

## Item 6

DC/20/3326/OUT

### **Outline application with all matters reserved apart from access**

A phased development, including the erection of up to 49 self/custom-build homes (plots), with the development to include 16 affordable homes, public open space that will include equipped play and multi-use games area, landscaping, and other associated infrastructure

Land at Victoria Mill Road, Framlingham



## What is an Asset of Community Value (ACV)?

An ACV is a building or other land which is registered as an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act states that 'social interests' include cultural, recreational and sporting interests.

If the owner of an ACV wants to sell the land/property, they must contact the Council who will notify the nominee of the asset. The nominee then has the opportunity to register its interest as a potential bidder, triggering a six-month moratorium period during which, subject to certain exceptions, the owner can only sell the asset if it is to the nominee. After the six-month moratorium period the owner can sell to whomever they choose.

This is not a local planning authority responsibility and is administered by the Council's Communities Team. The ACV list for East Suffolk contains a wide range of community assets including public houses, community halls, places of worship and open spaces.

# ACV submissions

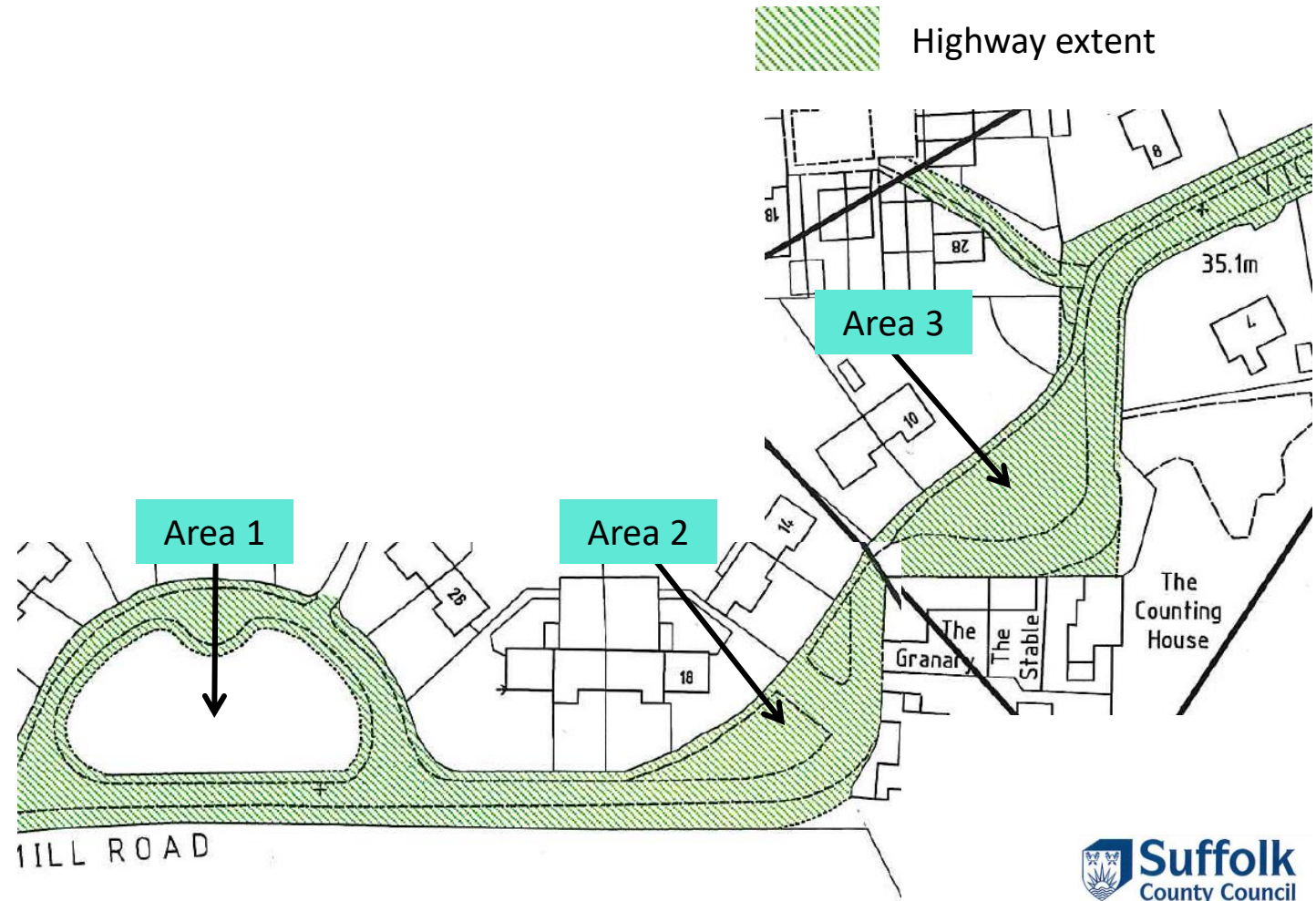
Since the submission of the application, Framlingham Town Council has submitted two nominations to list areas of green verges along Victoria Mill Road as ACV's.

East Suffolk Council initially concluded that only one of the three nominated land parcels (Area 1) met the definition of an ACV.

Following this decision, Framlingham Town Council submitted a further nomination in December 2021 to list Areas 2 and 3.

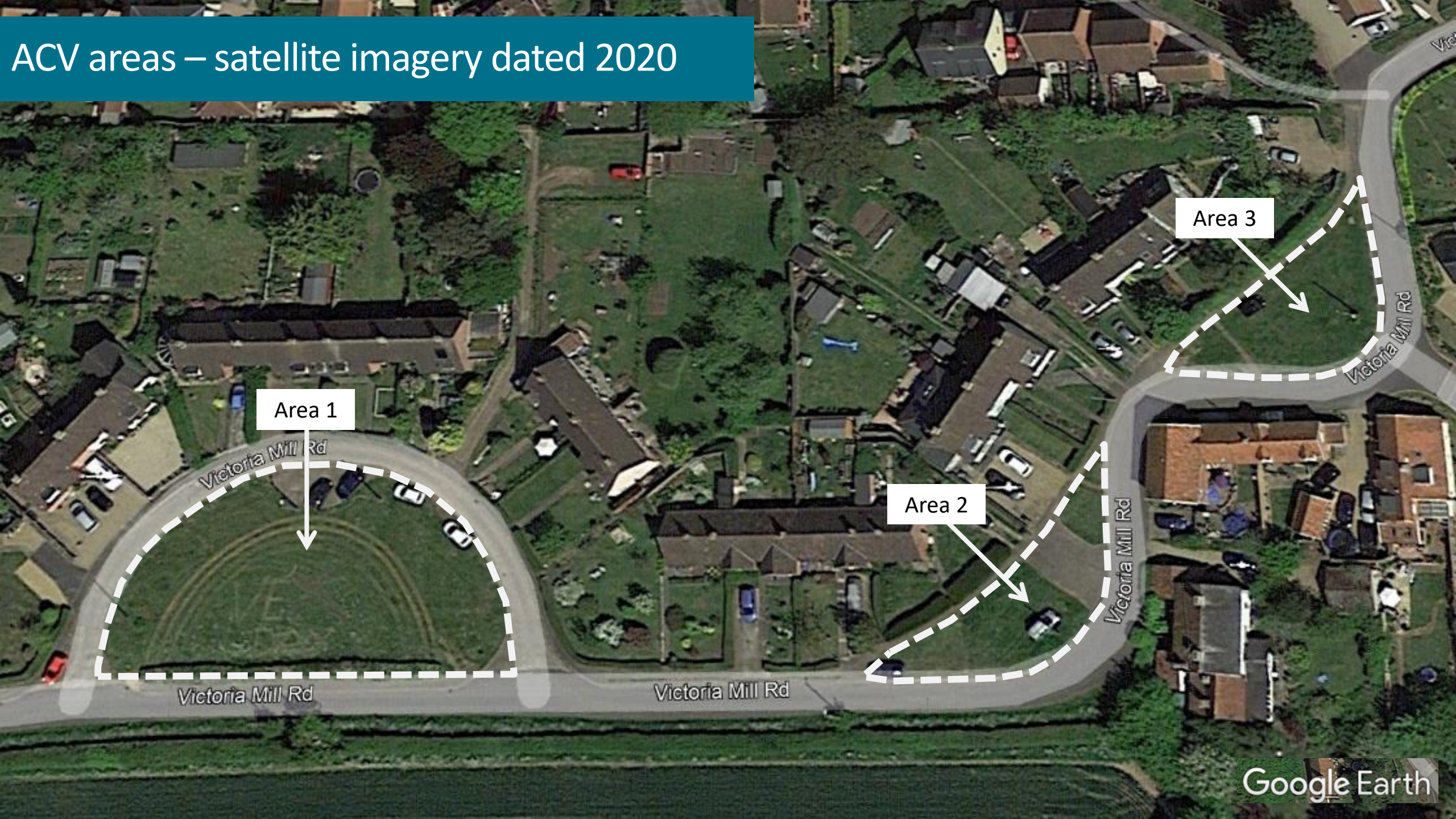
The ACV Panel confirmed on 7 February 2022 their decision to list Areas 2 and 3. The deadline for appeals to the most recent ACV decision was 4 April 2022 - no appeal was raised.

*Policy SCLP8.1: Community Facilities and Assets - is now a consideration to be applied in the decision.*





# ACV areas – satellite imagery dated 2020



Area 1

Area 2

Area 3

Victoria Mill Rd

Victoria Mill Rd

Victoria Mill Rd

Victoria Mill Rd



## Background to application

This application was first heard at Planning Committee South on **Tuesday 23 November 2021**. The item was deferred to allow members to undertake a site visit, which was held on **Monday 6 December 2021**.

On **20 December 2021** East Suffolk Council received a letter by Leigh Day, solicitors acting for local residents, which asserted that officers had misunderstood what policies FRAM1 and FRAM25 of Framlingham Neighbourhood Plan said about the appropriate density of development on the site.

The application had been scheduled for presentation to Planning Committee on **21 December 2021** however, due to a large number of expected attendees through local publicity, it was deemed unsafe to progress with the item as scheduled due to Covid 19 restrictions in place at the time and public health risks.

The application was placed on the agenda for the **25 January 2022** South Planning Committee and the report was published the week before

## Background to application

On **24 January 2022** the council received a further letter from Leigh Day, acting on behalf of Framlingham Town Council, which criticised the committee report for failing to reach a view on whether the proposed development complied with policies FRAM1 and FRAM25. This criticism, along with all other respective updates, were addressed in a committee update sheet presented to members before the respective meeting.

The application was presented to Planning Committee South on **Tuesday 25 January 2022** with a recommendation to *'Approve subject to a 'Grampian condition' requiring highway improvements prior to development or other operations; planning conditions; and the completion of a S106 legal agreement, detailing highway improvement works, affordable housing provision, and a contribution to the Suffolk Coast RAMS.'* The committee resolved to delegate authority to the Head of Planning and Coastal Management to approve the outline planning application as per the officer's recommendation.

**On 7 February 2022** the East Suffolk Communities Team determined a revised community bid for two areas of grass verge to be listed as an Asset of Community Value (ACV) and this status was agreed. Because of this change in circumstance, officers determined that it would be necessary to refer the application back to the Planning Committee again to take into account the policy effects of this ACV status affecting the application.

## Background to application

Following the committee meeting, the council received a 'pre-action protocol' letter sent on behalf of Framlingham Town Council, dated **11 March 2022**, threatening a claim for judicial review if planning permission were to be issued in accordance with the committee resolution.

The prospective challenge brings into question the meaning and application of policies FRAM1 and FRAM25 of Framlingham Neighbourhood Plan, and advances the following prospective grounds:

1. Breach of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 by failing to correctly interpret the requirements of Policy FRAM25 and by failing to determine whether or not there is a breach of FRAM25 and a breach of the development plan as a whole.
2. Significantly misleading officer's report and advice.
3. Misleading advice as to the potential conflict with Policy SCLP8.1 and duty to return matter back to members following asset of community value listing.

## Background to application

In respect of the grounds of potential challenge advanced by Framlingham Town Council, Counsel (Barrister) advice to ESC can be summarised as follows:

**Ground 1:** Breach of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 by failing to correctly interpret the requirements of Policy FRAM25 and by failing to determine whether or not there is a breach of FRAM25 and a breach of the development plan as a whole.

*There is no merit in either allegation. The report to committee set out the statutory presumption in favour of the development plan at para 1.11 and there was no need to say more. The Council has not erred in its interpretation of policy.*

**Ground 2:** Significantly misleading officer's report and advice.

*When read in full and in context the report is not misleading. The proposed condition makes clear that the number of dwellings to be erected is to be determined (subject to the upper limit of 49) at the reserved matters stage. There is no material error in the report. In respect of the consideration of up to 49 dwellings, that this was a perfectly rational conclusion to draw. As the local highway authority accepted that the proposed access arrangements would satisfactorily serve a development of up to 49 dwellings, there is no error in the advice given.*

**Ground 3:** Misleading advice as to the potential conflict with Policy SCLP8.1 and duty to return matter back to members following asset of community value listing.

*(In agreement with the position already accepted by the Council) This policy was not listed in the report to committee as a relevant policy (as it was not at the time) and the then potential breach of policy was not adverted to. Furthermore, the ACV listing following the committee meeting is a potentially material change of circumstances. In these circumstances the prudent course would be to return the application to the committee for reconsideration.*



## Background to application

The council responded to the proposed claimant (letter dated 24 March 2022) stating that it intended to return the matter to Planning Committee South to allow consideration of the effects of the ACV status.

The listing of two areas of grass verge as assets of community value (ACV's), which fall within the application boundary and are part of the adopted Highway, is deemed a material change of circumstance. On this basis, the officer's report shall readdress the planning judgement in respect of policy SCLP8.1 of the local plan, and the application will be returned to the committee for reconsideration.

*The application will be presented to members in its entirety and members are not bound by previous vote.*

Presentation of application

## Update sheet

A number of updates are noted within the associated Update Sheet. In summary, these include:

- Amendments to policy references
- Clarification that undertaking works to the highway surface would **not** require a sale of land and the ACV status is of no effect on such works
- Self/Custom Build Register figures updated
- Reference to 'shared equity/discount market' homes now referred to as first homes
- Inclusion of a Self/Custom Marketing Strategy within the s106 agreement, with the 12 month clause removed to secure self/custom build plots
- Shared ownership and affordable rent plots will be 'custom-choice', and the first homes plots will be 'custom-build' – 12 month clause removed to secure affordable custom build and custom choice dwellings/plots (secured via a Affordable Housing Scheme within the s106 agreement)
- Clarification of open space provision
- Cycle and Walking Strategy reference updated
- Outlining s106 heads of terms

# Proposal

This is an **outline application with all matters reserved apart from access**, for a phased development for up to 49 custom/self-build homes (including 16 affordable homes), public open space that will include equipped play and multi-use games area, landscaping, and other associated infrastructure.

Access details include:

- Access/junction into the site from Victoria Mill Road;
- A pedestrian access from the site onto Victoria Mill Road, opposite the crescent; and
- Highway upgrades, including the re-alignment of Victoria Mill Road.



# Outline application

As an outline application the following details will be agreed at later stage under a reserved matters application(s):

- **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development.
- **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.
- **Layout:** Includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
- **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building.

## Site context

The site comprises a parcel of land south of Victoria Mill Road with an overall area of approximately 2.6 hectares.

It currently forms Grade 2/3 agricultural land and is allocated within the Framlingham Neighbourhood Plan under policy FRAM25 for the purpose of housing.



-  Planning boundary
-  Settlement area
-  Conservation Area

# Site context

The surrounding environment comprises agricultural fields to the south, an area of grazing land to the west, and residential properties to north and east.

Topographically the site is relatively flat, sloping gently from north west to south east (average gradient 1:40).

It is located within Flood Zone 1 and a public right of way (Footpath 50) is located at the north-western corner of the site and continues south-westerly from Victoria Mill Road.





# Site visit

The application was heard at Planning Committee on Tuesday 23 November 2021.

The item was deferred to allow Members of the Committee to undertake a site visit, which was held on Monday 6 December 2021.

This was deemed necessary in order to view the site in terms of its context with particular reference to the proposed road realignment and highway matters.



**DC/20/3326/OUT – Land at Victoria Mill Road**

**Planning Committee Site Visit  
Monday 6 December**

*Meet at East Suffolk House at 9am or  
in Framlingham at 9:30am*

1. Meet at car park next to the petrol station at **9:30am**
2. View from Victoria Mill Road
3. View of 'pinch-point'
4. View of the crescent and site
5. View from public footpath
6. View along countryside edge
7. Possible pedestrian connection

Back to car park/end of site visit.



## Site photos



Looking north east from Victoria Mill Road



## Site photos





## Site photos



Looking south from the north west corner of the site



## Site photos



Looking south west from the north west corner of the site





## Site photos



Looking north west from the north east corner of the site

## Site photos





## Site photos



Looking west from the north east corner of the site



## Site photos



Looking south from the north west corner of the site

## Site photos

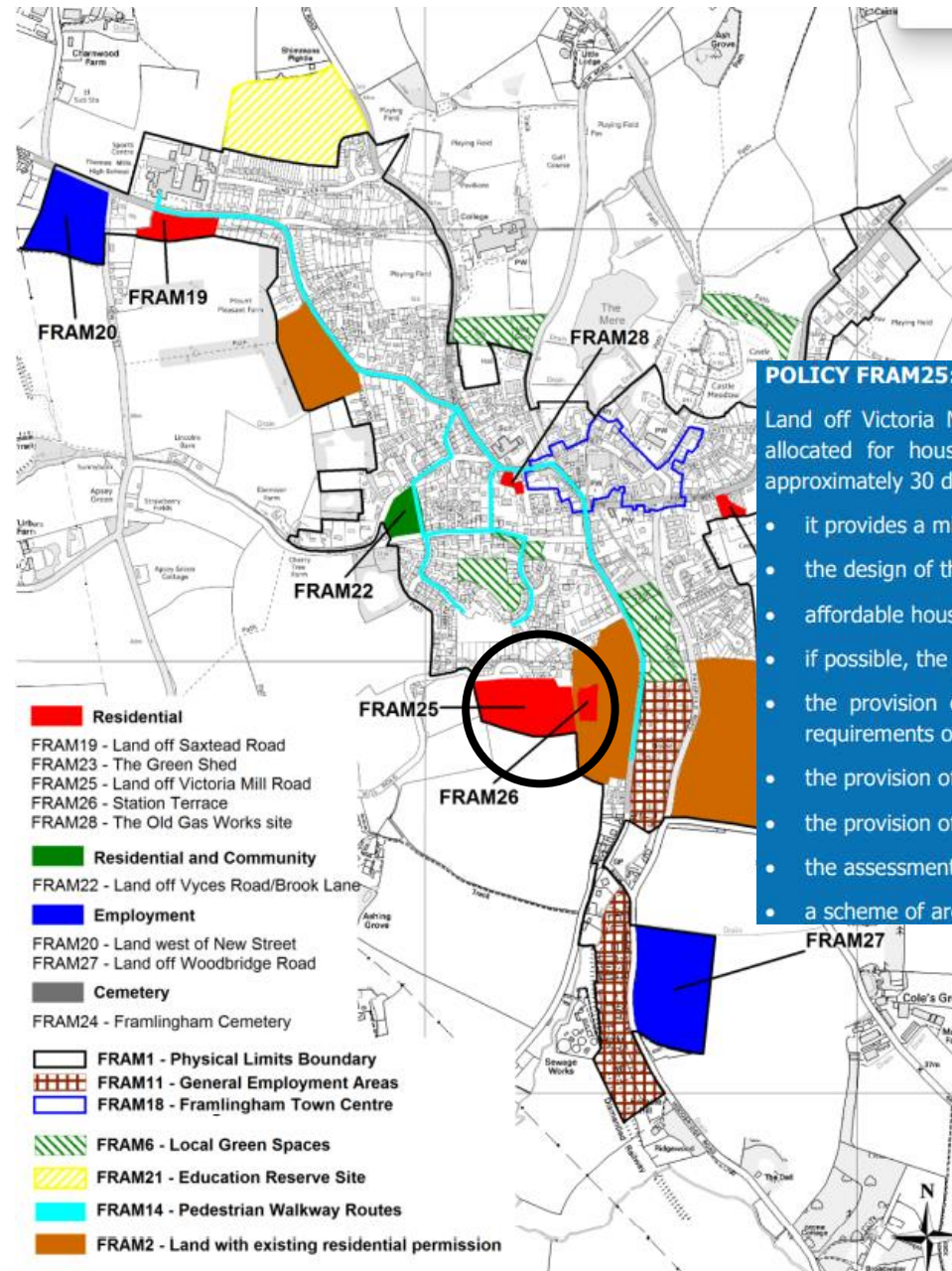




# Principle of development

The site is located within the settlement boundary for Framlingham and is identified within the neighbourhood plan as an allocated site for residential development.

*The principle of residential development on the site is therefore established.*



## POLICY FRAM25: LAND OFF VICTORIA MILL ROAD

Land off Victoria Mill Road (approximately 2.6 hectares as identified on the Policies Map) is allocated for housing for the second half of the Plan period (after 2025); proposals for approximately 30 dwellings will be supported subject to the following criteria:

- it provides a mix of dwelling sizes in accordance with Policy FRAM3; and
- the design of the dwellings is in accordance with the requirements of Policy FRAM4; and
- affordable housing is provided to meet the requirements of Core Strategy Policy DM2; and
- if possible, the provision of a Neighbourhood Equipped Area for Play (NEAP); and
- the provision of publicly accessible green space within the site in accordance with the requirements of Strategic Policy SP16 of the Suffolk Coastal Local Plan; and
- the provision of appropriate vehicle access into the site from Victoria Mill Road; and
- the provision of appropriate pedestrian access in accordance with Policy FRAM14; and
- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.



# Illustrative masterplan

The application addresses the principle of 'up to 49' custom/self-build homes (including 16 affordable homes); inclusion of public open space (including play provision); landscaping; and other associated infrastructure.

An illustrative masterplan and indicative phasing plan have been submitted demonstrating this detail.

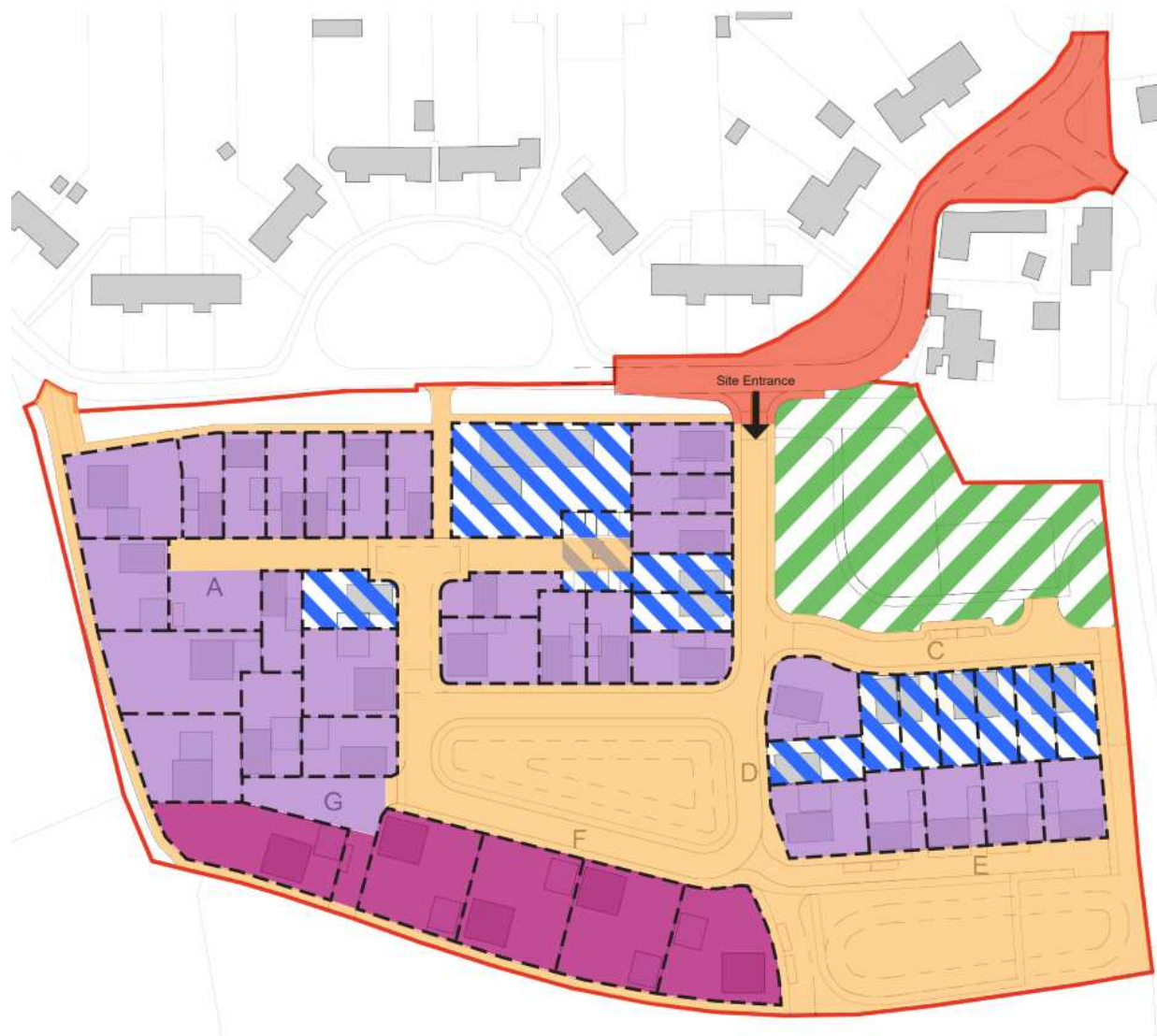











# Illustrative masterplan



# Indicative phasing plan



Phase 1:			
	Phase 1A	Access Improvements along Victoria Mill Road (highway land) and entrance to site (bell-mouth)	Highway works
	Phase 1B	Site preparation, provision of access roads, footpaths and all services / drainage infrastructure for distribution around each individual plot (details to be confirmed at Reserved Matters stages)	Site preparation
	Phase 1C	Open Space and Equipped Play Provision (to be designed at RM stages)	Open space/play provision
Future phases:			
	-	Indicative future affordable housing phases (delivered in line with S106 agreement)	Affordable housing
	-	Indicative future self-build phases. All plots to be built out individually following Reserved Matters applications served on a plot by plot basis. The individual construction will run concurrently and not one at a time i.e. phases overlap	Self-build phases
	-	Indicative future custom build future phases. All plots to be built out individually following Reserved Matters approval. Phases will overlap, with some sequencing due to infrastructure provision	Custom-build phases
	-	Developable plot boundary	



View north towards the crescent





View south – showing relationship with the crescent





# View west from Victoria Mill Road





# View east from Victoria Mill Road



# View of courtyard





View south west from central green space

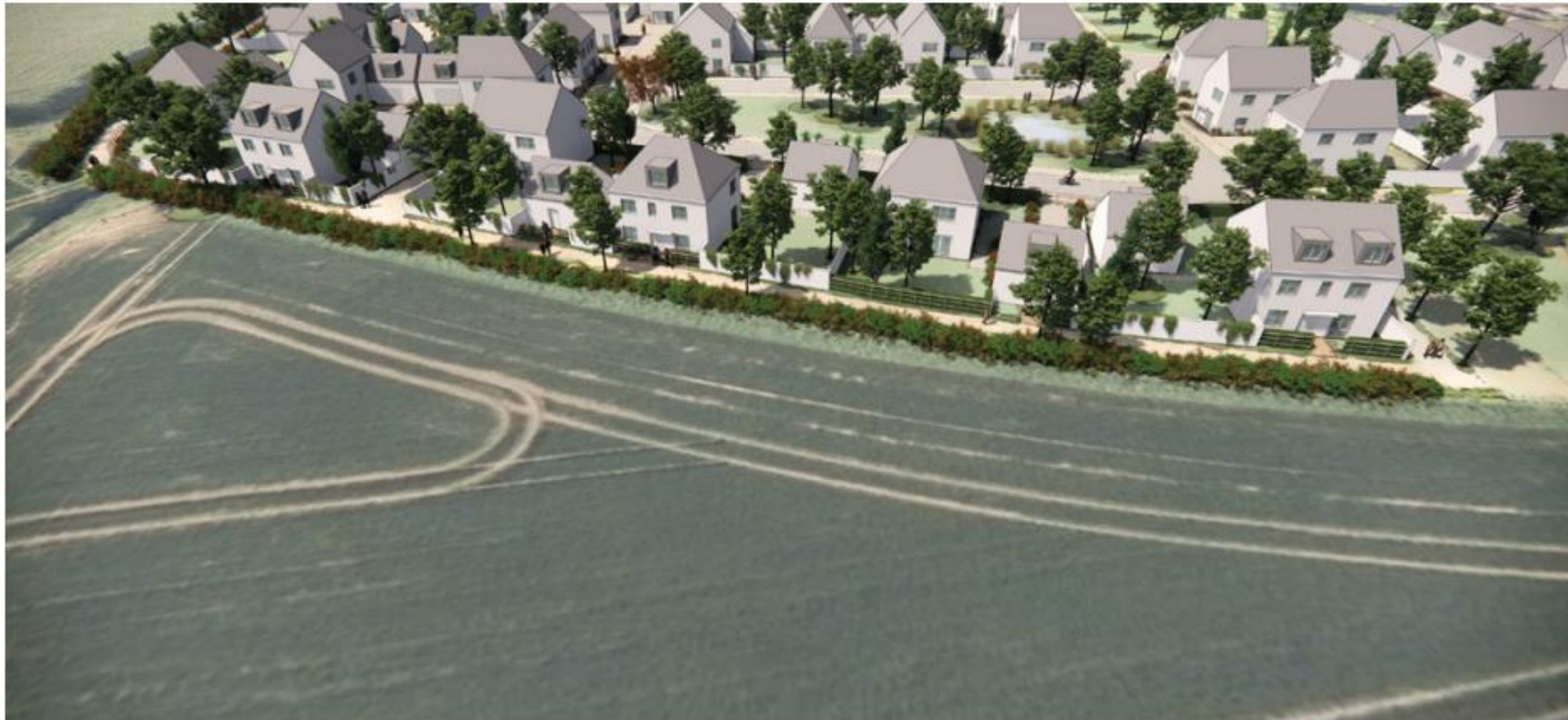




# View north – countryside edge



# View north - countryside edge





# View north west – pedestrian/cycle route and hedgerow





# Pedestrian/cycle route along perimeter





View into open/play space

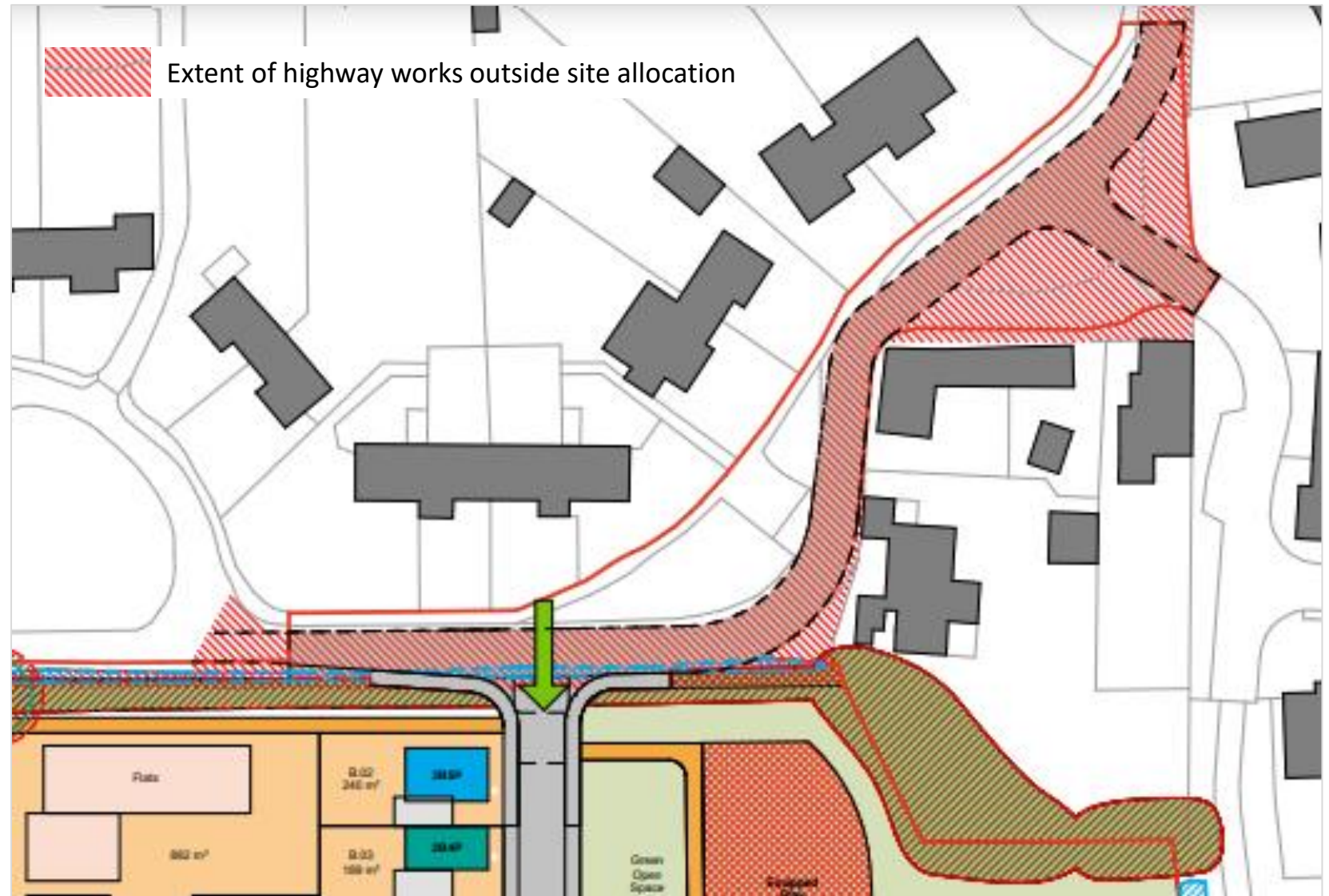




Highway works outside the site allocation

## Highway works

The proposal includes re-alignment works to Victoria Mill Road, which are proposed outside the allocated boundary – as indicated.

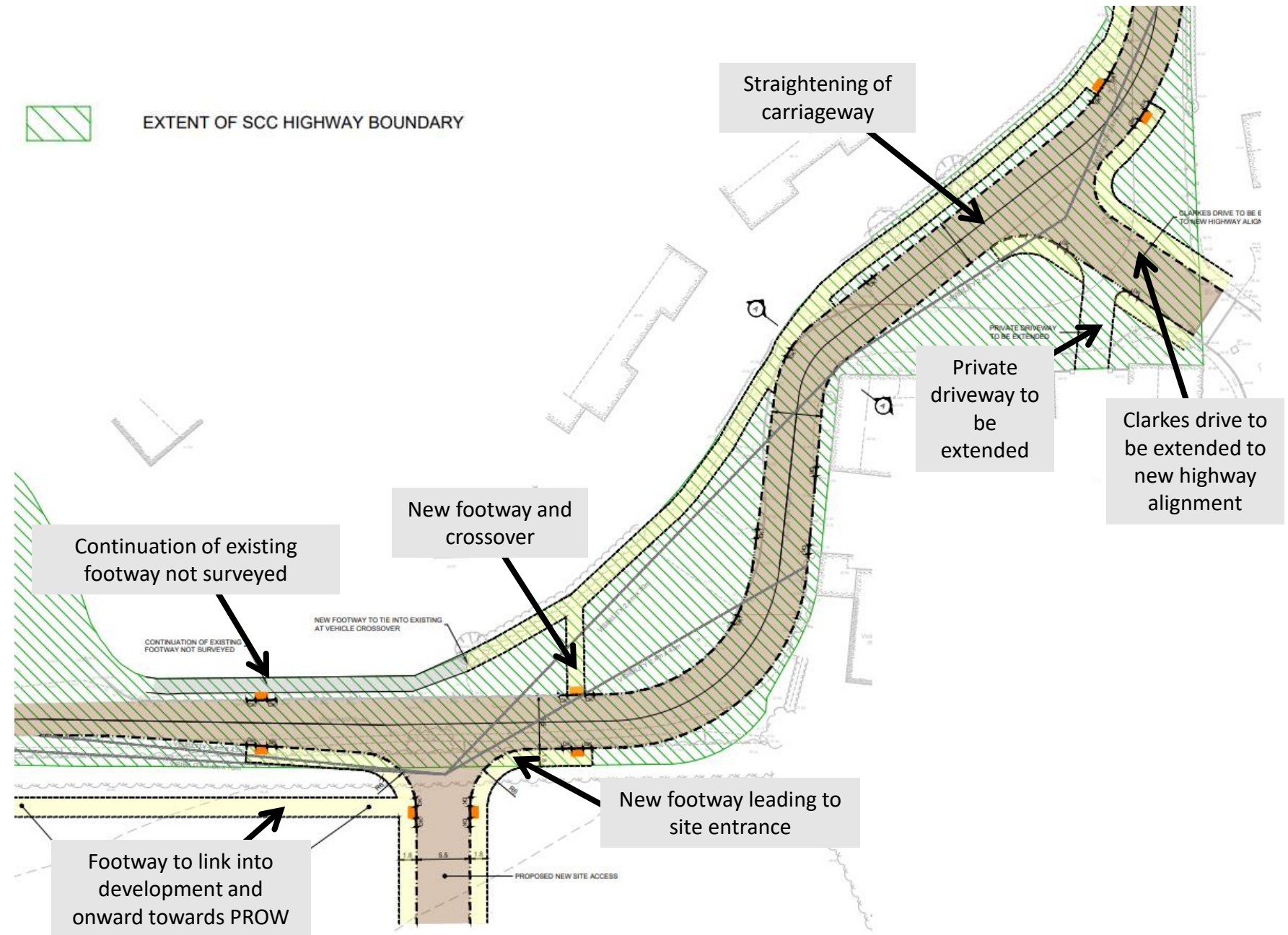




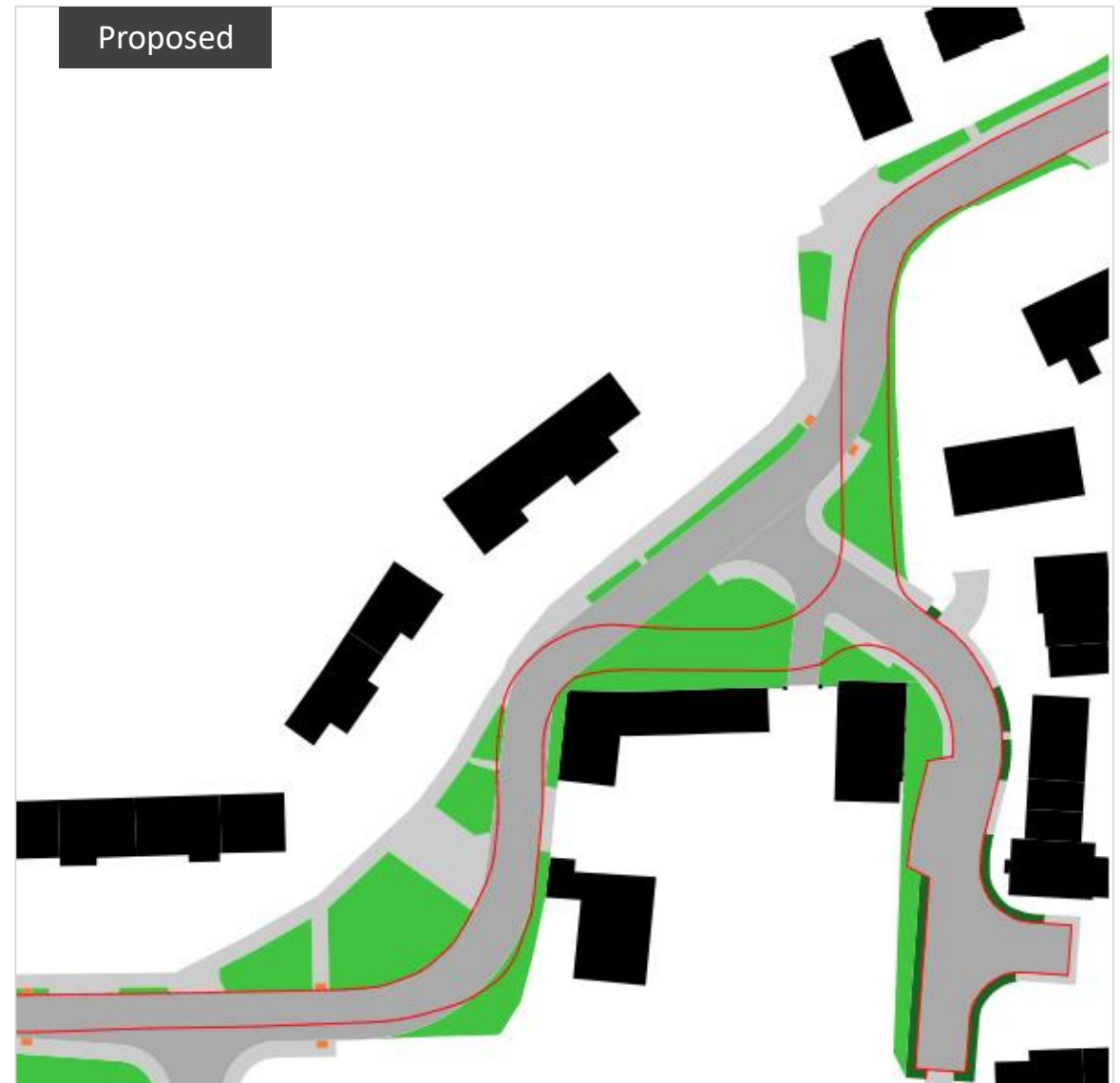
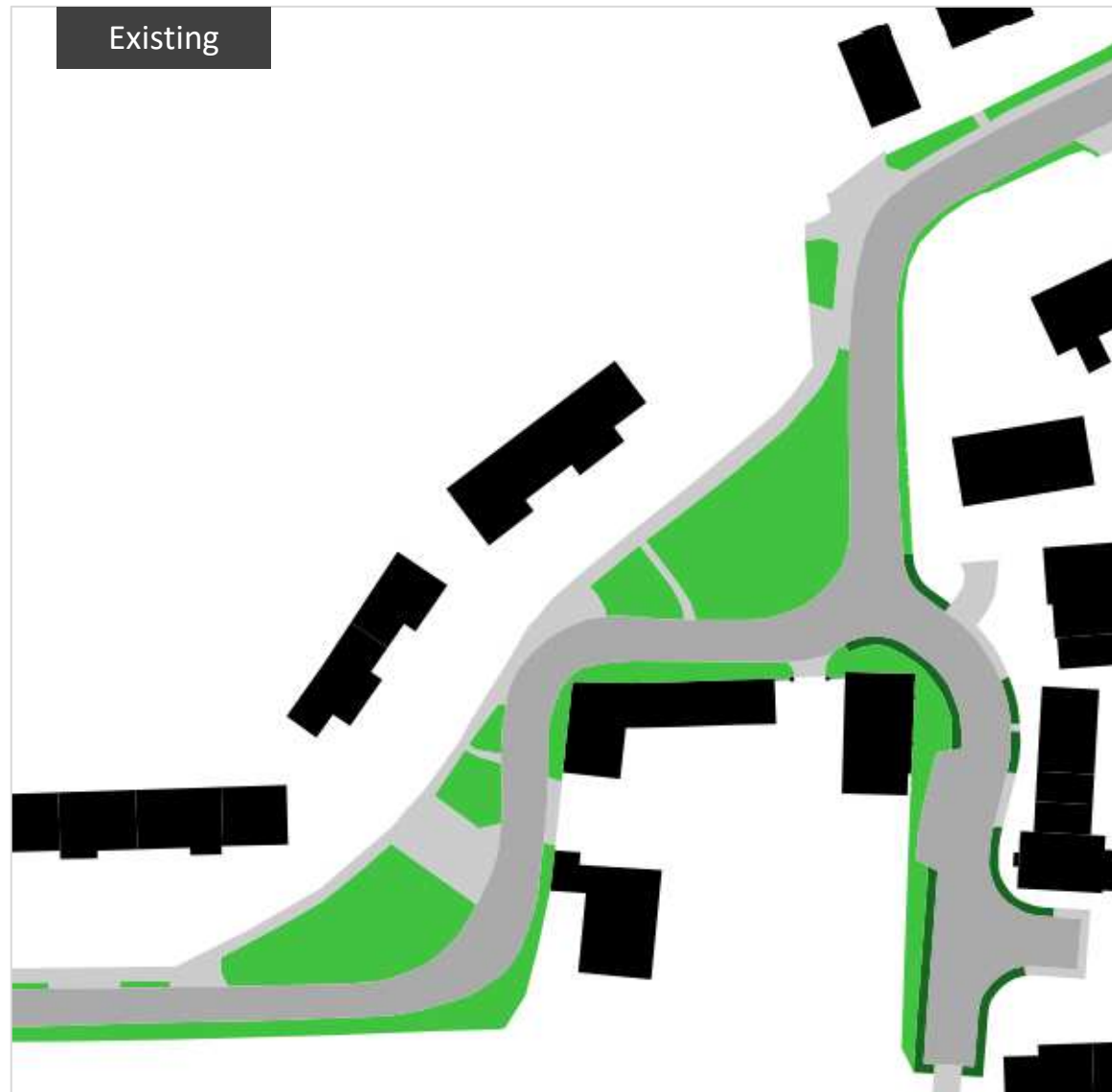
# Highway works

These works include straightening of the carriageway, provision of crossing points, new lengths of footway, and widening the existing footway.

*The proposals retain the existing hedgerows wherever possible – with some removed for necessary visibility splays.*



# Existing and proposed realignment





# Highway works

A judgement is to be given on whether the proposed re-alignment and access is suitable in principle.

Five matters of consideration will be addressed in relation to these works:

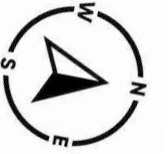
- Highway extent and land ownership
- Road width
- Footway width at pinch-point
- Heritage impact
- Impact on Assets of Community Value

# Victoria Mill Road





# Victoria Mill Road



# Victoria Mill Road



Google

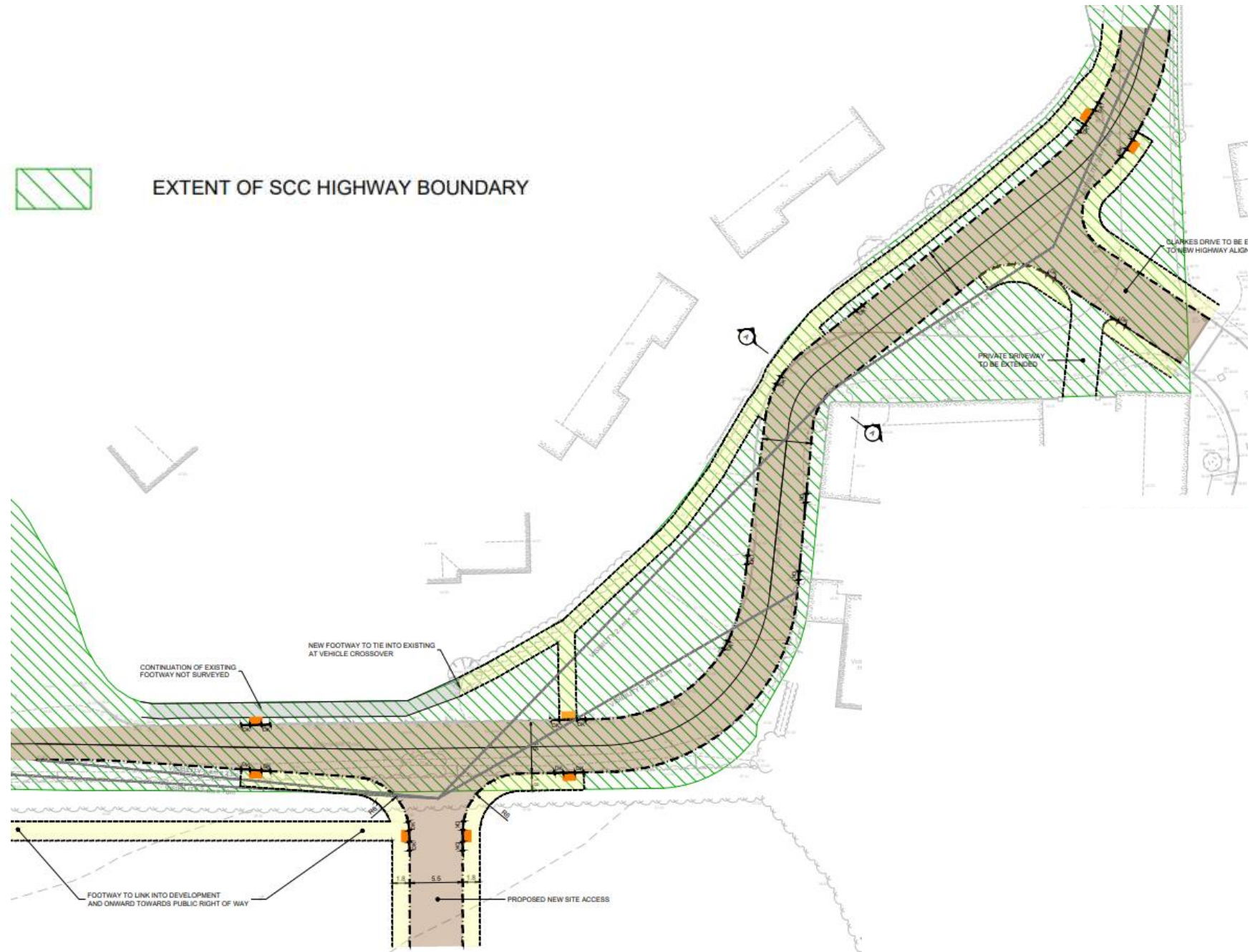


## Highway extent

Consultation responses suggest that the road re-alignment works are not possible as the land falls within private ownership rather than within the highway extent.

The applicant has provided additional land registry details and has served notice on both affected parties: the highways authority and Flagship Housing.

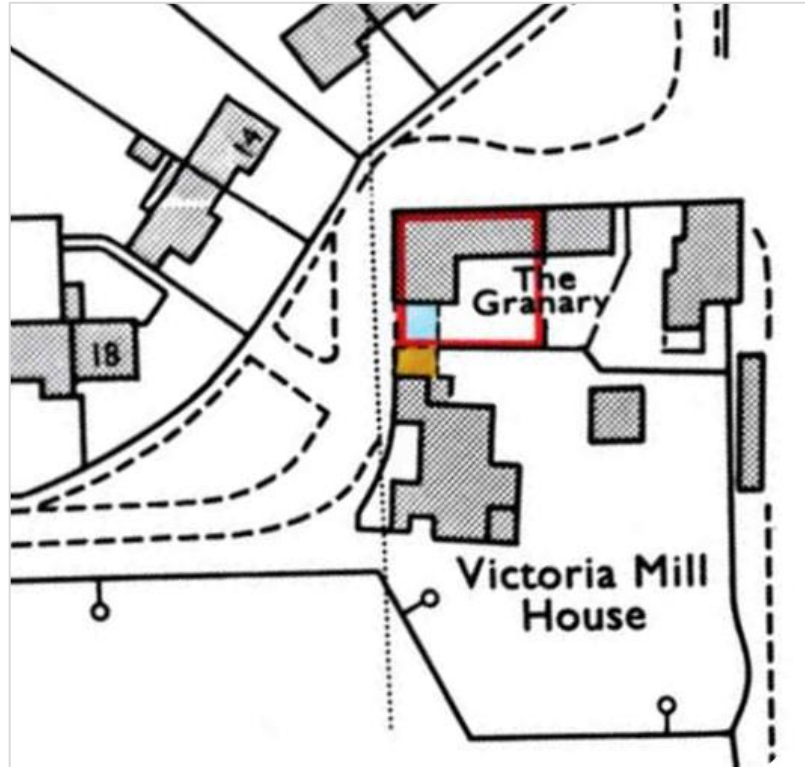
It is understood that all proposed road realignment works fall within the current extent of the highway



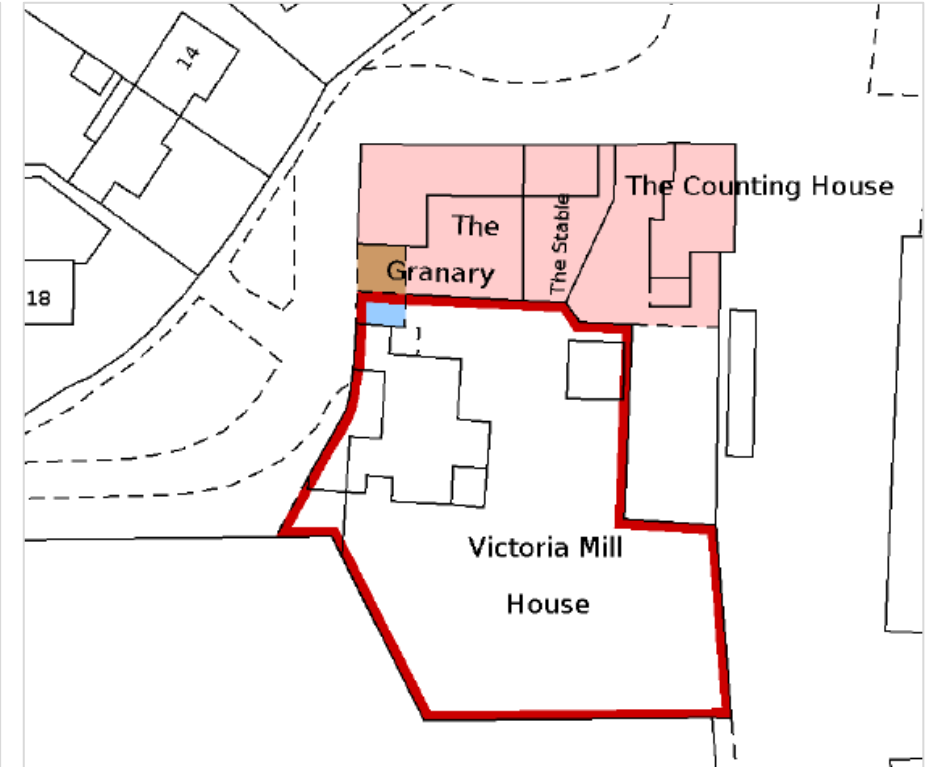
# Land ownership

Neighbour responses also noted that land within the realignment works falls within third-party ownership.

The Land Registry title plans for 'The Granary' and 'Victoria Mill House' demonstrates that this is not the case.



The Granary

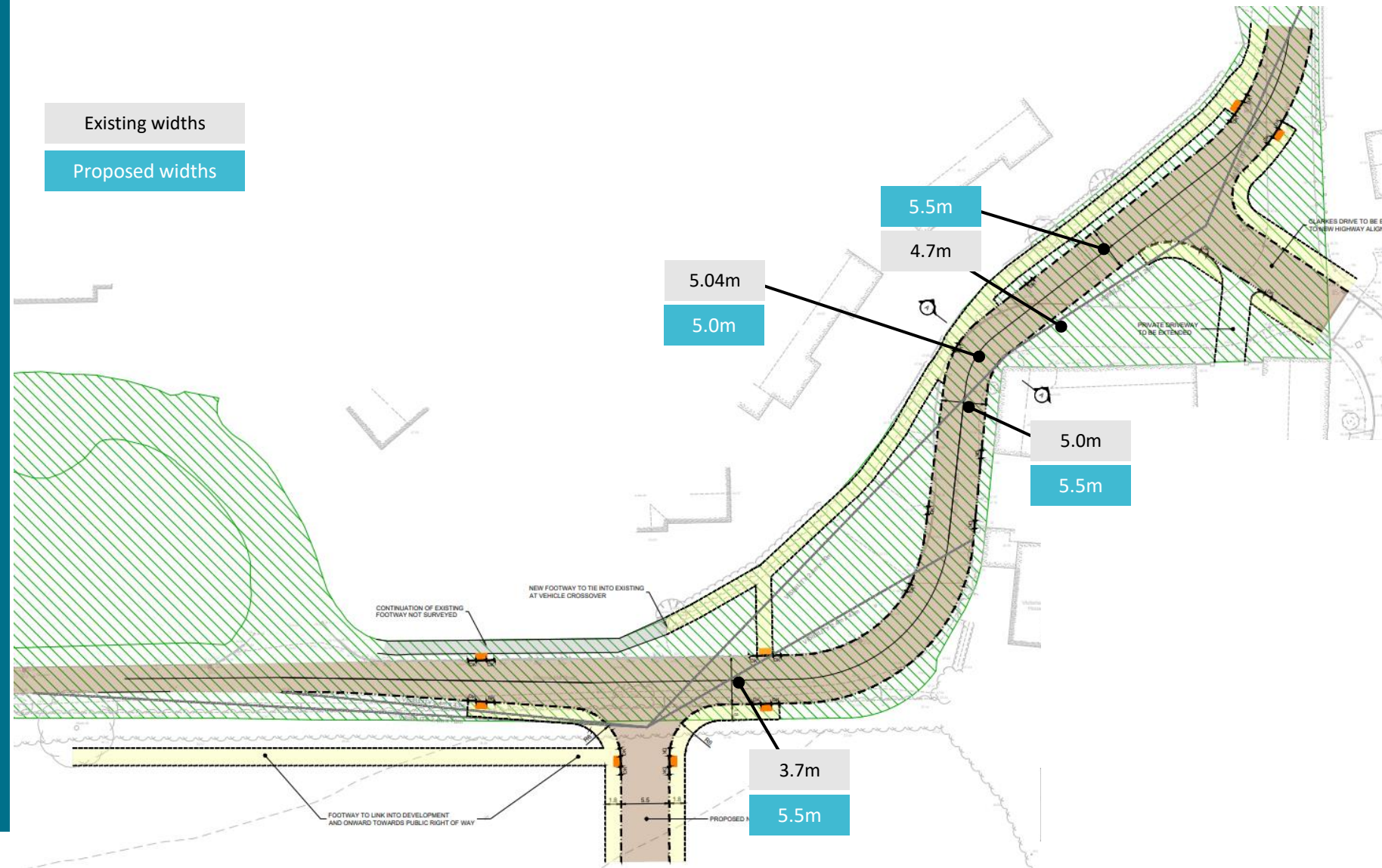


Victoria Mill House



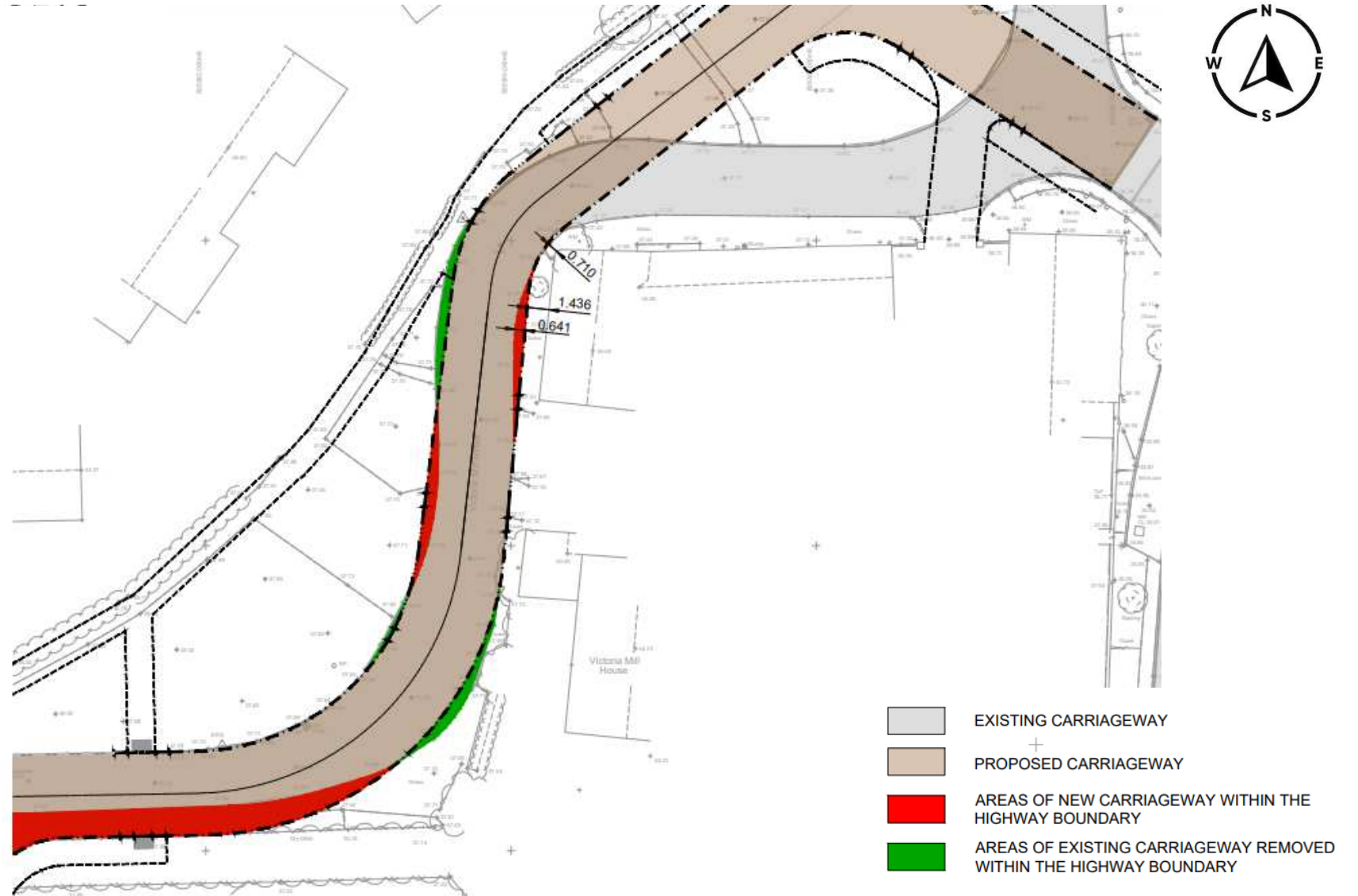
# Road width

Given the traffic flows and existing widths on Victoria Mill Road, the highway authority consider that the five metre wide sections are acceptable.



# Road width narrowing and widening

Areas of new carriageway within the highway boundary are shown in red and areas of existing carriageway to be removed shown in green.

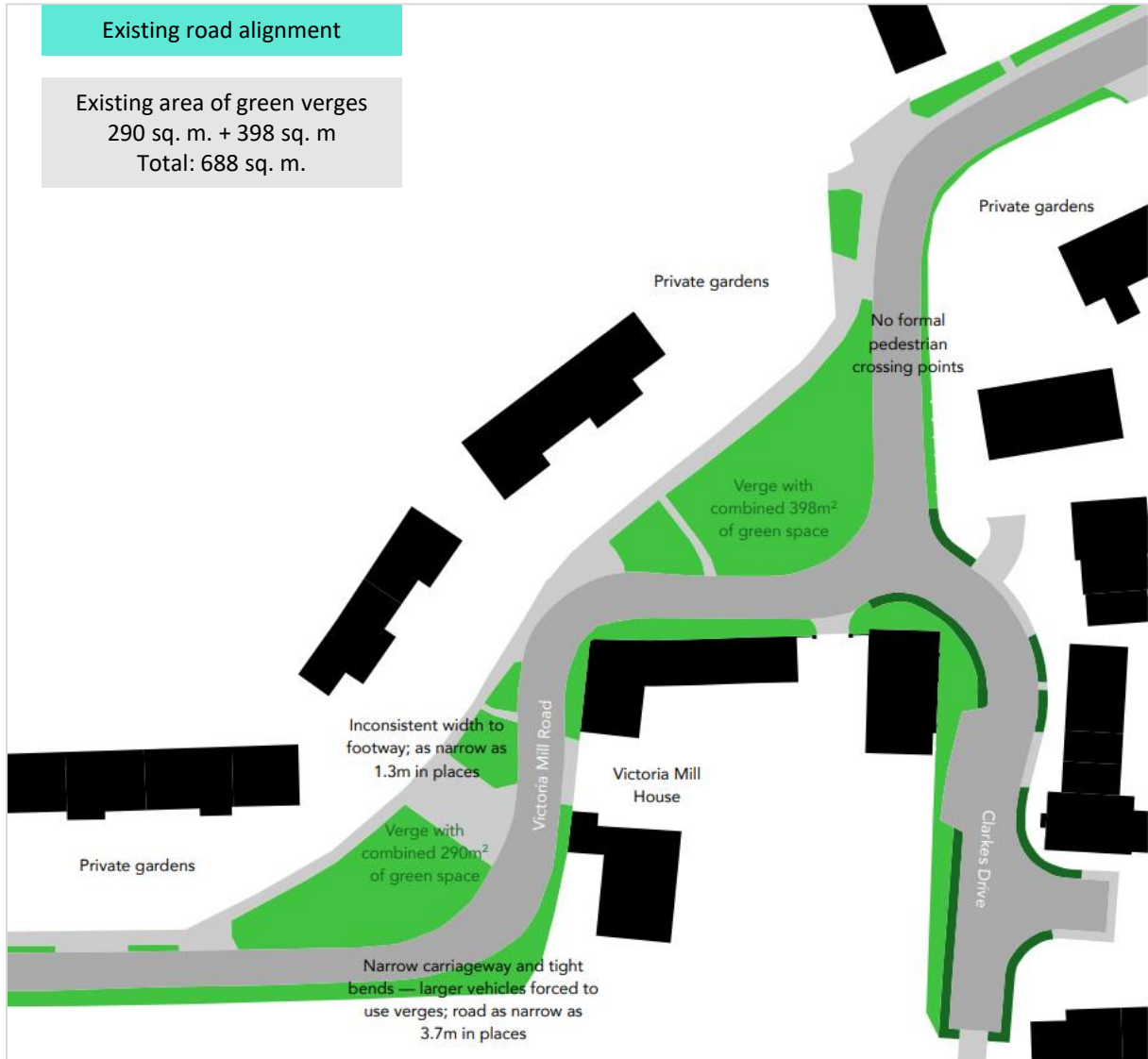




# Existing and proposed realignment

## Existing road alignment

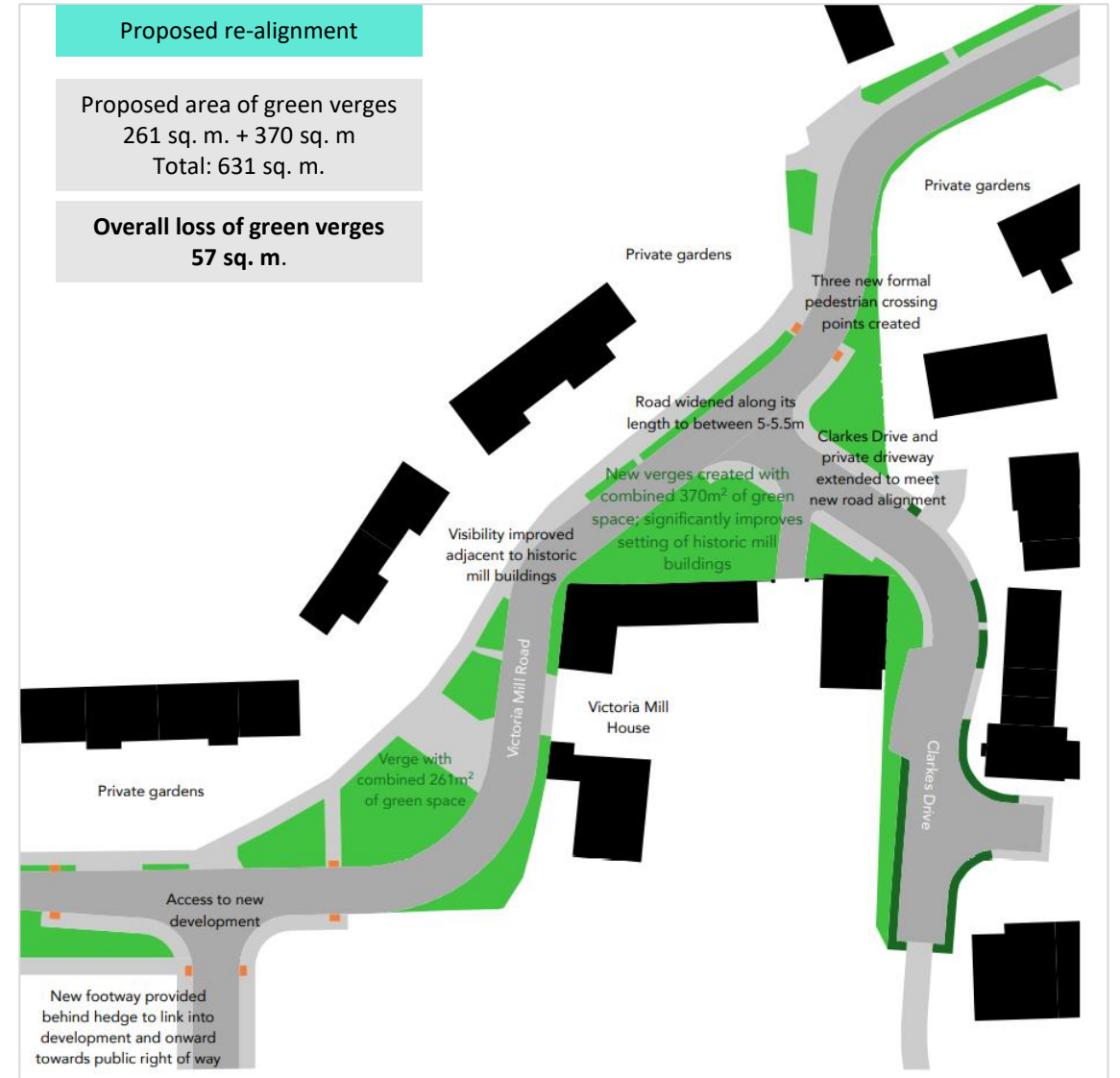
Existing area of green verges  
290 sq. m. + 398 sq. m  
Total: 688 sq. m.



## Proposed re-alignment

Proposed area of green verges  
261 sq. m. + 370 sq. m  
Total: 631 sq. m.

**Overall loss of green verges  
57 sq. m.**



## Footway width at pinch-point

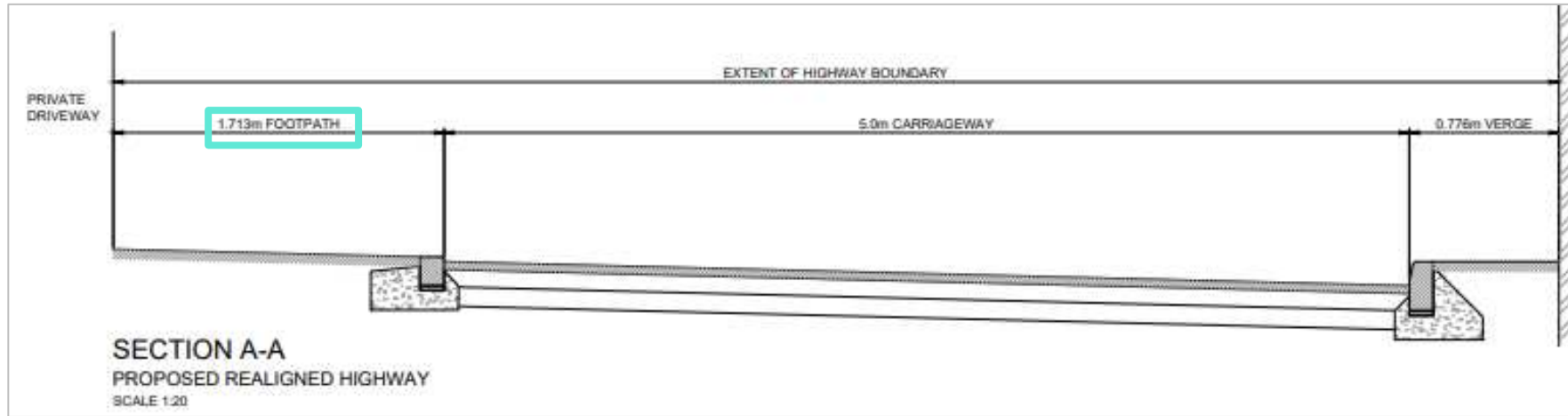
Manual for Streets indicates that there is no maximum width; in lightly used streets, such as those with a purely residential function, the minimum unobstructed width for pedestrians should generally be 2 metres. The highways authority has advised that the use of the word “generally” indicates that there are circumstances where exceptions might be made.

Government guidance on footways, footpaths and pedestrian areas in relation to inclusive mobility is summarised below:

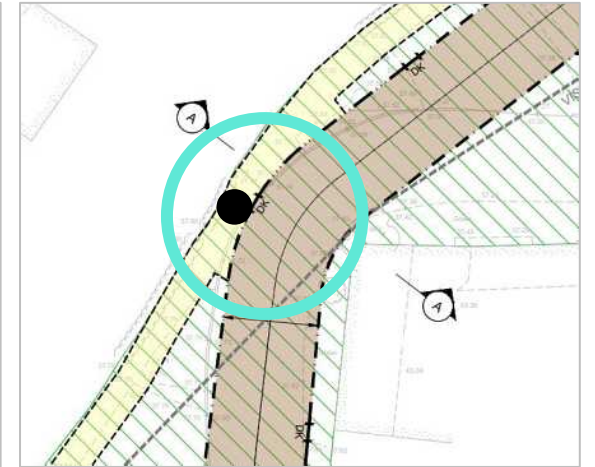
- **Minimum clear width under normal circumstances: 2 metres**
- **Minimum width acceptable due to physical constraints: 1.5 metres**
- **The absolute minimum width where there is an obstacle: 1 metre\***

*\*The maximum length of restricted width should be 6 metres (see also Section 8.3). If there are local restrictions or obstacles causing this sort of reduction in width, they should be grouped in a logical and regular pattern to assist visually impaired people.*





Proposed pinch-point width



The width of the footway at the identified pinch point is **1.713 metres** and extends less than 6 metres in length.

The narrowest section of the footway is located further south of this indicator, measured at **1.5 metres**.

## Heritage impact

Framlingham Town Council and third-party consultees have raised concern that the road realignment works would destroy the historic road layout and weaken its relationship with the adjacent heritage buildings.

Whilst the local planning authority's principal design and conservation officer considers it unfortunate that the historic dog-leg road pattern around the site of the former historic mill will be partly lost **no formal objection is raised.**



# ACV submissions

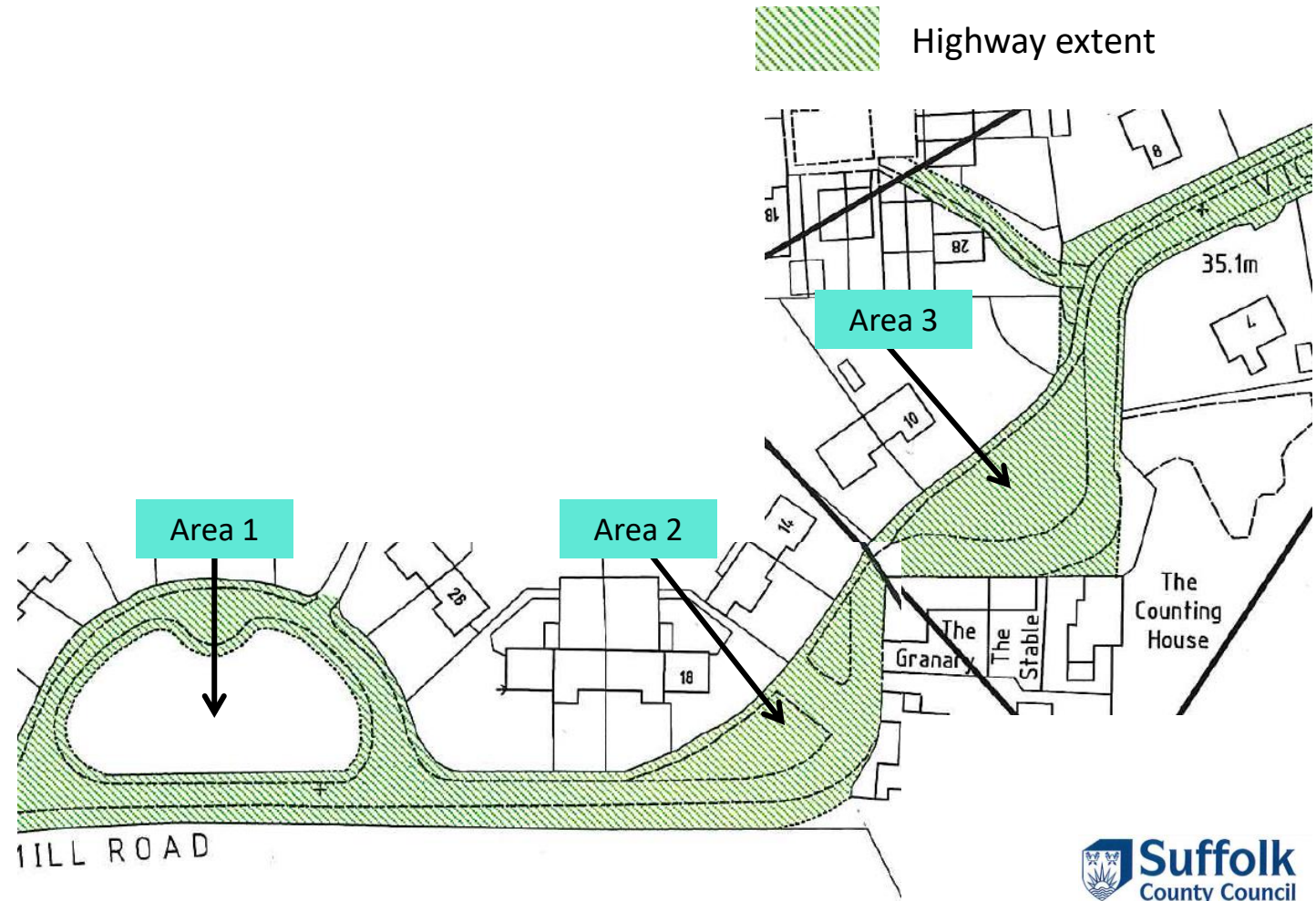
Since the submission of the application, Framlingham Town Council has submitted two nominations to list areas of green verges along Victoria Mill Road as ACV's.

East Suffolk Council initially concluded that only one of the three nominated land parcels (Area 1) met the definition of an ACV.

Following this decision, Framlingham Town Council submitted a further nomination in December 2021 to list Areas 2 and 3.

The ACV Panel confirmed on 7 February 2022 their decision to list Areas 2 and 3. The deadline for appeals to the most recent ACV decision was 4 April 2022 - no appeal was raised.

*Policy SCLP8.1: Community Facilities and Assets - is now a consideration to be applied in the decision.*



# ACV Area 1





## ACV Area 2





## ACV Area 3



## Asset of community value (ACV)

**Policy SCLP8.1** states *“Proposals to change the use, or redevelop for a non-community use, a facility registered as an asset of community value, will not be permitted”*

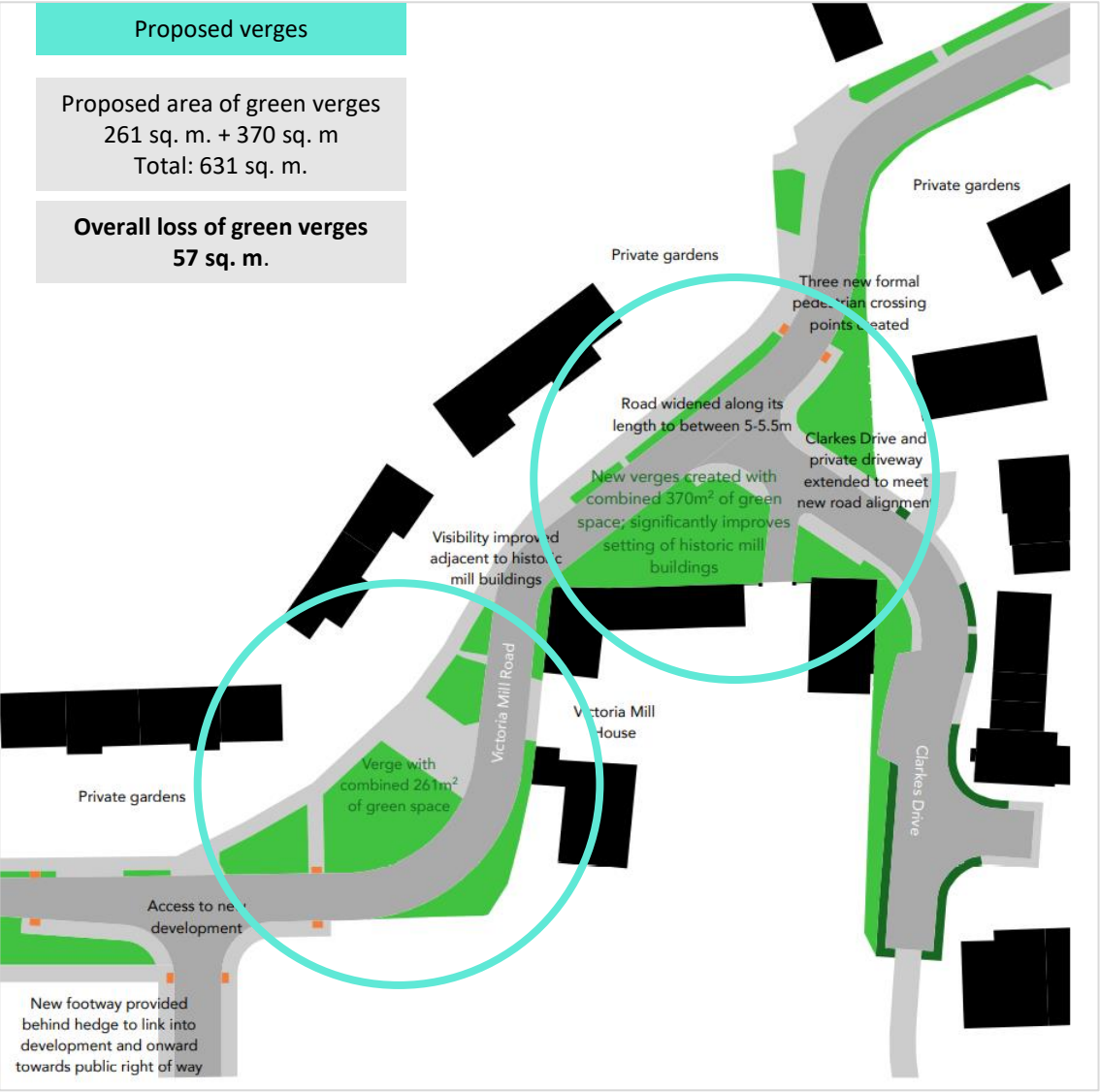
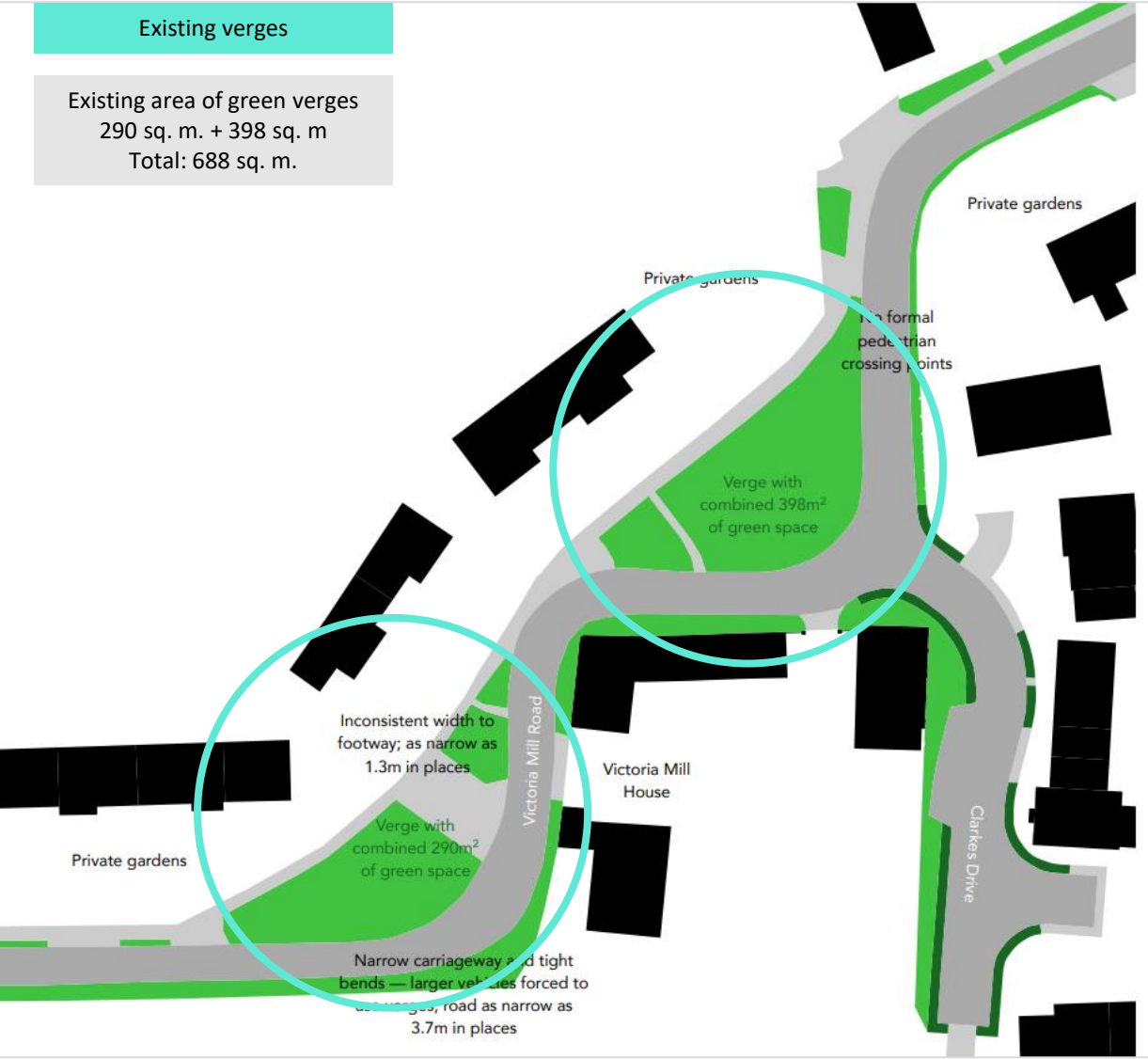
The land parcels are considered to be **mixed-use** as they serve both as highway verge, falling within the highway extent, and as a community use, as acknowledged by the ACV status.

The proposed road realignment would therefore result in the change of use of the registered assets of community value (in-part), being a change from highway verge to metalled carriageway, but all within the highway maintainable at public expense. This can be interpreted as contrary to policy SCLP8.1.

However, a breach of policy does not necessarily mean that permission must be refused as the conflict with policy may be justified by other material planning considerations. To understand the extent of the breach of policy, and whether this could be justified, it is important to understand the nature and extent at which the verges will be affected by the realignment, and whether their existing community use can be carried on in a meaningful way after the proposed works.

It is likely that the proposed works to the area of adopted highway would not include a sale of land and would therefore not trigger the ACV community right to bid process.

# Asset of community value





# Proposed play area (NEAP) and green verges

SPG15



Table 3 Characteristics of Play Areas

	LAP Local Area for Play	LEAP Local Equipped Area for Play	NEAP Neighbourhood Equipped Area for Play
Provision required per number of dwellings	Usually 1 for every 15 dwellings	Usually 1 for every 50 dwellings	Usually 1 for every 100 dwellings
Walking distance/ straight line distance	60metres 100 metres	240 metres 400 metres	600 metres 1,000 metres
Time	1 min walking time of home	5 min walking time of home	15 min walking time of home
Play Area Characteristics	Low key games, or play with small equipment discouraging use by older children	At least 5 types of play equipment and small games area	Minimum of 8 types of play equipment. Kickabout area and provision for teenagers.
Target users	Accompanied children 4 – 6 years.	Accompanied children 4 – 8 years	Unaccompanied and unsupervised children 8 – 14 years
Activity zone	100m <sup>2</sup>	400m <sup>2</sup>	1,000m <sup>2</sup>
Buffer zone (Guideline dependent upon composition and design of zone)	5 metres from nearest ground floor window	20 metres from nearest residential property	30 metres from nearest residential property.

Fields in Trust – NEAP minimum requirements

0.1ha	31.6 x 31.6 metres (minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))	30m min separation between activity zone and the boundary of the nearest property containing a dwelling
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## Asset of community value

In this instance, as a matter of planning judgement, greater weight could be given to the provision of housing on an allocated site and the subsequent benefits of the provision of a neighbourhood equipped area of play (NEAP) than to the protection of the verge.

The combined loss of green verge areas is minimal (57 sq. m) and their use as a means of community activities and associated social well-being would not be lost entirely. The provision of green space to the north of The Granary would not hinder the ability of the community to continue utilising the area for community activities.

Overall, as the loss of green verge is minimal and with other community spaces in the vicinity that serve the same purpose, modest weight is given to the loss caused by the development and greater weight to the benefits of additional housing.

# Swept path analysis

Revised highway plans received in response to the concerns raised by objectors include:

- Proposed access swept path analysis for:
  - Refuse vehicle
  - Maximum legal articulated vehicle
  - Dwellings opposite proposed private access
  - Maximum legal articulated vehicle routes with point of turn not fully considered
- Visibility splays from proposed access



# Highway authority response

“Further to our previous response dated 24/08/21, swept path vehicle tracking drawings were submitted to the Highway Authority by objectors to the proposal illustrating that a max legal size articulated HGV and 4 axle refuse vehicle could not negotiate the proposed road layout on Victoria Mill Road without over-running the footways and verges. This conflicted the previous tracking drawings provided by the applicant's transport consultant, although it was noted that different vehicles and routes were used. In response, the applicant's transport consultant has subsequently provided tracking drawings using the same vehicle types and routes as those provided by those objecting to the proposal. These drawings illustrate that the route can be negotiated by those vehicles within the constraints of the proposed layout. They have also provided a drawing illustrating how those same vehicle movements can be made to over-run the footways and verges by adjusting the turning movement. It should also be noted that the drawing provided by those objecting to the proposal appears to be based on PDF drawing extracts, rather than the topographical survey and AutoCAD software road layout design drawing. It is highly likely that this would impact upon the ability of the software user to provide an equally accurate vehicle tracking assessment of the proposal (to that provided by those with the benefit of the design). We also understand that refuse vehicles in East Suffolk are the 3 axle type, rather than the 4 axle type used on the drawing provided by those objecting to the proposal. Regardless of this, we are now satisfied that the proposed road layout could accommodate either type of refuse vehicle. **Subsequently, the Highway Authority remain satisfied that the proposed road layout can accommodate the vehicles necessary to construct and serve the proposed development.”**

Questions relating to the proposed  
highway re-alignment works

# Proposed scheme

The proposed scheme includes a phased development including the erection of up to 49 custom/self-build homes (including 16 affordable homes) public open space (including equipped play and multi-use games area), landscaping, and other associated infrastructure.





Artist impression: birds-eye view looking south-east





Artist impression: birds-eye view looking north-east



#### **POLICY FRAM25: LAND OFF VICTORIA MILL ROAD**

Land off Victoria Mill Road (approximately 2.6 hectares as identified on the Policies Map) is allocated for housing for the second half of the Plan period (after 2025); proposals for approximately 30 dwellings will be supported subject to the following criteria:

- it provides a mix of dwelling sizes in accordance with Policy FRAM3; and
- the design of the dwellings is in accordance with the requirements of Policy FRAM4; and
- affordable housing is provided to meet the requirements of Core Strategy Policy DM2; and
- if possible, the provision of a Neighbourhood Equipped Area for Play (NEAP); and
- the provision of publicly accessible green space within the site in accordance with the requirements of Strategic Policy SP16 of the Suffolk Coastal Local Plan; and
- the provision of appropriate vehicle access into the site from Victoria Mill Road; and
- the provision of appropriate pedestrian access in accordance with Policy FRAM14; and
- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

As noted within the Examiner's Report (dated 9 November 2016), it was suggested appropriate to select this site for release later in the plan period due to the level of development within the town.

A timeframe for delivery of development on the allocated site therefore set at 2025 onwards.

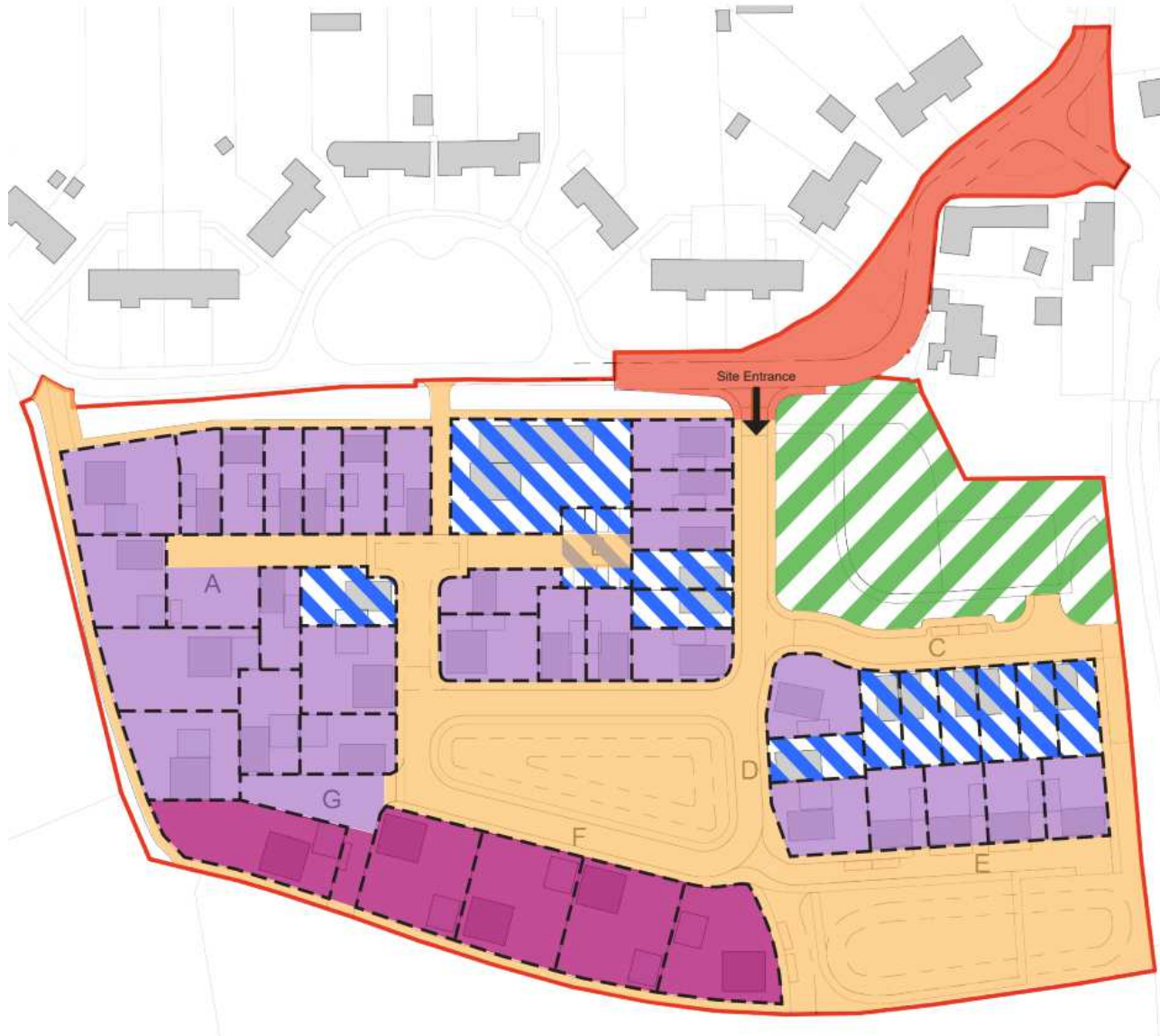
Subject to approval of the Grampian condition, completion of the road re-alignment works, and submission of reserved matters application(s), the site will likely take several years to be prepared and built out, prior to occupancy of residents.

It is anticipated the general nature of the phased approach would result in development commencing near to 2025.

*On this basis, it is considered that the rate of delivery aligns with timeframe set out in the neighbourhood plan.*






# Indicative phasing plan



## Phase 1:

-  Phase 1A Access Improvements along Victoria Mill Road (highway land) and entrance to site (bell-mouth)
-  Phase 1B Site preparation, provision of access roads, footpaths and all services / drainage infrastructure for distribution around each individual plot (details to be confirmed at Reserved Matters stages)
-  Phase 1C Open Space and Equipped Play Provision (to be designed at RM stages)

## Future phases:

-  - Indicative future affordable housing phases (delivered in line with S106 agreement)
-  - Indicative future self-build phases. All plots to be built out individually following Reserved Matters applications served on a plot by plot basis. The individual construction will run concurrently and not one at a time i.e. phases overlap
-  - Indicative future custom build future phases. All plots to be built out individually following Reserved Matters approval. Phases will overlap, with some sequencing due to infrastructure provision
-  - Developable plot boundary

#### **POLICY FRAM25: LAND OFF VICTORIA MILL ROAD**

Land off Victoria Mill Road (approximately 2.6 hectares as identified on the Policies Map) is allocated for housing for the second half of the Plan period (after 2025); proposals for approximately 30 dwellings will be supported subject to the following criteria:

- it provides a mix of dwelling sizes in accordance with Policy FRAM3; and
- the design of the dwellings is in accordance with the requirements of Policy FRAM4; and
- affordable housing is provided to meet the requirements of Core Strategy Policy DM2; and
- if possible, the provision of a Neighbourhood Equipped Area for Play (NEAP); and
- the provision of publicly accessible green space within the site in accordance with the requirements of Strategic Policy SP16 of the Suffolk Coastal Local Plan; and
- the provision of appropriate vehicle access into the site from Victoria Mill Road; and
- the provision of appropriate pedestrian access in accordance with Policy FRAM14; and
- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

If a conservative judgement on the parameters of 'approximately' is considered to sit between 25 and 35 dwellings, the proposal therefore represents 14 more dwellings than the 'approximately' upper limit of 35.

The additional 14 dwellings, under this scenario represent a conflict with policy FRAM25 and the 49 dwellings on this allocated site is to be considered against the development plan as a whole, the National Planning Policy Framework (NPPF) and other material considerations – *addressed within the reporting and this presentation.*

In terms of density and efficient use of land, the proposed 49 dwellings equate to a density of development at **18.5 dwellings per hectare** (dph), which is broadly in line with existing density on the northern side of Victoria Mill Road (15.7dph). For comparison, the adjacent Hopkins Homes development is 37.4 dph.



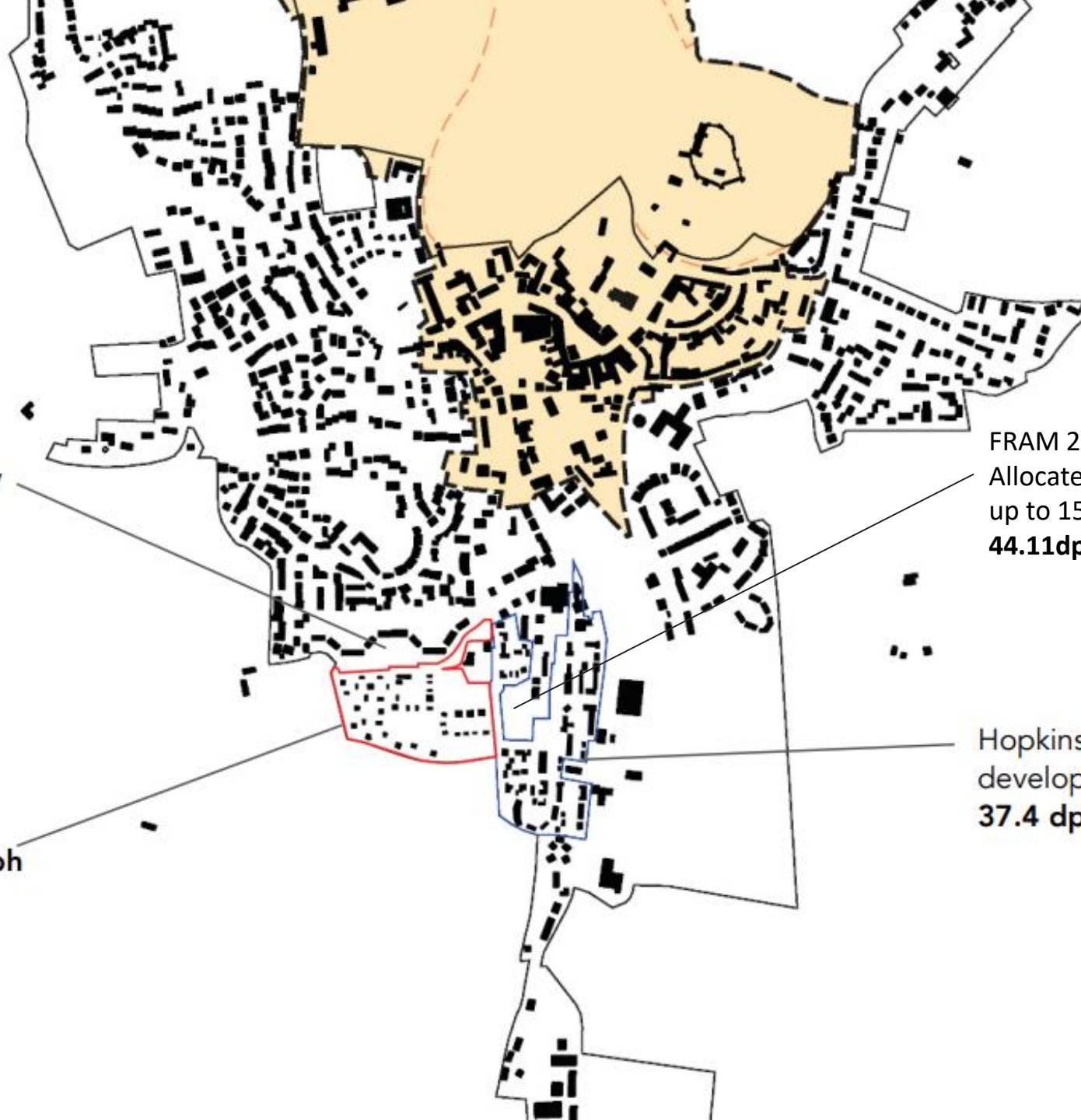
# Density plan

Existing residential density  
on other side of Victoria  
Mill Road: **15.7 dph**

Proposed density: **18.5 dph**

FRAM 26: Station Terrace –  
Allocated for housing; proposals for  
up to 15 dwellings, equating to  
**44.11dph**

Hopkins Homes  
development density:  
**37.4 dph**





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- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

**POLICY FRAM3: HOUSING MIX**

To address the identified need for smaller properties in Framlingham, developments should provide a mix of dwelling sizes (market and affordable) that fall within the following ranges:

- 1-bed dwellings: 10-15% of all dwellings
- 2-bed dwellings: 35-40% of all dwellings
- 3-bed dwellings: 30-40% of all dwellings
- 4+-bed dwellings: 10-15% of all dwellings

An alternative dwelling mix will only be permitted where it is demonstrated that more current evidence of need should apply or where the required mix would fundamentally compromise the viability of the development, taking into account other requirements of the development..

The proposed mix of housing provides a combination of the needs identified within the local plan, as well as policy FRAM3.

Whilst it is disappointing that the proposed scheme fails to meet the policy targets for one-bedroom units, it is noted that the exceedance in provision of two-bedroom units, both in regard to the district and neighbourhood-wide targets, is a positive outcome of the proposal and helps to mitigates the deviation from the lack of the one-bedroom house type.

Final details of the unit types and sizes is reserved for future determination - any reserved matters application will need to comply with the relevant policy on housing mix.

Number of bedrooms	Percentage of district wide need (SCLP5.8)	Percentage of neighbourhood need (FRAM3)	Percentage proposed within application
1	12%	10-15%	8% (4 units)
2	29%	35-40%	49% (24 units)
3	25%	30-40%	22% (11 units)
4+	33%	10-15%	20% (10 units)

# Housing mix

The proposal comprises solely self-build and custom-build house types – these are defined as:

- **Self-build:** Individuals buy a serviced plot that is subject to a Design Code and a palette of materials. Buyers may choose to either project manage the build themselves or contract with a developer or house builder.
- **Custom-build:** Individuals buy a serviced plot and contract directly with a developer to build their house. But in this case the degree of flexibility is more limited — the house is configured from a range of preprepared layouts and specification options that have already been approved for planning: these can include ground floor extensions and rooms in the roof.
- **Custom-choice:** A developer builds the external walls and roof and exchange contracts on the watertight shell. Buyers then pick from a wide range of interior layout and specification choices to adapt the shell to their needs.

# Housing mix

	Self-build	Custom-build	Custom-choice
Private sale	5 no. 4-bedroom houses	14 no. 2-bedroom houses 9 no. 3-bedroom houses 5 no. 4-bedroom houses	N/A
First homes	N/A	2 no. 3-bedroom houses 2 no. 3-bedroom houses	N/A
Shared ownership	N/A	N/A	2 no. 2-bedroom flats 2 no. 2-bedroom houses
Affordable rent	N/A	N/A	4 no. 1-bedroom flats 4 no. 2-bedroom houses
Total (dwellings)	5	32	12

*Affordable housing will be delivered in line with the s106 agreement, which will state triggers for how and when the homes will be delivered, including confirmation of custom build and custom choice options.*



#### **POLICY FRAM25: LAND OFF VICTORIA MILL ROAD**

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- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

#### **POLICY FRAM4: DESIGN STANDARDS**

Residential development proposals must demonstrate that they have addressed the requirements of the Building for Life 12 criteria, including appropriate regard for the Town's heritage assets. Unless there are explicitly justified reasons why it is not possible, developments must achieve 'excellent/exemplary' scores for at least 10 of the 12 criteria.

In this instance, design detail is a reserved matter and will be addressed fully at the reserved matters stage(s).

To ensure high quality design and coordinated development in accordance with policy FRAM4 (Design Standards) and policy SCLP11.1 (Design Quality), and to facilitate continuity through cumulative phases of development in accordance with policy SCLP5.9 (Self Build and Custom Build Housing), a Design Code shall be secured by condition.

This will require development to be broadly in accordance with the contents of such code and associated parameter plans and any respective planning policies.

An illustrative masterplan is provided to demonstrate that up to 49 units can be accommodated on the site whilst meeting relevant planning policies.

This will be required to inform the reserved matters applications along with the Design Code, Design & Access Statement, and the following parameter plans:

- Land use parameter plan
- Access and movement parameter plan
- Landscape & open space parameter plan
- Building height parameter plan
- Illustrative masterplan

# Illustrative masterplan





# Illustrative masterplan



-  Planning boundary
-  Site boundary
-  Developable area
-  Access road
-  Indicative location of courtyard
-  Green open space
-  Detention basin / sustainable urban drainage
-  Pedestrian & Cycle route
-  Equipped play area & Ball Court
-  Root Protection Area
-  Existing Ditch
-  Offsite Highways Work
-  Flats
-  2 - bedroom house
-  3 - bedroom house
-  4 - bedroom house
-  Garage
-  Proposed hedge - 2m buffer
-  Potential area for underground attenuation



# Building heights parameter plan



-  Planning boundary
-  Site entrance
-  Two - storey with traditional pitched roof - rooms in roof allowed
-  Two - storey with traditional pitched roof
-  Access road
-  Offsite Highways Work
-  Indicative location of courtyard
-  Green open space
-  Key frontage

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Proposals for residential development with capacity for ten units or more or sites of 0.5ha or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people.

Proposals which provide a higher amount of affordable housing than that set out above will also be permitted.

Of these affordable dwellings, 50% should be for affordable rent / social rent, 25% should be for shared ownership and 25% should be for discounted home ownership.

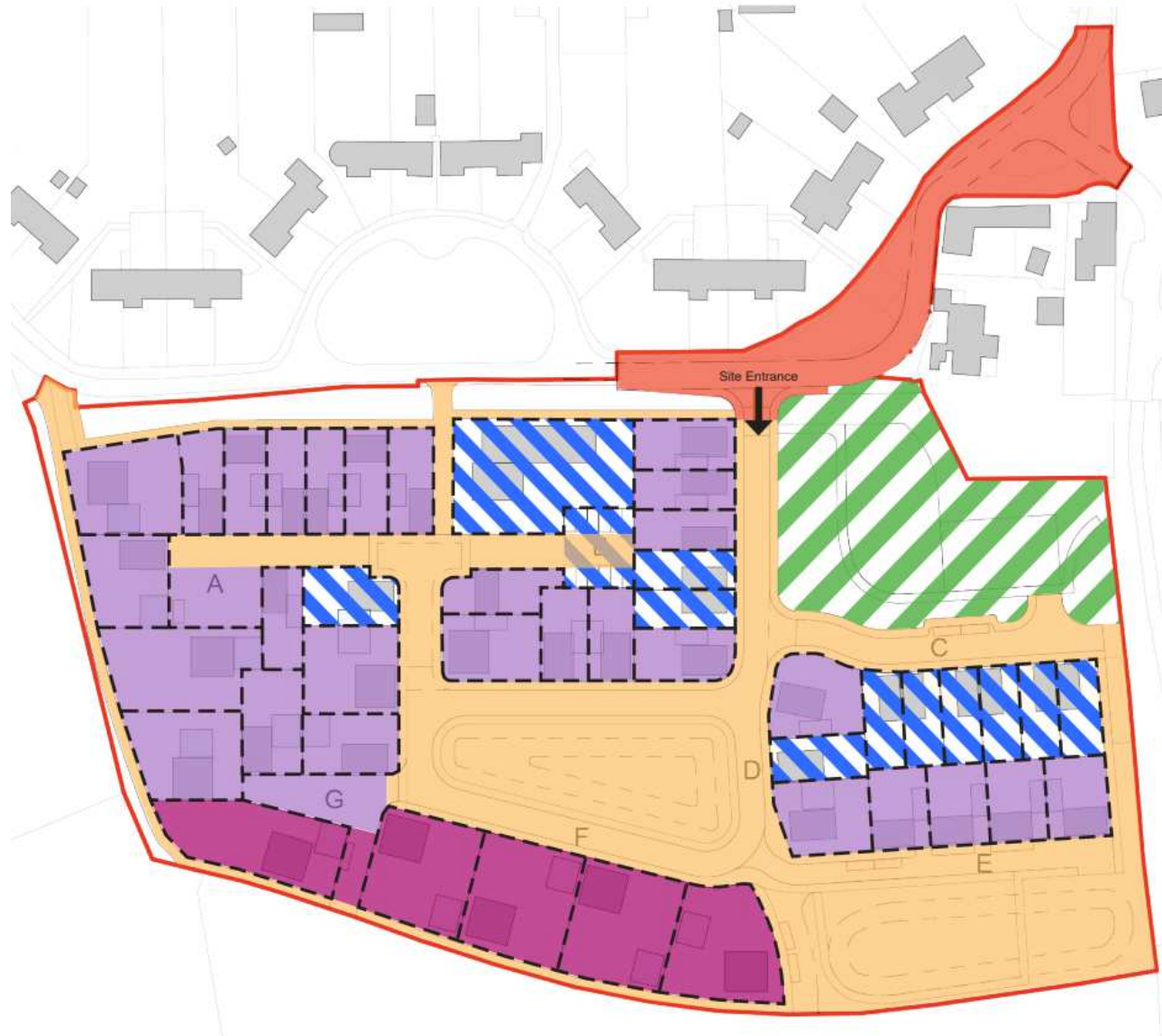
Policy DM2 has been replaced with policy SCLP5.10 (Affordable Housing on Residential Developments), which expects development of this scale to make provision for 1 in 3 units to be affordable. Of these affordable dwellings, 50% should be for affordable rent / social rent, 25% should be for shared ownership and 25% should be for discounted home ownership.

The proposed housing mix is set out below:

- Private sale: 67.4% (33 units)
- Affordable housing: 32.7% (16 units)
  - First homes: 25% (4 of the 16 units)
  - Shared ownership: 25% (4 of the 16 units)
  - Affordable rent: 50% (8 of the 16 units)






# Indicative affordable housing phases



## Phase 1:

-  Phase 1A Access Improvements along Victoria Mill Road (highway land) and entrance to site (bell-mouth)
-  Phase 1B Site preparation, provision of access roads, footpaths and all services / drainage infrastructure for distribution around each individual plot (details to be confirmed at Reserved Matters stages)
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## Future phases:

-  - Indicative future affordable housing phases (delivered in line with S106 agreement)
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### **POLICY FRAM25: LAND OFF VICTORIA MILL ROAD**

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- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

### **POLICY FRAM9: CHILDREN'S PLAY AREAS**

The provision of new children's play areas will be required to support residential development and to comply with the requirements of Suffolk Coastal Core Strategy policies SP16 and DM32.

There is a need for two Neighbourhood Equipped Areas for Play (NEAPs) to address the needs of Framlingham, in particular in the south and west of the town. Therefore, proposals to bring forward NEAPs will generally be supported, and in particular on land being developed as part of the allocation at Victoria Mill Road (Policy FRAM25).

Alternative locations will only be considered acceptable if it can be demonstrated that there is a need for a NEAP in that location and the site is available to accommodate such provision.

A large playable landscape using natural materials and defined by a new species-rich, hedgerow, is proposed at the north eastern corner of the development. It will be an inclusive, natural playable space.

Plants and trees will be set within areas of open grass, extending to 0.3 ha, providing a green backdrop for both active and passive play.

The NEAP element of this open space will comprise:

- A timber play equipment area (663 sq. m); and
- A ball court (374 sq. m)

*The NEAP provision will be secured by the s106.*

Indicative  
Neighbourhood  
Equipped Area of  
Play (NEAP)  
provision





### POLICY FRAM25: LAND OFF VICTORIA MILL ROAD

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The proposal comprises **0.61 hectares** of landscaped public open space, including the play area, central green and wetland garden.

An attenuation basin helps to counteract future water runoff from the development and is integrated into the landscape to form an attractive feature with emergent vegetation providing foraging and habitat opportunities for wildlife.

*In response to policy FRAM10, the applicant states that they're willing to explore with the community the potential for inclusion of a community growing space should this be considered to be of particular merit.*

# Indicative open green space provision





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- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

The proposed vehicular access into the site, which is seeking approval in this outline application, is located along the northern edge of the site boundary served from Victoria Mill Road.

Due to safety and visibility of east-west traffic at the new junction, part of the existing hedgerow will be removed and realigned to provide necessary visibility splays.

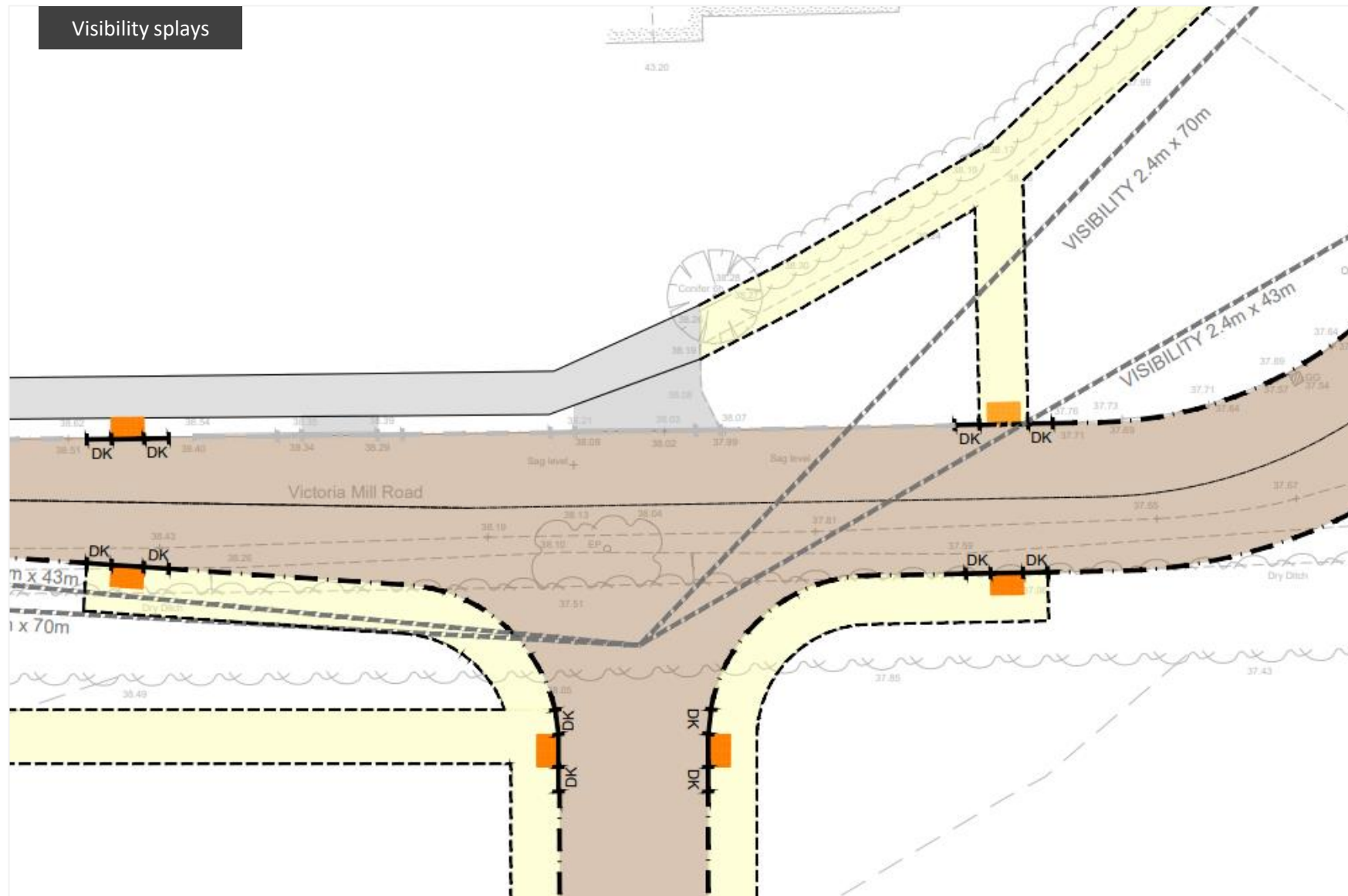
A redesign of the internal layout has resulted in the turning head, junction alignment, radii, road widths, and visibility splays being to an adoptable standard.

The proposed re-alignment works outside the allocation boundary addresses previous concerns raised by the highway authority relating to the existing constraints of Victoria Mill Road.

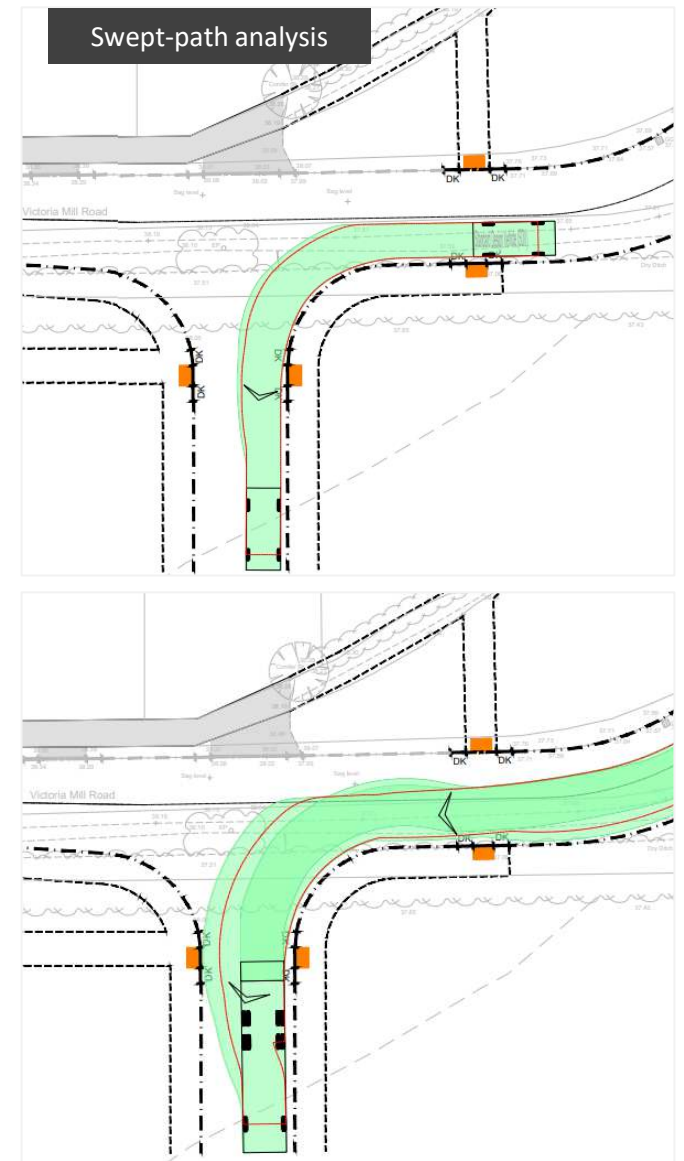
*Overall, the highway authority raises no objection subject to conditions.*

# Vehicle access into the site

Visibility splays



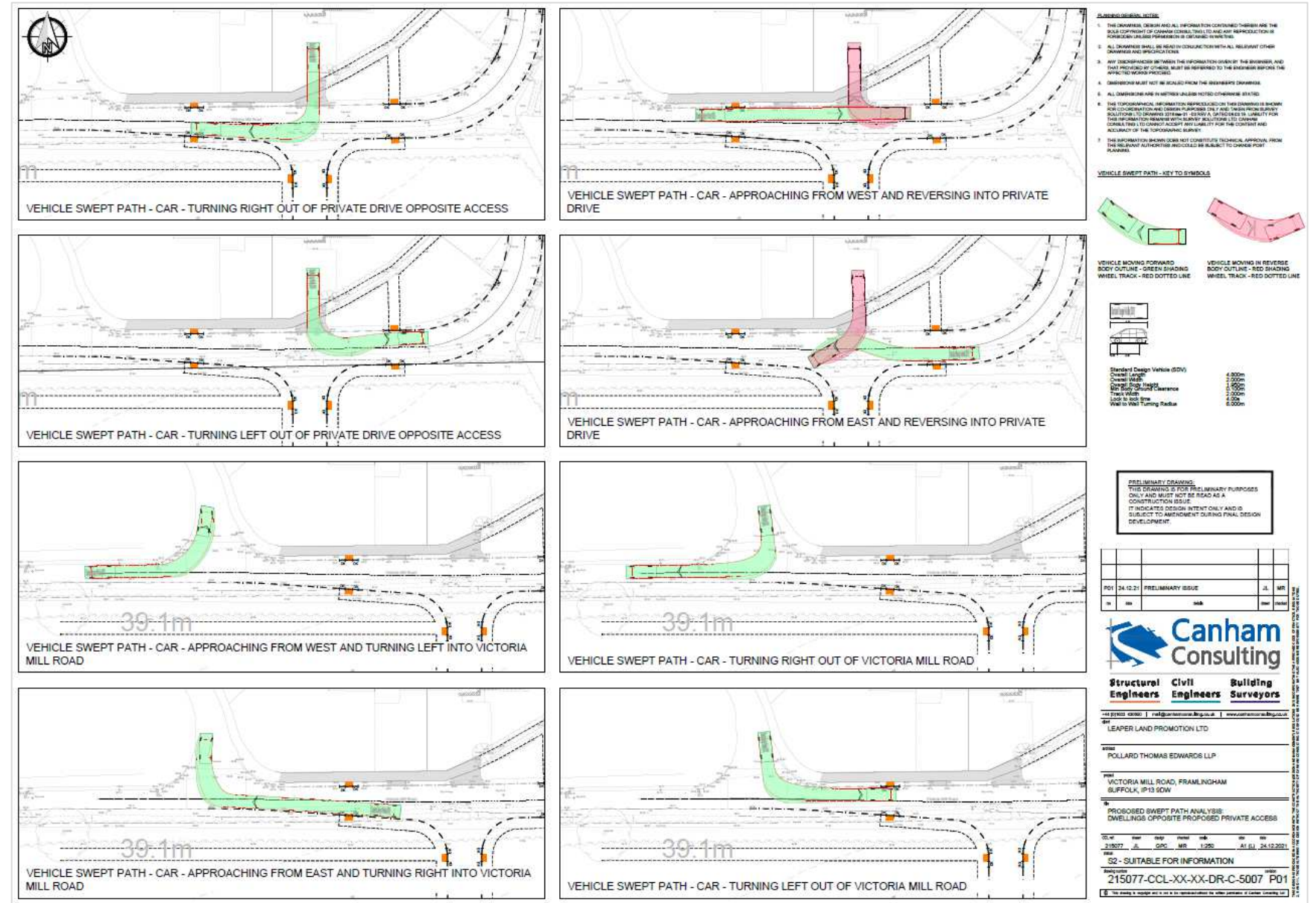
Swept-path analysis





# Access from residential properties

Swept path analysis from existing properties submitted following concerns raised by members during the site visit – see drawing number 215077-CCL-XX-XX-DR-C-5007 Rev. P01.



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- the assessment of traffic impacts in accordance with Policy FRAM16; and
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### **POLICY FRAM14: PEDESTRIAN WALKWAY ROUTES**

To help ensure that residents can walk safely to Framlingham town centre, public transport facilities, schools and other important facilities serving the community of Framlingham, Walkway Routes have been shown on the Policies Map. All new developments must ensure safe pedestrian access to link up with existing pavements that directly connect with the Walkway Routes.

Proposals to enhance the identified Walkway Routes will be supported. Development that is immediately adjacent to the Walkway Routes will be expected to:

- ensure the retention and where possible the enhancement of the Walkway Route; and
- not have any detrimental impact on the Walkway Route, and assess and address the impact of the additional traffic movements on the safety and flow of pedestrians.

The proposed pedestrian and cycle routes, connections to existing pedestrian and cycle network, primary, secondary and tertiary roads, site access, and offsite highways works are shown on the Access and Movement Parameter Plan.

A proposed pedestrian and cycle route runs along the perimeter of the site, which sits away from the road along the northern extent and connects to an extended footway to the north via two crossing options.

The indicated connection point onto the cycleway ensures the site is served by adequate connectivity and should be made suitable for both cyclists and walkers in ensure that there is an alternative means of access to the play space.



# Connectivity: cycling/walking



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- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

### **POLICY FRAM16: HIGHWAY CAPACITY AT KEY ROAD JUNCTIONS**

All Transport Assessments (for larger sites) or Transport Statements (for smaller sites) - as required by Para 32 of the National Planning Policy Framework - should address to the satisfaction of the highway authority the cumulative transport impact on road junctions, in particular including the following, identified on Fig. 9.2:

- Mount Pleasant/College Road
- College Road/Station Road/Bridge Street (Well Close Square)
- Fore Street/Station Road

A transport assessment has been submitted with the application, assess the impact of the traffic associated with the proposed development and the effect it will have on the surrounding highway network.

*The highway authority raise no objection subject to conditions.*



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- the assessment of traffic impacts in accordance with Policy FRAM16; and
- a scheme of archaeological evaluation is provided, followed by appropriate mitigation.

Suffolk County Council archaeological service has advised that there are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets.

However, in accordance with the National Planning Policy Framework (para.199) and policy SCLP11.7 (Archaeology), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

# Planning considerations

The following considerations have been addressed within the reporting:

- Principle of development
- Timing of development/phasing
- Highways: access and road re-alignment
- Asset of community value
- Quantity of dwellings
- Housing mix
- Self-build and custom housebuilding
- Affordable housing
- Connectivity: cycling and walking
- Design and conservation
- Open space and play provision
- Community growing spaces
- Travel plan
- Landscaping
- Parking standards
- Flood risk and sustainable urban drainage
- Ecology
- Archaeology and heritage
- Sustainability



# Overview of the proposal

## Positives

- Provision of self/custom-build properties in a sustainable location
- Provision of affordable homes
- Road realignment would create safer highway conditions
- Provision of publicly accessible green space and a NEAP (an over-provision in policy terms)
- Design of high quality and supported by comprehensive design strategy
- No objection raised by statutory consultees other than Framlingham Town Council
- Associated job creation and economic benefits

## Negatives

- Loss of green highway verge area (57 sq. m)
- Conflict with SCLP8.1:Community Facilities and Assets

## Recommendation

**Authority to approve** subject to a 'Grampian condition' requiring highway improvements prior to development or other operations; planning conditions; and the completion of a S106 legal agreement, detailing highway improvement works, affordable housing provision, self/custom build requirement, county contributions, and a contribution to the Suffolk Coast RAMS.

### *Grampian condition*

*Development shall not commence (including site clearance operations) unless and until the off-site highway improvements to Victoria Mill Road indicatively shown on drawing number 215077-CCL-XX-XX-DR-C-0001 P05 have been completed in accordance with details previously approved in writing by the local planning authority.*

*Reason: To ensure that the works are designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.*



# Conditions

## **Proposed conditions (as outlined in the report) relate to the following:**

- Reserved matters time limit
- Reserved matters detail
- Grampian condition re. highway works
- Design code
- Phasing
- Highway detail – access; connectivity; secure cycling storage; EV charging points;
- HGV movements during construction
- Visibility splays
- Surface water drainage
- Sustainable drainage
- Archaeology
- Land contamination
- Air quality assessment
- Construction management plan
- Construction hours
- Ecological mitigation/protection
- Lighting strategy
- Construction environmental management plan
- Landscape and ecological management plan
- Signage and householder information packs
- Ecological enhancement strategy
- Affordable housing custom-choice approach
- Fire hydrants
- Sustainability and energy statement
- Landscape works and tree protection

## Section 106 agreement

The draft s106 heads of terms includes:

- Affordable housing provision (policy compliant) and associated triggers for delivery
- An affordable housing scheme
- Self/custom build marketing strategy (timing and implementation to be agreed)
- Open space provision, specification and management
- Play and sports facilities provision, specification and management
- Habitat mitigation contributions (RAMS)

End of presentation