

3.99 PARAGRAPH 3.55 PLANNING OBLIGATIONS RELATING TO DEVELOPMENT

The Objections

1072 Hadleigh Town Council

The explanation in paragraph is important and would be strengthened if the philosophy was included as a policy statement.

1491 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). Support the sentiments in this paragraph and would try to ensure that development on the land would comply.

Inspector's Reasoning and Conclusions

- 3.99.1 The plan is to be read as a whole and policy LP01 already reflects paragraph 3.55 on Planning Obligations.
- 3.99.2 This is a statement about planning obligations and does not relate to the merits of any specific sites for development

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.100 PARAGRAPH 3.59 HOUSING DENSITY AND HOUSE TYPE

The Objections

2621 Mr P J Holbrook

A net density of 30-50 dwellings per hectare is unsuitable for village locations and is surely only suitable in towns where flats can be built.

Inspector's Reasoning and Conclusions

- 3.100.1 Some villages are traditionally densely developed. The density range is in accordance with government guidance but would be influenced by the form and character of the village.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.101 POLICY HS11 HOUSING DENSITY AND HOUSE TYPE

The Objections

341 House Builders Federation

At paragraph 3.64 the Council contradicts its policy statement in HS11 by referring to possible exceptions. This should be addressed in the policy wording possibly by reference to average densities rather than an absolute minimum.

1492 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). Any development on this land could comply with the requirements of this policy.

2622 Mr P J Holbrook

A net density of 30-50 dwellings per hectare is unsuitable for village locations and is surely not suitable in towns where flats can be built.

2812 Suffolk Preservation Society

Consider that on completion of a housing needs survey, a specific percentage of Social Housing can be enforced onto Planning Applications now.

6938 Great Cornard Parish Council

Object to the insertion of the word 'plus'. By adding plus it no longer sets a clear maximum for the number of dwellings per hectare. The minimum is made clear by stating that planning permission for residential development will not be granted where the density is below 30 dwellings per hectares. Should therefore make equally clear that planning permission will not be granted where the density is higher than 50 dwellings per hectare.

B.D.C. is proposing a change to Policy HS11 Pre-Inquiry Change 61

Insert text: 'Planning permission for residential development will not be granted where density is below 30 dwellings per hectare net. Residential densities should be **at least 30 dwellings per hectare**. ~~in the range of 30 to 50 plus dwellings per hectare.~~ To maximise residential densities ~~at the upper end of this range~~, lower car parking and open space standards **will be acceptable** on sites in towns where they are close to jobs and services, and where: ...'

The Objections

13226 House Builders Federation

Reiterates previous concerns on housing densities.

Inspector's Reasoning and Conclusions

- 3.101.1 The pre inquiry change more closely reflects government guidance on densities. I consider this is preferable to referring to average densities.
- 3.101.2 It seems to me that there is a contradiction between the supporting text and the policy as paragraph 3.64 refers to exceptions but the policy does not. I suggest starting the policy with the words **Unless the environmental quality or the character of the area dictates otherwise....**
- 3.101.3 I accept that it would be helpful to include a statement in the supporting text by adding a new sentence to paragraph 3.64. **The number of dwellings specified for each of the allocations is a notional capacity and conservative estimate of the potential of the site and not a precise calculation.** However, I do not consider it should be included as part of Policy HS11 which is a reflection of government policy.
- 3.101.4 The other objections are not related to density considerations of the policy

RECOMMENDATION

Modify the Plan by

- a) commencing the policy **Unless the environmental quality or character dictates otherwise.....**
 - b) incorporating Pre Inquiry Change 61
 - c) Include a new sentence at paragraph 3.64 **The number of dwellings specified for each of the allocations is a notional capacity and conservative estimate of the potential of the site and not a precise calculation.**
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3.102 PARAGRAPH 3.63 HOUSING DENSITY AND HOUSE TYPE

The Objections

1493 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). Development on this land could include housing in order to create a mixed and inclusive community.

Inspector's Reasoning and Conclusions

3.102.1 The supporting text is a general statement as a background to policy. It does not relate to the merits of specific sites for development.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.103 POLICY HS13 RESIDENTIAL CARAVANS

The Objections

790 GO-East

Policies that repeat the provisions of other policies are unnecessary. Cross references to other policies in the plan are unnecessary. Phrases covered by regulation are also not required.

Inspector's Reasoning and Conclusions

3.103.1 Cross reference to other policies has been deleted from policy and referred to instead in the supporting text.

RECOMMENDATION

Modify the Plan by including the cross reference in the supporting text, not in the policy.

3.104 POLICY HS14 DESIGN OF NEW HOUSING

The Objections

791 GO-East

Phrases that introduce doubt as to whether planning permission will or will not be granted should be avoided. Policies should not include phrases referring to one authority since the development plan are implemented by various authorities.

Policies that repeat the provisions of other policies are unnecessary. Cross references to other policies in the plan are unnecessary. Phrases covered by regulation are also not required.

Policies that delegate decisions to SPG or other documents are contrary to PPG12. The criteria against which applications are to

judged should be set out in the policy while the role of SPG is to supplement policies and give advice to applicants in how to comply with the policy.

Inspector's Reasoning and Conclusions

- 3.104.1 The policy does not delegate decisions to other documents. Paragraph 3.71a merely refers to local documents which the Council will have regard to when assessing the merits of design and layout.
- 3.104.2 I agree that the second sentence of the policy should be transferred to the supporting text at paragraph 3.71a as it is effectively Supplementary Planning Guidance. What remains of Policy H14 states the obvious but the supporting text explains the need for the policy. On balance I consider it should be retained.
- 3.104.3 Reference to the District Council is not really necessary. The wording could be changed to **All new development shall be of.....**

RECOMMENDATION

Modify the Plan by

- a) transferring the second sentence of the policy to the supporting text at paragraph 3.71a, and
 - b) commencing the policy **All new development shall be of...**
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3.105 PARAGRAPH 3.76 PUBLIC OPEN SPACE AND PLAY AREAS ON NEW DEVELOPMENT

The Objections

1914 Bellway Homes Ltd

Paragraph suggests two requirements of the District Council:

1. That deficiencies in current POS provision should be rectified by new development. B17(v) of Circular 1/97 highlights that it is unacceptable for developers to meet the cost of resolving existing problems especially if it is intended to spend money on an existing provision which is some distance from a development and therefore not 'related to the proposed development'
2. That all residential development should contribute to 'improved POS' because if existing provision is satisfactory, then developers should not be 'expected' to enhance it.

Inspector's Reasoning and Conclusions

3.105.1 This paragraph does not say that existing deficiencies should be rectified by new development, it merely points out the consequences over the years of cumulative pressure for open space and plays areas.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.106 PARAGRAPH 3.77 PUBLIC OPEN SPACE AND PLAY AREAS ON NEW DEVELOPMENT

The Objections

1915 Bellway Homes Ltd

Paragraph suggests two requirements of the District Council:

1. That deficiencies in current POS provision should be rectified by new development. B17(v) of Circular 1/97 highlights that it is unacceptable for developers to meet the cost of resolving existing problems especially if it is intended to spend money on an existing provision which is some distance from a development and therefore not 'related to the proposed development'
2. That all residential development should contribute to 'improved POS' because if existing provision is satisfactory, then developers should not be 'expected' to enhance it.

7829 House Builders Federation

Policy HS15 states that 'proposals for residential development on a site of 1.5 hectares and above are required to provide 10% of the gross site area as public open space' However, para 3.77 now states that the Council 'requires a financial contribution from all residential planning permissions granted below a specified threshold of 1.5 hectares' The text should be amended by the deletion of the word 'below' and its replacement with the word 'above' if it is to correctly accord with the policy.

Inspector's Reasoning and Conclusions

3.106.1 See my views at paragraph 3.76 above and on Policy HS15.

RECOMMENDATION

See Policy HS15

3.107 POLICY HS15 PUBLIC OPEN SPACE AND PLAY AREAS ON NEW DEVELOPMENT

The Objections

349 House Builders Federation

The policy should make it clear that provision is only required when the need directly arising from the development cannot be met by existing provision and capacity. No evidence of current levels of supply or demand for such facilities have been offered.

New development can also not be made responsible for remedying existing deficiencies in either quantity or quality of provision which the reference to avoiding deterioration in quality seems to suggest. The reference to future maintenance of adopted areas should reflect advice in Circular 1/97 - responsibility for maintenance being with the body in whom land is vested except where the land is of benefit to the development itself rather than the wider public benefit.

637 GO-East

Phrases that introduce doubt as to whether planning permission will or will not be granted should be avoided. Policies are implemented by different authorities and should therefore not include phrases such as 'the District Council' etc. The form of word used to describe planning obligations should recognise their voluntary basis and where appropriate allow for negotiation to take account of local market conditions. The use of planning obligations should not be prescribed when a condition can be used.

1913 Bellway Homes Ltd

Policy is unnecessarily prescriptive because: it identifies a threshold of 1.5ha; it requires 10% of development site's gross area as a POS - this is at odds with PPG17; requires a minimum area to make it usable; it seeks "biodiversity gain" which may be at odds with "conventional" POS and are better dealt with elsewhere in the plan and it implies that play equipment will always be required.

It is suggested that the maintenance period be up to 5 years to respect the life span of planning permission. Landscaping - why should a developer continue to pay for a facility once it has been established. The policy also appears to contradict Suffolk LPA's SPG relating to S106 obligations. The policy should be amended to be in accordance with Government guidance and seeks provision which is reasonably related to a development.

2040 Mr N A Bennett

Developers will edge towards providing open space and making a small provision of the 10% as play areas. Could an allocation be made / recommended for play area space. Play area spaces need to be secure for young children ie. fenced. Play areas are generally for young children but provision need to be made for young teenagers.

8909 Ashwell Developments Limited/FPD Savills

New wording in paragraph 3.75 refers to the guidance contained within PPG17 concerning the need for Council's to identify deficiencies in public open space and recreational provision within their districts. Whilst we endorse such guidance it is important that it properly informs the Council as to the need for new provision. Simply because deficiencies exist should not be the reason for seeking obligations. Circular 1/97 and the five tests within the Circular must be the starting point. In this context we object to the thrust of policies HS15 & HS16 which automatically require certain proportions of the gross site area for open space and the provision of play equipment. Such use of figures does not have regard to, for example , physical constraints on site nor the proximity of nearby recreation provision. As such the requirement of play equipment and the use of figures is unhelpful.

Accordingly references to the 10% and the requirement of play equipment in both policies HS15 and HS 16 should be deleted.

Inspector's Reasoning and Conclusions

- 3.107.1 A study of existing play areas within the district in 2004 revealed that none currently comply with the LEAP standard. I find it a reasonable assumption that the need arising directly from new development could not be met by existing provision.
- 3.107.2 The policy does not attempt to rectify existing deficiencies, it seeks to ensure that new development contributes towards open space provision on a scale related to the new development. The 10% figure has been used for some years. It has now been refined to recognise different open space requirements. A detailed formula is contained in Supplementary Planning Guidance (CD20)
- 3.107.3 As the provision of open space involves financial and legal agreements in my experience it is doubtful that a planning condition would suffice, or be appropriate

- 3.107.4 The different types of open space and how the standards should be applied are contained in Supplementary Planning Guidance.
- 3.107.5 On the basis of the Council's study which indicated that none of the children's play areas meet the LEAP standard it seems to me that play equipment would be required on most development schemes of this scale and it is appropriate to recognise this.
- 3.107.6 I am inclined to the view that the detailed criteria in the policy is not necessary as the Council has adopted Supplementary Planning Guidance to which developers would be directed. The "nature of the public open space" as listed in the bullet points could be contained in the supporting text. The bullet points are generally worded in the manner of informatives and not specific requirements.
- 3.107.7 "District Council" has been substituted for "Local Planning Authority" in the 2nd Deposit Draft.

RECOMMENDATION

Modify the plan by relegating "The nature of the public open space will be expected to be" and the following bullet points to the supporting text.

3.108 POLICY HS16 PUBLIC OPEN SPACE AND PLAY AREAS ON NEW DEVELOPMENT

The Objections

336 BT plc/RPS

Object to approach that all residential development, from single dwellings to 1.5ha development should provide open space or make financial contributions. This imposes measures on developers that are not always justifiable. It appears that no open space assessment has been carried out to identify areas where further development would lead to deficiencies in open space. It is unreasonable to require facilities or financial contributions in areas where there is over provision or where the LPA cannot guarantee land is available to purchase. It is suggested that thresholds should be increased to developments of 5 or more dwellings or if the council intend to adopt this approach that assessments of open space provision are carried out and only areas with a deficiency are covered in negotiation by this policy.

350 House Builders Federation

The policy should make it clear that provision is only required when the need directly arising from the development cannot be met by existing provision and capacity. No evidence of current levels of supply or demand for such facilities have been offered.

New development can also not be made responsible for remedying existing deficiencies in either quantity or quality of provision which the reference to avoiding deterioration in quality seems to suggest. The reference to future maintenance of adopted areas should reflect advice in Circular 1/97 - responsibility for maintenance being with the body in whom land is vested except where the land is benefit to development itself rather than the wider public benefit.

638 GO-East

Policies which repeat the provisions of other policies are not necessary. Cross reference to other policies in the plan are not necessary. Also do not include phrases that are covered by regulation.

Words use to describe planning obligations or targets expected of them should recognise their voluntary basis and where appropriate, allow for negotiation to take account of local market conditions, site suitability and site preparation costs. The use of planning obligations should not be prescribed when a condition can be used.

1494 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). Development of the site could include an area of Public Open Space.

1916 Bellway Homes Ltd

The Policy is unnecessarily prescriptive - combined with policy HS15 it effectively expects all residential development to contribute to POS provision.

It is contrary to B17 (iv) of circular 1/97: it 'seek contributions to a general fund to be used to finance a number of facilities or a specific facility'. This is only acceptable if 'facilities would be directly related to individual development proposals'. As the policy seeks to make up deficiencies or enhance existing satisfactory provision, this cannot always be ensured.

The council is also ambiguous about maintenance periods. Similarly it touches upon a formula for calculating financial contributions which will be embellished in SPG to be provided. Policies based on blanket formulation is unacceptable (re B17 (iii) of Circular 1/97). This policy (and Paragraph 3.78) should be reconsidered to ensure that they are in line with Government guidance and seek provisions which are reasonably related to development.

2041 Mr N A Bennett

Developers will edge towards providing open space and making a small provision of the 10% as play areas. Could an allocation be

made / recommended for play area space. Play area spaces need to be secure for young children ie. fenced. Play areas are generally for young children but provision needs to be made for young teenagers.

8910 Ashwell Developments Limited/FPD Savills

New wording in paragraph 3.75 refers to the guidance contained within PPG17 concerning the need for Council's to identify deficiencies in public open space and recreational provision within their districts. Whilst we endorse such guidance it is important that it properly informs the Council as to the need for new provision. Simply because deficiencies exist should not be the reason for seeking obligations. Circular 1/97 and the five tests within the Circular must be the starting point. In this context we object to the thrust of policies HS15 & HS16 which automatically require certain proportions of the gross site area for open space and the provision of play equipment. Such use of figures does not have regard to, for example, physical constraints on site nor the proximity of nearby recreation provision. As such the requirement of play equipment and the use of figures is unhelpful.

Accordingly references to the 10% and the requirement of play equipment in both policies HS15 and HS 16 should be deleted.

Inspector's Reasoning and Conclusions

- 3.108.1 A study of existing play areas within the district in 2004 revealed that none currently comply with the LEAP standard. I find it a reasonable assumption that the need arising directly from new development could not be met by existing provision.
- 3.108.2 The policy does not attempt to rectify existing deficiencies, it seeks to ensure that new development contributes towards open space provision on a scale related to the new development. The 10% figure has been used for some years. It has now been refined to recognise different open space requirements. A detailed formula is contained in Supplementary Planning Guidance (CD20)
- 3.108.3 I believe a cross reference to Policy H15 is justified in this case to avoid repetition.
- 3.108.4 As the provision of open space involves financial and legal agreements in my experience it is doubtful that a planning condition would suffice or be appropriate

- 3.108.5 The different types of open space and how the standards should be applied are contained in Supplementary Planning Guidance.
- 3.108.6 The comment about the site at East Bergholt does not raise any issue about the merits of this policy.
- 3.108.7 The policy makes no provision for maintenance as such. On small sites it is most likely a contribution would be made to provide open space and equipment elsewhere. Larger open spaces which remain in private ownership would not impose a burden on the Council. If the Council decides to accept open space land into its ownership this would be by negotiation because of the financial burden on the authority.

RECOMMENDATION

Make no modification to the Plan in response to these objections, but it will be necessary to amend the wording to take into account my recommendation at Policy HS15 above by deleting the reference to Policy HS15 in the second sentence of the policy and in the second bullet point and substituting **paragraph 3.77**.

3.109 PARAGRAPH 3.78 PUBLIC OPEN SPACE AND PLAY AREAS ON NEW DEVELOPMENT

The Objections

1917 Bellway Homes Ltd

It is questionable that SPG can be produced to expand upon 'unadopted' policies. In this context it might be construed that the District Council are using SPG to avoid subjecting to public scrutiny in accordance with statutory procedures, policies and proposals which should be included in the plan. Furthermore, objections to HS15 and HS16 suggest that they are in part contrary to Government guidance and PPG12 states that SPG must itself be consistent with national and regional planning guidance. This paragraph (and Policy HS16) should be reconsidered to ensure that they are in line with Government guidance and seek provisions which are reasonably related to development.

Inspector's Reasoning and Conclusions

3.109.1 The SPG has been adopted and this is reflected in the revised wording of this paragraph. A recent audit of open space has clearly identified deficiencies in open space provision. See Policies HS15 and HS16 above.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.110 PARAGRAPH 3.79 EXTENSIONS TO EXISTING DWELLINGS

The Objections

1074 Hadleigh Town Council

It is suggested that words 'including facilities for old age' be added at the end of the first sentence.

Inspector's Reasoning and Conclusions

3.110.1 Although I am not against the addition of "last time" buyers as suggested I do not consider the wording is necessary as the "changing requirements of family life" would include getting older.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.111 POLICY HS17 EXTENSIONS TO EXISTING DWELLINGS

The Objections

639 GO-East

Policies which repeat the provisions of other policies are not necessary. Cross reference to other policies in the plan are not necessary. Also do not include phrases that are covered by regulation.

1075 Hadleigh Town Council

It is unfair that the 50% extension of floor areas limit applies only to small dwellings. This limit should apply to all dwellings irrespective of size and numbers of rooms.

8911 Ashwell Developments Limited/FPD Savills

Whilst the Council accepts that extensions to small dwellings need on occasion to meet the changing requirements of family life, the

Council seek to place an arbitrary figure on what is considered to be a "small dwelling". The figure of 75 sq.m or less has been applied although we are aware that properties of this nature can be 2 or sometimes 3 bed in size. Imposing a restriction on such dwellings is inappropriate when permitted development rights can be exercised. We consider that the final paragraph in Policy HS17 should be deleted.

Inspector's Reasoning and Conclusions

3.111.1 Small dwellings are generally either terraced or semi detached and in my view the criteria listed in the policy would ensure that any extension would be of modest scale. I do not consider it appropriate to include a policy which could arbitrarily take away permitted development rights, as although home extensions may reduce the stock of smaller, cheaper housing, an extension may be the only way that many households can afford to secure the accommodation they need as their requirements change.

RECOMMENDATION

Modify the plan by deleting the final paragraph of the policy

3.112 PARAGRAPH 3.80 SMALLER DWELLINGS

The Objections

1459 Ralston Purina Northern Europe/RPS Consultants

Since the Housing needs survey (refer to in par 3.81) is not available for public inspection it is impossible to decide whether to lodge an objection, as the basis of policy HS18 cannot be examined. Request that a copy of the survey should be made available for public inspection prior to Second Deposit Draft stage.

1495 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). A range of different sized houses could be provided as part of the development.

Inspector's Reasoning and Conclusions

3.112.1 The Housing Needs Survey is a core document of this Inquiry (CD91)

- 3.112.2 This is a general statement in the supporting text leading to a policy on small dwellings. It does not relate to the merits of a particular site for development.

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.113 PARAGRAPH 3.81 SMALLER DWELLINGS

The Objections

1460 Ralston Purina Northern Europe/RPS Consultants

Paragraph 3.81 refers to 'housing need survey'. Since this document is not currently available for public inspection it is not possible to decide whether to lodge an objection or not, and the basis for policy HS18 can therefore not be examined. A copy of the survey should be made available for public inspection prior to the Second Deposit Draft Stage.

Inspector's Reasoning and Conclusions

- 3.113.1 The Housing Needs Survey is a core document of this Inquiry (CD91)

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.114 PARAGRAPH 3.82 SMALLER DWELLINGS

The Objections

1461 Ralston Purina Northern Europe/RPS Consultants

Paragraph 3.81 refers to 'housing need survey'. Since this document is not currently available for public inspection it is not possible to decide whether to lodge an objection or not, and the basis for policy HS18 can therefore not be examined. A copy of the survey should be made available for public inspection prior to the Second Deposit Draft Stage.

Inspector's Reasoning and Conclusions

3.114.1 The Housing Needs Survey is a core document of this Inquiry (CD91)

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.115 PARAGRAPH 3.83 SMALLER DWELLINGS

The Objections

1496 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). A range of different sized houses could be provided as part of the development.

8904 Ashwell Developments Limited/FPD Savills

Paragraph 3.83 of the Second Deposit Plan includes a new sentence with cross-references to Policy HS18 which seeks to secure 20% of all dwellings built for sale over a specified threshold (0.1 hectare) and accommodating at least 5 dwellings will be for one and two bedroom units. Whilst we acknowledge that local planning authorities can include guidance on appropriate mix of dwelling size, type and affordability within their Local Plan having regard to Paragraph 11 of PPG3 on housing, we believe that the thrust of the text within Paragraph 3.83 and the Policy HS18 which follows does not accurately reflect the conclusions reached in the Housing Needs Survey carried out in 2000. After all it must have been the case that such a survey formed the basis of this policy approach requiring a certain percentage of new development to be a certain size of unit. One of the main features arising from the 2000 survey is wide ranging differences in demand throughout the District. Paragraph 1.7.2 concerning private sector stock supply/demand analysis acknowledges that there is a significant surplus of one bedroom properties within Sudbury/Great Cornard where there is no demand for any type of one bed property. This is an important factor given that Babergh District Council's largest residential allocation by far is on the edge of Sudbury where Policy HS18 would apply. We also note that there is a shortfall of two bed and three bed stock in Sudbury/Great Cornard.

8906 Ashwell Developments Limited/FPD Savills

Our clients, Ashwell Developments Ltd, has significant interests in the Chilton Development which is the larger allocation for new development within the District. The implication of Paragraph 3.83 and Policy HS18 is to provide 20% of total dwellings to be in one

and two bedroom unit sizes despite the surplus of one bedroom units within the area as expressed within the 2000 survey. Whilst it may be the case that there is a requirement for further one and two bedroom units throughout Babergh in general we consider that the wording in Paragraph 3.83 is inappropriate and should be further clarified by extra wording which states that a further requirement for such size of units is dependent upon local need in that sub-area as defined within the 2000 survey.

Inspector's Reasoning and Conclusions

- 3.115.1 This is a general statement in the supporting text leading to a policy on small dwellings. It does not relate to the merits of a particular site for development.
- 3.115.2 I do have some concern about the wording of paragraph 3.63 and in turn the wording of the policy. It seems to me there are some contradictions that require clarification. Although the second paragraph of Policy HS18 states that the precise number of smaller one and two bedroom units will be determined through contemporary demands, based on housing needs surveys and other local information, the first paragraph specifically requires a minimum of 20% of dwellings to be one and two bedroom. It is not clear whether the second paragraph relates to all dwellings or to those *above* the 20% figure.
- 3.115.3 The Council does not share the view of Objectors that there is a surplus of small units in some parts of the district and considers that a lot more people on leaving home wish to set up home as sole occupants. This does not necessarily mean that the sole occupants would wish to purchase a one or two bedroom unit as with more people working from home even single persons need more space. I see no reason why a small dwelling definition should not be included particularly as the 75 sq.m gives a reasonable degree of flexibility on floor area.
- 3.115.4 However, see my recommendations on Policy H18 below which I consider should resolve some of the objections.

RECOMMENDATION

See my recommendation at Policy H18 below which includes a proposed change to paragraph 3.83.

3.116 POLICY HS18 SMALLER DWELLINGS

The Objections

345 House Builders Federation

The council should not specify a minimum percentage provision of small units. If circumstances change, the policy will become out of date. The paragraph referring to the need to consider housing need surveys should be changed to housing need assessments to reflect the latest government guidance and other factors in deciding the precise mix. Care is needed not to over provide very small units which can become difficult to sell. The policy should be amended to say that a good mix of house types and sizes will be sought including smaller units - when justified. If the policy on affordable housing is also amended to include in the definition low cost market housing some of these needs could be met anyway through the operation of that policy.

640 GO-East

Whenever possible policies should be presented in positive, criteria-based form, rather than in negative, or limited conditional terms. Advice about criteria is included in PPG12 paragraph 2.22-3.12. Cannot require a developer to agree the number before submitting a planning application. Whilst we would clearly encourage applicants to discuss proposals with the Council in advance, we do not see that this can be required or that planning permission can be refused if this does not happen.

Following revised wording would satisfy objection:

"On all allocated housing sites – and others which come forward for residential development which are of 0.1 hectares or more in size and capacity on which a renewal of planning permission is sought, - the District Council will seek at least 20% of dwellings to be one or two bedroom units".

1458 Ralston Purina Northern Europe/RPS Consultants

Since the Housing Needs Survey (refer to in par 3.81) is not available for public inspection it is impossible to decide whether to lodge an objection, as the basis of policy HS18 cannot be examined. Request that a copy of the survey be made available for public inspection prior to Second Deposit Draft stage.

1497 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). In principle, development could provide at least 20% of its dwellings with one and two bedroom units.

2002 Valid Aspect Limited/Birketts

The Policy is too prescriptive and unreasonable in its requirements. It unnecessarily restricts the way in which a site can be developed. The effect on smaller sites is particularly unreasonable. The Policy pays no regard to market conditions or the 'character of area' considerations. The Policy as it currently stands is unworkable.

3764 Valid Aspect Ltd/Birketts

The proposed change adds to this prescriptiveness and further limits the ability of housebuilders to meet customer requirements.

6924 Camstead Homes Limited/Taylor Vintners

The Policy is too prescriptive and inflexible on the definition of "small dwelling" contrary to the advice at paragraph 56 of PPG 3.

7831 House Builders Federation

Whilst it is acknowledged that, in general terms, a case can be made for increasing the supply of smaller dwellings in new developments, what the Council proposes is based on flawed logic and is unduly prescriptive. If there is evidence of such a need for smaller dwellings, which appears to be the case from the text of the local Plan then as a policy objective it may be appropriate to seek to achieve a higher proportion of smaller dwellings than has previously been the case. However, there is no justification for setting an arbitrary threshold of at least 20% of dwellings being 1 or 2 bedroom accommodation with internal floorspace areas of 75sq.m or less. This fails to take into account the fact that new dwellings form only a tiny proportion of house transactions, the vast majority of moves being within the existing stock. There is no evidence that the balance of dwelling mix in the existing stock has informed this policy requirement.

8785 Camstead Homes Limited/Taylor Vintners

The threshold should be "0.25 hectares or more" or "at least eight dwellings." The reference to internal floor area should be removed.

8912 Ashwell Developments Limited/FPD Savills

The Second Deposit Draft version of Policy HS18 contains a reference to a figure of 75 sq.m to define "smaller 1 and 2 bedroomed units". We consider that this to be an arbitrary figure and in any case too prescriptive for policy guidance within the Local Plan. As such, the reference to the figure should be deleted from the Policy.

Inspector's Reasoning and Conclusions

- 3.116.1 The policy has been rewritten to substantially comply with the objections from GO-East. However, see my concern about the wording of the policy above where I consider paragraph 3.83 of the supporting text.

- 3.116.2 As the Council accepts that a precise percentage will be arrived at using the most up to date information and this could change over the period of the Plan I am of the view that paragraph 3.83 of the supporting text should contain the percentage figure, not the policy. The second sentence of paragraph 3.83 should start with the words **From latest housing needs surveys the Council will seek to Subsequent surveys will determine whether this figure should change over the plan period**
- 3.116.3 Again there seems to be some disparity between the first and second paragraph of the policy. The second paragraph accepts that "site locations and other factors" may affect the precise number of small units required, but the first paragraph does not recognise this. It presumes that even on sites of 0.1 hectare able to accommodate 5 dwellings a 20% figure would always be appropriate. I consider this to be too prescriptive.
- 3.116.4 This can be overcome by omitting the percentage from the policy as I have suggested above. The first paragraph of the policy should be amended to read **a percentage of dwellings shall be...** Delete "District Council will require at least 20%" and substitute the words in bold above.
- 3.116.5 Although it may be appropriate for a large allocated site, on a small site of only 5 dwellings I consider it unrealistic to require in addition to small units, a wide mix of properties. This last sentence to the first paragraph of the policy should be deleted. The last sentence of the second paragraph of the policy should also be deleted from the policy. It is not a matter which a Local Plan policy has any control over.
- 3.116.6 From the study there is a significant need for people who need a small unit but more than one bedroom. At all ages there tends to be a significant need for small units but small units do not have the flexibility to provide for a range of needs. Objectors are concerned that an area may already have a preponderance of a small units and to provide a reasonable mix it would be unreasonable to restrict the majority of new dwellings to small units. It appears that Sudbury and Great Cornard have a shortfall of 2 bedroom and 3-bedroom stock. It

has been argued that Policy HS18 would perpetuate the deficiency in respect of 3 bedroom homes. However, this policy would not restrict the majority of housing stock only a percentage of it. The policy does imply that smaller properties are more affordable which may or may not be the case, dependent upon location.

RECOMMENDATION

Modify the Policy by

- a) deleting "District Council will require at least 20% dwellings to be" and substituting **a percentage of dwellings shall be**
- b) deleting the last sentence of the first paragraph of the policy
- c) deleting the last sentence of the policy
- d) commencing the last sentence of paragraph 3.83 **From latest housing needs surveys the Council will seek to secure etc. Add Subsequent surveys will determine whether this figure should change over the plan period**

3.117 POLICY HS19 RESIDENTIAL ANNEXES

The Objections

641 GO-East

Phrases that introduce doubt as to whether planning permission will or will not be granted should be avoid. Policies should only related to the development and use of land. Non land-use matters include statements of intention to use available powers, planning conditions, consultation arrangements or apply other policies. The form of words use to describe planning obligations or targets should recognise their voluntary basis and allow for negotiation to take account of local market conditions, site suitability and site preparation costs. Planning obligations should not be prescribed when a condition can be used.

Inspector's Reasoning and Conclusions

3.117.1 This policy on annexes was rewritten at the 2nd Deposit Draft stage to accord with the objections raised

RECOMMENDATION

Make no further modifications to the plan in response to this objection.

3.118 PARAGRAPH 3.88 LONG MELFORD

The Objections

1462 Ralston Purina Northern Europe/RPS Consultants

Par 3.81 refers to 'housing need survey'. Since this document is not currently available for public inspection it is not possible to decide whether to lodge an objection or not, as the basis for policy can not be examined. A copy of the survey should be made available for public inspection prior to the Second Deposit Draft Stage.

Inspector's Reasoning and Conclusions

3.118.1 The Housing Needs Survey 2000 is a core document to this Inquiry (CD91 and 18)

RECOMMENDATION

None

3.119 PARAGRAPH 3.90 LAVENHAM

910 Lavenham Parish Council

Historically there has been a mix of commercial/residential use outside the core identified in this policy (HS22). The Parish Council feels that HS22 is too restrictive, there should be more flexibility, HS20 properly applied should be sufficient to protect the character and residential amenity.

Inspector's Reasoning and Conclusions

3.119.1 See Policy HS22 below.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

3.120 POLICY HS22 LAVENHAM

The Objections

793 GO-East

Policy does not make sense as residential development will be permitted elsewhere.

1153 Lavenham Parish Council

Historically there has been a mix of commercial/residential use outside the core identified in this policy (HS22). The Parish Council feels that HS22 is too restrictive, there should be more flexibility, HS20 properly applied should be sufficient to protect the character and residential amenity.

1255 Mr J N Kemp

Policy is too restrictive.

1257 Mrs B A J Baker

Several properties within Water Street below Lady Street have been in commercial use. Suggest that a more flexible treatment for Water Street properties should be adopted. The proposed HS22 will then read:

Subject to there being no detrimental effect on residential amenity, the Conservation Area, listed buildings, or access and highway safety, change of use from residential to non-residential will only be permitted in Lavenham in the Market place, Lady Street, the High Street..etc.

Inspector's Reasoning and Conclusions

3.120.1 I consider that the policy as reworded makes the intention clear, to concentrate new retail and other appropriate uses in the heart of the village. It has a well defined central core. I accept that Policy H20 could be used to resist changes of use but Policy H22 is positive in that it defines an area where such change is considered to be acceptable in principle.

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.121 POLICY HS23 SPECIAL NEEDS HOUSING - New nursing, residential care, rest homes and sheltered housing

The Objections

643 GO-East

"Overly-detailed, lengthy plans are likely to lead to an increased number of objections, delay the adoption of the plan and result in more departures. The Deposit Plan includes 237 policies. National experience suggests that this is considerably more than likely to ever be used. Policies which repeat the provision of other policies,

for example the use phrases such as "development will be permitted provided it does not conflict with other policies of the Plan" are unnecessary. For the purposes of S54(a) of the Principal Act, if a policy is material to the decision it applies. Nor is it necessary to include such phrases as "as shown on the proposals map". The requirement to show proposals on a map is covered by regulation." PPGs 1 and 12 make it clear that policies should relate only to the development and use of land. Other matters should be relegated to the supporting text, supplementary planning guidance, planning briefs, planning obligations or notes for applicants, appended to planning application forms. The purpose of the local plan is to set out those matters which are likely to provide the basis for determining planning applications or considering conditions to be attached to planning permissions (see PPG12 para 3.14)). Policies which cannot be implemented through the land use planning system should not be included in local plans. The policies should include those matters which will be taken into account in land use decisions. They should not include the reason for the policy – that is the role of the supporting text. Wording such as "In order to..." should be avoided. Non Land-use matters include statements of intention to use available powers, planning conditions, consultation arrangements or apply other policies. Explanation of the circumstances in which these might be appropriate could be given in the supporting text where necessary. No justification for restriction within Use Classes Order.

6080 Mr S Waller/Carpenter Planning Consultants

The reference in Policy HS23 to large villages as defined in para 3.39 makes this policy too restrictive. HS03 defines villages with a range of facilities, which fall short of the full range of facilities. These do not coincide with the larger villages defined in para 3.39. It would be unduly restrictive to prevent development of special needs housing in those villages. For example, the residents of a sheltered housing scheme would not need primary school or employment facilities. Object to the inclusion in HS23 of references to para 3.39 and to larger villages and request that these be deleted.

Inspector's Reasoning and Conclusions

3.121.1 The objections above relate to the Plan as a whole. Although some of the criteria contained in the bullet points are covered by other policies in the plan, as it is not appropriate to cross reference I find it helpful to list the criteria in such a way that anyone reading the policy knows what is expected of them.

3.121.2 Objection 6080 - see my views at Policy HS24 below

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.122 POLICY HS24 SPECIAL NEEDS HOUSING - Change of Use to Nursing/Residential Care/Rest home

The Objections

644 GO-East

Policies which repeat the provisions of other policies are not necessary. Cross reference to other policies in the plan are not necessary. Also do not include phrases that are covered by regulation.

1076 Hadleigh Town Council

The Council support Policy HS24 to permit a change of use to nursing/residential homes and realises that these new businesses will often be located within established residential areas. It believes that in such cases there should be protection for the local community if the home fails, to prevent that business use being transferred to another business whose activities would be wholly unsuited to a residential area. Some suitable form of wording needs to be added to prevent this type of problem for the future.

6078 Mr S Waller/Carpenter Planning Consultants

The introduction of the requirement that sites be within towns or larger villages is unnecessarily restrictive. Para 3.39 defines larger villages, which by cross reference to policy HS03 are those with a full range of facilities, including employment and education facilities. Policy HS03 also defines villages which contain facilities but fall short of the full range. As the occupiers of nursing or residential care homes would not need the full range of facilities such as educational or employment facilities, it would be unreasonable to prevent such development within villages which do not have a full range of facilities. Object to para 3.39 and to the reference in policy HS24 to larger villages and to para 3.39 and request that these be deleted.

Inspector's Reasoning and Conclusions

3.122.1 Although there are similarities between Policies HS23 and HS24 I believe it is appropriate to keep them separate as one deals with new development and the

other changes of use. There are no cross references between the two.

- 3.122.2 Concerns about failing businesses and subsequent changes of use would be a matter for a planning condition or if necessary a planning obligation. The Use Classes Order is intended to give some flexibility between uses. The Council would need to have a good reason to take away those rights, as uses within the same class are deemed to have a similar kind of impact on the locality.
- 3.122.3 The policy restricts such changes of use to larger villages, which are defined in paragraph 3.39. However, although these large villages are defined they are not all fully sustainable under Policy HS03 as some lack say, employment. Changes of use would not therefore be restricted to those villages with a full range of facilities. I do not consider smaller villages would be sufficiently sustainable to meet the needs of staff and others visiting the premises.

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.123 PARAGRAPH 3.94a LOW IMPACT HOUSING

The Objections

3756 Mr A Cotton

Supports the principle of the amendments to 3.94a but is concerned that in the light of this implementation of HS25 is now inconsistent with the approach to local needs housing.

Inspector's Reasoning and Conclusions

3.123.1 This paragraph and the following policy is related to low impact housing and not local needs housing. I do not find any inconsistency between the two forms of housing.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.124 POLICY HS25 LOW IMPACT HOUSING

The Objections

645 GO-East

Phrases that would introduce doubt as to whether planning permission will be granted should be avoided.

Policies are implemented by different authorities and should therefore not include phrases such as 'the District Council'.

Policies should only refer to the development and use of land. Non-land use matter include statements of intention to use available powers, planning conditions, consultation arrangements or apply other policies. Where necessary these can become part of supporting text.

1382 Suffolk Coast & Heaths Project

Amend Policy HS25 so that low impact housing of the highest quality which also fits with the general policies and design principals for housing in the countryside will be considered in designated landscapes within the Babergh area.

3757 Mr A Cotton

Repeats what par. 3.94a is already saying . . . that such development will inter alia, be small scale, unobtrusive and will protect wildlife and enhance biodiversity.

Inspector's Reasoning and Conclusions

3.124.1 The phrases relating to the District Council have been deleted. A design criterion has been added to the supporting text. Low Impact housing is already a concession on development in the countryside. I consider designated landscapes warrant greater protection from development.

RECOMMENDATION

Make no modification in response to these objections

3.125 PARAGRAPH 3.97 TRAVELLERS

The Objections

2594 Nayland with Wissington Parish Council

Travellers. The occupation in Nayland of three sites at different times for 12 months indicates that there is a need for a permanent

site somewhere within Babergh. All sites have been within the AONB but no action has been taken by Babergh to remove them.

Inspector's Reasoning and Conclusions

3.125.1 From the explanation given in the supporting text I see no reason why a criteria based policy should not be used. The provision of gypsy sites is a county wide problem not related to a particular local area..

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.126 PARAGRAPH 3.100 STRUCTURAL LANDSCAPING

The Objections

7835 House Builders Federation

Circular 1/97 states that maintenance payments should not be required in perpetuity. A period of 10 years is akin to 'in perpetuity' and is so considered excessive. It is also apparently arbitrary as it is nowhere justified in the plan of the appendix. The reference to 10 years should be deleted from the paragraph. Instead maintenance should be sought for no more than 5 years from the date the obligation was entered into which equates to the 'relevant period for the discharge of obligations' referred to at paragraph C4 of 1/97.

Inspector's Reasoning and Conclusions

3.126.1 I consider there is a need to ensure the long term establishment of structural planting and landscaping and in some cases it is unlikely that 5 years would be sufficient. However, I am of the view that it is not necessary to specify 10 years in the supporting text as each scheme would need to be negotiated on its own merits dependent upon details of the landscaping scheme.

RECOMMENDATION

Modify by deleting "10 years" from paragraph 3.100

3.127 POLICY HS27 STRUCTURAL LANDSCAPING

The Objections

647 GO-East

Policies which repeat the provision of other policies, cross-references to other policies in the plan and phrases covered by regulation are unnecessary. Also, phrases that introduce doubt as to whether planning permission will be granted or not, should be avoided.

Policies are implemented by different authorities and should therefore not include phrases such as 'the District Council'. Policies should only refer to the development and use of land. Non land-use matter include statements of intention to use available powers, planning conditions, consultation arrangements or apply other policies. Explanation of the circumstances in which these might be appropriate could be given in the supporting text where necessary.

1499 Mr A Gordon/Fenn Wright

Regarding proposed development at East Bergholt, land off Orvis Lane (Rep no 1478). Prepared to undertake structural landscaping as part of any development.

1918 Bellway Homes Ltd

It is unnecessary that a proposed site:

- needs to include planting compatible with biodiversity characteristics of the locality.
- need to be within specific range of widths
- have long term maintenance funded.

What is 'local' in biodiversity terms? Are developers expected to undertake ecology survey of an undefined area if they proposed to develop a site lacking any notable ecological content? Policy should read -'..and which provides the opportunity to enhance the site's biodiversity'. Policy is too prescriptive and does not allow particular circumstances of a site to be fully appreciated and should be omitted. Also, what is 'long term' and why should a developer continue to pay for maintenance after planting has been established. Policy should read:

'financial provision for the maintenance of landscaping up to a five year period after planting.'

7834 House Builders Federation

Para 3.100 considers the long-term management of structural landscaping schemes and now specifies a period of 10 years. Policy HS27 states that sites will need to be secured in a way which retains the landscaping in perpetuity for the public benefit except where circumstances do not warrant such protection. Circular 1/97 deals with the matter of maintenance payments and states that these should not normally be sought. The exceptions being for small areas of open space, recreation facilities, children's play

space, woodland or landscaping principally of benefit to the development itself rather than the wider public. The distinction must be drawn in any negotiation for commuted maintenance payments i.e between amenity provided for the development itself rather than the wider community.

Inspector's Reasoning and Conclusions

3.127.1 Although structural landscaping is important it is one of a range of factors to be negotiated and assessed at the planning application stage. It seems to me that the policy is on the one hand over prescriptive and on the other hand merely lays down issues which would be part of the normal negotiation process for sites. The 1st, 2nd, and 4th criteria would be likely to be considered by the Council whether structural landscaping was involved or not. The range in the 3rd bullet point is so wide that it provides little in the way of guidance. Structural planting would usually be outside of private gardens but there have been occasions where to obtain a soft edge to development and avoid a sharp definition between gardens and woodlands such planting has extended into private gardens. There are a range of policies in the Plan which will guide the development control process and I am of the view that Policy HS27 is unnecessary. If the Council wishes to draw attention to all or some of the criteria listed in the bullet points they could be included in the supporting text, although some are already covered in paragraph 3.100.

RECOMMENDATION

Modify the Plan by deleting Policy HS27

3.128

B.D.C. is proposing a change to Glossary Appendix 5 Pre-Inquiry Change 62 to include

LEAP = Local Equipped Area for Play.

NEAP = Neighbourhood. Equipped Area for Play.

The Objections

None

3.129 POLICY OR TEXT OMISSIONS

The Objections

48 RPS Consultants

Concerned that the Cornard Mills site was not included as a mixed residential/ employment scheme shown within the First Deposit Draft. It was understood that the Local Plan Task Group had accepted the proposed redevelopment of the site and it is not clear why the council has had this change of heart.

69 Mr K R Phillips

There is an immediate need for 5 or 6 small bungalows for 'older' residents to buy. However, a total of some 20-25 other types of properties would also be needed for first time buyers to sustain the local amenities currently enjoyed in Bentley.

143 Bentley Parish Council

The Parish Council requests a Plan amendment to include the allocation for some Small scale development to incorporate the provision of 5 or 6 bungalows with two bedrooms suitable for elderly residents who wish to remain in the village. Also see representation 144 - related.

144 Bentley Parish Council

Request to include the allocation of land for some small scale development that will enable up to 6 'First Time Buyers' properties to be built with a restriction regarding further extension. Also see representation 143 - related.

255 Mr and Mrs M E Read

Object to the omission of the village built-up area boundaries from the plan and urge the Council to review the built-up area boundaries now and include them in the plan. Also propose an amendment to the built-up area boundary of the village of Lt. Waldingfield.

314 Miss E J Layton

Object to any more development and houses being built in Brantham. New houses will add to the existing traffic problems. Public transport is infrequent and expensive which will also result in more cars being used.

359 Redbourne Ltd/Earl and Lawrence

Suggest that sites exist in Brantham. Land to the West of the A137 is available which would provide flexible housing provision in both numbers and type. It would also provide land for a relief road for the settlement if this proposal were to be reactivated.

435 Mr N Sillett/Gordon Terry Chartered Town Planning Consultant

A review of built-up area boundaries should ideally form part and parcel of the current Local Plan Alteration.

893 Ganges Shotley Community Committee

Object to the omission of an allocation for the future development of the former HMS Ganges site in the Parish of Shotley. A survey found widespread support for a mix use development rather than solely for housing. By omitting the site from the Plan lays it vulnerable to development that may be inappropriate to its location and history.

947 Haylink Limited Haylink

Haylink Ltd object to policy HS09 since it does not include the HMS Ganges site at Shotley Gate as a brownfield site for housing development.

951 Shotley Parish Council

Object to the omission of the former HMS Ganges site in Shotley Gate from the list of brownfield sites. The site (16.125 ha) has been the subject of outline planning applications since the mid 1980s and the Parish Council feels that a policy should be promulgated concerning its eventual development.

1112 Greenways Project

Propose the inclusion of the grazing marsh meadows from Foxes Boatyard through to the Orwell Bridge and beyond with the open space designation in the Bourne Hill area. (To facilitate access to the estuary for appropriate quiet recreation.)

1113 Greenways Project

Propose the inclusion of Bourne Bridge Grassland (County Wildlife Site) - between Bourne Bridge and the railway line with the open space designation in the Bourne Hill area. (To improve links to BBP and protect the County Wildlife Site).

1114 Greenways Project

Propose the inclusion of the Ostrich Meadows between the railway line, Belstead Brook and the sewage treatment works with the open space designation in the Bourne Hill area. (To improve links through BBP and investigate creation of National Biodiversity Action Plan Target Habitat - Reedbed).

1115 Greenways Project

Propose the inclusion of Braky Wood - between the Ostrich Meadows, the railway and Bobbits Lane bridleway with the open space designation in the Bourne Hill area. (To improve access through BBP and continue woodland management).

1014 Hadleigh Town Council

The Local Plan policies covering 'significant' new development should be extended to address the provision of adequate public services especially local schooling and health services.

2058 Mr I Miller

There is no provision in the Plan for the housing of young local people in East Bergholt.

2059 Mr I Miller

Wherever possible, when land is zoned for open market housing, then some opportunity should be created for local needs housing.

H M Prison Service/Paul Dickinson and Associates

The Prison Service has identified Babergh District as an area of strategic importance for additional prison places. Although the Prison Service has certain locational requirements for a new prison, it also recognises that no one site is likely to satisfy all the criteria. Would like to know the opportunities to identify a site for a new prison as part of the review of the Local Plan.

2127 ICI Corporate Real Estate/Boyer Planning

The Local Plan should identify an opportunity area for sustainable new development at Brantham on the Proposals map, and the Local Plan should contain a commitment from the District Council to work with landowners and interested parties to devise a development strategy for the area.

2139 Mr J F Tinworth

The government Rural White Paper stated a strategy 'that Rural Housing need is properly identified'. A member of an EEC stated that all member states would be required to provide an allocation of European Housing to facilitate ease of movement in employment.

2140 Mr J F Tinworth

There is no written evidence for Housing need in this region.

2277 Suffolk County Council

It is considered helpful to show existing housing allocations and reserved school sites on the proposal maps for reference. Reserved school sites include Hadleigh Aldham Mill.

2278 Suffolk County Council

2279 Suffolk County Council

It is considered helpful to show existing housing allocations and reserved school sites on the proposal maps for reference. Reserved school sites include West Mill Green, Bentley and Belstead, Cottingham Road.

2627 Persimmon Homes (Anglia) Ltd/Boyer Planning

Fails to include a table of housing numbers as anticipated from new/existing Housing Allocations, thus failing to provide proof of the Plans ability to achieve identified housing /population growth in accordance with the Suffolk Structure Plan. A housing allocation table should be included.

Inspector's Reasoning and Conclusions

- 3.129.1 The Council does not appear to have changed its mind about the Cornard Mills site (Objection 48). At the time of the Inquiry I understood that a mixed use scheme was being negotiated through the development control process.

- 3.129.2 Bentley is a small village with few facilities. It is not a sustainable village under Policy HS03 where development other than infilling would be permitted. Development of any scale would be directed towards the larger villages where there are a range of existing facilities. If there is a proven local need for affordable or special needs housing this could be dealt with as an exception under Policy HS06. A development of 25 houses would normally be dealt with by means of an allocation in the plan and there is no justification for such a scale of housing in an unsustainable village.
- 3.129.3 Built Up Area Boundaries were included in the plan at the 2nd Deposit Draft stage. Any extensions to the BUAB's have been dealt with throughout this chapter on their own merits.
- 3.129.4 Where specific objections have been received in respect of sites in Brantham I have dealt with them elsewhere in this chapter
- 3.129.5 The ICI site has been the subject of a conditional withdrawal. A mixed use scheme has been agreed between the parties and I have recommended the acceptance of a revised Inset 13 and an amended area covered by EM02e in the Employment Chapter of the Plan.
- 3.129.6 It seems to me that the open space designation proposed by the Greenways Project is to enable improved access to be provided. The sites in themselves are already well protected. I have no detailed evidence before me from the Council about the need for improved access or how it would be brought about. Without this information I am unable to assess the merits of an open space designation. The proposal for Bourne Hill did include a country park. I have dealt with the objections in respect of that site at Policy HS09T.
- 3.129.7 The range of services required to support new development are covered by Policy LP01 and through the development control process
- 3.129.8 An allocation of European Housing is not, as yet, a requirement of a Local Plan

- 3.129.9 It seems to me that the Prison Service has merely identified Suffolk *Districts*, not specifically Babergh as a priority area of search. This is an extensive area. Unless the Council is fully aware of the specific needs of the prison service, which I consider would in the first instance be a strategic matter to be determined in conjunction with the County Council. That authority would need to assess the impact on the surrounding economy and the contribution from the prison to urban or rural regeneration within the County as a whole. Without such guidance it would be inappropriate to attempt to include a general policy of intent in the Plan.
- 3.129.10 As planning permission has already been granted for housing on the HMS Ganges site and at the time of Inquiry I was told that a revised mixed use scheme was the subject of a planning application, an allocation at this late stage would not appear to be necessary. The proposal could proceed under development control procedure on the basis of a masterplan or development brief if required.
- 3.129.11 A series of Inset maps show allocations. Whether it would be necessary to show reserved school sites would depend on whether the sites need to be protected from other forms of development. If so I am inclined to agree that it would be helpful if such sites were shown but I as I am not aware of the full circumstances I leave this for the Council to determine.
- 3.129.12 I consider that the Urban Capacity Study (CD41) and the Housing Topic Paper (CD91) provide the information required
- 3.129.13 Other objections raised above, either general or specific, have been dealt with throughout this chapter when I have considered particular villages and their housing needs, and the wording of housing policies in the Plan.

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.130 MISCELLANEOUS

The Objections

70 Mr K R Phillips

Towns do not have all the answers for Sustainability. For example many people that live in Sudbury or Hadleigh commute to other towns for employment but more houses will not prevent commuting. Any mention of 'Sustainability' should be deleted from the Local Plan.

125 Mr J D Giles

Does not want to see any development until the by-pass is built to take some of the traffic strain away from Sudbury and district.

126 Mr J D Giles

The recent boundary changes at Little Cornard have not been fully explained. Most Local residents are of the opinion that this is merely a ploy to placate the Rugby Club.

393 Miss B M G Winter

New houses mean more people so before sanctioning new housing consideration should be given to hospital availability, sufficient medical staff, including GP's, increasing the number of police on the streets and reinstating fire officers. These services cannot cope now and since every new house means at least two more people these services will completely break down and people will suffer at the expense of bricks and mortar.

396 Miss B M G Winter

Providing the existing open spaces are well maintained and lit I cannot see a problem. Of course, if local councils decide to use these spaces for house building that is a different matter: see Sudbury football/rugby ground and Bury St Edmunds football ground as potential sites at risk. It should also be borne in mind that more people, more business, equals more rubbish and more landfill sites, therefore less green areas.

2132 Mr J F Tinworth

The objector suggests that National Statistics indicate that there are adequate numbers of homes in the country to meet the needs. The temptation to build in order to meet a local and temporary economic bulge should be avoided.

2133 Mr J F Tinworth

There is past evidence to consider from previous development in areas surrounding London. May be that the relationship to London has not yet been considered? It used to be 'Green Belt protection and would not therefore affect us', but what is happening to Green Belts?

2141 Mr J F Tinworth

There is no evidence for a Housing Need in the region. Need to know more about growth proposals before accepting such.

4425 Mrs E M Brotherwood

According to the recent Babergh Matters, 46.4% of houses in the area are inadequate and 2.3% are vacant.

Why not bring these up to standard and fill the vacant ones before building more?

Inspector's Reasoning and Conclusions

- 3.130.1 Sustainability is a key factor in government policy and allocations for housing and employment both urban and rural are based on sustainability principles. It would be illogical to delete such references from the plan
- 3.130.2 I have dealt with the Chiltern Mixed use proposal in the Chilton Chapter of the Plan.
- 3.130.3 Objections 126, 393 and 4425 are not directly related to Local Plan policy. Future housing requirements for the district are determined through the Structure Plan and their location on the basis of housing surveys and site appraisals.
- 3.130.4 There are policies in the plan to protect existing open spaces and recreational facilities, and to ensure that more are provided in connection with development if required. No particular change to the Plan is requested for me to consider.
- 3.130.5 There have been numerous studies which indicate local housing needs. The Structure Plan review, Housing Needs Surveys (CD92) and Urban Capacity Study (CD41)
- 3.130.6 The Metropolitan Green Belt was introduced many years ago to provide a wide belt of several miles to avoid the spread of London into adjoining countryside. Babergh is well outside that belt and relies on other strict controls over development in the countryside to protect the landscape.

RECOMMENDATION

Make no modification to the Plan in response to these objections.