

Ref: GA/EW/03415/L0016

30<sup>th</sup> August 2016

Sent by email to [suffolkcoastallocalplan@eastsoffolk.gov.uk](mailto:suffolkcoastallocalplan@eastsoffolk.gov.uk)

Mrs H Hanslip  
Planning Policy and Delivery Team  
Suffolk Coastal District Council  
Melton Hill  
Woodbridge  
Suffolk  
IP12 1AU

Dear Mrs Hanslip

**Representations to the Leiston Neighbourhood Plan Submission Stage Consultation  
Regulation 16  
On behalf of Hopkins Homes**

I write on behalf of our client, Hopkins Homes, to provide representations to the submission version of the Leiston Neighbourhood Plan (LNP) prepared by Leiston Town Council and published under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

This letter also provides a response to Leiston Town Council's statutory consultation letter dated 13<sup>th</sup> June 2016 in which concerns were raised to the timing, extent and cumulative impact of proposals for residential development currently under consideration in Leiston, including Hopkins Homes' application on land to the south of Red House for 188no. dwellings (reference DC/16/1684/FUL). A response is also provided to the Town Council's comments contained in their letter of 14<sup>th</sup> June 2016 specifically in relation to the Hopkins Homes application in terms of its use of the previously proposed Reserve Site and highways impact.

**Leiston Neighbourhood Plan Housing Strategy**

It is common ground that over the next Local Plan period, further development will be required in Leiston on greenfield land outside of the existing settlement boundaries and we welcome the LNP recognition of this and the positive efforts it makes to allocate housing sites. We also welcome the LNP's recognition of land south of Red House Lane as a suitable and developable site (Policy SA2) for 70 dwellings which can assist in meeting the Neighbourhood Plan's objectives. The amendment to the Policy from the Regulation 14 stage to refer to financial contributions being sought towards the improvement of nearby footpaths and cycle ways is also supported.

However, we maintain our previously expressed concerns that the Neighbourhood Plan as currently drafted is failing to meet the "basic conditions" of a Neighbourhood Plan, as set out in law<sup>1</sup> following the Localism Act 2011

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<sup>1</sup> Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

in that it makes inadequate provision for new housing for Leiston as a result of the removal of the Reserve Site at South East Leiston which will restrict sustainable development, contrary to national policy.

The LNP is of fundamental importance given it will be responsible for the allocation of housing sites in the context of Suffolk District Council's decision to delegate such process to areas where Neighbourhood Plan designations exist, regardless of the progress made.

The District Council's Site Allocations and Area Specific Policies Plan (April 2016) currently subject to Examination has been drafted on the basis of the now out of date Core Strategy housing figure of 7,900 dwellings which the Core Strategy Inspector considered, even at the time of adoption in 2013, to fall substantially short of the objectively assessed housing need (OAN) of the District. The Core Strategy was found sound only on the commitment to an early review which has not occurred.

Against this outdated housing figure, the submitted Site Allocations and Area Specific Policies Plan identifies that Leiston is expected to accommodate the bulk of the housing requirement for the sustainable Market Towns, with new allocations for some 400 dwellings necessary. However, as drafted, the LNP provides for four residential allocations amounting to some 390 dwellings, below the 400 suggested by the District Council, a figure which will undoubtedly rise significantly given the need for the District's full objectively assessed housing need, as well as a proportion of Ipswich Borough Council's unmet need, to be met.

The LNP December 2015 Sustainability Appraisal (SA), the role of which is promote sustainable development, provides no assessment of an option for more growth than the emerging Local Plan's proposed suggestion of 400 dwellings. Given the upward pressure being applied to the housing target for the District, it cannot therefore be considered a robust or justified approach for the LNP and SA to not have assessed the possibility of accommodating more dwellings than currently proposed.

In this respect, a recent update to the national Planning Practice Guidance<sup>2</sup> has emphasised the importance that where a Neighbourhood Plan is brought forward in advance of an up-to-date Local Plan is in place (as is the case here), the qualifying body and the local planning authority must work together to produce complementary Plans with up-to-date housing needs evidence used and that reserve sites should be allocated to ensure that emerging need is addressed. This can help minimise potential conflicts and ensure that policies in a Neighbourhood Plan are not overridden by a new Local Plan.

In light of the above, it is clear that the LNP should seek to deliver a higher proportion of housing to enable flexibility in housing provision in order to make it more robust and ensure that the full objectively assessed housing need can be planned for. This is categorically required by the NPPF (paras 14 and 47) and advised in the PPG<sup>3</sup> which states that *"neighbourhood plans should deliver against the objectively assessed evidence of needs."* Furthermore, paragraph 184 of the NPPF states that Neighbourhood Plans should not promote less development than set out in the Local Plan or undermine its strategic policies.

Accordingly, and in response to Leiston Town Council's letter of 14<sup>th</sup> June 2016, it is considered entirely justified to reinstate the previously proposed Reserve Site at South East Leiston (150 dwellings) as part of Policy SA2 in order to assist in the delivery of growth that will be expected to be accommodated in Leiston over the Plan period.

The inclusion of the Reserve Site would result in a far more robust Neighbourhood Plan which would be effective in providing greater certainty for the residents, developers and the Council about growth in Leiston, avoiding future vulnerability to speculative development or pressure for an early review. A larger allocation would also enable a more sustainable form of development which is capable of providing more meaningful benefits for the local community.

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<sup>2</sup> PPG ID: 41-009-20160211

<sup>3</sup> PPG ID: 3-040-20140306

### **Suitability and benefits of the South East Leiston Reserve Site and response to Leiston Town Council letter of 14<sup>th</sup> June 2016**

The Hopkins Homes application (reference DC/16/1684/FUL) currently under consideration for 188 dwellings, which incorporates the Reserve Site, has demonstrated that it is available, suitable, achievable, viable and therefore deliverable for this number of dwellings and would contribute to the achievement of sustainable development.

It has been established through the consideration of the application that the site provides an opportunity for a high quality, well designed scheme which can be delivered in a manner that has regard to and responds positively to the site constraints and would not cause harm to landscape character, ecological interests or any other interests of acknowledged importance. There have been no objections from statutory consultees in this respect.

The site has previously been assessed as being suitable for residential development in the Council's 2014 SHLAA (reference 1004 with an indicative capacity of 189-295 dwellings). Housing development on the site would represent a logical expansion of the town within convenient reach of local facilities and access to public transport and would facilitate continued sustainable housing growth which is currently being delivered on the adjacent Phase 1 Hopkins Homes development.

The application has been submitted in full and Hopkins Homes, as the largest independent housebuilder in the District, are fully committed to building out the scheme themselves upon receipt of planning permission at the earliest opportunity as a second phase to the 119 dwellings already underway and partly occupied on the adjacent site. Accordingly, the scheme can deliver housing quickly in Leiston which will boost the supply of market and affordable housing in the District and thereby achieve one of key objectives of the LNP. The development would also serve to meet other LNP objectives such as an improvement to local infrastructure through CIL payments, a boost to the local economy through increased use of local shops and services and the provision of enhanced footpaths and a cycle path to improve movement by non-car modes.

The SA has assessed the reserve site (Site E) and considered it positively in all regards, namely its ability to provide housing, its limited landscape impact, the opportunity to provide green open space to serve residents and the wider community and the ability to contribute towards the improvement of the footpath which provides access to nearby schools. The only possible/slight negative scores relate to the site being agricultural land in the countryside, which is consistent with all but one of the selected allocations.

In response to the Town Council's concern raised to the current planning application in their letter of 14<sup>th</sup> June 2016 that only one vehicular access is proposed to the site, Hopkins Homes have agreed to amend the plans to provide an additional access with traffic calming measures via the Phase 1 development and revised plans will be formally submitted shortly. Suffolk County Council Highways have not indicated that any improvements are necessary to the Aldeburgh Road junction.

In light of the above, the LNP should be taking the opportunity afforded by the submitted proposals and the positive assessment of the site in the SA to support the allocation of a larger site at Red House Lane.

### **Cumulative impact of current Leiston housing applications and response to Leiston Town Council letter of 13<sup>th</sup> June 2016**

In their letter dated 13<sup>th</sup> June 2016, Leiston Town Council raised significant concerns to the timing and extent of planning applications now submitted in the town in terms of their cumulative impact.

Planning applications have been submitted on all sites identified for allocation in the LNP, two of which, including the Red House Lane site exceed the housing numbers suggested. These applications are DC/16/1961/OUT (Saxmundham Road), DC/16/2104/OUT (St Margaret's Crescent), and DC/16/1322/OUT (Abbey Road).

In response, during June 2016 Suffolk Coastal District Council issued separate opinions that all four applications would be likely to have a significant impact upon European designated sites within 8km, highway capacity and

air quality and would therefore represent EIA development. However, the applicants for the application relating to land east of Abbey Road, Leiston subsequently sought a Screening Direction from the Secretary of State which was issued on the 11<sup>th</sup> July 2016 and is attached at **Appendix 1**. The Secretary of State's letter directs that those proposals are **not** EIA development and makes clear that *"the cumulative impacts of this proposal, when taken together with other proposals approved or under consideration, would not be of such significance that an EIA would be required."*

As a result of the Secretary of State's Direction, Suffolk Coastal District Council issued revised opinions for all four sites in July 2016 confirming that they would not in combination be likely to result in impacts of a magnitude so as to necessitate EIA. Notwithstanding this, the Council has requested that the cumulative impacts arising from all proposals in Leiston are assessed on habitats, highways, air quality and drainage and additional work is being undertaken in this respect as summarised below:

### ***Highways***

Assessments have been undertaken on several key junctions in the town and the B1121/B1119 Church Street junction in Saxmundham. This has confirmed that the cumulative application developments, when considered with existing commitments would have limited impact and the junctions would operate within capacity. Whilst there would be some impact on the B1069/Waterloo Avenue signalised junction, Suffolk County Council Highways have confirmed that this is not at a level which would be considered "severe" in the context of the NPPF and that a junction improvement scheme can be delivered through financial contributions to enable the conversion of the traffic lights to a MOVA system. A consultation response from SCC Highways confirming this position is attached at **Appendix 2**.

### ***Drainage***

A Joint Position Statement produced by Anglian Water (AW) Services and the Environment Agency (EA) on the catchment of the Leiston Water Recycling Centre (WRC) has now confirmed that there is sufficient capacity to accommodate the proposed Local Plan growth in Leiston with surplus capacity for further windfall sites. The formal response is attached at **Appendix 3**.

### ***Designated Habitats***

It has been agreed that the four proposed developments will work to a common scope in order to mitigate for anticipated cumulative impacts on European sites. This will include a package of mitigation measures including a per dwelling financial contribution, the provision of information packs to residents, impact monitoring and on site green infrastructure.

As such, it is considered that the concerns raised by the Town Council in their letter of 13<sup>th</sup> June 2016 have been appropriately addressed.

### **Proposed Policy Change**

The above has demonstrated that there is no impediment to Leiston being able to accommodate a higher proportion of housing than currently envisaged in the LNP and that the South East Leiston Reserve Site represents a suitable and deliverable site which should be included in the LNP to provide flexibility in the circumstances. This would result in significant material benefits to the town and enable the Neighbourhood Plan's objectives to be met for example by providing high quality housing, including affordable housing for the Parish and surrounding areas, the generation of new physical infrastructure, improvements to community infrastructure and a boost to the economy of Leiston.

Policy SA2 should therefore amended to read as follows:

#### ***Policy SA2: Land at Red House Lane***

*Planning permission will be granted for residential development of **up to 220 dwellings** on **2.8** hectares of land at Red House Lane subject to the following criteria:*

- retention of the existing unofficial footpath along the western boundary; and*

- *the introduction of landscaping on both the eastern and southern boundaries of the site to ensure that the development does not have an unacceptable impact on the adjacent open countryside; and*
- *the adequate provision of Sustainable Drainage Systems (SUDS); and*
- *the provision of appropriate vehicle access into the site from Red House Lane; and*
- *any necessary highway improvements at the junction of Red House Lane and the B1122 (Aldeburgh Road) and the widening of the carriageway and provision of a footway as appropriate on the northern boundary of the site.*

*Contributions will be sought towards the provision of an improved footpath along the existing public right of way to the north of the site, providing access to Alde Valley School, Leiston Primary School and to King George's Avenue. This will be either through the Community Infrastructure Levy or via a Section 106 agreement, as appropriate.*

### **The Presumption in Favour of Sustainable Development**

Suffolk Coastal District Council's recent assessment that there exists a 6.1 year supply of deliverable housing land<sup>4</sup> issued for the Site Allocations and Area Specific Policies Plan Examination Hearing Sessions is based upon the outdated Core Strategy housing figure of 7,900 dwellings and a 5% buffer which was criticised by an Inspector in a recent appeal in the District.<sup>5</sup> Here, the Inspector considered that there is a less than 3.7 years supply when assessing the supply on any realistic prediction of what an OAN for the District is likely to be with a 20% buffer due to persistent under delivery. As such the District's relevant policies for the supply of housing must be considered out of date.

In this respect, the Woodcock Judgement<sup>6</sup> found that housing supply policies in Neighbourhood Plans, whether they are already adopted or in draft form, are also considered to be out of date where an authority cannot demonstrate a 5 year supply of deliverable housing land and the presumption in paragraph 14 of the NPPF would apply to a decision at that stage whether to grant planning permission. Furthermore, in a recent appeal decision, the Secretary of State<sup>7</sup> confirmed that a made Neighbourhood Plan was out of date due to the lack of a 5 year housing land supply and afforded limited weight to it. In the same decision, a further Neighbourhood Plan, which covered part of the site and had completed consultation under Regulation 16, was also given only limited weight by the Secretary of State. This was on the basis that the Plan had not reached an advanced stage of preparation, with potential for significant objection, and was yet to be critically assessed against the policies in the Framework.

In light of the above, as previously suggested in our representations to the Regulation 14 submission, it is considered that a Policy should be included in the NLP which reflects the NPPF's presumption in favour of sustainable development. In particular, for decision taking such a Policy will need to provide for the granting of planning permission where the plan is absent, silent or relevant policies are out of date and should read as follows:

#### ***Policy SD1: The Presumption in Favour of Sustainable Development***

*Planning applications which accord with the policies of the Neighbourhood Plan and the development plan will be approved by the local planning authority, unless material considerations indicate otherwise. Planning permission will also be granted where relevant policies in the Neighbourhood Plan are out of date or silent unless:*

- *Other relevant policies in the development plan for Suffolk Coastal District Council indicate otherwise;*
- *Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against policies in the NPPF taken as a whole;*
- *Specific policies in the Framework or other material considerations indicate that development should be restricted.*

<sup>4</sup> SCDC Housing Land Supply Assessment, August 2016

<sup>5</sup> Land at Fairfield Road, Framlingham. Appeal Ref: APP/J3530/W/15/3011466. 25th April 2016

<sup>6</sup> Woodcock Holdings Limited v SoS and Mid-Sussex District Council [2015] EWHC 1173 Admin dated 1 May 2015

<sup>7</sup> Land north of Birchen Lane, Haywards Heath, West Sussex, APP/D3830/W/15/3137838

**Conclusion**

Hopkins Homes welcome the provision of a Neighbourhood Plan for Leiston and the proactive and positive approach taken by the Town Council to identify land for new housing, including Site SA2 at Red House Lane. However, as currently proposed, the draft LNP is considered to make provision for an inadequate level of housing, does not contribute to the achievement of sustainable development and is therefore failing to meet the most fundamental objective of plan-making. Without the amendment as suggested to include the previously proposed Reserve Site as part of Policy SA2, the current LNP is not considered to meet the "basic conditions" as set out in law. The concerns raised by Leiston Town Council in their statutory consultation letters in respect of the Hopkins Homes application itself and the cumulative impact of the others currently under consideration are considered to have been satisfactorily addressed.

We trust that our comments will be duly considered. Should you have any further queries then please do not hesitate to contact me.

Yours sincerely

Geoff Armstrong

**Director**

**Armstrong Rigg Planning**

# **APPENDIX 1**

**Abbey Road, Leiston Secretary of State Screening Direction**



Department for  
Communities and  
Local Government

**Please  
ask for:** Lorraine Gamble

Mr Alex Ground  
Russell-Cooke LLP

**Our ref:** NPCU/EIAScrJ3530/76791

11 July 2016

Dear Mr Ground

**Request for a Screening Direction  
Town and Country Planning (Environmental Impact Assessment) Regulations  
2011 as amended  
Land at Abbey Road, Leiston, Suffolk – Application number DC/16/1322/OUT  
Proposal for: Residential development of up to 100 dwellings with employment  
floor space and public house/restaurant with associated vehicular access,  
parking, infrastructure and amenity space**

I refer to your request, made on behalf of your client, dated 21 June 2016, made under 5(7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011(S.I. 2011/1824) as amended (S.I. 2015/660) ("the 2011 Regulations") for the Secretary of State's screening direction on the matter of whether or not the above development is 'EIA development' within the meaning of the 2011 Regulations.

The above development falls within the description at paragraph 10b – urban development projects of Schedule 2 to the 2011 Regulations. The Secretary of State notes that the development site is not located in a sensitive area.

In making his decision, the Secretary of State has noted that the development falls below the criteria and thresholds outlined in Schedule 2 – 10b urban development projects. This due to the fact that:

- i) The development does not include more than 1 ha of urban development which is not dwelling house development - the actual total amount of urban development which is not dwelling house is 1,770 sqm or 0.17 ha.



- ii) The development does not include more than 150 dwellings – the actual number of houses proposed is up to 100.
- iii) The overall area of the development does not exceed 5 ha – the actual overall area of the development is 3.94 ha.
- iv) The development site is also not located in a sensitive area.

Having also taken into account the selection criteria in Schedule 3 to the 2011 Regulations the Secretary of State does not consider that the proposal is likely to have significant effects on the environment, see the attached written statement which gives the reasons for direction as required by 4(7) of the EIA Regulations.

Accordingly, in exercise of the powers conferred on him by regulation 6(4) of the 2011 Regulations the Secretary of State hereby directs that the proposed development described in your request and the documents submitted with it, **is not 'EIA development'** within the meaning of the 2011 Regulations.

Any permitted development rights which your client's proposal may enjoy under the Town and Country Planning (General Permitted Development) Order 2015 (SI 596) as amended are therefore unaffected.

You will bear in mind that the Secretary of State's opinion on the likelihood of the development having significant environmental effects is reached only for the purposes of this direction.

I am sending a copy of this letter and the written statement to Suffolk Coastal District Council.

Yours sincerely

**Lorraine Gamble**  
**Planning Casework Manager**  
(With the authority of the Secretary of State)

Town & Country Planning (EIA) Regulations 2011  
**Secretary of State Screening Direction – Written Statement**

Application name:	Land at Abbey Road, Leiston, Suffolk
SoS case reference:	NPCU/EIAScr/J3530/76791
Schedule and category of development:	This development falls below the thresholds outlined in Schedule 2 for a 10b urban development

**Full statement of reasons as required by 4(5)(a) of amended EIA Regulations including conclusions on likeliness of significant environmental effects.**

The site consists of 3.7 ha of vacant agricultural land. The Council considers that the land is not of high agricultural quality – the grade of the land is not stated. The market town of Leiston is located to the south of the proposal therefore the development would be seen in the context of existing built development in the locality.

There are no land use or environmental designations covering the site and it is not identified to be of national or local landscape importance. The Council considers the site to have limited ecological value. The site lies approximately: 1.94 km from the Leiston-Aldburgh SSSI and Sandlings SPA, 0.9 km from the Sizewell Marshes SSSI and 2.96 km from Minsmere-Walberswick Heaths and Marshes SSSI and Minsmere-Walberswick SPA. The Suffolk Coast and Heaths AONB is estimated to be around 1.05 km from the eastern edge of the site. The Secretary of State has noted that a Habitats Regulations Assessment has been carried out as advised by Natural England. The Secretary of State considers that the development site is a sufficient distance from these sensitive sites so as not to give rise to impacts of such significance that an EIA would be required.

Although patterns of road use will be affected, the proposal is not likely to be a significant generator of new trips onto the network or give rise to a significant increase in emissions. Some dust is likely during the construction phase. It is likely that during the construction phase there will be some noise and vibration impacts but once the development is completed this would not be over and above what would be expected in a normal urban area.

The Council states that the site 'in part' is subject to contamination. The removal of the contaminants and the construction of the development will be subject to established industry/legal standards and Health and Safety measures so there are unlikely to be impacts of such significance that an EIA would be required.

Although the Council accepts that this proposal is below the criteria and thresholds outlined in Schedule 2 for a 10b urban development, they nevertheless consider that an EIA is required due to *'the special circumstances which have arisen in terms of the number of other applications for housing development being considered in the locality and the resultant impacts that will occur'*. The Council quotes planning practice guidance Paragraph: 024 (Reference ID: 4-024-20140305) which states that *'There could also be circumstances where two or more applications for development should be considered together. For example where the applications in question are not directly in competition with one another so that both or all of them might be approved, and where the overall combined environmental impact of the proposals might be greater or have different effects than the sum of their separate parts'*. The Council considers that this paragraph supports their view that an EIA is required due to cumulative impacts. The Secretary of State considers that the cumulative impacts of this proposal, when taken together with other proposals approved or under consideration, would not be of such significance that an EIA would be required.

**The Secretary of State has considered this development proposal (application number DC/16/1322/OUT) and has decided that it is not EIA as it falls below the criteria and thresholds outlined in Schedule 2 for a 10b urban development and is not located within a sensitive area.**

Is an Environmental Statement required?	No
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Name	Lorraine Gamble
Date	11 July 2016

## **APPENDIX 2**

### **Suffolk County Council Highways consultation response**

Your Ref: DC/16/1322/OUT  
Our Ref: 570\CON\1117\16  
Date: 10/08/16  
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



**All planning enquiries should be sent to the Local Planning Authority.**

The Planning Officer  
Suffolk Coastal District Council  
Council Offices  
Melton Hill  
Woodbridge  
Suffolk  
IP12 1AU

**For the Attention of:** Steve Milligan

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN DC/16/1322/OUT**

**PROPOSAL:** Outline Application - 100 new residential units (C3) with employment floorspace (B1) (approx. 1000m2) and family orientated public house / restaurant (A3/A4) (approx.770m2)

**LOCATION:** Land South of The Old Pump House, Abbey Road, Leiston

**ROAD CLASS:**

Further to the previous response dated 25/04/16, revised access details have been proposed and discussed with this Authority. We have agreed that access proposals as shown on Drawing 64045-TA-003 Rev E have addressed our previous concerns and are now considered acceptable.

This updated highway response has been delayed due to the need to consider the cumulative impact of this proposal in connection with three other large planning applications which have subsequently been submitted to the LPA (DC/16/2104/OUT, DC/16/1684/FUL, DC/16/1961/OUT). Although there is not currently a concern in terms of highway capacity from the impact of this proposal considered on its own, I was concerned that there could be significant impact if all 4 applications were subsequently approved by the Planning Authority since this would mean a total of 552 new dwellings spread across the town.

In response to these concerns a detailed cumulative impact assessment has been prepared (on behalf of this applicant) taking into account all 4 sites together with other permitted local developments, and considered the highway impact at several key junctions in the town. The assessment has also considered the impact at the B1121 / B1119 Church Street junction in Saxmundham. I am satisfied that, considered on its own together with background future growth, the impact of this site is not significant enough to require any specific mitigation to increase junction capacity. Although when all the potential growth has been considered there is a significant impact in one area.

The Planning Authority should note that we have a concern in relation to the cumulative impact at the B1069 / Waterloo Avenue signalised junction when all four sites are considered. In this scenario it is estimated that all four arms operate over 80% saturation during the PM Peak period and two of the arms will be over 92% saturated. Although this is still at a level where it would not be considered a severe impact, in terms of the NPPF to warrant a recommendation for refusal on highways grounds, it is at a level we would suggest that there is a need to consider potential mitigation to reduce the impact. Clearly, if not

all sites currently being considered are to get planning consent in due course, or if the scale is reduced, the need to mitigate would be less.

But in this case the junction is not running the most efficient signal operating technology and therefore it would be desirable to upgrade this junction which would provide increased junction capacity. Therefore, it would be quite simple to provide a mitigation scheme to offset the impact of the potential housing growth at this junction. It is estimated that a junction improvement scheme can be delivered in this location to convert the lights to a MOVA system and this would cost an estimated £60k to implement.

If all of proposed developments are considered acceptable in planning terms and approved in due course, we would request that this improvement scheme is funded by the development(s) in some way and secured via a suitable Section 106 agreement. I would leave it to the Planning Authority to consider the best way to achieve this in terms of either spreading the cost between the sites or allocating it on a priority basis where the last site would have to mitigate the full impact. But I consider that this improvement will be necessary to help mitigate the full impact of the proposed level of development in Leiston.

**Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:**

**Condition 1:** The access shall be completed in all respects (including visibility splays) in accordance with Drawing No. 64045-TA-003 Rev E and be available for use before commencement. Thereafter it shall be retained in its approved form.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.

**Condition 2:** No part of the development shall be commenced until details of the proposed footway and pedestrian crossing scheme (in accordance with Drawing No. 64045-TA-003 Rev E) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

**Condition 3:** Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

**Condition 4:** Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

**Condition 5:** Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

**Condition 6:** Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage) and street lighting, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

**Condition 7:** No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least base course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

**Condition 8:** The new estate road junction(s) with Abbey Road B1122 inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

### **NOTES:**

Note 1: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's East Area Manager must be contacted at County Buildings, Street Farm Road, Saxmundham IP17 1AL. Telephone 01728 653087.

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Note 2: The existing street lighting system may be affected by this proposal.

The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01473 264929, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.

Note 3: The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

Note 4: The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

### **Section 106 Obligations:**

Contribution Summary (details below table)	
Rights of Way	17,202
Public Transport infrastructure	20,000
Travel plan – monitoring and support	5,000
Travel plan – implementation Bond	78,650
<b>Total</b>	<b>£120,852.00</b>

## Public Rights of Way improvements

The proposed development will have a direct impact on the local public rights of way (PROW) network, please refer to the map.

PROW are important for recreation, encouraging healthy lifestyles, providing green links, supporting the local economy and promoting local tourism; the Sandlings Walk and the Suffolk Coast Path, both long distance promoted routes, are nearby.



The anticipated increased use of the PROW network of as a result of the development will require the following offsite improvement works:

- Resurfacing of Public Footpath 10: 470m length x min 1.5m width = 705m<sup>2</sup> @ £20/m<sup>2</sup> = £14,100.00

Estimates based on the average market costs to provide a hoggin type surface.

The subtotal of these works is £14,100.00

Staff time (design & project management) @ 12% = £1,692.00

Contingency @ 10% = £1,410.00

**Right of Way funding requested from this development = £17,202.00**

Public Footpath 10 provides an off road walking route for residents to visit Leiston Abbey and use the wider Public Rights of Way network for recreation and leisure.

The policy framework for these requirements is:

- The county council's rights of way improvement plan which, inter alia, highlights the importance of development in rural areas should give people the greatest opportunity to access the countryside by walking and cycling,
- The walking strategy, which seeks to ensure existing communities with a population over 500, and new developments over 10 dwellings have easy access to a one mile natural walk or 2ha of green space, within 500m of their home,
- The cycling strategy, which seeks to promote a transfer to cycling (and walking) for short distance trips, plan and design for the future with cycling in mind and create a safe and cycle friendly environment,
- The Joint Health and Wellbeing Strategy for Suffolk, outcome 2 of which states Suffolk residents should have access to a healthy environment and take responsibility for the own health and wellbeing,



- You will already be aware of course that, amongst other health and wellbeing objectives, policies set out under the NPPF; the following sections bear relevance to Public Rights of Way:

### **Section 3 - Supporting a prosperous rural economy**

**Para 28** - To promote a strong rural economy, local and neighbourhood plans should...support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

### **Section 4 - Promoting sustainable transport**

**Para 35** – refers to priority given to pedestrian and cycle movements, creating safe and secure routes to minimise conflicts between traffic and cyclists or pedestrians and to consider the needs of people with disabilities by all modes of transport.

### **Section 8 - Promoting healthy communities**

**Para 69** - Planning policies and decisions, in turn, should aim to achieve places which promote...safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

**Para 73** - Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

**Para 75** - Planning policies should protect and enhance public rights of way and local authorities should seek opportunities to provide better facilities for users, for example by adding links to the rights of way network.

### Public Transport infrastructure:

There is a need to improve public transport infrastructure to improve the sustainability of this site.

There is a footway on the northbound side of the road which will be suitable for raised kerb work. Southbound has no footway at present but this will be included as part of the development. Ideally we would want £2,000 for the northbound stop, with the developer to provide the southbound stop plus shelter as part of their works. If we have to retro-fit these we would want £8,000. There would also be a need to include a RTP1 screen on the side of the development which would cost £10,000.

**Total public transport request = £20,000.00**

### Travel Plan:

I have had a chance to review the application (DC/16/1322/OUT) for the proposed mixed use 100 dwelling and commercial development off Abbey Road in Leiston. I have noticed that a Travel Plan has not been submitted to support this application. The non-submission of the travel plan goes against paragraph's 32, 34, 35, 36, 37 and 38 of the NPPF and the "Travel Plans, Transport Assessments and Statements in Decision Taking" section in the 2014 Planning Practice Guidance, as the development is going to create a significant amount of movement.

The submitted travel plan must include all the key components mentioned on the current Suffolk County Council Travel Plan guidance that can be found on the following link:

<http://www.greensuffolk.org/travel/travel-plan-support/developer-support/>

The travel plan must also expand on the other potential issues and find solutions, such as the bus stops being more than the recommended walking distance from the site (400 metres). The travel plan must provide some detailed interim baseline data, based on the 2011 Census that provides an understanding on where the existing residents in Leiston are likely to travel to (i.e. Sizewell B, Saxmundham, etc.), and by what mode of transport. Data that is specific to the Leiston area for the "Location of usual residence and place of work by method of travel to work (MSOA level)" can be acquired from the Nomis website (<https://www.nomisweb.co.uk/census/2011>) and the "Method of Travel to Work" data can be acquired from

the ONS Neighbourhood Statistics website (<http://neighbourhood.statistics.gov.uk/>). The proposed travel plan measures must be based around the findings from this baseline data. A welcome pack that contains information and incentives, which includes a multi-modal voucher must be provided to residents as a minimum.

There must also be a commitment in the travel plan to provide suitable cycle facilities to encourage cycling to the commercial aspect of the development as well.

I would require the applicant to submit this Travel Plan prior to the determination of this application.

The requirement for a Travel Plan complies with National Planning Policy Framework paragraph 32, which sets out that plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people.
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Other relevant paragraphs include 34, 35, 36, 37 and 38.

In addition, a decent quality travel plan will also support Strategic Objective SP1 and Development Management Policy DM20 of the 2013 Suffolk Coastal District Local Plan - Core Strategy & Development Management Policies.

To secure the travel plan I would require the following Section 106 contributions:

- Travel Plan Evaluation and Support Contribution - £1,000 per annum until five years have passed after occupation of the final (100<sup>th</sup>) dwelling. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan
- Travel Plan Implementation Bond - £78,650 (based on SCC calculations on the cost of fully implementing the travel plan). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves

I would also require the following Section 106 obligations:

- Implementation of the Travel Plan
- Provision of an approved welcome pack to each dwelling after first occupation
- Securing remedial travel plan measures if the agreed travel plan targets are not achieved

Full wording for the proposed obligations and how they meet the three tests can be provided by SCC at a later date. Further detailed comments in regards to the content of the travel plan can be provided on request from the applicant.

Yours faithfully

**Mr Andrew Pearce**  
**Senior Development Management Engineer**  
Strategic Development – Resource Management

## **APPENDIX 3**

### **Joint Position Statement by Anglian Water Services and the Environment Agency**

**Joint Anglian Water (AW) Services/Environment Agency (EA) Position Statement on Growth in the Leiston Water Recycling Centre (WRC) Catchment Update**

In December 2012 a joint statement between AW and EA was prepared to clarify the position in regards to Leiston Water WRC (formally referred to as sewage treatment works) and growth in the catchment and to assist in the examination of the Suffolk Coastal Core Strategy that was adopted July 2013.

At the time, capacity within the permitted headroom was limited and the ability to accommodate the proposed growth was challenging.

The flows from Leiston WRC are monitored and reported and are certified by MCERTS, this data is shared and agreed between AW and EA.

The current position is there is sufficient capacity to accommodate the proposed employment and residential growth identified in the latest review of Suffolk Coastal Local Plan and indeed in the Leiston Neighbourhood Plan. We are satisfied there is sufficient capacity for all the potential connections we are currently aware of in Leiston including the planning applications under consideration and in addition there would be some surplus capacity for other windfall sites that may come along.

Susan Bull  
Planning Liaison Manager  
Anglian Water Services

Nicola Steer  
Environmental Planning Officer  
Environment Agency

18 August 2016