

CHILTON PARISH COUNCIL

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Development Management
Babergh District Council
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Dear Mr Elvin

Planning Application B/15/01718 Chilton Woods Mixed Use Development, Land North of, Woodhall Business Park, Sudbury | Outline application (with all matters reserved except for access) - Erection of up to 1,100 dwellings (Use Class C3); 16.4ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network); village centre (comprising up to 1,000m² Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works.

The following are the objections of Chilton Parish Council to the above application for outline planning permission (with all matters reserved except for access).

The following definitions are used throughout these objections:

Chilton Parish Council:	hereafter CPC
Babergh District Council:	hereafter BDC
Suffolk County Council:	hereafter SCC
Amec Foster Wheeler:	hereafter Amec
The Application Site:	hereafter the Site or the proposed development
Section 106 agreement proposed to be entered into in relation to the Site:	hereafter Section 106 Agreement
Environmental Statement:	hereafter ES .

A substantial volume of information accompanied this application and we understand a second round of consultation is to follow. As the transport information supporting the application is not yet complete rather than comment piecemeal we do not comment on that information in these objections but will do so once the outstanding information has been received.

We comment on the various sections of this application and reserve the right to comment further separately on Ecology and the ES. As there has been a substantial volume of information we regret it has not been possible to deal in this submission with all our objections and submissions.

CHILTON PARISH COUNCIL

1 The role of SCC

- 1.1 We together with Great Waldingfield PC and Long Melford PC expressed our concerns to the then leader of SCC and the leader of BDC in our letter of 13 January 2015 about the way in which these parish councils were being involved as to the design and strategy relating to the proposed development. Our concerns remain about the way in which SCC have approached this planning application and we remain unclear as to their intent. CPC have willingly participated in the Place-shaping Group but we were unhappy with the way in which the Group functioned as explained in our letter of 13 January. Accordingly, reference to how SCC's engagement with this Group has shaped the masterplan are disappointing when only an "Illustrative masterplan" has been produced. Our concerns and dissatisfaction remains that this process has been used to constitute consultation with the community when throughout the process at no time did SCC make it clear that they were not intending to use the feedback of the parishes and consultees to inform a Masterplan to support the planning application but rather that only a bare outline application would be made. Our representatives on that Group were suspicious that this might occur but answers to our questions were not provided. We therefore consider that SCC have not properly complied with community consultation as the material gained from the discussion is only used to support an "Illustrative masterplan". As the applicant SCC is a local authority and not a commercial developer seeking to exploit land for maximum financial gain, we would expect this application to be conducted with more transparency about SCC's intentions. As an example, members of the Place-shaping Group were told that we would be consulted about the transport assessment and travel plan details before the application was made. That did not occur although now a meeting took place on 7 March 2016, some weeks after the actual application had been filed.
- 1.2 CPC record their disappointment also that SCC refused to contribute to the financial costs of their and other parish councils obtaining specialist advice on a number of technical areas such as traffic. CPC are considering instructing specialist advisers once all the information is complete and will file further submission.
- 1.3 We appreciate SCC are trying to realise financial gain from the Site but in doing so CPC submit they should take account of the views of the local community. We question whether this is the right way for SCC to conduct themselves as a local authority and request that BDC ensure that full detail is provided for this outline planning application.
- 1.4 SCC also has a conflict of interest in its position as landowner and quasi-developer seeking outline planning permission and as the executive dealing with highways, archaeological, ecological and other development aspects. Given those several roles its transparency in dealings is very important.

2 The outline application

- 2.1 CPC object to the above description of the development for which bare outline permission is sought as it is unspecific and general. It needs to be more detailed which is entirely consistent with it being an outline application. There is less information and detail in the outline application description above than there is in Policy CS4. Given that the application is supported only by an "Illustrative masterplan" SCC are creating a developer's charter which is considered by CPC to be unacceptable.

3 "Illustrative masterplan"

- 3.1 This application is deficient in that no Masterplan has been filed in support of this application as is required under policy CS4. This application is accompanied only by an "Illustrative Masterplan" for the development. There is no obligation on SCC or any developer to carry out the development in conformity with the "Illustrative Masterplan". Therefore there is no certainty about how this development will look and what could be put forward at reserved

CHILTON PARISH COUNCIL

matters stage could be completely different from what is said in the supporting documents for this outline application. A number of our parishioners, without specialist advice or knowledge of planning matters, have been misled by this application to believe that the “Illustrative masterplan” is what the development will consist of and look like.

3.2 Amec commented at the meeting on 7 March, in response to a question why their application was so unspecific, that having paid a fee of £125,000 it was now up to BDC to set out what they required from SCC and that the application could be controlled by the imposition of conditions. CPC consider it is preferable however that SCC should commit to a Masterplan, as required under CS4, containing sufficient detail and clarity to establish at least the land use and development mix, in particular to establish where the employment and housing areas will be and the mix, size, appearance and layout of those areas.

3.3 Accordingly CPC object that all matters are reserved except for access and consider that BDC should require as part of this outline application that SCC provide more detail and commit to:

- appearance;
- layout;
- scale; and
- landscaping details

rather than all those matters being reserved for future development. Illustrative details and broad parameters for these matters are unacceptable.

4 The Environmental Statement

4.1 Accordingly because of “the illustrative details and broad parameters” there is a fundamental flaw in the accompanying ES as it bases its assessments only on the “illustrative mix” chosen by SCC. Therefore the predictions supporting this application e.g. as to traffic, levels of employment, housing mix, visual impact, drainage and noise are all estimates and uncertain. This in CPC’s view does not constitute sustainable development and is contrary to BDC’s policies CS4 and CS15.

4.2 Also SCC have failed in the ES to analyse the possible environmental impacts on the worst case basis. As far as we can tell the assessments have been done only on the basis of their suggested illustrations. Therefore in a differently constituted scheme the environmental impacts could be significantly more detrimental than the examples chosen to illustrate this application. This in CPC’s view fails to conform with the required procedures under the Environmental Impact Assessment Regulations (England) 2011.

5 Viability

5.1 The viability assessment for the application appears to be an Affordable Housing Viability Statement (File B) from Deloitte’s Real Estate dated 10 December 2015. That document states:

“The outline planning permission and masterplan enables a comprehensive development of homes, employment uses, community woodland, village centre in response to the requirements of the Babergh Core Strategy”

Deloitte states that their work to date shows there are

CHILTON PARISH COUNCIL

“There are viability challenges, particularly regarding what level of affordable housing is achievable and how the upfront infrastructure costs to release the employment land can be met once planning permission is in place.”

5.2 CPC and other parish council have had concerns since the outset about the viability of the scheme. At the hearing before the Planning Inspector Deloittes and SCC assured him that the proposed development was viable. There is scant information provided as to viability in this application. In view of the above statement the clear inference is that the proposed scheme is not viable.

5.3 BDC policy CS19 Affordable Housing Supplemental Document (BDC 2014) requires 35% affordable housing provision. At page 42 of the Planning Statement Amec refer to the 35% affordable housing provision as *“unlikely to be achievable given the potential impact this could have on the viability of the proposed development”*. The proposed scheme therefore appears contrary to BDC policy CS19 and as viability evidence is required under BDC policy CS4 it also is contrary to that provision. Variables affecting viability are also referred to on page 42 of the planning statement including

“the

2 cost and timing for delivery key infrastructure alongside the proposed development;

3 cost of the upfront infrastructure involved in opening up access to the employment land;

4 cost of managing and maintaining open spaces, community woodland and other community facilities;

5 the delivery of homes as early as possible to generate revenue and profit which will help towards points 1, 2 and 3 ...”

5.4 SCC say that a detailed appraisal of viability will be available later. Full information as to viability should be provided in the second round on consultation as there is insufficient to date. It appears from the Transport assessment though that SCC and Amec are considering providing 15% of the residential units as affordable housing and 85% as private housing. CPC wonders therefore what is the test of viability which SCC and Amec are applying? Is it that of a commercial property developer seeking to maximise financial gain or that of a local authority to provide housing for local inhabitants.

6 Phasing of the development

6.1 CPC objects strongly to certain elements of the proposed phasing. All the phasing is predictive and uncertain - see *“approximately”, “it is likely”, “it is assumed”* and *“approximate uses”*. This development was originally intended to be a standalone *“garden town”* in a community woodland. CPC object very strongly to there only being initial landscaping and community woodland in phase 1. If permission for this development is to be granted by BDC there must be stringent conditions imposed on any planning permission, the new western access road off Springlands Way, west of Tesco, going through the employment area of the proposed development is essential from the start of the development before any residential homes are built. It need at the onset only be built to a *“haul road standard”*. All construction traffic should use this entrance while the Site is developed. To route construction traffic through Aubrey Drive and Reynolds for a number of years in order to construct the residential units while the Site is being developed is unacceptable.

6.2 The primary school nursery along with the village hall/community facilities need to be developed early in phase 1 rather than waiting until more than half the site is developed. We are advised by our District Councillors that schools in the Sudbury area are already

CHILTON PARISH COUNCIL

oversubscribed. The need to transport children from the development to local school should be kept to the minimum because that will also have an adverse impact on traffic. Further from our review of the supporting documents we have not found that the ES covers construction traffic levels or noise and impact on air quality. We consider this is a deficiency in the application and should be remedied in the second round.

- 6.3 Of particular concern to CPC is that the phasing envisaged by SCC could easily result that the phase 1 housing is built and the rest of the site is not built out, including the community facilities and playing pitches. So that what occurs in effect is an urban extension to Sudbury by 40% of the residential units being built and some employment at the western end of the site being built out. This would be the worst result.
- 6.4 We will deal with the traffic mitigation measures when we deal with the traffic assessment.

7 Employment

- 7.1 BDC policy is that development should be “jobs led”. CPC object to the illustrative nature of the employment provisions. At present the illustrative masterplan provides for 61,650 m sq of employment floor space comprising 18% B1A and B uses, 35% B2 uses and 47% B8 uses. The material provides only an indicative footprint and does not fix location or layout. CPC consider this unacceptable. This indicative mix is used to support an alleged “*potential to provide up to approximate 2,125 jobs*”.
- 7.2 Whilst not committing themselves to this mix of employment uses SCC nonetheless use this mix to base certain of their impact assessments on e.g. noise, traffic, visual impact. The layout, appearance and usage should be determined at this outline stage. We consider the B2 use is too high and heavy industry is incompatible with nearby residential development. We query the amount of floor space allocated to warehousing which is well known to be the lowest generator of employment. If outline permission were to be granted as sought by SCC with no specificity as to the extent of use as to the various use classes, as at present the only definition is of “*16.4 ha of employment land to include B1, B2 and B8*”, on that basis, with such a wide unspecific definition, there could be 15.2 hectares of B2 development alone. Therefore CPC request BDC to ensure at outline stage that there is specificity about the mix of uses, their location and the layout of the area.

8 Housing

- 8.1 We consider that the development should conform to policy CS4 and provide for up to 1050 new dwellings. We do not agree that “approximately 1,050” new dwellings covers up to 1,100. There is no material supporting the increased numbers in the application. We query whether the indicative dwelling mix is accurate given that the population of Suffolk is ageing. SCC defer any provision for sheltered accommodation to a separate planning application on some future date. However if such is something which is actively envisaged now then it should be included in the outline application and the housing mix altered accordingly.
- 8.2 As presently proposed CPC consider that the outline application fails to comply with policy CS19 on affordable housing.

9 Transport and Travel Plan

- 9.1 As the material in support of this application on these issues are not complete we will defer our comments to a separate submission once we have had an opportunity of considering the full documentation.

CHILTON PARISH COUNCIL

10 Section 106 Agreement

- 10.1 The draft heads of terms relating to a future Section 106 Agreement need considerable work. Currently the heads of terms are deficient as there are several planning obligations missing e.g. a capital sum for the supply and installation of the community woodland. Policy CS4 provides for BDC to cooperate with CPC and other parish councils. We have already asked to be involved in the negotiations on the Section 106 Agreement. CPC considered it particularly important that there is a final form of Section 106 Agreement to go before any Planning Committee in consideration of this application for outline permission rather than the Section 106 being negotiated after planning permission has been granted since in such circumstances BDC are at a negotiating disadvantage.

11 The community facilities and the sport pitches

It is important to CPC that the community facilities are located within the Chilton parish boundary. There is no provision for this in the outline application and this should be remedied. With regard to the design of the village hall and the village green from the outset CPC have given feedback that this should be an integrated unit and not be separated by a busy road. The village green should be in front of the village hall rather than car parking. The Parish Council considers that the sport pitches should also be located closer to the village centre to assist its financial viability. CPC consider that the community facilities and the sport pavilion layout and location should be dealt with in the outline application and not left over for reserved matters when these facilities could be proposed to be located elsewhere. With regard to the sports pitches at least some of them should be located near the village hub otherwise CPC consider that people using them will not spend time in the village centre or make retail purchases. A village pub overlooking the village green and sport pitches would be preferable.

12 Drainage

- 12.1 The proposed drainage strategy is complicated and there are a number of constraints imposed on proposed development. The drainage strategy is “a *high level solution for accommodating the proposed development aspirations*”. A combination of SuDS techniques would be encouraged such as:
- permeable paving in the residential zones;
 - sub-surface storage tanks in the employment zone;
 - swales and ditches; and
 - ponds to assist in attenuation.
- 12.2 “*Certain areas of the development could result in large quantities of silty runoff which needs to be filtered out to ensure that downstream receiving watercourses/sewers are not subjected to a build-up of such material*”. There appears to have been discussions within SCC as to the appropriate drainage strategy. Amec and SCC recognise that “*Discussions with key stakeholders have been high level and preliminary only at this outline planning stage. Prior to constructing any new development, further liaison is recommended with the key stakeholders which in turn may lead to the need to carry out further survey work and investigation*”.
- 12.3 CPC remains unconvinced that this preliminary drainage strategy is sufficient to cope with the topography and runoff from this Site. For the purposes of the outline application, before any permission is granted, CPC consider that SCC needs to provide further detailed information as earlier developers such as Redrow found that the existing sewerage system could not cope with the increased outflow that would be caused by the land use changing

CHILTON PARISH COUNCIL

from agricultural to more impermeable surfaces. Further, we do not consider this drainage strategy complies with the requirements of the Environmental Impact Assessment Regulations (England) 2011.

13 Ecology, Historic Sites and ES

13.1 We will file a separate submission on these aspects.

14 Conditions

14.1 When the sustainability and several other issues are resolved any grant of planning permission must include clear conditions that approval requires any subsequent reserved matters applications to be in conformity with the final form of the Chilton Woods Masterplan as it stands at the point at which any approval of permission was granted. The purpose of this is to ensure that mitigation measures remain relevant to the eventual development and not rendered ineffective by material changes in reserved matters application. This is the reason why CPC require further details as to appearance, layout and scale to be covered in the outline application.

Yours sincerely



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