

**North PLANNING COMMITTEE - UPDATE SHEET****11 February 2020**

Item 6 – DC/19/1141/OUT – Outline Application - Development of up to 220 dwellings with associated open space at Land to the West of Copperwheat Avenue, Reydon, IP18 6YD for WM. Denny & Son Limited and Chartwell Industries.

Item 6 is withdrawn from the meeting agenda at the request of officers.

Suffolk County Council Highways and Rights of Way Team submitted additional comments on 10 February 2020 with revised recommendations on the application. Given the lateness and substantial nature of those revisions, officers are of the view that, in the interest of all parties, this item needs to be deferred to enable proper consideration of the matters raised in the County Council's new comments. The item will be presented to members at a later date.

Item 7 - DC/18/4429/ARM - Approval of Reserved Matters of DC/14/4193/OUT - Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2) - Access, appearance, landscaping, layout and scale for the development of 150 dwellings (including affordable housing).

4.1 Additional comments from Bungay Town Council:

DC/18/4429/ARM

- This application for 150 houses will adversely affect the ability to build to build the remaining 250 houses which have been allocated to site WLP5.2 in the Waveney Local Plan.
- There has been no public consultation and a detailed masterplan has not been submitted.
- The layout of the development fails to consider the needs for access and flow of traffic including emergency and refuse vehicles, community engagement, access for

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all regardless of age, mobility and disability, public safety and environmental issues. There are a number of fundamental

- technical questions regarding the development which remain unanswered (see previously circulated attached letter from Bidwells).

Bungay Town Council welcomes the Local Plan's overall allocation of an additional 485 homes as a positive contribution to the social and economic wellbeing of the town.

In anticipation of this development the Neighbourhood Plan Steering Group, which combines a balance of both town councillors and residents, have worked diligently so that it could contribute a well-informed community voice to planning outcomes. Our Neighbourhood Plan is nearly at the pre-submission stage and has already been scrutinised closely by ESC planning officers. Reports commissioned from AECOM, accessed through Locality funding, for a Bungay - specific housing needs assessment, and a Design Code Report informed our draft policies. Both reports have been shared with planners and can be found on our website. It is regrettable, therefore, that those best placed and informed of the needs of the current and future community of Bungay, have not been consulted in any pre-application planning for this large development.

The Local Plan allocates some 400 houses in total for the 5.2 site. The current application for 150 houses therefore needs to be considered not just on its own merits such as they are, but as a part of the overall development, which includes another 250 dwellings, as well as infrastructure requirements.

You will be aware that the policy also identifies a cycle network, access for buses, a new pre-school, allotments and new parks and play spaces. However, as our letter of October 2019 points out there appears to be no masterplan that provides a coherent overview of how infrastructure requirements will be included on this 4.65 hectare site despite the policy amendment to WLP5.2 made by the Examiner in 2018:

'A detailed masterplan informed by ongoing engagement with the community should be prepared and submitted as part of any full or outline planning application.'

The need for such a masterplan is of heightened importance given that this site is in the possession of more than one landowner, and therefore at least two developers will be involved in its completion. It is of serious concern to us that a masterplan, which should have served to inform and influence the current application, given that 150 units amounts to nearly 40% of the homes for this site, is completely absent. Perhaps as a consequence there is scant reference to infrastructure requirements and the overall coherence of the development is potentially prejudiced. This is made abundantly clear by Iain Hill of Bidwells, the agent acting on behalf of the other landowner of this site, when he states in his letter dated 22nd October 2019:

'...the proposed development will adversely affect their [Slater family] ability to develop land within their ownership: land that is now allocated in the Waveney Local |Plan (2019) under WLP5.2 for residential development.'

In the same letter he endorses the need for a masterplan,

'...an Indicative Masterplan should be submitted as part of the application demonstrating how the proposed development fits in with the wider allocation.'

You will also see that he draws attention to many other technical and material concerns that are similarly referenced in our letter: e.g. issues related to drainage, highways, access, interconnectivity, bus routes, parking, ransom strips, pedestrian and cycle links, charging points, storage and refuse collection are all of mutual concern. Sadly this is not an exhaustive list.

The BNDP Steering Group gathered expert data in its commissioned reports which provide explicit information to meet the current needs of our residents through to 2036 and consider it critical that planning applications provide designs that are conversant with this up-to-date, detailed information. Indeed it would be difficult to justify to the public why, when all necessary information was known and readily available to councillors, planners and developers beforehand, why it was ignored, e.g. the need for approved plans to include sufficient numbers of suitably designed, sustainable, low energy homes for our increasingly higher than average number of older residents, whilst also providing affordable well - designed homes for young families. This latter group is crucial to the social and economic well-being of our town and if not factored into planning outcomes risks prejudicing Bungay's future sustainability.

Many of you will be aware of East Suffolk Council's newly established Community Partnership scheme which will target additional public funds into precise local areas to mitigate against specific aspects of deprivation. Within the partnership that includes Bungay the 3 targets are:

- reducing social isolation & loneliness
- active and sustainable transport solutions
- improve wellbeing and enable people to live healthy lives

Should this application be approved the Council will be endorsing the construction of a built environment that fails to consider a layout designed to encourage community engagement; that fails to meet the needs for access and flow of public transport, emergency and refuse vehicles; pays scant regard for a permeable and legible development easily accessed by all, regardless of age, mobility and disability; and fails to take into account the need to promote public safety and deter crime and disorder. In short it will potentially create problems for a future East Suffolk Council and supporting services to solve.

As a Town Council we would be failing our community if we did not do everything in our power to bring the serious flaws in this current application to the Planning Committee's attention, and recommend that it be refused so that a better - designed, policy - compliant development, matched to the needs and vernacular of our historic market town can be built as the enduring legacy from this generation to the next.

Item 8 - DC/18/5082/FUL - Surface water storage basin

4.1 Additional comments from Bungay Town Council:

- This application is interdependent on the above application and therefore difficult to ascertain why this comes as a separate application.
- This attenuation provides for the development of 150 houses. However, it takes no account of future flows from the 400 houses proposed for this site under the Local Plan.

Item 9 - DC/18/4104/OUT – Outline Application (All Matters Reserved) - Residential development for up to 40 dwellings with open space, landscaping, access and associated infrastructure.

4.1 Additional comments from Bungay Town Council:

- This site was rejected for potential housing in the Draft Local Plan in 2018 due to flood risk. The 2018 SFRA illustrates that the Tin River flood risk was not remodelled, and zoning therefore remains unmodified.
- This land is locally renowned for flooding. The assertion that flood risk in this location has reduced is not sound.
- The surrounding residential road is, already a very busy thoroughfare for traffic and not far from the entrance of a Junior School.

At the E and P meeting to be held on 11 February 2020, committee members will be asked to consider the planning application DC/18/4104/OUT that seeks approval for the construction of up to 44 houses on 1.025 ha of land located at Pilgrims Way, Bungay, currently subject to pluvial and surface water flows, and adjacent to the Tin River, the primary tributary of the River Waveney on the east side of the town. Bungay Town Council expressed their objections to the present application on 25/10/2019 and it is not

our intention to repeat all of our concerns here, however we do have explicit concerns regarding both flood risk and traffic impacts that we regard as core issues.

The location of the present application was put forward as a potential location for housing allocation under the Draft Local Plan in 2018 but was rejected on the grounds of flood risk. The Sustainability Appraisal Report of the Waveney Local Plan 2018 (Item 12C2 Appendix C p.876) notes “*The site is in a flood risk zone identified in the Strategic Flood Risk Assessment and is likely to increase flood risk elsewhere*”. This conclusion is based on the findings of the Waveney SFRA (Scott Wilson 2008) that assessed the site as falling within a zone 2 flood risk area and adjacent to a zone 3a flood risk zone. These zoning classifications represent medium vulnerability to flood risk (zone 2) and high vulnerability (Zone 3) and are illustrated in the SFRA 2008 (Figures A9 and A10 PPS25 Annex 1 Scott Wilson 2008). To accommodate change in flood risk arising from climate change an allowance of 20% was applied to the

assessment in 2008, whereas EA guidelines now propose a 35-40% increase (allowance) due to revised understanding of the increasing rate of climate change impact.

The more recent 2018 SFRA (ES Strategic Flood Risk Assessment –Level 1- Fig. 13 Main rivers Aecom 2018) illustrates that the Tin River flood risk was not remodelled in the updated document and zoning remained unmodified.

As the proposed site incorporates Zone 2 and 3 flood risk zones on the basis of the above East Suffolk strategic flood risk documents, this would preclude housing development in the absence of additional sequential and exception tests. It would also be in conflict with the provisions of the NPPF (2018) that requires:

158. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

159. If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. For the exception test to be passed it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

While for the purpose of the present application the applicants have undertaken revised modelling that indicates the site is in zone 1, therefore reducing the applicable development restrictions, we conclude that under existing climate change conditions and increasing flood risk, the assertion that flood risk in this location has reduced in the past decade is not sound. We would correspondingly question why on this basis the applicant proposes land raising to achieve adequate drainage from the development.

The Council conclude that there are sufficient opportunities to locate development of this scale to areas with a lower risk of flooding within the existing allocations under the Local Plan, and therefore on the basis of Flood Risk alone, strongly propose that the present application is refused.

4.1: Third Party Representations

One additional letter has been received raising the following additional points:

- This site was not included in the current Local Plan due to flood risk
- Surface water flood risk not addressed

- Mitigation measures need to be defined
- Highlighting previous refusals on the site - DC/92/0955/OUT & DC/93/0699/OUT.
- Impact on the Conservation Area
- Contrary to Policy (Local Plan and NPPF)
- Lack of affordable housing
- Housing mix not suitable
- Impact on air quality and health from increased traffic
- Hazard to pedestrians
- Visibility splays do not exist in practise
- Loss of parking

10.1: Amendment to recommendation to include a financial contribution towards improvements to nearby bus stops.

Authority to Approve with conditions as set out within the report and subject to completion of a S106 agreement securing:

- Affordable housing provision;
- Open space provision and long-term site management;
- A financial contribution towards a new pre-school setting in Bungay; and
- A financial contribution towards improvements of nearby bus stops.