Matter 3 – Area Specific Strategies - Development Allocations

Issue: Are the proposed Area Specific Strategies, allocations and policies justified, effective and consistent with national policy?

Key:  
LTLA Final Draft Plan Submission 25 February 2019 = Final submission  
LTLA First Draft Plan submission 14 September 2018 = First submission  
South Saxmundham Garden Neighbourhood = SSGN

General Questions relevant to all proposed site allocations:

Question: Is each site allocation and its criteria justified and appropriate in all aspects, having regard to the likely impacts of the development and potential constraints?

1. No.

Landscape

2. Final submission 2.59 and 2.66; Appendix 6.

3. Whilst the policy would not result in physical coalescence with Benhall Village the distance between Bigsby’s Corner, currently a part of the historic dispersed settlement of Benhall and the southern edge of Saxmundham, would be reduced to 200-300m. As set out in the Landscape Briefing Note prepared by MBELC for LTLA, the extensive residential development would be clearly visible from Kiln Lane, which runs west from Bigsby’s Corner. It is likely that Bigsby’s Corner would become an outlier of Saxmundham rather than remaining part of the historic dispersed settlement of Benhall. This Would be contrary to SCLP 10.5 of the emerging plan.

Flooding

4. Final Submission 2.61 – 2.62; Appendix 7 and 8.
5. LTLA commissioned GWP Consultants to undertake a technical evaluation of flood risk and drainage constraints on the housing site options near Saxmundham. This assessed existing flooding risks to specific land parcels identified in the First Draft Local Plan and the potential impact of developing housing. GWP records that the EA has developed river (fluvial) flood risk maps for Saxmundham (see GWP report Drawing SAXDRAIN1806). GWP recorded that the sewage works at Benhall Green is shown to be inundated within the Flood Zone 3 and LTLA residents report on-going sewer blockage issues in Saxmundham, which have not been adequately resolved in the last 3-4 years and which demonstrate either a lack of capacity and/or poor condition of the infrastructure to convey existing wastewater flows.

**Transport**


7. The single-access serving the SSGN site does not meet highway safety standards, which requires two points of access for a development of this size. There has been no justification from the Council on the proposal of only one access, however it can rightly be said that it is not justified, and is in direct contravention of the Council’s own ‘Suffolk Design Guide for Residential Areas’, a supplementary planning document.

**Heritage**

8. Final submission 2.68 – 2.70.

9. The Council has, in the Final Draft Local Plan (page 273), addressed the importance of Hurts Hall. LTLA is pleased that the Council has acknowledged the importance of preserving this heritage asset, but requests that the SCLP 12.28 and SCLP 12.29 are worded so that the appropriate level of protection is integral to the policies themselves.

**800 dwellings, capacity and ability to deliver a true Garden Neighbourhood**

10. Final submission 2.12 – 2.43; Appendix 2.

11. The Council’s insistence that the SSGN has to deliver 800 dwellings to justify a new primary school is in fact unjustified. This 800 figure apparently derives from a pupil yield of 200 for the school (210 capacity) based on Suffolk County Council’s (“SCC”) methodology (Appendix 2 of Final submission).

12. The problem the Council has created for itself by insisting on all housing growth on one site is that its preferred site combination of 714 and 717 is simply too small.
On its own figures (SHELAA/497) site 714 can only deliver 495 dwellings. How the Council is going to get to 800 dwellings on site 714, which is at capacity at 495 dwellings has not been explained. An allocation which seeks to provide 800 dwellings and can only deliver under 500 is not justified.

13. LTLA’s concern is that to deliver 800 dwellings the Council will accept a much greater dwellings per hectare which contradicts Garden City Principles. There will not be enough land for the new homes to have individual gardens and the housing mix will default to smaller units e.g. flats, and thereby completely undermine the garden neighbourhood objectives.

Other


15. There is a gap in the Council’s information on how it intends to deal with major infrastructure in the area and the impacts and constraints that will arise from having these so close to Saxmundham.

Question: Are there any significant factors that indicate any of the sites should not be allocated?

16. Yes.

17. The majority of these have been identified above under the various constraints and development impacts surrounding site SCLP12.29. However, in summary, as per Final submission 2.2:

- SSGN is the wrong vehicle for delivery of housing growth in Saxmundham and conflicts with the proposed town growth policy (SCLP 12.28) (sections 2.3-2.11);
- The proposed SSGN conflicts with Garden City Principles (sections 2.12-2.26);
- There are errors with the measurements of the allocation sites, which raises questions regarding what is actually being appraised, and the knock-on effect with regards to important considerations like site viability (sections 2.27-2.35);
- SCLP 12.29 is not in fact “education led” despite representations that it is (section 2.36) and in any event the case for 800 dwellings to fund a new primary school is not supported by the evidence (section 2.37);
- As presently formed, SCLP 12.29 does not deliver 800 dwellings and there is serious doubt that SCLP 12.29 could deliver 800 dwellings and meet Garden City Principles (sections 2.38-2.43);
- The viability assumptions are materially flawed, and there continues to be concerns for the viability of this scheme (sections 2.44-2.55);
- The landscape assumptions are materially flawed, and there continues to be concern regarding the safeguarding of ‘The Layers’ (sections 2.56- 2.60);
• The drainage assumptions are materially flawed, and there continues to be drainage concerns in Saxmundham (sections 2.61-2.62);
• The single-access serving the SSGN site does not meet highway safety standards (sections 2.63-2.67);
• Safeguards to heritage assets (e.g. Hurts Hall) are weak (sections 2.68-2.70);
• There is no consideration of the major energy infrastructure in the District nor the impact upon the town or the proposed SSGN (section 2.71).

Question: Is there a risk that site conditions, infrastructure or access requirements or constraints, might prevent development or adversely affect viability and delivery?

18. Yes.

19. Final submissions 2.17; 2.22; 2.24-2.26; 2.27-2.35; 2.44-2.55; 2.61-2.62; Appendix 3.

20. Flood risks (as set out 2.61-2.62 of Final submissions) are a condition that will adversely affect the viability and deliverability of SCLP12.29. These are set out in detail above under general question 1.

21. In addition, the fact that SCLP12.29 only currently has one access, in breach of Council policy, will be an added constrain on delivering this site (Final submission 2.63 -2.66), and two accesses are not accounted for in the Council’s viability studies.

22. There is also a proposed new roundabout on the A12 to allow access from the SSGN to the employment land, however it is not funded in the Council’s viability assessment. Any new infrastructure cost is unlikely to be met by Suffolk County Council highways so adds to the development costs. See further detail on viability in BVA report at Appendix 3 to Final submissions. There is also no discussion or viability assessment on the infrastructure to allow those without cars to walk or cycle across the busy A12, e.g. bridge or underpass.

Question: Policy SCLP12.28: Strategy for Saxmundham

Question: 3.34 Is the ‘and’ at the end of point e) necessary to make the Policy effective?

23. Yes.

24. Quality of life will be enhanced for those who are in the affordable housing market, and will enable them to purchase or rent property.

Questions on Policy SCLP12.29: South Saxmundham Garden Neighbourhood
Question: 3.35 Is the allocation of land for approximately 800 dwellings achievable within the area indicated for housing between the A12 road and railway line on the indicative draft masterplan?

25. No.

26. Final submission 2.3-2.6; 2.14 – 2.26; 2.36 - 2.43.

27. There are two principles concerns:

   i) This is a garden neighbourhood and it is unable to deliver 800 houses and satisfy the Garden Neighbourhood Principles, as well as the delivery for growth in Saxmundham (as outlined in SCLP12.28), see 2.14 – 2.26 of Final submission;

   ii) Further, on the Council’s own evidence the site capacity is less: the site at 714 where the housing is proposed is reported by the SHELAA page 497 as being able to deliver 495 dwellings. Therefore if 800 dwellings are needed to deliver the school, the policy does not support achieving the provision of education facilities, as in reality under 500 will be able to be delivered in a way that stays true to Garden Neighbourhood Principles.

Question: 3.36 Is the indication of the area to the east of the A12 road for mixed use development justified given it would be used to provide open space?

28. Yes, because it allows for those living to the West of the SSGN closer access to open space.

Question: 3.37 In the context of Policy SCLP3.3: Settlement Boundaries, is the definition of the settlement boundary to include land which would be solely used for informal/open space justified? Why is the proposed employment land outside of the settlement boundary?

29. Final submission 1.5; 2.3; 2.5 – 2.6; 2.15 – 2.17; 2.67; 2.70.

Informal/open space

30. Yes

31. The informal/open space is integral to delivery of these settlements and as such needs to be safeguarded for delivery purposes within the policy.

Employment land
32. With regards to employment land, LTLA commented in their Final submissions that by splitting the site as it is, with employment outside of the settlement boundary and across a busy road, this in effect is contrary to Garden Neighbourhood Principles. See Final submission 1.5, 2.3, 2.15 – 2.17. Further the split introduces a viability consideration given the added infrastructure costs to provide a pedestrian and/or car link to the employment land, see LTLA Final submission 2.17 and 2.67.

33. LTLA have raised concern about the employment land across from the A12, as it deprives the town of Saxmundham of new employment opportunity, in direct contravention to SCLP12.29.

**Question: 3.38 Would the provision of the SANG to the east of the railway be effective given the limited crossing points of the railway? Is the extent of land indicated for informal/formal open space to the east of the railway justified?**

34. Yes, to both parts of the question.

**Crossing**

35. There is one existing very narrow Victorian brick built bridge approximately 500m south of Saxmundham Station. It is approximately 2.5m wide with brick parapets. It has no hard surface (gravel/grass) and predominantly public footpath/pedestrians use. It clearly has very limited weight capacity however.

**SANG**

36. LTLA First submission addresses the matter of the land indicated for informal/formal open space (the SANG) at 3.10 – 3.26 and Appendix 1 to that submission (Landscape Report by Michelle Bolger). LTLA Final submission addresses this at 2.56 – 2.57 and Appendix 6 (N.B. Appendix 6 is the same as Appendix 1 to First submissions).

37. The Layers (the site to the east of the railway, 1012) provides landscape and historic importance to Saxmundham. Development as proposed in the Frist Draft Local Plan would have left a small remnant of the original historic area, and as such should not be built on. The SANG, now proposed on this site, is needed to reduce impact of the development, provide natural green space for recreation and amenity for community, and habitats for wildlife.

38. We support the Council’s effort to remove housing from The Layers, and any attempt to reallocate housing to this site will be strongly resisted. It is our legal opinion that this would not anyway be able to be done via a main modification given its significant change to the plan.
**Question: 3.39 Would the Policy give rise to coalescence with Benhall village?**

39. Yes.

40. LTLA Final Draft Plan submissions address this at sections 2.59 and 2.66.

41. Whilst the policy would not result in physical coalescence with Benhall Village, the distance between Bigsby’s Corner, currently a part of the historic dispersed settlement of Benhall, and the southern edge of Saxmundham would be reduced to 200-300m. As set out in the Landscape Briefing Note prepared by MBELC, the extensive residential development would be clearly visible from Kiln Lane which runs west from Bigsby’s Corner. It is likely that Bigsby’s Corner would become an outlier of Saxmundham rather than remaining part of the historic dispersed settlement of Benhall.

42. In addition, this would be contradictory to SCDC’s landscape evidence on inappropriate coalescence with Benhall, and emerging policy SCLP 10.5 ‘Settlement Coalescence’, only allowing development of undeveloped land and intensification of developed land and between settlements where it does not lead to the coalescence of settlements through a reduction in open space or the creation of urbanising effects between settlements.

**Question: 3.40 Would the Policy be effective in achieving the provision of required education facilities? Is it justified to include early years provision within both criteria a) and b)?**

43. No to part 1 of this question.

44. LTLA Final Draft Plan submissions address this at section 2.19 2.36, 2.37, 2.42 and 2.43.

45. In summary, SCLP 12.29 is not education led, and the 800 dwellings to fund a new primary school is not supported by the evidence. The site at 714 where the housing is proposed is reported by the SHELAA page 497 as being able to deliver 495 dwellings. Therefore if 800 dwellings are needed to deliver the school, the policy does not support achieving the provision of education facilities, as in reality under 500 will be able to be delivered in a way that stays true to Garden Neighbourhood Principles.

46. To accommodate the new school 2.2ha of the SSGN site will be for the provision of a one form of entry primary school to enable further expansion and early years provision. 0.13ha of the land will be used for a further early years education, and 12.29 (c) provides for a community hub. LTLA welcomes these facilities but does
not agree these can be provided along with the housing on site 714 without further erosion of the garden neighbourhood principles and the housing mix dictated by 12.28. It just does not stack up.

47. This is with density and pupil yield on this site; the only feasible way 800 dwellings may fit (if at all) is at a higher density (see discussion above). Yet according to BVA higher densities bring lower pupil yield, and therefore to reach 200 pupil yield more dwellings will be needed, leading to even further increased density and further erosion of Garden Neighbourhood Principles. The Council has tied its hands by insisting on an SSGN on one site to deliver the housing in Saxmundham. These problems reveal it to be a perilous strategy.

Question: 3.41 Are there any factors which would mean that the site is not ‘deliverable’ or ‘developable’ as per the definitions in the Framework?

48. Yes.

49. Final submission 2.4; 2.24; 2.44 – 2.55 and Appendix 3.

General viability

50. The site is not viable, see Final submission 2.44-2.55. If a site is unviable, it is undeliverable and undevelopable. The site will quickly be unable to deliver the infrastructure and affordable housing set out in the policy framework.

SANG

51. Hopkins Homes are the promoters of site 1012 (originally allocated for mixed use and being promoted as housing). Following the First Draft Local Plan Submissions, and LTLA’s submissions of the inappropriate use of this site for landscape and heritage reasons, this site was changed to provide a SANG as part of SCLP12.29, which is essential in the delivery of the site as it is designed to mitigate impacts of European protected sites and potential impacts of housing growth.

52. Hopkins Homes’ Final Local Plan Submissions make it clear that “The landowner will not release the site for its use as Suitable Alternative Natural Greenspace (SANG) as proposed as this would result in the land being sold at only a nominal increase in land value. The Council has been made aware of Hopkins Homes’ position in this regard but has seemingly discounted the concerns raised”.

53. It is impossible for the Council to roll back on their position that the SANG is needed to mitigate any potential impacts of housing growth (pg. 277 Final Draft Local Plan). The SANG is intended to mitigate “recreational disturbance on the Sandlings, Alde-Ore and Minswere-Walberswick Special Protection Areas” (Final
Draft Local Plan page 273) and to “reduce the impact of the development and alongside providing for sufficient SANG areas, significant green infrastructure provision and areas of natural green space for recreation should be integral to the layout of the Garden Neighbourhood .... to provide amenity value for the future community and, a variety of habitats for wildlife” (set out at SCLP12.28).

54. Without a SANG, the site is undeliverable. The correct course would be to remove the allocation.

*Question*: 3.42 Is it justified that the site is accessed via a single vehicular access?

55. No.

56. Final submission 2.63 – 2.67; Appendix 9.

57. The single-access does not meet highway safety standards, which requires two points of access for a development of this size. There has been no justification from the Council on the proposal of only one access, however it can rightly be said that it is not justified and is in direct contravention of the Council’s own ‘Suffolk Design Guide for Residential Areas’, a supplementary planning document.

*Question*: 3.43 Would the Policy be effective in addressing the needs for off-site infrastructure requirements arising from the development?

58. No.

59. Final submission 2.17 and 2.67.

60. An off-site roundabout and pedestrian bridge would be needed to supply travel demands from SSGN to the employment land, which have not been adequately addressed.

Richard Buxton Solicitors
On behalf of Leave The Layers Alone
2 August 2019