryside.

**1590 Persimmon Homes (Anglia) Ltd/Boyer Planning**

Objection to inclusion of extension to Stour Valley Special Landscape Area in Great Cornard.

**1613 Tesco Stores Limited/Littman & Robeson**

Objection to lack of clarity in policy wording, and argues that there may be exceptions for development justified by special circumstances.

**1816 Valid Aspect Limited/Birketts**

Objection to inclusion of land adjacent to Pinecroft Rise within the Special Landscape Area. Argues that the site is visually separate from the open countryside and should be considered in the context of the adjacent residential development.

**1855 Mrs R Summers/John Peacock Planning**

Objection to inclusion of Sproughton locality as Special Landscape Area in policy CR05. Argues that the concept originated in Structure Plan policy, that there are no new grounds for more designations, and that no proper assessment has taken place.

**1937 Mr R P Doel**

Objection to blanket inclusion of Copdock/Washbrook within Special Landscape Area designation. Argues that such protection should be afforded for those areas needing it, and that Copdock/Washbrook should be able to provide for new housing.

**2586 Mr D Wood**

Although supports the concept of the Dodnash Special Landscape Area, raises an objection to the omission of Shotley Peninsula. Suggests this will provide a natural linkage to the Suffolk Coast and Heaths AONB.

**2918 Mr S Kosciuszko Able/Bishop & Company**

Suggests that applicants should be asked to demonstrate that no alternative site is available outside protected areas.

**3762 Valid Aspect Ltd/Birketts**

The proposed changes to this policy are contrary to Government Guidance at para. 4.16 of PPG7. They apply wholly inappropriate tests to development within Special Landscape Areas. The policy essentially gives SLAs the same status as an AONB which is unreasonable. SLAs should not be afforded such protection and to do so unnecessarily limits the options available for meeting the reasonable local needs of the district. Revert to the previous wording as contained in the First Deposit Draft - September 2001.

**3853 Cornard Tye Residents Association/Able Bishop & Company**

Remove 'Overriding National or Regional Need' since there are existing provisions to override Local Plans in these circumstances.

**4282 Sproughton Parish Council**

Policy requires greater clarity and robustness to effectively prevent development in SLA in Sproughton. The policy as worded is too imprecise and will lead to wide interpretation and will not give the SLA the level of protection that it warrants. The wording of the policy is convoluted.

**6073 Mr S Waller/Carpenter Planning Consultants**

Objecting to the proposed change to Policy CR05 as it implies that no development will be allowed within Special Landscape Areas, which is misleading. Objector would like CR05 to remain as existing.

## **Inspector's Reasoning and Conclusions**

- 6.12.1 These objections fall into two broad categories; objections to inclusion or exclusions of specific locations from the SLA designation and the way the policy addresses the protection of these areas.
- 6.12.2 In terms of objectors' site specific objections, in my reasoning concerning objections to Paragraph 6.21 I find that the Council's approach to the identification of SLAs, both in terms of their broad location and how specific boundaries are assessed is sound. Furthermore I have already dealt with some site specific objections to this Policy in my consideration of objections to

Paragraphs 6.21- 6.23, and also in the housing chapter when considering omission sites and Built Up Area Boundaries . For the reasons set out, I consider there is no necessity to alter the Plan to include additional land to the SLA around Lavenham, Sproughton and land outside the AONB in the Shotley Peninsula. There are also additional objections relating to the wider Gipping Valley SLA, of which Sproughton is a part. In terms of these objections I do not consider that the exclusion of additional land from the SLA in Sproughton, or at the Chantry Vale site, is necessary for development to take place during the Plan period.

- 6.12.3 Other objectors have also requested the removal of particular sites from the SLA designation namely Folly Farm at Dodnash, Great Cornard, Pinecroft Rise at Ballingdon, and the Copock and Washbrook area. I have dealt with the proposed SLA designation at Great Cornard as part of my report on the omission site at Carsons Drive, in the Housing Chapter. I have not repeated my conclusions here. The land at Pinecroft Rise is now part of the overgrown landscape setting of Ballingdon and I have dealt with its suitability for housing in the Housing Chapter of the Plan. Other than those considered in the Housing Chapter, given my acceptance of the Council's broad strategy I have seen no evidence that would justify the removal of sites from the SLA, including the need to provide additional housing land.
- 6.12.4 Other objectors have suggested that additional locations be included in the SLA, namely Wenham and land south of the A134. Again whilst both areas of land have elements of attractive countryside, I do not consider that they are of sufficiently high quality to justify their inclusion in the SLA, given my broad acceptance of the Council strategy. Also see my more detailed report below in this chapter at paragraphs 6.46.4 - 6.46.10
- 6.12.5 As regards objectors' concerns over the Policy's wording, even after amendments made at Second Deposit stage, I find that there is little differentiation between the levels of protection afforded to SLA and that afforded to AONB. More specifically there is no justification for placing a needs test in the Policy, regardless of what that level of need is. Although some

objectors consider that the Policy should be even more restrictive, PPS7 is clear that the purpose of local landscape designations is to protect landscape features of local importance, not to place a blanket restriction on all development within these specific areas that can only be rescinded where there is a proven need. This is especially relevant for villages in the SLA. This emphasis on the special nature of the landscape in these areas should be reflected more explicitly in the Policy. Additionally the Policy should be worded more clearly and concisely.

- 6.12.6 Following this rewording I consider that the Policy is sufficiently flexible to address circumstances where a development in a SLA would bring associated benefits with it, which addresses Tesco's concerns. The approach that the Council has taken in using the Proposals Maps to precisely define SLAs, whilst broadly listing the areas is acceptable, as to define each area precisely in words would be overly cumbersome. However I consider that it would be more appropriate for this list to be in the supporting text rather than the Policy itself

## **RECOMMENDATION**

Modify the Plan by deleting Policy CR05 and replacing with the following Policy:

**Development proposals in Special Landscape Areas will only be permitted where they**

- **Maintain or enhance the special landscape qualities of the area, identified in the relevant landscape character assessment.**
- **Are designed and sited so as to harmonise with the landscape setting**

Transfer the list of SLAs from the Policy to the supporting text.

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## 6.13 POLICY CR06 SPECIAL LANDSCAPE AREAS

### The Objections

#### **674 GO-East**

The policy should relate to development and land use.

#### **1725 National Grid Transco/Malcolm Judd & Partners**

Policy CR04 refers to the discouragement of major utilities and Overhead Lines in AONB and SLA respectively, which together cover substantial areas of the District. Within the Local Plan both areas are given the same status in terms of opposition to major utilities and overhead power lines. At present, Policy CR04 prevents National Grid from being able to route a new high voltage overhead power line through substantial areas of the District, if a line was ever required, or to replace or reinforce the electricity transmission system by overhead lines through the District. National Grid wish to see Policies CR04 modified to place more emphasis on choosing the most suitable route. The last sentence of the policy should read:

...If a case for location of overhead power lines in a SLA is accepted, careful line routing will usually be the most appropriate way to minimise their visual impact”.

#### **2587 Mr D Wood**

Objection to omission of Shotley Peninsula from SLA designation, see rep. No 2586, repeated in respect of policy CR06.

#### **2919 Mr S Kosciuszko/Able Bishop & Company**

Suggests that applicants should be asked to demonstrate that no alternative site is available outside protected areas.

#### **7631 Hadleigh Town Council**

Objection against the wording, as it is too weak. Objector would like the final word of the policy to be amended so that it is more definite.

### **Inspector's Reasoning and Conclusions**

- 6.13.1 Following changes made at Second Deposit draft, I find the wording of the Policy to be acceptable in terms of Go-East's objections. However, I consider that the Policy does need to be qualified with respect to the effect of major utilities and overhead powerlines, in order to provide the necessary precision required to reflect PPS7, regarding local landscape designations. As I have already stated the purpose of such designation is not to place a blanket restriction on all development and as such the Policy does not need to be strengthened.

- 6.13.2 From my visits to Special Landscape Areas in the District I found that although their character is varied it focuses on small scale river valley locations where development by statutory undertakers and utilities could have an adverse impact. I accept that a significant part of the district is covered by SLA designation, and this would make it difficult for a statutory undertaker to find an alternative route. However, it seems to me the Council has recognised the need for this by including the last sentence in Policy CR06, which accepts that there may well be circumstances when development needs to locate in a SLA, and a scheme which minimises the impact on the landscape will be sought.
- 6.13.3 I have already addressed other concerns in my consideration of objections to Policy CR02 and to Paragraph 6.23.

## **RECOMMENDATION**

Modify the Plan by replacing the second sentence with the following text **“Major Utilities and power lines will be permitted only where it can be demonstrated that they do not have a significant detrimental effect on the special landscape characteristics of the Special Landscape Area”**.

---

## 6.14 POLICY CR07 SIGNS AND ADVERTISEMENTS

### **The Objections**

#### **1388 Suffolk Coast & Heaths Project**

Objection to lack of specific mention of AONB in policy.

### **Inspector's Reasoning and Conclusions**

6.14.1 Given that development in an AONB will be subject to close scrutiny under Policies CR01 and CR02, I do not consider that there is any necessity to add a reference to an AONB in this Policy.

## **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

## 6.15 POLICY CR08 TREES, WOODLANDS AND HEDGEROWS

### **The Objections**

#### **676 GO-East**

The policy should relate to development and land use and be relegated to supporting text.

#### **1614 Tesco Stores Limited/Littman & Robeson**

Objection to policy on the grounds that existing measures are in place, and that Tree Preservation Orders are not necessary.

### **Inspector's Reasoning and Conclusions**

6.15.1 Policy CR08 states how the Council intends to use its powers to make Tree Preservation Orders (TPOs). As such it does not form a site specific or criteria based policy by which the suitability of development can be assessed. Therefore the Policy does not accord with the provisions of PPG 12 and should be deleted. As it is open for the Council to use TPOs where it considers these to be justified, and the text of the policy does provide useful information on under what circumstances the Council will use these measures, it should be retained in the supporting text.

### **RECOMMENDATION**

Modify the Plan by deleting Policy CR08 but retain the policy wording in the supporting text.

---

## 6.16 POLICY CR09 TREES, WOODLANDS AND HEDGEROWS

### **The Objections**

#### **677 GO-East**

Request that the policy should relate to development and land use and be relegated to supporting text.

### **Inspector's Reasoning and Conclusions**

6.16.1 Policy CR09 states how the Council intends to encourage the protection and management of woodlands. It does not form a site specific or criteria based policy by which the suitability of development can be assessed. Therefore the Policy does not accord

with the provisions of PPG 12 and should be deleted. However the text of the policy does provide useful information on in what circumstances the Council will use these measures, and it should be retained in the supporting text.

## **RECOMMENDATION**

Modify the Plan by deleting Policy CR09 but retain the policy wording in the supporting text.

---

### 6.17 POLICY CR10 TREES, WOODLANDS AND HEDGEROWS

#### **The Objections**

##### **1615 Tesco Stores Limited/Littman & Robeson**

Objection to need for landscaping schemes to comply with provisions of Landscape Character Assessment and Action Programme.

#### **Inspector's Reasoning and Conclusions**

6.17.1 Whilst the Landscape Character Assessment and Action Programme contains useful information and has formed the basis for the appraisal methodology of the District's landscape types including SLAs, the way the Policy is worded delegates decision making to an unreasonable degree, given that the document currently does not even have the status of SPG and only exists in draft form. It would be more appropriate to make reference to this document in the supporting text. Therefore I have recommended a change to the Policy's wording.

## **RECOMMENDATION**

Modify the Plan by removing reference to the Landscape Character Assessment and Action Programme from the second sentence of the Policy. Add a third bullet point to Paragraph 6.32 that reads.

**Do not accord with the Council's Landscape Character Assessment and Action Programme.**

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## 6.18 POLICY CR11 TREES, WOODLANDS AND HEDGEROWS

### **The Objections**

#### **679 GO-East**

Request that the policy should relate to development and land use and be relegated to supporting text.

#### **1056 Hadleigh Town Council**

Objection to wording of policy. Suggests removal of " seek to" in first sentence.

#### **1616 Tesco Stores Limited/Littman & Robeson**

Objection to policy wording. Suggests that it will prevent development because of an overriding need to retain hedgerows on development sites.

### **Inspector's Reasoning and Conclusions**

6.18.1 In terms of its broad approach Policy CR 11 is acceptable as it sets out the Council's policy towards the retention of hedgerows, which are of conservation value and acceptable under the provisions of PPG9. The Policy should allow for appropriate replacement planting or mitigation to fully accord with this approach. However, while the Council are able to protect hedgerows classed as "important" under the Hedgerow Regulations (1997) the application of the Hedgerow Regulations are strictly speaking not a matter for a Local Plan Policy. Therefore I consider that this part of the Policy is more appropriate for inclusion in the supporting text. Given these considerations the Policy should be reworded for additional clarity.

### **RECOMMENDATION**

Modify the Plan by deleting Policy CR11 and replace with the following text

**Where development proposals will affect hedgerows of amenity or landscape significance, planning permission will only be granted where;**

**hedgerows are retained in full or**

**suitable mitigation such as replacement planting and management programmes are proposed.**

The following text should be added to the supporting text

**Under the 1997 Hedgerow Regulations there is a general presumption in favour of the retention of important hedgerows, unless assessment of the proposal shows that its loss would be acceptable measured against its importance.**

---

## 6.19 POLICY CR20 AGRICULTURE

### **The Objections**

#### **691 GO-East**

Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. The Deposit Plan includes 237 policies. National experience suggests that this is considerably more than likely to ever be used. Policies which repeat the provision of other policies, for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary. For the purposes of S54(a) of the Principal Act, if a policy is material to the decision it applies. Nor is it necessary to include such phrases as "as shown on the proposals map". The requirement to show proposals on a map is covered by regulation.

### **Inspector's Reasoning and Conclusions**

6.19.1 While I recognise that the development of agricultural buildings can have a significant impact on the landscape, there is nothing in Policy CR20 that is not addressed by other Plan Policies. The Policy should be deleted and I can see no benefit in retaining its wording in the supporting text.

### **RECOMMENDATION**

Modify the Plan by deleting Policy CR20.

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## 6.20 POLICY CR21 AGRICULTURE

### **The Objections**

#### **692 GO-East**

The development plan should offer certainty and clarity. The phrasing of plan policies is fundamental to this. Some phrases

introduce doubt as to whether planning permission will or will not be granted and these should be avoided. Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. Policies which repeat the provision of other policies, for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary. SPG may be used to supplement parts of the Plan. However, several of the policies in the plan appear to delegate decisions to SPG or other documents, contrary to PPG12. The criteria against which applications are to be judged must be set out in a policy in the plan. The role of SPG is to supplement those policies and give advice to applicants in how they can comply with the policy.

### **1390 Suffolk Coast & Heaths Project**

Objection to policy which implies support for agricultural reservoirs having no adverse impact, including on the Stour and Orwell Estuaries. Advises that EA will in future refuse water abstraction from such reservoirs. Suggests other wording to add to policy.

### **9396 Environment Agency**

With effect from 1 April 2003, water management projects for agricultural purposes are subject to environmental assessment under the Water Resources Regulations 2003. The Agency recommends a paragraph insertion after the end of the sentence beginning "In relation to..." providing further useful guidance.

### **B.D.C is proposing a change to Policy CR21 Pre-Inquiry Change 96**

Amend the final sentence of second paragraph of policy to read:

'In relation to reservoirs 'character' having an effect on the **character of the** Stour and Orwell Estuaries, the views of the Environment Agency **and English Nature** will be sought. **Projects that involve water abstraction such as reservoir storage and irrigation may be subject, depending on the scale of the project and the sensitivity of the environment affected, to the environmental assessment regulations for water management projects. The Environment Agency and English Nature will be consulted on the need for an Environmental Assessment.'**

### **The Objections**

None

## Inspector's Reasoning and Conclusions

- 6.20.1 In terms of broad principles, it is reasonable for the Council to include a Policy on this sensitive and locally specific matter in the Plan. However I share Go-East's concerns about certain aspects of the wording, particularly regarding the first sentence of the policy which I consider is not sufficiently clear. Furthermore, the contents of the second and third paragraphs of the Policy would be more appropriate for inclusion in the supporting text as they provide information on how the policy would be applied rather than a set of definitive criteria.
- 6.20.2 As regards the remaining concerns I consider that these have been addressed by the rewording of the policy, which has been informed by the wording in PIC 96.

## RECOMMENDATION

Modify the Plan by deleting the first sentence of the Policy and replacing with the following text.

**Proposals for agricultural reservoirs and/or winter water storage facilities will be permitted where proposals have no material impacts on:**

Modify the Plan in accordance with Pre-Inquiry Change 96 but move the modified wording of the second and third paragraph from the policy to the supporting text.

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## 6.21 POLICY CR22 CHANGE OF USE FROM AGRICULTURAL LAND TO DOMESTIC GARDENS

### The Objections

#### **5669 Suffolk Preservation Society**

The Society objects to any introduction of domestic gardens into the open countryside and this policy appears to facilitate this. Believe therefore, the policy is contrary to Planning Policy Guidance Note 7 and the Suffolk Structure Plan 2001 policy ENV4.

#### **5670 Suffolk Preservation Society**

Do not think that a condition requiring landscaping and boundary treatment to be provided and retained in a rural rather than

suburban character is either reasonable or more importantly enforceable and therefore the society must object to this policy.

**7572 Lacy Scott & Knight**

Objection to the complexity of the policy. Objecting against the sites outside the BUAB, making compliance with the proposal impossible. The vast majority of garden extensions by are located outside the BUAB. Any proposals for extensions would be contrary to the policy due to their property's rural location.

**7573 Lacy Scott & Knight**

Objecting against the sites outside the BUAB, making compliance with the proposal impossible. The vast majority of garden extensions by are located outside the BUAB. Any proposals for extensions would be contrary to the policy due to their property's rural location.

**8481 Suffolk Wildlife Trust**

Request that the word biodiversity is incorporated into this policy. Agricultural land can have a high biodiversity value, particularly if it has been under used for some length of time.

**B.D.C is proposing a change to Policy CR22 Pre-Inquiry Change 97**

Amend CR22 to read: 'Proposals for change of use from agricultural land to domestic gardens will not be permitted where:

- the scale of the proposal would have an adverse impact on the landscape characteristics **and biodiversity** of the locality
- it would result in the loss of Best and Most Versatile Agricultural Land;
- the site is outside **and adjacent to** a defined Built Up Area Boundary and intrudes into the open countryside;
- it threatens the viability of farm holdings due to the breaking up of agricultural land.

Where permission is granted, the proposed landscaping and boundary treatment must achieve a rural rather than suburban character.'

**The Objections**

None

**Inspector's Reasoning and Conclusions**

- 6.21.1 The Policy as worded does not in any way facilitate the development of garden extensions, as it proposes that a series of rigorous tests are met before development can

be regarded as acceptable. Given this there is nothing in the Policy that is contrary to PPS7. As regards the requirement that appropriate landscaping and boundaries are provided this can be easily addressed by the use of conditions and so is clearly enforceable.

- 6.21.2 However the wording of the Policy's third criterion is excessive, as this would place a blanket ban on otherwise acceptable development and additionally is not very clear. The proposed change confuses rather than simplifies this. The important principle, from PPS7 is that development that *intrudes* into open countryside is unacceptable, and this should form the basis of the criterion. Otherwise, the proposed change does meet objector's concerns over biodiversity and is reasonable in this respect.

## **RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 97 except that the third criterion of the policy should be amended to read

"the site intrudes into the open countryside;"

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## **6.22 POLICY CR23 CHANGE OF USE FROM AGRICULTURAL LAND TO DOMESTIC GARDENS**

### **The Objections**

#### **5695 Suffolk Preservation Society (confirmation of withdrawal received at late stage)**

Objection to policy but no further comments made.

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## **6.23 PARAGRAPH 6.51 AGRICULTURAL WORKER'S DWELLINGS**

### **The Objections**

#### **2602 Nayland with Wissington Parish Council**

Objection to wording. Suggests that with changes in agriculture, tied houses are released more easily and there is a need for restrictive policies on new agricultural dwellings.

### **Inspector's Reasoning and Conclusions**

6.23.1 There is nothing in Paragraph 6.51 that is contrary to PPS7 regarding the circumstances where an agricultural dwelling would be acceptable. Despite changes to the agricultural economy, there is no need for either the Policy or its supporting text to be more restrictive.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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### 6.24 PARAGRAPH 6.58 HOUSEBOATS

#### **The Objections**

#### **2033 Mr R M Albone-Ashbolt**

Objection to principle of houseboat control at Pin Mill

#### **Inspector's Reasoning and Conclusions**

6.24.1 I will address the objector's broad concerns in my consideration of objections to Policy C27 below. In relation to the conclusions I draw there I find that Paragraph 6.58 is acceptable.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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### 6.25 POLICY CR27 HOUSEBOATS

#### **The Objections**

#### **155 Mr T J Granville**

Objection to policy wording. Suggests number of houseboats should be identified as 28, with no more than one houseboat at each mooring.

#### **1932 Pin Mill Preservation Society**

Asks that the area defined in the Proposals Map be accurately surveyed and marked with posts in order to prevent further encroachment along the foreshore.

**2034 Mr R M Albone-Ashbolt**

Objection to principle of houseboat control at Pin Mill

**8742 Chelmondiston Parish Council**

The Parish Council would also like to see clarification on how existing houseboats at Pin Mill without existing use rights, which fail to meet the criteria set out for river worthiness, size and appearance, will be dealt with. Furthermore the statement that "the number of houseboats within the area does not rise above 28", should add that the aim is to reduce the number through houseboats ceasing to be inhabited or inhabitable.

**Inspector's Reasoning and Conclusions**

- 6.25.1 In terms of the broad principles of the policy, the mooring of houseboats for residential purposes constitutes development because of the degree of permanence associated with a residential use. As this area is particularly sensitive, being located in an AONB the approach taken by the Council in attempting to limit the environmental and landscape consequences of new houseboat development is justified. It does not amount to a blanket ban on such development in this location.
- 6.25.2 Concerns over the precise number of houseboats that would be acceptable on the site and how the area for houseboat use is identified have been addressed by changes made at the Second Deposit stage. In terms of how existing users without existing "rights" will be addressed is a matter for the Council. While the Plan sets out a rigorous criteria based approach to houseboat development where permission is required, it would be both unreasonable and impractical for the Plan to detail precisely how any unauthorised development should be addressed. Similarly it would be wrong for the Plan to commit the Council to continue lowering the number of houseboats present, as provided that the environmental impact of such development is minimised, this is a legitimate land use.

**RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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## 6.26 POLICY CR28 HOUSEBOATS

### **The Objections**

#### **53 Mr T J Granville**

Objection to policy wording. Suggests that the number of jetties be revised to 19

### **Inspector's Reasoning and Conclusions**

6.26.1 Given that there are both landscape and biodiversity reasons for restricting the number of houseboats in this location, I consider that limiting the number of jetties to 17 is acceptable.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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## 6.27 POLICY CR29 FARM DIVERSIFICATION

### **The Objections**

#### **697 GO-East**

The development plan should offer certainty and clarity. The phrasing of plan policies is fundamental to this and some phrases introduce doubt as to whether planning permission will or will not be granted and these should be avoided. Policies in the development plan are implemented not only by the District Council, but also the County Council, the planning Inspectorate and the Secretary of State. Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. Policies which repeat the provision of other policies, for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary.

### **Inspector's Reasoning and Conclusions**

6.27.1 PPS7, at Paragraph 30(i) supports the use of specific policies on farm diversification, albeit in Local Development Documents (LDDs). Given this the broad principle of the Policy is acceptable. However I consider that the Policy should be reworded

to help meet some of G0-East concerns, especially with regard to duplication with other plan policies.

## **RECOMMENDATION**

Modify the Plan by deleting the first sentence of the Policy and replacing with the following text:

### **Farm Diversification will be permitted where it:**

The first and last bullet points of the policy should be deleted.

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## 6.28 POLICY CR30 BUILDINGS IN THE COUNTRYSIDE

### **The Objections**

#### **698 GO-East**

The development plan should offer certainty and clarity. The phrasing of plan policies is fundamental to this and some phrases introduce doubt as to whether planning permission will or will not be granted and these should be avoided. Policies in the development plan are implemented not only by the District Council, but also the County Council, the Planning Inspectorate and the Secretary of State. Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. Policies which repeat the provision of other policies, for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary.

#### **1354 English Heritage**

Objection to policy wording. Suggests that planning permission will not be granted for schemes that compromise the special interest of a listed building.

### **Inspector's Reasoning and Conclusions**

- 6.28.1 While there is certainly a degree of repetition between this Policy and other plan policies, PPS7 is explicit, albeit for LDDs, that Plans should set out policies for the conversion of buildings in the countryside. As such the broad principles of the policy are acceptable but the detailed wording requires some amendment, to improve its clarity. Furthermore, the final two paragraphs of the Policy would be more appropriately located in the supporting text, as they refer more to administrative

matters, rather than criteria for the assessment of development.

- 6.28.2 English Heritage's concerns are already addressed in the other policies for the protection of the historic environment. Given this there is no necessity to further amend the Policy.

## **RECOMMENDATION**

Modify the plan by replacing "will be considered" with "will be permitted" in the final sentence of the first paragraph of the policy.

Move the final two paragraphs from the Policy to the supporting text.

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## 6.29 PARAGRAPH 6.67a BUILDINGS IN THE COUNTRYSIDE

### **The Objections**

#### **5600 Mr C G Storey**

Objecting to the wording. Objector would like para 6.67a to be amended so that the following words are deleted: "This evidence could consist of:" and all subsequent text through to Policy CR31.

#### **7577 Lacy Scott & Knight**

Current marketing requirement is excessive. Marketing period should be reduced to six months.

### **Inspector's Reasoning and Conclusions**

6.29.1 Given the strong emphasis in PPS7 on the re-use of agricultural buildings for economic development and its resistance to their re-use for housing, the requirement to have thoroughly marketed a property for non-residential uses before residential use is considered is entirely reasonable. Although a 12 month marketing period may be seen as excessive in some instances, any special circumstances that would justify the reduction of this period may be taken into account at the time of application. Therefore I find that no change is necessary.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

## 6.30 POLICY CR31 BUILDINGS IN THE COUNTRYSIDE

### **The Objections**

#### **699 GO-East**

The development plan should offer certainty and clarity. The phrasing of plan policies is fundamental to this and some phrases introduce doubt as to whether planning permission will or will not be granted and these should be avoided. Policies in the development plan are implemented not only by the District Council, but also the County Council, the Planning Inspectorate and the Secretary of State. Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. Policies which repeat the provision of other policies, for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary.

#### **1355 English Heritage**

Objection to policy wording. Suggests that planning permission will not be granted for schemes that compromise the special interest of a listed building.

#### **5601 Mr C G Storey**

Objecting against the phrasing. Objector would like Policy CR31 to be amended so that the asterisk and reference at the bottom of the policy are removed.

#### **7576 Lacy Scott & Knight**

Policy should not be negative to residential conversion.

### **Inspector's Reasoning and Conclusions**

- 6.30.1 Given the strong resistance to allowing the conversion of buildings in the countryside to residential use, be that for permanent or holiday accommodation, found in PPS7 I consider that it is acceptable for the Plan to have a stand alone policy dealing with this issue. Changes to the Policy at Second Deposit stage have met some of Go-East
- 6.30.2 concerns but the second and third paragraphs of the Policy, after the series of bullet points, concern administrative matters and as such should be placed in the supporting text. English Heritage's concerns are already addressed in other policies for the protection of the historic environment and there is no necessity to further amend the Policy.

- 6.30.3 While the Plan should be read as a whole, I find that the use of the cross reference to Paragraph 6.67a is beneficial in clarifying the administrative actions that would need to be undertaken to satisfy the requirements that other uses have been thoroughly explored. It is reasonable for the Policy to have such a restrictive tone given the advice set out in PPS7 on residential conversion, and I do not find the Policy is not unduly negative.

### **RECOMMENDATION**

Modify the plan by moving the second and third paragraphs of the policy to the supporting text.

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### 6.31 PARAGRAPH 6.71 ECONOMIC DEVELOPMENT

#### **The Objections**

#### **23 Learning and Skills Council Suffolk**

Advises on correct name as "Learning and Skills Council".

#### **Inspector's Reasoning and Conclusions**

6.31.1 The objector's concern has been met by changes made at Second Deposit.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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### 6.32 PARAGRAPH 6.84 PROTECTING EXISTING VILLAGE FACILITIES

#### **The Objections**

#### **2596 Nayland with Wissington Parish Council**

Object to wording, suggests that villages with more than one shop should be eligible for rate relief

## **Inspector's Reasoning and Conclusions**

6.32.1 Paragraph 6.84 sets out the measures that the Council are using to support village facilities but how it applies rate relief is not a matter for the land use planning system. Therefore I cannot recommend any changes that would address this concern.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

---

## **6.33 POLICY CR32 PROTECTING EXISTING VILLAGE FACILITIES**

### **The Objections**

#### **2206 Punch Taverns/D L & P Consultants Limited**

Objection to policy supporting retention of public houses without full consideration of commercial arguments. Suggest that in urban areas there are other public houses which provide alternatives. Local community will want to retain public house regardless of the case put forward for closure.

#### **5438 Suffolk West NHS Primary Care Trust**

Would ask that pharmacies, dentists, opticians be added to the list of services.

#### **5666 Suffolk Preservation Society**

The Society objects to the amended wording in lines 6 and 7 specifically the inclusion of the words "will be sought". What does this mean? Does it offer clarity and certainty?

### **Inspector's Reasoning and Conclusions**

6.33.1 In terms of all these objections it is important to remember that the land use planning system can only control changes of use to premises and cannot require uses to remain open. This however needs to be balanced against the recognition of the importance placed on the retention of village facilities by PPS7. It is therefore important that the Policy is carefully worded. Whilst it is reasonable that vital village facilities are protected where possible, it makes the policy inflexible to rely on an exhaustive list set out in the policy itself. Therefore, this list of safeguarded uses should be moved to the supporting text, and it should be made clear that this list is not exhaustive. Similarly the administrative measures that need to be taken when applying for such a change should also be set out in the supporting text rather than the policy.

The Policy should also be more precise as what criteria should be satisfied before planning permission can be granted, as it would not be reasonable for the Council to withhold planning permission for a change of use from a use that had clearly become commercially unviable, simply because that use was still meeting a community need. Therefore I recommend the rewording of the Policy.

## **RECOMMENDATION**

Modify the plan by deleting Policy CR32 and replacing with following;

**Planning permission for a change of use that would result in the loss of a village facility would only be given where it is shown that the facility is no longer needed by the local community, or is no longer commercially viable.**

Place the additional text from the second paragraph of the policy, introduced at Second Deposit stage, in the supporting text.

Add the following sentence to the end of Paragraph 6.84

**Where it lies within its powers, the Council will seek to retain vital village facilities. These may include schools, post offices, public houses and doctor's surgeries together with a broad range of other vital retail, community and recreational uses.**

---

## 6.34 PARAGRAPH 6.85 PROTECTING EXISTING VILLAGE FACILITIES

### **The Objections**

#### **2207 Punch Taverns/D L & P Consultants Limited**

Objection to wording which does not take into account the true situation with public houses in rural areas. Argue against requirement to show facility is no longer needed by local community.

### **Inspector's Reasoning and Conclusions**

6.34.1 Guidance in PPS 7 is quite clear that village facilities should be protected where necessary. Given the rewording of Policy CR32, that I have recommended, there is nothing unreasonable in the Council's approach to this matter.

## **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

---

### 6.35 POLICY CR33 PROTECTING EXISTING VILLAGE FACILITIES

#### **The Objections**

##### **2208 Punch Taverns/D L & P Consultants Limited**

Objection to policy strongly supporting retention of public houses, and suggests deletion of second sentence which resists changes of use.

##### **5254 Punch Taverns/D L & P Consultants Limited**

Objector would like the application of the policy to be assisted by a broadened explanation of the options available, particularly in relation to "encouragement" towards retaining former public houses in community or employment uses.

#### **Inspector's Reasoning and Conclusions**

6.35.1 While I recognise that village pubs are often a key village facility, given the contents of Policy CR32 I consider that it would be unduly repetitious to include a specific policy for their retention, as the requirements of CR33 are virtually identical to Policy CR32. While it may be that there has been a recent increase in the number of applications for pub conversion, I find that they are already rigorously protected under Policy CR32. As PPG12 warns against unnecessary repetition in Plans, the Policy should therefore be deleted. The Council commitment to encouraging that otherwise unviable premises be retained in a community use is an acceptable policy goal but this would be more appropriately located as part of the supporting text. Logically the Council will also need to delete the final sentence of Paragraph 6.86, but I am unable to specifically recommend this as no objection was received concerning this text.

## **RECOMMENDATION**

Modify the Plan by deleting Policy CR33

Add the following text after the second sentence of Paragraph 6.86

**Where permission for change of use for a Public House is granted, encouragement will be given to premises remaining in some form of community or employment use.**

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#### 6.36 PARAGRAPH 6.87 NEW VILLAGE FACILITIES

##### **The Objections**

##### **7553 Layham Parish Council**

Note the use of the word "providing" and hope there will be financial support available for such initiatives.

##### **Inspector's Reasoning and Conclusions**

6.36.1 I have no remit to comment on the objector's concerns.

##### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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#### 6.37 POLICY CR35 PROPOSED LOCAL NATURE RESERVE

##### **The Objections**

##### **51 Mr J Double**

Asks about the purpose of white area behind his property as shown on plan DD1/24, and which he states is his garden.

##### **703 GO-East**

Request that the policy should relate to development and land use and be relegated to supporting text.

##### **Inspector's Reasoning and Conclusions**

6.37.1 The area of land shown on the Proposals Map, which forms the objector's garden, while outside the village boundary is not located in the nature reserve. I find that no further clarification is therefore necessary.

6.37.2 As regards G0-East concerns following amendment at Second Deposit, the policy forms a logical and necessary set of site specific requirements for the

creation and management of a nature reserve and as such is acceptable under guidance in PPG 12.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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### 6.38 POLICY CR36 SHOPS

#### **The Objections**

##### **799 GO-East**

Request that the policy should relate to development and land use and be relegated to supporting text.

#### **B.D.C is proposing a change to Policy CR36 Pre-Inquiry Change 98**

Amend as follows: 'Where there are no detrimental ~~affects~~**effects** on the environment, residential amenity or road safety, proposals for mobile or temporary shopping accommodation will generally be supported.'

#### **The Objections**

None

#### **Inspector's Reasoning and Conclusions**

6.38.1 Given the specific nature of this issue, where this matter lies within the remit of planning permission, it is reasonable to have such a policy within the Plan. However the wording of the policy should be modified so as to increase certainty, avoiding the use of terms like "generally".

## **RECOMMENDATION**

Modify the Plan by deleting the phrase "will generally be supported" from the last sentence of the Policy and replacing with the phrase "will be granted planning permission."

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6.39 PARAGRAPH 6.93 PUBLIC SERVICES

**The Objections**

**2202 Punch Taverns/D L & P Consultants Limited**

Objection to support for public services whereas commercial outlets are expected to argue their case for closure.

**Inspector's Reasoning and Conclusions**

6.39.1 I will address all Punch Tavern's concerns over Paragraphs 6.93, 6.94 & 6.96, together with Policy CR37, as these matters are clearly linked. PPS7 is clear that both public and commercial services should be retained wherever possible, and following the recommended modification this approach is reflected in the Plan. As the reuse of schools and post offices for non community uses would still need to be assessed under the rigorous tests of Policy CR 32, I do not consider that there is anything illogical or inconsistent in the approach taken and see no need for its modification.

**RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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6.40 PARAGRAPH 6.94 & 6.96 PUBLIC SERVICES

**The Objections**

**2203-2204 Punch Taverns/D L & P Consultants Limited**

Objection to support for public services whereas commercial outlets are expected to argue their case for closure.

**Inspector's Reasoning and Conclusions**

6.40.1 See paragraph 6.39.1 above.

**RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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## 6.41 POLICY CR37 PUBLIC SERVICES

### **The Objections**

#### **2205 Punch Taverns/D L & P Consultants Limited**

Objection to support for retention of village schools. Criteria similar to that for commercial outlets should be included.

### **Inspector's Reasoning and Conclusions**

6.41.1 See paragraph 6.39.1 above.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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## 6.42 INS1 SUDBURY, GREAT CORNARD & CHILTON

### **The Objections**

#### **3998 Cornard Tye Residents Association/Able Bishop & Company**

Redraw green line boundary correctly to incorporate SLA extension.

### **Inspector's Reasoning and Conclusions**

6.42.1 The green line referred to by the objector relates to a countryside management project which is not relevant to the SLA boundary. For the reasons I set out in my response to objections to Policy CR05, I find that the SLA boundaries are appropriately allocated and there is no good reason to amend this boundary. See also my report later in this chapter at paragraph 6.46.4.

### **RECOMMENDATION**

Make no modification to the Plan in response to this objection.

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## 6.43 INS3a LONG MELFORD

### **The Objections**

#### **9254 Mr J Masters**

The colouring that should be there for the part of the site within the Special Landscape Area has been omitted.

**9255 Mr J Masters**

The part of the site within the Special Landscape Area has been omitted from being edged with a heavy green line.

**9256 Mr J Masters**

Policy EM02a states "permission will only be granted subject to no adverse impacts upon the Stour Valley Special Landscape Area".

Does the SLA include the site? The implication of this policy is that the site is within the SVSLA. There is no light beige colouring of the site on Inset Map 3a.

**B.D.C is proposing a change to indicate that all of the Babergh area shown on inset map 3a is designated as Special Landscape Area. Pre-Inquiry Change 120**

**The Objections**

None

**Inspector's Reasoning and Conclusions**

6.43.1 The green line referred to by the objector relates to a countryside management project, which is not relevant to the SLA boundary. Otherwise, I consider that Pre-Inquiry Change 120 addresses the objector's concerns as the area is now clearly marked as SLA.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 120.

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6.44 PMAP PROPOSAL MAP

**The Objections**

**3996 Cornard Tye Residents Association/Able Bishop & Company**

Contend that SLA extension should be re-instated up to the A134 because of superior landscape quality and it would encompass a Heritage View as shown in one of Thomas Gainsborough's famous masterpieces.

**3997 Cornard Tye Residents Association/Able Bishop & Company**

Redraw green line to incorporate Great Cornard extension to Stour Valley SLA.

### **Inspector's Reasoning and Conclusions**

6.44.1 The green line referred to by the objector relates to a countryside management project, which is not relevant to the SLA boundary. For the reasons I set out in my response to objections to Policy CR05, I find that the SLA boundaries are appropriately allocated and there is no good reason to amend this boundary. Also see my report on the omission site at Carsons Drive in the Housing Chapter of the Plan.

### **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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6.45 PROPOSED PRE-INQUIRY CHANGES TO SHOW SSSI's AND LNR's ON THE INSET/PROPOSALS MAP

**B.D.C is proposing a change to show Arger Fen SSSI on the Proposals Map Pre-Inquiry Change 99**

### **The Objections**

#### **13232 English Nature**

Boundary map omits an area called Tiger Hill.

### **Inspector's Reasoning and Conclusions**

6.45.1 The Council concedes that the Tiger Hill area, part of the SSSI has been omitted from the Proposals Map. This area should therefore be added to the Proposals Map.

### **RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 99 and also include the Tiger Hill area within the SSSI.

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**B.D.C is proposing a change to show Bobbitshole, Pinewood on Inset Map 14 Pre-Inquiry Change 100**

**The Objections**

**13233 English Nature**

Incorrect name. Should be Bobbitshole, Belstead.

**Inspector's Reasoning and Conclusions**

6.45.2 While the Plan should be as accurate as possible, the most important consideration is that the SSSI is correctly identified on the map. As this is the case, and the SSSI is in Pinewood Parish then no change to the Plan, other than the proposed PIC, is necessary.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 100.

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**B.D.C is proposing a change to show the Brent Eleigh Woods SSSI on the Proposals Map Pre-Inquiry Change 101**

**The Objections**

**13234 English Nature**

The map omits two further sections of woodland, Spragg's Wood and Langley Wood.

**Inspector's Reasoning and Conclusions**

6.45.3 The Council concedes that the Spragg's Wood and Langley Wood areas, parts of the SSSI, have been omitted from the Proposals Map. These areas should therefore be added to the Proposals Map.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 101 but include the Spragg's Wood and Langley Wood areas within the SSSI.

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**B.D.C is proposing a change to show Cattawade Marshes SSSI on the Proposals Map Pre-Inquiry Change 102**

## **The Objections**

None

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### **B.D.C is proposing a change to show Cornard Mere SSSI on the Proposals Map Pre-Inquiry Change 103**

#### **The Objections**

##### **13205 Little Cornard Parish Council**

The map of Cornard Mere is incorrect as designated if the black outline is meant to represent the Mere boundary.

#### **Inspector's Reasoning and Conclusions**

6.45.5 As English Nature has not advised that the site boundary is incorrect, and I note that it has been extremely thorough in other instances, I do not consider that the Proposals Map should be altered other than in the manner suggested by the Council.

#### **RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 103.

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### **B.D.C is proposing a change to show Edwardstone Woods SSSI on the Proposals Map Pre-Inquiry Change 104**

#### **The Objections**

##### **13235 English Nature**

The map omits two further sections of woodland, Priory Down and Cowper's Wood.

#### **Inspector's Reasoning and Conclusions**

6.45.6 The Council concedes that the Priory Down and Cowper's Wood areas, part of the SSSI have been omitted from the Proposals Map. These areas should therefore be added to the Proposals Map.

#### **RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 104 and include Priory Down and Cowper's Wood areas within the SSSI.

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**B.D.C is proposing a change to show Elmsett Park Wood SSSI on the Proposals Map Pre-Inquiry Change 105**

**The Objections**

None

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**B.D.C is proposing a change to show Freston and Cutlers Woods with Holbrook Park SSSI on the Proposals Map Pre-Inquiry Change 106**

**The Objections**

None

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**B.D.C is proposing a change to show Frithy and Chadacre Woods SSSI on the Proposals Map Pre-Inquiry Change 107**

**The Objections**

None

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**B.D.C is proposing a change to show Glemsford Pits SSSI on the Proposals Map Pre-Inquiry Change 108**

**The Objections**

None

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**B.D.C is proposing a change to show Groton Wood SSSI on the Proposals Map Pre-Inquiry Change 109**

**The Objections**

None

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**B.D.C is proposing a change to show Hintlesham Woods SSSI on the Proposals Map Pre-Inquiry Change 110**

**The Objections**

None

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**B.D.C is proposing a change to show Kentwell Woods SSSI on the Proposals Map Pre-Inquiry Change 111**

**The Objections**

None

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**B.D.C is proposing a change to show Lineage Wood and Railway Track SSSI on the Proposals Map Pre-Inquiry Change 112**

**The Objections**

None

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**B.D.C is proposing a change to show Mildenhall Thicks SSSI on the Proposals Map Pre-Inquiry Change 113**

**The Objections**

None

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**B.D.C is proposing a change to show Orwell Estuary SSSI on the Proposals Map Pre-Inquiry Change 114**

**The Objections**

**13236 English Nature**

Incorrect map, the site was re-notified in April 2003.

**Inspector's Reasoning and Conclusions**

6.46.16 The Council concedes that this area forms part of the SSSI and has been omitted from the Proposals Map. This area should therefore be added to the Proposals Map.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 114 and include the area requested by English Nature within the Proposals Map.

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**B.D.C is proposing a change to show Stour Estuary SSSI on the Proposals Map Pre-Inquiry Change 115**

**The Objections**

**13237 English Nature**

Incorrect map, the site was re-notified in April 2003.

**Inspector's Reasoning and Conclusions**

6.46.17 The Council concedes that this area forms part of the SSSI and has been omitted from the Proposals Map. This area should therefore be added to the Proposals Map.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 115 and include the area requested by English Nature within the Proposals Map.

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**B.D.C is proposing a change to show Thorpe Morieux Woods SSSI on the Proposals Map Pre-Inquiry Change 116**

**The Objections**

None

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**B.D.C is proposing a change to show Arger Fen Local Nature Reserve on the Proposals Map Pre-Inquiry Change 117**

**The Objections**

**13238 English Nature**

The map includes some land which is believed to be outside the LNR in the ownership or the Suffolk Wildlife Trust and part of Tiger Hill Local Nature Reserve.

**Inspector's Reasoning and Conclusions**

6.46.19 The Council concedes that this area does not form part of the LNR and should be omitted from the Proposals Map. The Proposals Map should be modified to reflect this.

**RECOMMENDATION**

Modify the Plan in accordance with Pre-Inquiry Change 117 and exclude the area requested by English Nature.

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**B.D.C is proposing a change to show Spring Wood, Pinewood Local Nature Reserve on the Proposals Map Pre-Inquiry Change 118**

**The Objections**

None

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**B.D.C is proposing a change to show Tiger Hill, Bures St Mary Local Nature Reserve on the Proposals Map Pre-Inquiry Change 119**

**The Objections**

None.

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6.46 POLICY OR TEXT OMISSIONS

**The Objections**

**122 Mr P J Conway**

Objection to omission of policy on provision of sites for places of worship, as advised in PPG12.

**145 Bentley Parish Council**

Objection to omission of policy indicating stronger support for replacement village halls.

**407 Suffolk Wildlife Trust**

Objection to omission of policy requesting developers to provide an assessment of the impact of development on a site of nature conservation interest. Such provision to be underpinned by appropriate professional surveys

**511 Little Wenham Parish Meeting**

Objection to omission of locality between Burstall and Sproughton and down to Raydon from Special Landscape Area designation.

**854 Great Cornard Parish Council**

Objection to inclusion of area bound by Sheepshead Hill, Joes Road, the A134 and Shawlands Avenue in the new SLA designation.

**1057 Hadleigh Town Council**

Objection to Local Nature Reserve designations for Hadleigh sites mentioned in existing BLP in policy LP103 not being confirmed. Suggests that area on other side of river bank from Hadleigh Riverside Walk should also be designated as LNR

**1311 The Hadleigh Society**

Objection to exclusion of east side of Brett Valley from Toppesfield Bridge to the bypass from Special Landscape Area designation.

**1387 Suffolk Coast & Heaths Project**

Objection to omission of the management plan which has recently been produced for the Suffolk Coast & Heaths AONB.

**1566 Mrs E C Binny**

Objection to policy, omission of locality around Wenham from SLA designation.

**1568 Mr R P Doel**

Objection to exclusion of Wenham locality from Special Landscape Area designation.

**Inspector's Reasoning and Conclusions**

- 6.46.1 PPG12 does not require that all Plans include a policy for the provision of places of worship in all instances, regardless of the need for such facilities. As I have not been presented with overriding evidence of the need for such facilities in the District, I find that the Council's approach is acceptable. Turning to the retention of Village Halls I find that this matter is adequately addressed by Policy CR32 and no further amendment is necessary.

- 6.46.2 In terms of the Suffolk Wildlife Trust's objections I find that Policies CR12-16, as modified provides a acceptable basis for assessing the impact of development on nature conservation interests and as such requires no further amendment.
- 6.46.3 In terms of all objections to omission or inclusion of particular areas of land from SLA designation, for the reasons set out in my response to objections to Paragraphs 6.21–6.23 and Policy CR05, I do not consider that there is any necessity to amend SLA boundaries, including the Hadleigh Society's suggestion to include the east side of the Brett Valley from Toppesfield Bridge to the bypass.
- 6.46.4 Great Cornard – Part of the area proposed for inclusion in the SLA bordered by the A134, Shawlands Avenue and Sheepshead Hill is attractively undulating pasture and arable land with ancient hedgerows and particular groups of trees. The setting of Abbas Hall, a Grade 1 Listed Building is already included within the SLA but not the Heritage View which is not a term of any planning or legal significance. Such Heritage Views have not been recognised as of national importance by inclusion within an AONB. Mention is also made of the holloway along the C372. The remainder of the area between the A134 and C732 consists of an arable plateau with hedges interspersed with mature trees.
- 6.46.5 From my visits it seems to me that with the size of many of the fields the traditional character has changed significantly and the older hedgerows have been lost. Those that remain, and the individual and groups of mature trees could be protected by both the Hedgerow Regulations 1997 and Tree Preservation Orders if there is a threat of their removal. It is not clear to me why the expanded SLA was shown in the 1<sup>st</sup> Deposit Draft, unless it was included following local pressures then following a more detailed investigation was excluded. However, regardless of the reason I did not find that the area had a visual relationship with the Stour Valley or that the area as a whole has particular landscape merit.
- 6.46.6 One of the concerns of the Objectors relates to the Old Joe's Driving Range and to large scale recreational

facilities in the area. However, the proposals at this facility have been successfully defended on appeal without the site being within a SLA. Clearly the protection of the countryside for its own sake and the impact on the setting of Abbas Hall were sufficient in themselves to resist development. In any event in my view an SLA should be designated on the basis of an identified inherent character, and not as a tool to further resist development in the countryside. Also apart from development which requires planning permission changes to the countryside can occur regardless of whether an area is designated as a SLA.

- 6.46.7 Little Wenham, - The SLAs are localities of high landscape value but not of national importance. Although the Draft Landscape Assessment and Action Programme for the District is yet unpublished I am satisfied that it is based on Countryside Commission advice and an objective analysis of the quality of the countryside has been made. Further guidance is provided in the Structure Plan at Policy ENV8
- 6.46.8 Much of the concern of the objector is related to the expansion of Capel St Mary over the years, and the likelihood of such expansion continuing. The village of Capel St. Mary has a clearly defined Built Up Area Boundary and any land outside that boundary is part of the countryside. Because of this policies in the Local Plan protecting the countryside could be used to resist further development, including policy CR01 which tightly controls development unrelated to agriculture, forestry and horticulture; together with Policies HS02 and HS03 which also define what forms of development are acceptable within the village. These policies reflect the guidance in Planning Policy Guidance No. 7 quoted by the objector ( now superseded by PPS7)
- 6.46.9 In my view an SLA should be defined by recognising the intrinsic value of the particular character and features in the countryside, and not merely be used as a tool to resist inappropriate development. This approach is in accordance with Policy ENV8 of the Structure Plan where the characteristics worthy of consideration for a SLA are listed. From my visit I share the Council's view that although there are old field systems, medieval buildings and varieties of wildlife, these individual

features do not together create a special landscape worthy of designation. There are proposals to plant trees and create future woodland and no doubt at any future review the Council would take such progress into account.

- 6.46.10 I saw important historic and listed buildings during my visits, but I am satisfied that the individual buildings and their settings, old hedgerows, woodland and wildlife can be protected through other legislation and policies in the plan.
- 6.46.11 I have no detailed evidence before me on the suitability of sites within Hadleigh being included as Local Nature Reserves. The Council states that all relevant sites have been included on the Proposals Map. Therefore I can see no good reason to amend the Plan in respect of this objection.
- 6.46.12 References to AONB management plans have now been included in the Plan and I consider that this objection has been met.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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## 6.47 MISCELLANEOUS

### **The Objections**

#### **50 Sudbury & District Group Suffolk WildlifeTrust**

Pleased to note that wildlife, conservation and environmental issues have been taken on board, and expresses support for the Local Plan.

#### **591 GO-East**

Suggest that policies on landscape and biodiversity should not be restricted to the Countryside and Rural Economy chapter, as they are not just rural issues.

#### **1402 National Trust East Anglia Region/Community & Regional Planning Services**

Suggests that the possible deletion of Special Landscape Areas in favour of Countryside Character Area descriptions is premature.

## **Inspector's Reasoning and Conclusions**

6.47.1 The Council have moved the Plan's biodiversity policies to Chapter 2: Environment but has retained the landscape policies in this Chapter. I consider this to be a logical approach. As the Plan has not removed the SLA designation in favour of alternative approaches, I do not consider the National Trust objection is relevant.

## **RECOMMENDATION**

Make no modification to the Plan in response to these objections.

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