Suffolk Coastal Local Plan
Examination in Public

HEARING STATEMENT

On behalf of: Mr Peter Robinson

July 2019

Our reference: 393

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1 Introduction

1.1 This Hearing Statement has been prepared by Smith Jenkins Ltd on behalf of Mr Peter Robinson. Part of Mr Robinson’s holdings at Sink Farm in Eyke have been allocated in the draft Suffolk Coastal Local Plan under Policy SCLP12.47. The site is referred to herein as Land to the East of The Street.

1.2 This Statement supports Policy SCLP12.47 and the submitted Local Plan more generally. We have engaged with the Local Authority and Planning Inspector throughout the Local Plan process and as such trust that it is not necessary to describe the site or repeat previous representations made on behalf of Mr Robinson.

1.3 Policy SCLP12.47 is due for consideration at the Examination in Public at the 17th September 2019 Hearing Session. Smith Jenkins Ltd have gratefully accepted the invitation of the Inspector to participate in this session, at which we will provide greater clarity on any of the matters outlined in this Statement if necessary.

1.4 The remainder of the Statement is focussed on the two questions that the Inspector seeks to address in respect of each draft allocation in the Local Plan, and also Questions 3.67 and 3.68 in the Matters, Issues & Questions published on 21st June 2019. Questions 3.67 and 3.68 specifically concern Policy SCLP12.47.
2 Matter 3: General Questions relevant to all proposed site allocations

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?

2.1 Land to the East of The Street in Eyke has been allocated for around 65 dwellings under Policy SCLP12.47 of the Local Plan due to the intrinsic benefits and logical form of development it presents. It is a highly appropriate form of development that is consistent with Paragraph 78 of the NPPF, which states sustainable development in rural areas should be promoted by locating housing where it will enhance the vitality of rural communities.

2.2 Policy SCLP12.47 will enhance the vitality of Eyke not only through the provision of local housing (including affordable housing) but also by facilitating the expansion of Eyke primary school and parking facilities, and also improving the western entrance to the village with open space to promote community interaction.

2.3 Each of these ‘added benefits’ are specifically prescribed in the policy criteria and we are pleased to confirm that our client considers these to be justified and appropriate. There are no other sites in the locality that would deliver these benefits, which would also only come forward via associated development. The allocation and its criteria are therefore justified. In terms of appropriateness, Section 38(6) of the 2004 Planning and Compulsory Purchase Act explains that applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Including criteria within the Development Plan itself is therefore plainly an appropriate means of ensuring the aforementioned benefits are ultimately secured via a planning application in due course.

2.4 The development of Land to the East of The Street is not considered to have any significant impacts nor indeed is it constrained by any particular characteristics. Other policy criteria that are included will be effective in ensuring that the form of development that eventually comes forward is sensitive to its context. In particular, the site’s location within the Area of Outstanding Natural Beauty (albeit at the very edge of the designated area) is justified under the terms of Paragraph 172 of the NPPF due to both its significant public benefits and natural relationship with the existing village of Eyke. We note and support the further criteria concerning landscape and visual impact and can confirm that an eventual planning application would be supported by this information.

Are there any significant factors that indicate any of the sites should not be allocated? Is there a risk that site conditions, infrastructure or access requirements or constraints, might prevent development or adversely affect viability and delivery?

2.5 There are no significant factors that indicate Land to the East of The Street should not be allocated. The site is a greenfield parcel of land that benefits from existing road frontage and no physical constraints. In respect of infrastructure requirements, the criteria in Policy SCLP12.47 outline a number of bespoke contributions that the allocation will deliver, each of which are supported by our client. Furthermore, it is understood and accepted that any eventual planning permission will be subject to a planning obligations agreement whereby financial contributions to other off-site infrastructure can be agreed as necessary.
2.6 Our client is aware that there may be concerns locally as to the likely traffic impacts of the proposed development. The Inspector will be aware that this is an inevitable and understandable concern in respect of any new development, particularly in rural areas. However, Paragraph 109 of the NPPF explains that development should only be prevented on highways grounds if there would be an “unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. In respect of highway safety, the proposed development will actually improve this locally by providing additional car parking, a better defined ‘entrance’ to the village, and footway improvements as per the policy criteria. There is no indication that The Street suffers from ‘severe’ volumes of traffic, which will nevertheless be only modestly affected by the introduction of around 65 new households.

2.7 Our client is the freehold owner of the Land to the East of The Street and foresees no adverse implications from the proposed allocation on either viability or delivery. The policy criteria do include abnormal burdens, such as the provision of 0.4Ha of land for school expansion, that might reduce the overall development value of the allocation but our client supports these contributions and has no concerns in respect of viability.

2.8 Paragraph 68 of the NPPF expressly recognises the role that small and medium-sized sites can play in delivering housing quickly. The Land to the East of The Street is a medium-sized site that could easily be brought forward within the first five years of the plan period, thereby making a meaningful contribution to the Council’s five-year supply of deliverable housing sites. For land supply purposes, the NPPF requires ‘clear evidence’ that allocated sites will produce housing completions within five years in order to be considered deliverable. We understand that the Local Plan Inspector may not necessarily be assessing sites according to this definition, but nevertheless we would be content for the Local Authority to accept this Hearing Statement and our oral representations as evidence of an agreement with the landowner that Land to the East of The Street is deliverable.
3 Policy SCLP12.51: Land to the South of Eyke CoE Primary School and East of the Street, Eyke

Inspector’s Question 3.67: Is the provision of dwellings designed to meet the needs of the older population justified and would the Policy be effective in this regard?

3.1 Our client is mindful that the policy requirement to provide dwellings designed to meet the needs of the older population may refer to a range of housing products. The most straightforward interpretation is that dwellings designed to meet the needs of the older population are simply bungalows or smaller-sized units for those wishing to downsize. Alternatively, the requirement could be extended to include a form of accommodation where elements of extra-care are provided, resulting in units more akin to a C2 use-class.

3.2 Given that the policy refers specifically to ‘dwellings’ rather than ‘care home’ or similar, it is considered that the policy criteria is intended to deliver smaller and/or single-storey units on the site.

3.3 Our client supports this criteria and considers that the requirement is justified on the basis that the Council’s own Strategic Housing Market Assessment (SHMA) identifies an increase in the relative proportion of older individuals locally. Indeed, the May 2017 SHMA explains in Table 6.2 that Suffolk Coastal will have the highest growth in population of individuals aged 65+ of any authority in the Housing Market Area, and indeed is the only authority forecast to see a drop in working age population. In this context, Paragraph 61 of the NPPF specifically says that the housing needs of different groups (including older people) should be assessed and reflected in planning policies. Therefore the policy criteria is a logical means of ensuring consistency with the Framework and reflecting local evidence of an increasing demand of housing for the older population.

3.4 Furthermore, we consider the policy to be effective as smaller and/or single storey units are likely to be delivered on the site irrespective of the needs of the older population. Single-storey units are a logical means of reducing the landscape and visual impacts of the proposed development, particularly along its edges. Furthermore, smaller units serve a dual-purpose in market terms by also attracting first-time buyers or young families.

3.5 Notwithstanding this, our client would welcome confirmation that the effectiveness of the criteria is not intended to be ensured by occupancy restrictions based on age. It is relatively common for age-restricted dwellings to be secured by condition or legal agreement. However, in the absence of any specificity over the number and form of dwellings to meet the needs of the older population, our client considers that this would be unnecessary. As outlined above, it is anticipated that single-storey and smaller-sized dwellings will be delivered as a matter of course on the development, and as such the policy will be effective in meeting the needs of the older population without such restrictions.

Inspector’s Question 3.68: Is the provision for specified areas for future school expansion and drop off point and new early years setting justified and if so, should they be specifically identified/safeguarded on the Policies Map?

3.6 The ability of the allocation to facilitate improvements to Eyke Primary School is one of its key benefits, as outlined above. Therefore, fundamentally, our client considers that the proposed policy criteria are justified.
3.7 During the preparation of the Local Plan we sought clarity as to why 0.4Ha was an appropriate size of land (noting that this happens to also equate to exactly 1 acre, for convenience) and whether the drop off point, parking, and early years setting was to be included within this or provided elsewhere. We understand that the local expectation is that the area of land to be provided in the site is to mostly deliver a new outdoor pitch for the school, which would then allow the existing pitch to the immediate south-east of the main school building to be used for future expansion. On the basis that the existing pitch is roughly 0.2Ha in size, it is reasonable to expect that the 0.4Ha to be provided by the allocation could accommodate not only a new pitch but also an expansion of early years setting and car parking/drop off area too. To clarify; our client does not consider that additional land beyond this would not be justified, but that the 0.4Ha referred to in the policy appears to be sufficient and justified in its own right.

3.8 In terms of whether the land should be specifically identified/safeguarded on the Policies Map, it is logical that the land provided would be located immediately adjacent to the existing school rather than divorced from it on the opposite side of the site. It would not be in our client’s interest to provide an area of land elsewhere that would effectively split the site’s developable area. Therefore there is no particular reason for the land to be specifically identified/safeguarded on the Policies Map other than for clarity. Indeed, depending on how potential safeguarding was worded, this may in fact reduce the flexibility of how the site could be brought forward.

3.9 Notwithstanding this, if the Inspector considers it appropriate for an area of land to be indicated, we would highlight that the area we have shaded red in Figure 1 below is 0.4Ha in size and represents a logical relationship with the existing school. An amendment of the Policies Map to this effect would therefore be acceptable:

![Figure 1: Policies Map extract with indicative 0.4Ha area shaded in red](image-url)
3.10 Our client considers that the exact form of the land provided may be dealt with as part of the usual development management process. The site is of a sufficient size that there would be several suitable options for securing an appropriate layout that accommodates the land specified in policy criteria.
4 Summary and Conclusions

4.1 This Hearing Statement has been prepared by Smith Jenkins Ltd on behalf of Mr Peter Robinson and will support our participation in the 17th September 2019 hearing session of the Examination in Public of the Suffolk Coastal Local Plan.

4.2 Our client controls the land proposed for allocation in Policy SCLP12.47 of the Local Plan. We support the Plan and the Policy in its entirety. The allocation and the policy criteria are justified and appropriate and will make a significant contribution to sustainable development in Eyke. The site is unconstrained and our client has no concerns in respect of Policy SCLP12.47’s effects on either viability or deliverability.

4.3 The Inspector asks two specific questions regarding Policy SCLP12.47. Our client does not consider any changes to the policy are necessary but nevertheless has provided their own interpretation of the policy criteria so that these may be modified by the Inspector if necessary for reasons of clarity.

4.4 We welcome the opportunity to discuss these matters further at the Examination in Public if this would assist the Inspector.