

**Strategic Planning Policy Team**  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

Our Ref: BMSDC/SPD/BD

Date: 20<sup>th</sup> June 2024

Dear The Strategic Planning Policy Team,

**Re: Biodiversity and Trees SPD Consultation**

Persimmon Homes Suffolk welcomes the draft joint Supplementary Planning Documents (SPD) and the opportunity to partake in the consultation to provide feedback on further improving the documents. We have given great consideration to the Biodiversity and Trees SPD (draft), considering the guidance alongside national guidance and policy and industry realities.

For ease of reference, the comments are provided under subheadings relating to the SPD's paragraph numbers in numerical order.

**Para 3.2**

Clear definitions are important to understand what the Council is seeking with the statement "ensuring measures are resilient to climate change". By providing clear definitions, with examples, of the measures and what makes these resilient to climate change the council can ensure they have something to reference against when decision making and that they are consistent in their approach to Applications.

**Para 4.14 – 4.19**

To ensure the Council provides a consistent approach to decision making, it will be important to provide clarity in the SPD what situations / justifications the Council will 'expect' more, and how they justify that need.

The SPD should state the Council's expectations clearly to enable Applicants that do not have pre-application advice to find what is expected from their application.

**Para 4.20**

Persimmon Homes Suffolk note that the Council "*request that applicants deliver BNG on-site*", however this is often not possible, and the Council should ensure that the SPD is clear that the Council recognises this and provide further detail about how Applicants should demonstrate to the Council that they have



followed the Mitigation Hierarchy and what evidence the Council would be seeking as part of an application. The Council should provide the justification for requiring the delivery of BNG on-site.

The SPD states “*Off-site compensation is generally a last resort and will only be considered on a case-by-case basis*” but this is not quite in line with the Statutory Framework. Last resort applies to the purchase of Statutory credits, not off-site units.

#### **Para 4.25**

There is some misalignment with the BNG Statutory Framework in the location hierarchy. Why has the SPD not included all of the steps from the Statutory Framework, where does the Council see these points fit in? The SPD misses out the following steps;

- *within the LPA or NCA*
- *within the neighbouring LPA or NCA*
- *beyond the neighbouring Local Nature Recovery Strategy Area / LPA or NCA*

#### **Para 5.5**

Further clarity is required in what to include in the calculations. Should the calculations exclude or include continuation of standard habitat management regimes, specific to the site (i.e hedgerow maintenance for visibility maintenance / highway safety reasons, routine grass cutting, but that which maintains baseline BNG value, arable rotations which include fallow land as part of normal cropping regime (fallow land has a higher baseline value than crop etc)?

#### **Para 5.6**

Persimmon Homes Suffolk is concerned that the Council, as the Competent Authority is stating that they will be unable to make a Decision without a response from Natural England. The volume of work for Natural England will be greatly increasing and so does the LPA have an agreement with Natural England for this level of work, will Natural England be part of the Pre-Application process?

We would also welcome the option to pay for a priority service from Natural England or a payment to ensure they respond within agreed timescales.

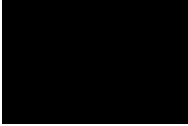
The SPD should state what happens if Natural England delays its consultation response? Will there be a mechanism in place to hold Natural England accountable for any delay in response? What would happen if Natural England never responded or kept delaying their response? There should be a publicly available flow diagram of the process and timescales for the involvement of Natural England.

As the competent authority, does the LPA have a way in which it will measure the in-combination effect if the Council is stating that this will be considered in the Decision, the SPD should be making it clear how it is measurable. Currently this is an unknown for many LPAs and Priority Species.

Our last point is a general one; in relation to County level guidance, we would like the Council to ensure that any SPD expectations align with the County level guidance and adoption requirements, especially in relation to trees adjacent to highways.

We look forward to seeing the revised SPD and welcome any further discussion towards its creation.

Yours sincerely,



Beth Deacon  
Planner  
Persimmon Homes Suffolk

