

SAFE (Supporters Against Fressingfield Expansion) Response to Mid Suffolk Draft Joint Local Plan

1. Introduction

SAFE is a lobbying group formed to limit the over development of Fressingfield. The aim is supported by a scientifically sound survey which showed that 94% of the village supported these aims. This survey followed 3 major Planning Applications submitted in 2017 for over 200 houses in Fressingfield which villagers felt were inappropriate in a village which has limited facilities. Our designation within the Draft Joint Local Plan is a "Hinterland Village". The facilities that we do have are now nearing capacity.

SAFE has no statutory standing and are not affiliated to the Parish Council.

On the 13th August three SAFE members attended the open session organised by MSDC in respect of the revised Draft Local Joint Plan. Elizabeth Thomas from MSDC provided useful information and was extremely helpful in explaining some of the detail as to how decisions had been reached.

We explained the significant infrastructure issues with Fressingfield and the impact these have on overall sustainability. We asked whether it was appropriate, or indeed relevant, that such issues be brought to the attention of policy makers with the possible intention of influencing the Local Plan? Ms. Thomas was very clear that such an approach was appropriate, but that any submission must be evidence based and the significance of harm caused be clearly demonstrated.

This paper has been produced as a direct response following our discussions on 13th August. We have concentrated on the serious deficiencies in infrastructure namely, flooding, sewerage, highways and issues of overall sustainability. We have also highlighted the additional unique position of Fressingfield in respect of our heritage.

DJLP policies are considered below and tested in the context of Fressingfield as an example of such a rural location but with its own unique challenges highlighted in recent planning decisions (14432./17,1449/17 and 1648/17).

2. Flooding and pollution

2.1 An overview of flooding

The NPPF (para 156) is clear on the need to manage flood risk through planning: *'Strategic policies should ... manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding'* and *'where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seek opportunities to relocate development, including housing, to more sustainable locations.'*

The government has recognised that there are significant areas in which adaptation to climate change is too slow, having recently announced that it will soon mandate that all new development in England is required to deliver net gains in biodiversity (Spring Statement 2019). Flood risk and climate change are also areas in which the duty to co-operate is expected to be triggered. However these topics are absent from the Table of issues for co-operation set out in the DJLP

2.2 Flooding and sewage egress in Fressingfield

Flooding and sewage are very serious issues in Fressingfield and of great concern to villagers. They affect the quality of life and create health issues, which have been brought to the attention of Public Health England by Suffolk's Director of Public Health.

There are two discrete but linked issues. Firstly surface water flooding, and secondly the egress of sewage onto the highways and into gardens.

2.2.1 Flooding

We believe significant flooding is under reported. We know that it occurred four times in five months between 22 December 2017 and 24 April 2018. It is a long standing problem and has occurred over a number of years (see SAFE web site fressingfieldhousing.org "Low Road Historical Flooding") where representative flood pictures are shown at 20 year intervals. This is not only a problem in winter, but also occurs in summer (12 July 2016.) Flooding is caused by 2 factors, the overtopping of the Beck and the sewerage manholes being raised.

MSDC's 2015 Joint Supplementary Landscape Guidance notes: 'Whilst most slopes are generally moderate there are some places, in particular the tributaries of the Waveney at Fressingfield and Mendham where the slopes are very steep and unexpected within the East Anglian landscape.' The village sits within a hollow with slopes into it from three sides (Harleston Hill, Cratfield Road and Laxfield Road). The beck is located at the bottom of the steep slope where the church is situated. Fressingfield is situated on Plateau Claylands as noted in the same document, characterised by 'mainly heavy, seasonally waterlogged'ⁱ soils. The infiltration capacity of such geology is more limited.

The Environment Agency's Long Term Map (accessed 18.04.18) showing Surface Water Flooding Risk for Fressingfield is shown below. The Agency notes the limitations of these maps: 'flooding from surface water is difficult to predict, as rainfall location and volume are difficult to forecast. In addition, local features can greatly affect the chance and severity of flooding.'



There is also a Flood Zone 3 area (1 in 100 or greater annual probability of river flooding) at the bottom of the village, of significant extent, as shown on the Environment Agency Map below.



These maps do not allow for climate change. 2009 projections cited by SCCⁱⁱ for Eastern England are for a 20% increase in winter rainfall by 2080 leading to an increase in winter flooding.

The maps also do not assess flood risk from rainwater, which is covered by SCC. Although the SCC Flood Risk Management Strategyⁱⁱⁱ aims to 'make sure planning decisions are based on up-to-date local information about flood risks', it notes that data on historic surface water flooding is 'limited.'

Climate change will impact on the incidence of flooding. It is noted that flooding is most likely to happen when there has been a torrential downpour, it does not occur with gentle prolonged rain. Torrential downpours are increasing; logically it is therefore probable that flooding will increase.

A number of residents in Low Road have been refused insurance cover by certain firms because of the flood risk.

As a number of houses discharge rain water directly into the foul sewer more rain water will inevitably cause more out flow through the manholes in the road, thereby increasing the flooding.

2.2.2 Serious deficiency in the sewerage

The sewerage was planned in the late 1930s and building was delayed because of the war and was finally completed in 1946. Details of the sewerage problems can be found in the lobbying section of the SAFE web site fressingfieldhousing.org where there are many detailed papers.

The design of the system is well documented. Sewage from the current Post Mill development is pumped uphill to New Street and continues to Church Hill, down to Low Road (150mm pipe) where it joins, at the War Memorial, another 150mm pipe coming across the fields from the John Shepherd development. The two pipes then join and form a single 225mm pipe which runs 200 yards to the pumping station and continues along the Weybread Straight to the treatment plant in One Eyed Lane.

In Low Road, at times of heavy rainfall the sewerage manhole covers lift and raw sewage goes over the road and into gardens and also runs back into the stream (the Beck) to be dissipated further.

This is a long standing problem. There exists correspondence in 1985 between our then MP, Michael Lord and the then Anglian Water CEO Peter Bray. The Chief Environmental Health Officer was also involved. It has variously been suggested that pump malfunction and failure to desludge the system was the cause. However, sewage egress has occurred following work to correct these problems, indicating they are not the cause.

The problem is becoming more common and more severe. Sewage egress occurred four times in a 5 month period between 28th December 2017 and April 2018. This is not exclusively a winter problem, but also occurs in summer (12 July 2016). The contamination has been so severe that Anglian Water has sent a "Clean Up Team "on one occasion.

Abdul Razaq, Director of Public Health and Protection, Suffolk County Council, has been involved and wrote on 11th May 2018.

"Thank you for your emails. I would agree that the situation relating to sewage leaks is not acceptable and unpleasant. The legal powers sit with the environmental health departments and so I have ensured that Mid Suffolk District Council know of your concerns, but from your email it seems both they and the water company are fully aware of the situation. I have informed Public Health England of



FLOODING AND POLLUTION LOW RD APRIL 2018



SEWAGE OVERFLOWING DURING FLOODING IN LOW RD. 02.04.18

the situation although they are advisory only and have no legal powers.

If sewage leakage does occur I am sure that you realise that it is important to avoid exposure and if exposure does occur scrupulous personal hygiene is essential"

Because the sewage egress flows into the Beck it is further disseminated and has other impacts. Effect on wildlife may also have occurred (Dr. James Meyer- Suffolk Wildlife). It is noted that water voles have not been seen in the Beck after the latest sewage ingress. We have reported this to the Environment Agency as pollution of a water course.

2.2.3 The Cause

In October 2018 SAFE held a joint meeting with four senior representatives from Anglian Water as well as the local Ward Councillor and Vincent Pearce, Senior Planning Officer at Mid- Suffolk District Council.

At the meeting it was agreed that in times of high volumes the pressure in the pipe coming downhill from the John Shepherd development would be greater than the connection from Low Road because of gravity. This could result in back pressure on the sewer in Low Road causing the manholes to "pop".

Detailed investigations have been undertaken by Anglian Water and there is **no** ingress of general rain water into the closed system. It is believed that the sewer is overloaded at times of heavy rainfall due to dwellings discharging their surface water directly into the foul sewer. When this happens the manholes lift (5 times last year). Historical connections of surface water directly to the foul sewer are not illegal and no resident can be forced to remove the connection. No one has any idea how many houses are connected. The problem cannot be solved by increasing the diameter of the pipe work because it would reduce flows in "normal" conditions to such a level as to increase smells and blockages. Should the manholes be sealed to prevent egress then there would be backflow of sewage into peoples' toilets and wash basins. Anglian Water confirmed that they are not funded to invest in laying "storm pipes" for storm only events. Anglian Water confirmed that under normal conditions only 50% of the capacity of the sewerage system is currently used. There was agreement that the egress of sewage relates exclusively to periods of heavy rainfall and that the Beck need not flood for this to occur. The problem is that when it does flood effluent enters the water course. The point was made that there is no deliverable solution and the egress of sewage may continue. The fact was highlighted that with the potential for more houses to be connected to the sewer then more of the spare capacity would be utilised within the sewer making the "tipping point" for egress of sewage lower. I.e. there would be less capacity for surface water than at present.

2.3. Summary

Flooding and the egress of sewage onto the public roads and into private gardens within Fressingfield are serious and unsavoury. These problems will be exacerbated by climate change.

There is a serious deficiency in the infrastructure in Fressingfield and one, at this point seems incapable of any remedial action. As summed up by the Planning Officer in his report to the planning committee on deciding upon 1432/17, 1449/17 and 1648/17, *'the pollution of parts of the village and the Beck, however occasional, with raw sewage, sanitary products and toilet paper is unacceptable pollution that will only worsen with significant levels of new development connecting to the Fressingfield foul water system. As it becomes increasingly common to experience extreme weather conditions in the UK it seems ridiculous and completely unacceptable to expect local people to endure what at times looks and smells like a medieval living environment.'*

It would seem entirely pointless to delude developers that any application for additional houses which would exacerbate this problem would be approved and is perhaps the strongest argument for categorising the village of Fressingfield as an 'area needing protection from development' because of overriding sustainability concerns.

2.4 DJLP Strategic Policy SP10 and Local Policies LP26 and LP27

Strategic Policies SP10 Climate Change is extremely vague, referring to ‘encouraging’ and ‘supporting’ development which does something or other towards climate change, without differentiation of the types of risks this will bring and without indicating what the Council itself, which has prime responsibility for the matter, will actually do. Recent guidance from DEFRA (*Good Practice Guidance for Local authorities: Preparing for a Changing Climate* June 2019) sets out a range of practical actions that local authorities should be taking, including within Local Plans. The DJLP needs to be revisited in the light of these recommendations and of the evidence of climate change.

LP26 on Flood Risk is based on the assumption that developers can access accurate data on flood risk, which is not always the case. Without accurate data on flooding, it is not possible to assess the capacity of existing infrastructure to cope with the impact of new development, especially impact on ‘flooding elsewhere’, a broad requirement of flood risk assessment which is not always met. SCC has acknowledged that flooding is underreported, meaning their capacity to respond accurately as statutory consultees on planning applications is as much hampered by poor data as are the applicants themselves. A far greater effort is needed to raise awareness of how and why to report flooding.

There are also gaps in accountability as illustrated by recent experience in Fressingfield where surface water flooding repeatedly causes sewage egress, as discussed below. The various bodies responsible for flood risk based their decisions on incomplete or inaccurate data and sidestepped their responsibility for what was clearly an interconnected set of circumstances, rendering their role in the planning decision ineffective at best.

- MSDC’s Environmental Protection have no record of sewage pollution which has been happening for 30 years
- The EA has recorded repeated pollution of excreta on private property as of ‘no impact’
- SCC do not record sewage pollution as they are only in charge of surface water
- Anglian Water do not record surface water flooding as they are only in charge of sewage
- SCC believes the sewer is Combined, while Anglian Water, its owners, confirm it is not

These problems exist before climate change starts to exacerbate the risks these bodies are supposed to be managing. The accountability and capacity of all these organisations needs to be reviewed and resolved, particularly given the legal duty imposed upon them by The Flood and Water Management Act 2010 to cooperate with each other.

3. Heritage and Landscape

3.1 Overview of Historical and Physical Setting and Heritage

The NPPF, the Adopted Mid Suffolk Local Plan and draft Joint Local Plan all stress the importance of not only protecting Listed assets, but also the setting in which these assets are placed. The guidance is consistent and repeatedly stresses the need for any proposed developments not to adversely affect heritage assets in terms of character and setting.

[Heritage England](#) interprets the NPPF requirements on heritage for Local Plans as follows: *To be compliant with the NPPF local development plans should include:*

1. *strategic policies to deliver conservation and enhancement of the historic environment*
2. *identify land where development would be inappropriate, for instance because of its environmental or historic significance*
3. *a clear strategy for enhancing the historic environment*
4. *a positive strategy for the conservation enjoyment of the historic environment including heritage assets most at risk of neglect, decay and other threats, recognising they are an irreplaceable resource*
5. *land allocations and policies that take account of the following:*

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- (b) the wider social, cultural and environmental benefits that conservation of the historic environment can bring;*
- (c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
- (d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

Heritage England also notes that *'it is clearly not sufficient for local plans to contain generic policies that repeat the broad objectives of the NPPF. All the policies in the local plan taken together should be demonstrably fit for the purpose of achieving conservation and enhancement of heritage assets.'*

3.2 Heritage and Landscape in Fressingfield

There are many ancient manors and hall houses within the village including examples of early timber-framed medieval houses, and the many other listed and unlisted buildings, farmhouses and cottages with their architecture in the local Suffolk vernacular style.

Suffolk has many outstanding churches which form an important part of the landscape of the setting of villages and must be preserved in accordance with this principle. The important Grade I listed Church of Saint Peter and Paul in Fressingfield is famous for its fine Decorated and Perpendicular architecture, magnificent hammerbeam roof and medieval pew carvings. Archbishop Sancroft's tomb is in the churchyard. The church occupies a prominent site on a high point of the village and is visible from a number of angles.

The other Grade I listed building is a national treasure, as one of the only surviving raised aisle open hall house dating from circa 1330-1340. (C A Hewitt, *Aisled Timber Halls and Related Buildings*, 1976). It is perhaps the most "ostentatious" example of a raised-aisled hall roof with its crown-post and triple tie beams. (Dymond, D & Martin, E, *An Historical Atlas of Suffolk*). It is a truly outstanding example of fourteenth century vernacular carpentry. (Hewitt, *English Historic Carpentry*, 1980).

The Heritage and Settlement Sensitivity Assessment commissioned by MSDC for the DJLP highlights the damage inflicted on Fressingfield by past planning failures: *'However there has been a considerable degree of modern development within the settlement, particularly to the west and south, which has altered its historic character, and the setting of several significant heritage assets. This has heavily impacted on the overall value of the settlement, especially given its extent, location and visual prominence.'*

The Assessment urges MSDC to avoid further harm: *'The historic core has already seen several areas of inappropriate modern development and the Local Authority should seek to avoid further exacerbating this harm. To the east of the development are two isolated moated sites the significance of which is partially derived from their location outside the boundary of the settlement. Development between the eastern boundary and these two sites and the settlement should be avoided. The land to the south and south east is of lower susceptibility and any additional development should be placed here but should still consider the setting of buildings such as Redhouse Farm. The church is particularly prominent in views from the north, due to its position within the wider landscape. Long views of the church will need to be considered in relation to any proposed development or site allocations to the north of the settlement.'*

We strongly endorse these recommendations and urge that they be incorporated into supplementary planning guidance to prevent any more inappropriate development or harm to Fressingfield's heritage and character.

However, the Assessment understates the parish's historical significance because it states the number of listed buildings incorrectly as 23 whereas there are actually 58 recorded in the national register. To understate the heritage significance of a village by almost 66% is very disappointing. It would be helpful if on P340, accurate details of the number and grade of listed buildings it could be

stated at the top of Fressingfield map, as done on most other village maps. As we have a very high number of listed buildings and with the emphasis in the Plan on the importance on historic assets it would be helpful if these are noted.

For Fressingfield these grave omissions are of particular significance as it is a national rarity having 58 listed buildings within the Parish and it is their setting that is unusual within Suffolk. (Over 10% of the buildings in the Parish are listed.) The core area of the village is covered by a large conservation area. Mid Suffolk's Conservation Area Appraisal described Fressingfield as being somewhere with 'quality of place', and it is indeed not just a local asset for its picturesque tranquility and beauty, but a national asset bringing many tourists to the area.



GRADE 1 LISTED CHURCH OF ST PETER AND PAUL IN ITS UNUSUAL SLOPING LANDSCAPE SETTING, FRONTING LOW RD.

All these features combine to make up 'the intrinsic character and beauty of the countryside', which authorities are instructed to protect by the NPPF (para 170b)). However, in the case of Fressingfield, its topography means that significant housing developments could be particularly detrimental to its visual setting. Fressingfield is classed as Plateau Claylands framed by farmland and bisected by a river valley. It's 'steep and unexpected' slopes leading out of the village towards Cratfield and out of the settlement towards New Street are unusual for Mid Suffolk, as noted in the Joint Babergh and Mid Suffolk District Council Landscape Guidance (08.15).

In all these circumstances, it seems perverse that the Assessment notes the damage done by previous planning decisions but then allocates the parish a Low Susceptibility Level to further damage from development, rather than assessing the significant historic environment which remains at a High Susceptibility Level. We suggest the sensitivity assessment needs to be revisited and is unreliable for planning decisions because the historic baseline has been gravely understated and the categorisation is illogical. Previous damage does not justify further damage, but rather makes the argument for stronger protection for what remain undamaged

3.3 Summary

Fressingfield is unique in terms of topography and character. The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

3.4 DJLP Strategic Policies and Local Policies LP18 and LP20

Despite a convincing narrative on the importance of the historic environment in Mid Suffolk, the DJLP is thin on Strategic policies to protect it, without any specific heritage strategic policy. The Sustainability Appraisal sets out two specific objectives (12 and 13) on the topic, which are not replicated in the DJLP. The protection of the historic environment is wholly inadequate in the Plan. The Local Policy (LP20) muddles up the protection of individual assets subject to development and the protection of a historic landscape and buildings from development impinging upon it. This policy does not meet the Heritage England standard.

Local Policy LP18 is welcome as a protection for important but undesignated areas but it is difficult to understand what evidence would be required to demonstrate what is and what is not an area worthy of protection. In contrast, Suffolk Coastal Plan's Policy AP28 (Areas to be Protected from Development) is more specific: *Development will not normally be permitted where it would materially detract from the character and appearance of:*

(i) those areas identified on the Proposals Map to be protected from development, or further development; and

(ii) other sites, gaps, gardens and spaces which make an important contribution in their undeveloped form to a Town or Village, its setting, character, or the surrounding landscape or townscape.’

Locations such as Fressingfield are inadequately protected with the DJLP as currently drafted and much stronger protection is needed.

4. Transport and Road Safety

4.1 Overview of transport and road safety

The NPPF requires local plans to include strategic policies on transport, addressing strategic priorities over a 15 year period. Public transport for rural areas would seem to require such a strategic policy, given that

- it is privately provided and needs to meet commercial constraints,
- low numbers of passengers with high levels of dependency (such as older people or those on low income) challenge commercial viability
- it critical to sustainability in reducing car travel

The NPPF also requires the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

The DJLP is lacking in its transport policies because of an incomplete evidence base. The key issues a transport evidence base for Local Plans must assess are specified in 2015 National Planning guidance *Transport evidence bases in plan making and decision taking*, as:

- *the existing situation and likely generation of trips over time by all modes and the impact on the locality in economic, social and environmental terms*
- *the opportunities to support a pattern of development that, where reasonable to do so, facilitates the use of sustainable modes of transport*
- *opportunities to reduce the need for travel where appropriate*
- *opportunities to prioritise the use of alternative modes in both existing and new development locations if appropriate*
- *the cumulative impacts of existing and proposed development on transport networks*
- *the quality and capacity of transport infrastructure and its ability to meet forecast demands*

Road safety is one aspect of sustainability which requires a differentiated approach in rural locations. ROSPA’s Rural Road Safety Fact Sheet notes; ‘*rural roads are narrow and often have no pavement or crossing facilities. Child pedestrian casualties in rural areas are more likely to occur when children are walking along the road rather than crossing it.*

4.2 Transport and road safety in Fressingfield

Fressingfield is a typical rural location with unique features highlighted by ROSPA, such as typically narrow roads and lack of pavements. It also has a double junction with poor visibility (Jubilee Corner) which would be dangerous even in an urban location. In a rural location significant heavy agricultural through traffic and concentration of services, including a primary school and surgery, leads to significant through pedestrian traffic from vulnerable pedestrians such as young children attending school and elderly people who are frequent users of the surgery. The co-location of such services should help meet social and environmental sustainability objectives but



**RESIDENTS WALKING ALONG
NEW ST. 2019**

planning that permits overloading of the village road network blocks such benefits, as people will drive a walkable distance for safety reasons. Existing and new footpaths also need to be safe as exits onto rural roads with the shortcomings highlighted by ROSPA.

In 2018 SCC noted (Steve Merry Transport and Development Manager SCC 2nd November 2018) with regard to the village's 'high' street, New St, where the shop, surgery and Methodist chapel are located that: *Pedestrians exiting from the footway north of Woodyard Cottage have poor visibility to either side and step straight onto the carriageway. Pedestrian barriers are present to restrain pedestrian but constrain the footway for those with pushchairs, wheelchairs or mobility scooters.*

No footways are present on New Street resulting in pedestrians walking in the road. During the site visit a number of pedestrians, some elderly, were observed walking to the local shop. When vehicles approach there was a tendency for pedestrians to step into private driveways when possible. Where parked cars were present pedestrians often must walk into the road around them. When two cars meet one must stop if a pedestrian is in the road and no driveway is present.

Having examined the site, it is difficult to see how significant lengths of footway could be provided without reducing road widths and relocating on street parking. The presence of buildings abutting the road places further limitations as existing thresholds will need to be maintained.

SCC concluded that *'further traffic passing along New Street and / or through Jubilee Corner would result in an unacceptable impact on highway safety particularly for vulnerable pedestrians.'*

4.3 Summary

The reality of village life is that public transport is not a real option and is often useless for commuting if it does exist. In Fressingfield the single weekly bus we had has recently been cut altogether. Yet a rural village is ideally placed to meet environmental and health policies on encouraging walking, because its historic layout was designed for precisely this purpose. To overload that ready-made healthy and environmentally friendly layout with inappropriate development and other traffic-generating planning decisions will block compliance with those objectives, compromising road safety and encouraging car travel.

4.4 Strategic Policies SP08 and Local Policies LP30

There is no specific strategic policy on transport. Strategic Policy SP08 is insensitive to the rurality much of the district, referring only to improvements to the A12 and A14 and failing to recognise that infrastructure improvements to schools will have a knock on effect upon roads both for pedestrians and car travel, so they cannot be planned for in isolation.

None of the sensitive aspects of road safety in a rural location highlighted for Fressingfield above is covered by policy LP30, especially as it includes the usual meaningless undermining caveat 'where appropriate' for even those requirements it does make. The Local Plan policies on transport need to recognise day to day reality in a rural village, and the severe constraints it places on where development can be located, and on meeting all aspects of sustainability.

Furthermore the policy requires developers to provide public transport, which seems somewhat fanciful in terms of viability, while provision for bus stops is no good without buses. Even if a developer provided a bus service to secure planning, what guarantee would there be that this would be maintained? The realities of public transport in rural areas, which is privately provided is that it is either absent, or infrequent and in any case vulnerable to cuts, as is the case with the meagre weekly single bus in Fressingfield which is now permanently closed.

How, in practical terms will the Council guarantee that appropriate infrastructure provisions are included with Planning Obligations and S106 provisions? Will it be agreed with developers at Pre - Application stage that there will be certain requirements that will be enforced rather than quietly dropped just to get the houses built?

Unfortunately, all too frequently there is significant anecdotal evidence from individuals that at consultation stage much is promised in terms of benefits which will flow from the developments, but these are ultimately not delivered.

5. Housing

5.1 Overview of housing

The NPPF (para 15) requires Plans to provide *'a platform for local people to shape their surroundings.'* with the objective of *'contributing to the achievement of sustainable development.'* Its objective is not merely to deliver housing, but to bind together the environmental, economic and social factors that make communities thrive sustainably - or not. For this reason, robust evidence is needed not only on housing need but on all these factors.

The NPPF (para 71) introduced 'entry level exception sites' for certain types of affordable housing for first time buyers or renters, which can *'be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.'* Assets of particular importance include *'irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change'.*

Footnote 33 states that such sites be no more than one hectare in size or exceed 5% of the size of the existing settlement.

Conversely constraints on the Rural Exception Sites (RES) which have been in place for affordable housing in rural areas for some time, are left to the discretion of local authorities.

5.2 Housing in Fressingfield

Fressingfield is fortunate in having an NDP at Regulation 18 consultation stage, which has been informed by the housing requirement figure provided by MSDC. We were informed by the planning officer that the only mechanism by which these minimum figures could be turned into maximum – i.e. a ceiling on development in the village, would be through the NDP. The fact that the NDP only permits this number to be exceeded up to 60, should give certainty to both residents, developers and those planning infrastructure.

5.2.1 Housing need in the area - Fressingfield is some five miles inside the Suffolk border. It is 11 miles from Norfolk town of Diss which has a population 7572, mainline connections to Norwich and London and is a major hub for employment, schools and leisure. Fressingfield is also 5 miles from Harleston with a population of 4600, a thriving Norfolk town with many shops and leisure events. The Inspector in the Examination of the CSFR noted *'cross boundary considerations'* in relation to Diss and Eye. More recently, a Neighbourhood Development Plan area spanning Diss and three South Norfolk parishes alongside three Mid Suffolk parishes (Brome and Oakley, Stuston and Palgrave) has been approved by both Councils and the neighbourhood plan is progressing. The fact that both Councils have recognised the planning interdependence between these two districts evidences the need for cooperation at the next strategic planning level, the Joint Local Plan. Yet it is absent - so that any strategic or planning decisions made based on the JLP will be based on inadequate information.

5.2.2 Spatial Distribution – impact on Fressingfield - It is welcomed that Fressingfield has now been correctly identified as an "Hinterland" village and that it is recognised that for a "Hinterland village" "the cumulative impact of proposals will be a major consideration. "

5.2.3 Affordable housing in Fressingfield –. Affordable housing is one way of meeting a range of need. There are 14 people registered for affordable housing who have a connection with Fressingfield. Although it is recognised that affordable housing is a district wide need, the prioritisation of those with an existing connection over those who do not, would enhance the social objective of sustainability for the village, the economic objective because people on low incomes can afford to travel less and the environmental objective because locating families together reduces travel for support visits.

5.2.4 Rural Exception Sites in Fressingfield - In considering any applications for Rural Exception sites or Entry Level sites for Fressingfield, MSDC must bear in mind the infrastructure barriers to

sustainable development which are outlined above. Ways in which the policy could be strengthened, which have been adopted in other areas, are set out below.

5.3 Strategic Policies SP01, SP02, SP03, SP04 and LP07

5.3.1 Methodology - It is fortunate that since 2018 a standard methodology has been applied nationally to calculating housing need. A key factor in these calculations is the figures produced by the ONS on projected household growth based on census data. There has been significant publicity recently over possible incorrect assumptions being made by the ONS on the birth rate. Last year the birth rate figures were the lowest for many years, so this would support the premise that the ONS data could be incorrect. The Plan does seem to be using the ONS figures. Does the Council plan to challenge the ONS data as if inflated population projections are used then too many houses could be built!

5.3.2 Density - There is no density threshold in the DJLP and this is an important omission, given the potential impact of densification on the rural communities that define the character of the district. Density should be a criterion for considering development within Hinterland and Hamlet Villages within settlement boundaries.

Density is an important aspect of character particularly in a rural setting. The DJLP must have a location specific policy on density to avoid inappropriate densification of settlement patterns which erode the character of an area. Density levels that work in a market town may be entirely inappropriate for a rural setting. Considerations of density should be informed by the landscape character assessment of an area, including the impact on important views. Relating density to distance to public transport has been used elsewhere to deliver proportionate development.

5.3.3 Strategic Policy SP02 Affordable Housing - A vital component of social sustainability is the ability of young couples and families to continue to live near their elderly parents, facilitating family support, social cohesion and the maintenance of independence for older people. This can be facilitated in a socially inclusive manner by appropriate siting of affordable housing. Whilst recognising the importance of meeting the district wide need for affordable housing, it is submitted that where there are people with a family connection with the village they should be prioritised for affordable housing over those without.

5.3.4 Strategic Policy SP03 Settlement Hierarchy - The impact on hinterland villages of every one of the economic, social and environmental sustainability objectives set out in the NPPF is concentrated, because of their small size. These are the '*local circumstances*' to which the NPPF requires plans to be responsive in planning housing in rural areas.

For example, the need to facilitate younger family members staying in a small village if they wish, to support older relatives to maintain their independence, is a core component of sustainability in the village. Additional criteria are therefore needed for such development. Similarly the infrastructure constraints in such locations require special consideration, because their impact is concentrated. It is noteworthy that South Norfolk's Local Plan (Policy DM3.8) states: '*the Council will refuse development that fails to take the opportunities for improving the character and quality of an area and the way the area functions.*' Such an approach would be welcome in the DJLP.

Given this concentrated impact of any development on a small village, and the paucity of sound data referred to above on such matters as flooding, the following additional criteria are suggested for SP03 D:

- robust up to date evidence can be supplied on road safety, infrastructure capacity including public transport, and flood risk
- Design should ensure '*that internal spaces are suitable, adaptable and will be able to accommodate a range of residents over time.*(South Norfolk local Plan Policy DM8)

It should also be absolutely clear that development outside settlement boundaries will not be permitted other than in accordance with specific policies in the DJLP (such as RES)

The cumulative impact of proposals as a major consideration in considering development in hinterland villages is significant. However, the practical implications of this policy are important because where there are multiple applications, the supposed spare capacity in the infrastructure, such as sewers or schools, can be double or triple counted where applications are concurrent. A prioritisation system is needed for a limited period, to overcome this.

5.3.5 Strategic Policy SP04 Spatial Distribution - The Council recognises that 60% of development has taken place in rural rather than urban areas. This is completely at odds with the 1998 Plan which advocated a policy of 60% urban and 40% of developments in rural areas. What positive practical steps can the Council take to ensure this is not repeated in the next Plan Period?

(i) New Settlement - Why has a new settlement approach been discounted in paragraph 9.10? The logic does not stand up. If there is insufficient time to start to progress this in this Plan period there will be insufficient time in the next Plan period as well!! This possible way forward will never be investigated.

The Plan runs to 2036, surely this issue could be explored. Without a radical approach the Council will be obliged to grant increasing numbers of permissions to villages, such as, for example Thurston because of their strategic location. Thurston does not have the highways infrastructure and already has 1468 new homes approved.

A totally new settlement would guarantee that infrastructure precedes development.

This is the most disappointing aspect of the Plan as it is plain that some "blue skies" thinking is needed if the problems of incremental additions to unsustainable villages are to stop.

This approach would have the additional benefit of addressing the discontent felt in many villages throughout Babergh/ Mid Suffolk that they are being forced to accept unwanted development to meet housing targets.

(ii) Windfall housing - In Mid Suffolk between 2014/15 and 2018/19 an average of 74% of net home completions was "windfall ". The figure for 2018/19 alone was 590 homes- 84% of total completions. Fressingfield alone has averaged 7 windfall homes pa over the last 4 years. It is inconceivable that this figure is projected to drop to 28 homes pa across MSDC over the Plan Period, as specified in paragraph 9.9. It is really important in terms of forward planning that **this issue is revisited urgently**. A planning assumption of 28 windfall houses pa seems ridiculously low!!

(iii) Brownfield Land and Reuse of Agricultural buildings (LP16)

MSDC's Brownfield Register for 2019 records only 9 brownfield sites totalling 10 hectares, claimed to be capable of generating 265 houses at the density of 27 houses per hectare. Although this figure represents almost 50% of Mid Suffolk's housing need for one year, it is a surprisingly low figure given that Eye airfield alone is 135 hectares and the chicken factory site proposed for new housing, in Weybread is 7 hectares. This register should be revisited for accuracy and a clear policy with a local target for brownfield development included. Brownfield land often has infrastructure in place already making it more viable for housing than rural locations where infrastructure may already be overstretched. Neighbouring areas such as Waveney (60 hectares giving 1753 houses) and South Norfolk (23 hectares giving 303 houses), have recorded more brownfield land, suggesting an opportunity for productive cooperation.

Similarly with the relaxation of permitted development Rights in relation to disused agricultural buildings, it is important to make use of all available policy opportunities, such as heritage, environmental and wildlife policies, to manage conversion of disused agricultural buildings into housing (which may not require planning permission at all), in a sustainable way that contributes to housing need. The DJLP is silent on this.

5.3.6 Affordable housing SP02 and LP07 - Clarity is needed on the DJLP's policy on rural exception sites (RES), which the NPPF leaves to the discretion on local authorities.

With more neighbourhood plans being produced, transparency is important on the implications of rural exception sites for housing requirement figures. Any affordable housing and market housing, (permitted where viability is an issue), introduced through a RES into an area would be *in addition* to the housing numbers determined by the Council and the neighbourhood plan. The DJLP should therefore set out a commitment to apply all the policies of an NDP to such housing, as a minimum. Otherwise the NDP is completely undermined.

Such sites are also a vital means of securing sustainability for rural villages as they guarantee affordable housing for local residents in perpetuity, anchoring the economic and social benefits that long term residents bring to that location. Conversely, such development may overload infrastructure if not properly planned, while the market housing option secured to make such affordable housing viable, may also distort housing need and open a loophole for unsuitable development.

In addition, to exploit the full potential of rural exception sites whilst containing the risk of abuse of the provision by developers, and threats to sustainability, the following measures should be adopted:

- RES must be (mirroring the NPPF requirements including for Entry Level Exception sites)
 - *‘adjacent to existing settlements and proportionate in size to them’, ‘not exceed 5% of the area of the existing settlement’.*
 - *‘not compromise the protection given to areas or assets of particular importance’* including *‘irreplaceable habitats; designated and undesignated heritage assets and areas at risk of flooding or coastal change.*
- allocation of housing to employees of developers on RES should not lead to indirect subsidy of low wages
- the reuse of agricultural buildings and brownfield sites should be prioritised for RES
- RES must meet proven need and have strong community support (Cornwall’s Local Plan), both evidenced to explicit, robust standards
- standards for infrastructure required should be based on up to date robust evidence
- space, design and amenity standards should be specified
- monitoring arrangements should be in place to ensure the ongoing prioritisation for existing residents
- The important settlement patterns of ancient settlements (which include gaps in settlement) as well as important views and landscapes should not be lost due to RES
- RES must be properly integrated with the village, *‘in terms of the relationship with the built form of the settlement and landscape setting and the quality of pedestrian accessibility to the facilities in the village* (mirroring South Norfolk’s Local Plan)

Without such measures, a Plan for a largely rural area is an incomplete Plan.

6. Overall sustainability

6.1 Overview of sustainability

The NPPF defines social, economic and environmental components to sustainability. The particular character of Mid Suffolk as a largely rural area with several significant urban settlements necessitates a careful approach to planning for sustainability, as what is sustainable in an urban or semi urban location may not be sustainable in an isolated rural location.

6.2 Sustainability in Fressingfield

The NPPF 2018 (para 16d)) is clear that *‘plans must contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals’.*

The Sustainability Appraisal notes that *‘although some environmental effects are considered relevant only at the site level (through the assessment of the Plan’s housing allocation), it should be noted that the Plan’s site selection process and evidence base (which consists of the SHELAA and*

IDP/settlement distribution, among other documents) omits certain sites that have overriding sustainability concerns such as flood risk.'

The evidence above on overriding sustainability concerns in Fressingfield is compelling. Sadly, as the Heritage Assessment notes with regard to heritage, Fressingfield is an example where there is clear evidence of past failures that could have been avoided if better decisions had been made based on clearer policies. This is manifest in

- the '*intrusion of modern and inappropriate development*' into an historic settlement
- decades of flooding discussed with the local MP but dodged as an issue by every responsible body; and
- repeated pollution from human excrement, highlighted by the Director of Public Health as reportable to Public Health England, but never addressed by any statutory authority; and
- road safety hazards that required physical attendance by planning officers for their true impact to be understood

The lack of specific policy on the protection of *areas*, rather than individual sites, wastes the time and money of developers in unsustainable applications and fails to provide certainty and transparency. Furthermore the omission of sites with overriding sustainability concerns altogether from the evidence base, blocks scrutiny of such decisions. Without such transparency it is possible that due to lack of local knowledge of officers, poor data, or sheer pressure of work, unsustainable applications may 'slip through'.

Cumulative impacts are particularly important in this context.

7. Duty to Co-operate

The requirements on co-operation have not been fulfilled, because although South Norfolk is listed as a partner, no cooperation activity is shown with this authority. This means that the effective implementation of policy SP01 may be compromised. The consequences of this omission for Fressingfield are described above.

Evidence is needed of co-operation with South Norfolk on housing, the economy and employment, transport and infrastructure. Cooperative planning for urban areas and market towns is different from that needed for rural settlements, whose residents will routinely travel further for services, schooling and employment, which need careful planning to avoid exacerbating climate change and overloading infrastructure.

8. Data and local knowledge

There is a fiction threaded through the DJLP that the officers preparing advice for planning decisions will have all the detailed local knowledge of dispersed localities that enable such decisions to be made in accordance with planning law and policies. It is not possible for officers to know about all the 'veteran trees' (newly protected in the NPPF) or medieval hedge patterns, for example, across a large rural area, nor the locations of the large number of unlisted historic timber frame buildings, all of which need to be protected. They cannot know in every village where a layout imposes road safety constraints or a particular view needs protection. If local people do not know how to nominate or highlight such assets, the reality is that they may be inadvertently lost. Fressingfield, according to the Heritage and Settlement Sensitivity Assessment has been a victim of this disconnect between the reality on the ground and planning decisions, in that its historic environment has been damaged by inappropriate development.

Similarly, as SCC has acknowledged, there has been significant underreporting of flooding by residents who are unaware that they can or should do report such incidents. This means that decisions are undermined because the impact of potential development on flood risk is underestimated, progressively undermining the flood management of both the lead flood authority and the district council.

These knowledge gaps undermine sustainable planning, especially in a time of housing crisis and climate emergency. Measures are required, through support to Parish Councils and awareness

raising campaigns for residents, to fill these knowledge gaps and empower local people to contribute to sustainable planning.

9. Conclusion

In this paper we have stressed the shortcomings of the infrastructure of Fressingfield, and consequent limits on sustainability, as an example of a location with Overriding Sustainability Concerns, of the type highlighted in the Sustainability Appraisal. We believe that very careful consideration needs to be given to the development of a Policy on the protection of locations such as Fressingfield with Overriding Sustainability Concerns. This would remove policy ambiguity so that planning decisions for such locations, (where the potential for further significant harm is great,) are sound, and the mistakes of the past, highlighted in the Heritage Assessment, are not repeated.

ⁱ <http://www.suffolklandscape.org.uk/landscapes/Plateau-claylands.aspx> accessed 19.04.18

ⁱⁱ *Suffolk Local Flood Risk Management Strategy* Suffolk Flood Risk Management Partnership March 2016

ⁱⁱⁱ Ibid

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