

**FRESSINGFIELD PLANNING APPLICATIONS 1432/17, 1449/17 AND 1648/17
SUSTAINABILITY SUMMARY**

Oct 1993



April 2018



2017



Elizabeth Manero, on behalf of SAFE 26th October 2018

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FRESSINGFIELD PLANNING APPLICATIONS 1432/17, 1449/17 AND 1648/17 SUSTAINABILITY SUMMARY

1. THE STORY SO FAR

1.1 Sustainability Deficit – Construction has yet to start on the 46 houses, larger scout hut and Baptist chapel already approved. These will come on top of 25% housing growth since 1995. There has been no associated increase in sewerage or road capacity, so there is already a ‘sustainability deficit’. This would be aggravated by the three further proposals for 208 houses, increasing housing overall by 57% and bringing a 584 extra residents to the village, according to SCC estimates.

1.2. Accountability deficit - In Mid Suffolk, houses have not been built where policy intended. In all but two of the last eighteen years, more houses have been built in rural rather than urban locations, contrary to MSDC policy and compromising ‘*the intrinsic beauty and character of the countryside*,’ which the NPPF seeks to protect. Despite an MSDC target of 100 houses over each five-year period across all Primary Villages like Fressingfield, 197 houses were built in such villages between 2012 and 2017. In 2017-2018, 120% (120) of the entire target for the succeeding five years was built across such locations.

This ‘accountability deficit’ would be aggravated by these three further proposals because they would locate 48% of the annual housing need figure for the entire district (MSDC 430) in one medieval rural village. Even based on the higher annual figure specified in the recent Woolpit Appeal (702), 30% of the houses needed for the whole district would be built in Fressingfield - a village currently occupied by 1% of its population. The courts have recognised failure to apply policy as a material consideration in planning decisions.

In addition to being disproportionate, contrary to MSDC policy and unreasonable, such approvals would flout the NPPF (para 103), which requires ‘*significant development*’ to be ‘*on locations which are or can be made sustainable*.’¹ As explained below, this location cannot be made sustainable.

2. SUSTAINABILITY AND ADVERSE IMPACTS

In the absence of an up to date development plan, the NPPF (para 11) presumes proposals to be sustainable, and requires them to be approved, unless:

- a) specified assets need to be protected, including ‘*areas at risk of flooding*’ ; or
- b) any adverse impacts of approval would ‘*significantly and demonstrably outweigh the benefits*’ when assessed against the NPPF policies as a whole

2.1 Flooding and Drainage – there is a long standing and poorly documented problem of surface water flooding in Low Rd. which runs along the hollow formed by the four steep slopes that characterise Fressingfield – a rare Suffolk topography according to MSDC’s own Joint Landscape Guidance. This is also the route of the beck and the village’s foul sewer. Residents testify to flooding going back to the 1960s and can evidence their attempts since 1985 to get this problem addressed.

The additional long-standing problem of sewage manholes popping in heavy rain causes raw sewage to pollute residents’ gardens, leading to a public health hazard and possible statutory nuisance. This hazard is getting steadily worse and seems to coincide with the 25% growth in the village over the last 25 years or so. It has happened eight times since 2016 alone

These factors were not taken into account in the Flood Risk Assessments for the five developments, which under the NPPF must assess impact of developments on flood risk ‘*elsewhere*’. This was because of flawed information from the bodies dealing with flooding and sewerage:

SCC - Flood records are acknowledged to be incomplete, because of low reporting. Our July 2018 Environmental Information Regulations application disclosed that SCC

- has records of only one flooding incident in Low Rd. since 2011 (out of 29 floods recorded)
- does not know how much surface water gets into the sewer, nor the extent of current flooding
- designates the sewer as Combined*, although Anglian Water, its owner, insists that it is not

¹* designated to take both surface water and sewage

FRESSINGFIELD PLANNING APPLICATIONS 1432/17, 1449/17 AND 1648/17
SUSTAINABILITY SUMMARY

SCC has required no cumulative impact assessment of the flood risk of these multiple developments, as the NPPF (para 156) requires. It has recommended approval based on an incomplete picture of the current and potential flood risk, and an incomplete understanding of whether surface water does – or should – get into a sewer that regularly floods.

b) Anglian Water – Despite regularly attending incidents of sewage egress from the sewer, Anglian Water have recommended approval of these proposals, at this stage. Our EIR application to them of August 2018 revealed that their reasoning ignores reality:

- an unknown number of houses are connected to the foul sewer for rainwater discharge
- this causes an unknown amount of surface water to enter the foul sewer
- with increasing frequency, any spare capacity in the sewer is taken up by this surface water

These connections are not illegal and residents concerned cannot be compelled to change their connections. Although this surface water is the cause of the regular flooding, Anglian Water does not consider it to be within their power to recommend refusal of these applications because of it, as this is not a sewage problem and their remit is exclusively sewage. Anglian Water has confirmed that the problem of egress of sewage cannot be cured.

Unless the 105 new residents expected in the 46 approved houses, and the 479 in the 208 proposed houses are put on a forced starvation diet, there will be 57% extra sewage discharging into a system which already regularly floods, pollutes and causes hazards to public health. The threshold for flooding will be lower because of the extra houses and climate change, while the impact will be higher because of more sewage in the system. Planning approval would fail to protect an '*area at risk of flooding*' and generate precisely the sort of overwhelming '*adverse impacts*' that make a development unsustainable according to the NPPF.

2.2 Traffic and Road Safety Despite unresolved concerns about road safety and congestion, SCC has recommended approval of these applications, at this stage. SCC estimates an extra 584 residents, including 63 primary school children, all variously walking to the medical centre, the school, the shop, the pubs, the sports centre, Sancroft Hall and the three places of worship. Yet they have asked for no baseline data on pedestrian traffic, nor any modelling of the increase, and have ignored the impact of more traffic on either. The amount of additional traffic resulting from the larger scout hut and Baptist chapel has been omitted from discussion altogether.

There are many areas of the village without footways where pedestrians must walk along the road, including most of New St. where the shop and medical centre are located, as well as one complete side of Jubilee corner. Increases in pedestrian and vehicular traffic will make this more hazardous. Planned and existing footpaths concentrate pedestrian traffic at the points where these footpaths will join the road. Yet in some cases, visibility is very poor:

- Visibility where an existing footpath emerges onto New St., a few yards from Jubilee Corner, offers no visibility into Back Street (onto which John Shepherd Rd emerges) nor Stradbroke Rd. These are the roads onto which traffic from an extra 184 houses will emerge. SCC recommends painting the lines on Jubilee Corner a different colour to slow traffic down.
- The new footpath proposed from Post Mill Lane onto New Street will emerge at the top of an outward facing curve in New St, with very poor visibility in each direction and no footway. SCC does not appear to be aware of this.
- The village shop, which is vital to its sustainability, does not have adequate parking and it is already dangerous for pedestrians negotiating their way along the road around cars parked outside the shop, with the view of oncoming traffic blocked. More traffic and pedestrians will increase this hazard. SCC has ignored this factor.

The needs of pedestrians have not been assessed, breaching the NPPF requirement to '*prioritise pedestrians*'. Mitigation measures designed without data on pedestrians, children, cyclists or disabled people do not address the likely adverse impacts upon them. Given current road safety risks, a 57%

FRESSINGFIELD PLANNING APPLICATIONS 1432/17, 1449/17 AND 1648/17 SUSTAINABILITY SUMMARY

increase in vehicular and pedestrian traffic of all types, would clearly lead to *'an unacceptable impact on highway safety'*, which the NPPF cites as a reason for refusal.

Fressingfield has a one bus a week, described by SCC as *'of no use for commuting'*. This suggests that at least an extra 508 car journeys will be generated per day by 254 new houses, assuming just one return journey per house per day, whether to travel to and from work or school, or for major shopping, leisure activities or to get petrol, increasing emissions by a very considerable amount.

The information provided in support of the planning decisions is incomplete, in that it not only ignores different types of road users but it also fails to assess the impact on the environment. The impact on character of a small medieval village of so much extra traffic has been entirely ignored.

2.3 Heritage – These developments would be out of scale and out of character for Fressingfield.

Both John Shepherd Rd (1432/17) and Post Mill Lane (1648/17) are extensions to existing housing developments and would be contiguous to each other, creating a collar of new housing around the western boundary of a medieval village, matched by new housing to the south (3872/16 and 4410/16 already agreed and 1449/17). This would radically alter the village's character and certainly not make a *'positive contribution to local character and distinctiveness'* as the NPPF requires.

Fressingfield is a small village set within a hollow dominated by its ancient church. It comprises 444 houses, 58 listed buildings and many unlisted historic buildings. Large estates around its boundaries would destroy its character as a small ancient settlement and compromise its relationship to its rural setting. Both Suffolk Archaeology and the Suffolk Preservation Society have expressed reservations about some of these developments and the former has formally objected to part of 1432/17.

3. THE PLANNING SYSTEM

In addition to complying with the NPPF and relevant local policies, like all public bodies MSDC and SCC are required by law to

- act only within the powers they have been given; and
- take account of matters they are required expressly or by implication to take account of; and
- disregard matters which are not relevant to the decision; and
- avoid *'a conclusion so unreasonable that no reasonable authority could ever have come to it'*

The flaws outlined above call compliance with these matters into question.

4. CONCLUSION

Policy limits on development in villages like Fressingfield which were designed to maintain their sustainability, have been exceeded for many years, creating a 'sustainability deficit' before these applications are even considered. An unknown number of houses are connected to the sewer for rainwater discharge, which has caused flooding and pollution for many years, of the worst possible kind – human excrement flooding onto the highway, into the beck and adjacent properties. This has been neither recorded nor resolved. More houses would mean a greater impact from high rainfall because an even greater volume of sewage would overflow.

The increase in car journeys by so many new residents in a location with minimal employment opportunities and a sparse bus service will be significant, exacerbating emissions and contributing to climate change rather than mitigating it.

Fressingfield is a small medieval settlement within an unusual landscape setting. It will suffer significant harm from three large developments that, together with the two already approved but not constructed, will swamp its character.

No amount of mitigation can make what is unsustainable, sustainable. Adverse impacts on flooding, pollution, public health, road safety and the environment together mean these developments would not be sustainable and their adverse impacts would be significant.

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