

SAFE Lobby Paper in respect of Application DC/19/05740- John Shepherd Road Fressingfield

Introduction

This Paper has been produced to assist Councillors in their consideration of the above Application to go to Committee on 23rd June 2021. Background information has been provided as the matter previously has been put before Committee B and a number of Councillors have been recently been appointed.

Background information

Fressingfield is on the Norfolk/Suffolk border. The parish population is 1021 and about 350 homes are in the core area of the village. The topography is unusual and is one of only two in Mid Suffolk to have sloping approaches to the village on all sides.

In 2017 three planning applications were lodged for an additional 207 houses, of these 99 were proposed as an extension of the pre-existing John Shepherd estate which would have significantly “urbanised” the medieval village. There was no local organised group to oppose the applications and SAFE (Supporters Against Fressingfield Expansion) was formed from an ad hoc group of individuals. The specific remit of the group was to oppose major developments. We believe SAFE had legitimacy to take on this role as in April 2017 we organised a scientifically sound petition and visited all homes in the centre of the village. 450 people (93.8%) signed, strongly rejecting further large scale development including Stradbroke Road, John Shepherd Road and Post Mill Lane. 28 people (6.2%) did not sign.

We set up a web site fressingfieldhousing.org in order to inform villagers of what was happening in respect of the Applications. Further information can be found on this site.

In November 2018 all three Applications were refused at Committee. The Applicant has subsequently resubmitted the John Shepherd scheme reducing the house numbers to 27. It is this revised application which is now being considered.

Policy Issues

The Case Officer in his report has provided a full assessment of relevant Planning policies. One key Policy Document – The Fressingfield Neighbourhood Development Plan was adopted in March 2020, subsequent to the original John Shepherd Application. The Local Authority obtained legal opinion as to the weight to be given to the NDP in the absence of a fully up to date Local Plan and in what circumstances the “tilted balance” would come into play. The opinion clearly gives considerable weight to an NDP when considering planning applications. Additionally, Lord Marlesford, at the request of SAFE, kindly tabled two questions in the Lords seeking clarification as to the weight to be given to an up to date

adopted NDP. The answers given are attached and strongly support the legal opinion given to the Local Authority. These answers are a material consideration.

The Suffolk Preservation Society opposes this Application and in their response state - "The NDP has been carefully considered and independently assessed. The views of the parish have been made clear. Therefore, the policies within the plan must be given considerable weight in consideration of this case."

Below we consider the policies within the adopted NDP and how they relate to the John Shepherd Application.

Policy FRES1 Housing Provision.

This policy requires that development is commensurate with the settlement hierarchy: recommends an additional 60 dwellings in the plan period (up to March 2036): will only permit development outside the settlement boundary where there is demonstrable local need which cannot be accommodated within the settlement boundary.

This Application fails on all counts. Fressingfield is currently designated as a primary village. In the emerging Local Plan, it is downgraded to an hinterland village, capable of sustaining very limited growth. Currently 53 houses have planning approval, but are not yet built. The 27 proposed would exceed the NDP "target" by 20 houses. This calculation takes no account of "windfall" developments which have been significant in Fressingfield. The site is outside the settlement boundary. The Applicant has not produced any evidence of demonstrable local housing need. Currently people on the list for affordable housing could be accommodated in the affordable housing in the approved, but not yet built developments in Fressingfield. Additionally, as the Local Authority has a robust and deliverable 5-year land supply there is, therefore, no requirement to challenge this policy.

Policy FRES3 Infrastructure

This policy requires that new development will only be permitted if there is sufficient supporting infrastructure and where there is an infrastructure deficit new development should not exacerbate the deficit.

Fressingfield suffers a significant infrastructure deficit. Capacity within the sewerage; highway safety; capacity within the school and medical centre.

Sewerage capacity

There has been a very long-standing problem in the village with sewage egress from manhole covers in Low Road. This pollutes the highway, gardens and flows via the highways drains into the Beck. The Environment Agency, Public Health, Public Health England have all been involved as these incidents are a health hazard and are polluting events. Anglian Water wrote in March 2019 "the sewage network is surcharged with surface water flows that enter

the network during severe rainfall events.” The CEO of Anglian Water described the system as being “overwhelmed” at times of heavy rainfall. The sewerage is of fixed capacity. Additional houses with more foul water will reduce the capacity for surface water and the incidents of overflow will increase and the egress will be of greater foul concentration. The reason Anglian Water have raised no objection to this, or any other application in Fressingfield, is that the calculation on sewerage capacity is based on normal dry flows. They make no calculation for the ingress of surface water from historical connections as the surface water should not be there! There is theoretical capacity, but there is not the functional capacity.

The Applicant has proposed a mitigation proposal which would hold back sewage in proximal holding areas when the sewerage is overloaded. Sewage can be stored for up to 10 hours. After this time, it has to be chemically treated to prevent anaerobic degradation. The CEO of Anglian Water wrote in December 2020 that the strategy proposed by the developer and designed by their consultant was not required and that when such systems are installed unnecessarily it can cause odour. In the last 3 years there have been eighteen incidents of sewage egress. Five of these lasting well in excess of 10 hours. One incident lasting over 24 hours. There is also a problem that should the valves controlling the sewage fail to open the trapped sewage will spill over a weir. The additional houses will exacerbate the problems with the sewage capacity as the mitigation proposals appear not to be robust.

Highway Safety (see FRES15)

Highways have not objected to the current Application. They did object to the previous application as the three schemes were being considered cumulatively. Whilst the three Applications are now not being considered at the same time net result is the same. Highways have failed to acknowledge the very dangerous conditions in New Street and at Jubilee Corner.

School Capacity

In the village there is a primary school which is almost at capacity. In the neighbouring village, Weybread, 80 houses have recently been approved. The children from this development will be in the catchment area of the Fressingfield school. The cumulative impact of this is significant. With the other proposed developments in Fressingfield (John Shepherd 27 houses, Stradbroke Road – 21 houses, Post Mill – 18 houses) and the 53 approved but not yet built results in potentially 199 new houses in the school catchment area. Significant investment would be required to expand capacity at the school.

There is no secondary school in Fressingfield so increased travel will be necessary.

Medical Centre

The medical centre is sited in Fressingfield with a branch surgery at Stradbroke. The surgery catchment area is over 115 square miles. In addition to the potential new housing identified for the school catchment the surgery will be responsible for the residents from the 49 approved houses at Laxfield and the 69 approved houses at Stradbroke. There are already major physical capacity issues, staff vacancies, particularly in respect of medical staff, and problems relating to patient parking resulting in significant on street parking in New Street. It is difficult to see how these issues can be adequately resolved.

Policy FRES6 Protecting landscape setting and important gateways/entrances to the village

The policy specifically identifies the view from the north looking south down Harleston Hill and would not support development that detracts from that view.

The Applicant has taken steps to surround the application site with trees which are now mature. These are deciduous trees and in winter the proposed extension to the John Shepherd estate will be clearly visible. Effectively an urban sprawl will be visible from one of the main access roads into the village. This does not therefore comply with FRES6.

Policy FRES11 Localised flooding and pollution

This policy requires that any development should not exacerbate existing flooding or drainage issues.

The issues around the sewerage have been explored earlier. Sewage egress is now considered to be a form of flooding. There is also an issue around surface water flooding. Because of the topography the surface water drains down the roads to Low Road and into the Beck. The Beck is subject to flooding. Houses have been flooded, but this has not been reported. Some householders in Low Road have had difficulty in obtaining insurance cover living in a designated flood zone.

Sustainable drainage systems are very difficult to achieve in Fressingfield because the underlying soil is heavy clay. More houses result in more hard-standing and more run off. Whilst the developer will be required to conform to the drainage hierarchy there is always a concern as to how robust the implementation of any drainage strategy will be?!

Policy FRES15 Transport and highway safety

The policy requires that development proposals should not add significantly to increased traffic flows or risk to highway safety.

There is **NO** public transport in Fressingfield. The buses referred to in the Application are school buses which only operate in term time and there is no flexibility in the timetable. The bus company operating the school buses has NEVER known a member of the public attempt to use the service.

There are very few jobs in Fressingfield and the many of these require a higher degree. The majority of residents work outside the village and go to work by car. This development is likely to generate an additional 50 cars.

There are no cycle routes and the main street, New Street is without footways in many places. The shop, medical centre, scout hut and Methodist Chapel are all located in New Street. The only way for pedestrians to access these facilities is by walking down the road. There is significant on road parking reducing further space for pedestrians.

On 2 November 2018 in response to the original three applications SCC Highways wrote “The proposed mitigation measures are the best solution available within the existing constraints they fall short of making the highway safe for pedestrians.” Mitigation is therefore of limited value.

An Appeal decision relating to another scheme in Fressingfield did not consider highway safety to be relevant in dismissing the Appeal. The Inspector relied exclusively on crash map data. SAFE a found this surprising. The Crash Map data does show few accidents in Fressingfield, but only serious incidents involving the police show on crash map data. More minor accidents, of which there are many, are not reported.

SAFE concluded that the Appeal Inspector was wrong to dismiss the road safety issue and in January 2020 SAFE undertook an on-line anonymous road Safety Survey. 104 people responded. All but 2 of the respondents owned cars and 19% had three or more cars. Only 7 people reported that they felt safe whilst walking in the village whereas 87 people “always” or “often” felt unsafe when walking in the village. New Street in particular was identified as an unsafe area. This development would be contrary to FRES15 by increasing both the amount of traffic and numbers of pedestrians, particularly in New Street

Conclusion

The Application for 27 houses on the John Shepherd site does not comply with the policies within the NDP, as well as being contrary to Local and National policy guidelines and we would therefore urge Councillors to refuse this application.

SAFE Dr. John Castro on behalf of SAFE

SAFE Members John Kelsall, Pam Castro, Charles Comins, Elizabeth Manero, Abi Maydon, Paul McCann, Michael Miles, Jenny Morris-Bradshaw.

The Old Vicarage, Fressingfield IP21 5QL