

**SOUTH PLANNING COMMITTEE - UPDATE SHEET****30 March 2021**

Item 6 – DC/20/1831/OUT - Outline Application with Some Matters Reserved - Residential development of up to 55 dwellings, with access off St Andrews Place at Land off St Andres Place and Waterhead Lane, St Andrews Place, Melton.

- 4.1 Third party representations. Two additional letters from local residents have been received. They raise no new issues above those already identified in the report.
- 4.2 Updated Consultee responses. Further information regarding drainage has been submitted and Suffolk County Council as Lead Local Floods Authority have since removed their objection and recommend two conditions which are included below.

Ward Member (Cllr Smith-Lyte) has submitted the following letter:

LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT
DX: 41400 Woodbridge

POSTAL ADDRESS Riverside, 4 Canning Road, Lowestoft NR33 0EQ
DX: 41220 Lowestoft

Appendix E: Letter from promoter of Wilford Bridge Road allocation



Clr Buffy Barrington
Melton Parish Council

9 June 2017

Dear Clr Buffy Barrington

Further to your recent email regarding the questions raised by the Independent Inspector we would like to make the following comments:

We have carried out extensive negotiations to secure the adjoining landowners and to be able to ensure this is not a false promise and we can deliver a comprehensive development of the site as proposed in the Melton NP.

This extensive process has involved entering into formal agreements with Colin and Edward Carter for the commercial haulage site, Bill Warburg for the residential land and Ramie Emerson for the access through his site. All of these agreements are in place.

This site offers an extraordinary opportunity to create something very special, however the successful viability of the development requires the comprehensive development of all the elements together commercial, community and residential.

This is a rare chance to create a self-sustainable community and we can deliver this in the same way as we are currently developing the adjoining 6 acre Riduna Park and we have already successfully developed at the Masterlord Office Village in Ipswich, Brightwell Barrs at Brightwell, and Clopton Park Clopton.

We have created three entire business communities each with its own independent identity and a true mixture of accommodation ranging from fully serviced desks to independent offices right up to headquarter style buildings and everything in between. Our sites are home to over 500 businesses employing over 2000 people all enjoying our concept of Office Living.

We would welcome the Independent Inspector to visit these developments and form her own opinion.

The relocation of SCDC offices has been the catalyst for this development and such is the demand that first 6 units have been sold off plan and we have now signed contracts for the construction of the next 9 units each of 2500 sq ft with the contractors starting this month.

Rents and sale prices are setting new market levels confirming the demand.

The Independent Inspector has raised the question of the practical feasibility in terms of the wildlife, environmental issues, highways and flood risk amongst others. Having been involved in the development of the Riduna Park for the last 8 years we have gone through all of these issues in detail to bring that site to fruition so we do fully understand the difficulties to be overcome.

We are confident that we have the solution to most of the technical problems and will be able to deliver this site in its entirety if the Melton NP is approved and we are given the opportunity.

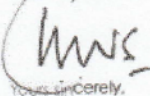
It would be our intention to submit a detailed planning consent for the comprehensive development as soon as the Melton NP is approved, on the basis of a phased development having first constructed

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the flood mitigation lake and community areas .

It is difficult to reply in enough depth to give the necessary level of comfort that we feel the inspector is seeking but we are a local firm of developers with a proven track record in delivering these unique business communities and we would be pleased to meet with the inspector and answer directly any questions that she may have .

Kind regards
Chris Dawson



Yours sincerely,

C H Dawson .

36(Hons) Land Management & Development Ltd
Director
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www.masterford.co.uk
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www.cloptonpark.com

- 10 Recommendation. Two additional conditions as proposed by the County Council Drainage Team
- 26 Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:
- a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - g. Details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site;
 - h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management

proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction
- i. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

- 27 Within 28 days of practical completion of the last dwelling, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk

Item 7 – DC/20/1521/FUL – Care Village comprising an 80 bedroom care home together with 72 assisted care bungalows, cafe/club house, bowling green, car parking, open space provision with associated infrastructure and access at Land off Yarmouth Road, Melton, Woodbridge IP12 1QH

Supplementary information to Officer Report to deal with Specialist Care Provision

Para 61 of the NPPF (2019) states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies and explains that this includes older people and those with disabilities, as well as other groups. The Planning Practice Guidance (PPG) on Housing for Older and Disabled People states that an understanding of how the ageing population affects housing needs is something to be considered in both plan-making and decision taking. The PPG also says that where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this. Paragraph 5.46 of the Suffolk Coastal Local Plan highlights the need for 1,287 units of specialist accommodation for older people and 1,118 spaces in registered care accommodation over the Plan period and there is therefore a clear need for more of this kind of accommodation in the plan area. As an application for care accommodation and extra-care accommodation, the proposal would undoubtedly help to meet a need for specialist accommodation in the Plan area and the benefits are acknowledged.

Paragraphs 5.46 and 5.47 of the Local Plan explain the approach to addressing the needs for specialist accommodation within the Local Plan, including through larger residential allocations and the two garden neighborhoods. Paragraph 5.45 of the Local Plan lists 15 allocations that “*contain a specific requirement to include housing to meet the needs of older people*”, which could include specialist

housing on larger allocations. Paragraph 5.46 explains that traditional forms of provision may not always match modern demands and that therefore some of the needs for specialist accommodation may be met through the provision of non-specialist housing. Policy SCLP5.8 expects proposals for ten or more dwellings should demonstrate how the development will meet the needs for housing for older people and that on proposals of ten or more non-specialist dwellings at least 50% would meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations (as well as all specialist dwellings being expected to be built to M4(2) standards). The Plan's approach to meeting the need for specialist accommodation was specifically considered by the Local Plan Inspector and concluded to be "sound" and justified.

The Inspector concluded (paragraph 79 of his September 2020 report) that it is not necessary for the Plan to include a specific exceptions site type policy for the provision of housing for older and disabled people on land outside settlements. Given the very recent adoption of the Local Plan (September 2020), on any reasonable approach it is far too early for a credible case to be made that specialist accommodation is not coming forward as envisaged by the Local Plan such that the development of unallocated greenfield sites should be considered more positively. This is even more the case given the other policy conflicts that have been identified (such a transport, accessibility and landscape).

The benefits of additional care home and extra-care accommodation the scheme would deliver are recognised and acknowledged, however, the council is confident that the needs for specialist accommodation will be delivered through the approach as set out in the Local Plan and so accommodation on such unallocated greenfield sites is not considered necessary.

Paragraphs 12 and 150 of the Framework support the plan-led system enshrined in section 38(6) of the PCPA 2004 and make it clear that Local Plans are the key to delivering sustainable development. This principle has been reinforced by the courts (*Gladman v Daventry DC* [2016] EWCA Civ 1146). It is concluded that the material consideration related to the provision of specialist accommodation is insufficient to indicate that a decision should be taken otherwise than in accordance with the development plan.

Policy SCLP5.8 (Housing Mix) requires that all proposals for specialist accommodation will be expected to meet the requirement for accessible and adaptable dwellings under Part M4(2) of the Building Regulations but the application does not appear to make any such provision. In addition, Policy SCLP5.8 states that sheltered and extra-care housing "will be supported where the scheme incorporates a mix of tenures and sizes to meet an identified need" but it appears that all the 72 assisted care bungalows are the same size (two-bedroom bungalow) and there does not seem to be any given justification for why no one-bedroomed bungalows are proposed in this proposal.

Recreation Avoidance Mitigation Strategy

The development site is within the recreational disturbance Zone of Influence for the following Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), Deben Estuary SPA and Ramsar, Sandlings SPA, Alde-Ore Estuary SPA and Ramsar, Alde, Ore and Butley Estuaries Special Area of Conservation (SAC) and Orfordness-Shingle Street SAC. Habitats Regulations Assessment of the Local Plan has identified that new residential growth in East Suffolk will result in increased recreational disturbance on Habitats Sites. The in-combination effect of this new growth will, in the absence of adequate mitigation measures, result in an adverse effect on the integrity of Habitats Sites in East Suffolk.

The Suffolk Coast RAMS provides strategic mitigation measures to address this impact. To fund this mitigation financial contributions are collected from new developments. In order to conclude that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites the relevant financial contribution to the strategy is required to be secured prior to determination. The required contribution has not been secured, nor has alternative evidence been provided to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites. A conclusion of no adverse effect on the integrity of Habitats Sites can therefore not be reached and the application must be refused in accordance with the requirements of Local Plan policy SCLP10.1 and

NPPF Chapter 15.

Additional comments from the Agent for the applicant on 29 March 2021

If I may respond to paragraphs 8.56 and 8.57 of your Report to Members, where I would ask that you correct the statement that the local doctors do not have capacity for the additional growth resulting from the development.

I am attaching a formal note from my consultant's Pegasus (March 2021) that confirms that the local doctors are accepting patients.

The 'issue' appears to be one of age, but where the NHS Handbook specifically states

NHS Services will always be available for the people who need them. None can deny you the right to access these services because of your age

The NHS Handbook also confirms that before a doctors practice may not accept new patients, they will need to have agreed with NHS England that they have approval to close their list to new patients.

2. With regard to the proposed pedestrian crossing, the proposed access drawing including the crossing is attached, this was the drawing that accompanied the TA and which was subsequently discussed with Ben Chester at SCC.

An informal pedestrian crossing, with tactile paving and dropped kerbs as appropriate, is proposed to be provided immediately south of the site access junction.

The proposed crossing will connect with the existing footway on the eastern side of Yarmouth Road and the wider existing pedestrian network.

This section of Yarmouth Road is subject to a 30mph speed limit, is relatively lightly trafficked, and benefits from good visibility in each direction, and the proposed informal pedestrian crossing is considered appropriate for the location of the site and the proposed land use."

10 Additional Reasons for refusal

5. The development does not propose any one-bedroomed extra-care dwellings, despite the Suffolk Coastal Local Plan evidence (Table 5.2) showing that this is the predominant need and that SCLP5.8 stating that extra-care accommodation will be supported where it incorporates a mix of tenures and sizes. The proposal also does not ensure that all the extra-care accommodation would be delivered to accessible and adaptable standards (under Part M4(2) of the Building Regulations). The proposal is therefore contrary to SCLP5.8 (Housing Mix) of the Suffolk Coastal Local Plan (2020).
6. The development falls within the recreational disturbance Zone of Influence for the following Habitats Sites (European designated sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), Deben Estuary SPA and Ramsar, Sandlings SPA, Alde-Ore Estuary SPA and Ramsar, Alde, Ore and Butley Estuaries Special Area of Conservation (SAC) and Orfordness-Shingle Street SAC. Local Plan policy SCLP10.1 seeks to support regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended) where proposals that would cause a direct or indirect adverse effect on the integrity of Habitats Sites (either alone or in-combination with other plans or projects) will not be permitted.

The application does not secure the required contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or, alternatively, provide information to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites, arising from the potential disturbance caused by additional visitors to them, without this mitigation. It therefore cannot be concluded that the development will not result in an adverse effect on the integrity of Habitats Sites and therefore the proposals are considered contrary to Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document (covering the former Suffolk Coastal Local Planning Authority area) policy SCLP10.1 and Section 15 of the NPPF.

7. The proposal fails to make adequate provision/contributions (and/or agreement to provide) for facilities/services for the occupants. The applicant has not entered into the necessary legal agreement, which is required to ensure the following necessary mitigation and policy requirement are secured:
- The provision of a third of the dwellings as affordable housing (Policy SCLP5.10 of the Local Plan)
 - On site provision of appropriate recreation space and financial contribution towards the Recreational Avoidance Mitigation Strategy.
 - Delivery and management of open space and communal areas
 - Care package/occupation restrictions
 - Potential requirement for financial contribution to CCG.

Item 8 – DC/20/4519/FUL – Construction of two dwellings on land forming part of the curtilage of 47 Oxford drive and associated works at Land to the south of no.47 Oxford Drive, Woodbridge

Amendments:

- Insert [*per dwelling*] after '£321.22' (See committee report- paragraph 6.19 - line two).
- Replace drawing '05 Rev PL3 (Site plan as proposed)' with - 05 Rev PL4 (*Site plan as proposed*) in proposed condition no.2. Amended drawing includes further annotations concerning layout configuration.