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Our Ref: WN/190677
Your Ref: B/15/01433

14th August, 2017

Send by email only to: Gemma.pannell@baberghmidsuffolk.gov.uk

Dear Gemma

Proposed residential development at Land East of Artiss Close and Rotherham Road, Bildeston, Suffolk (Ref: B/15/01433)

I write further to our recent telephone conversation and in relation to the outline planning application for the proposed erection of 48 residential dwellings with detailed consideration of access at land east of Artiss Close and Rotherham Road, Bildeston, Suffolk, which is currently being considered under ref: B/15/01433 and is being presented to Planning Committee on 16th August, 2017 under Agenda Item 8a.

This letter is intended to provide clarity and to correct some errors within the committee report relating to the delivery of my client's site and the recent engagement we have had with Babergh District Council. It is intended to ensure members of planning application have a full understanding of the correct situation relating to my client, Montague Asset Management's (MAM's) site at Taylor's Garage, before making their decision on the above planning application.

I welcome the acknowledgment in paragraph 74 of your committee report that, following a pre-application meeting in October 2014, representations were submitted in response to the original application (B/15/01433/OUT) dated November 2015, which confirmed that *'the landowner is now at an advanced stage in securing a developer to bring forward the Taylor's Garage site and there is considerable interest in bringing the site forward quickly in a manner that is consistent with the aims and objectives of the emerging neighbourhood plan ... It is important to note that the Taylor's Garage site would be developed on land entirely within flood zone 1'*. Since that date a developer has been secured and the site has been promoted with regular engagement with the local community, the parish council, and local conservation group 'Keep Bildeston Beautiful'.

Your committee report also notes that *'a further pre-application meeting took place on 29th November, 2016 to discuss proposed residential development at Taylor's Garage, Bildeston Road, for 49 residential units, associated open space, a wildlife corridor, and a bus/car drop-off and pick-up point to serve Bildeston Primary School. The applicant advised that they were proceeding towards submission of a planning application in Spring 2017, however no further contact has been received since late 2016 whereby confirmation of the meeting notes took place'*. I note the comments above; however, I can confirm that since the pre-application enquiry I have been in dialogue with the policy planners advising them of the timetable for submission and seeking to ensure the site is allocated in the next version of the Local Plan. It is understood that a local plan



consultation will commence imminently and I will be submitting representations on my client's behalf in this respect.

My client and I have actively engaged with Bildeston Parish Council, and Keep Bildeston Beautiful. The feedback received this far has been positive and the development of the site has widespread support among the local community. In addition, my client and I have had discussions with the head teacher at Bildeston Primary School, who is keen to explore opportunities to improve the drop off and pick up situation in the morning and afternoon peaks.

In addition, the site, as you will be aware was submitted to Babergh District Council as part of your 'Call for Sites' exercise in August 2016 (as well as previous 'Call for Sites' exercises). The August 2016 submission provided clarity on opportunities to enhance the connectivity to the village and the provision of key community benefits. It also provided confirmation from Anglian Water that the relatively proximity of a sewage treatment works a few hundred metres south-west of the site would not be an impediment to the site's development.

Your committee report states that *'Since [December 2016], there has been no further contact with the LPA regarding the submission of a planning application to develop the Brook Farm/Taylor's Garage site, nor has any further request for pre-application discussions been made'*. This is not correct and I have been engaging with planning policy officers over the past few months, and specifically with Andrea McMillan in relation to the site having advised her of the revised timetable for submitting a planning application. While it is acknowledged that in the pre-application meeting, we initially anticipated that a planning application would be submitted in Spring 2017, a number of technical documents have taken slightly longer than anticipated to complete – this is explained in more detail below, together with a timetable for submitting the planning application in Autumn 2017.

Your committee report states that *'Considerable uncertainty exists, therefore, as to whether a proposal to develop the Brook Farm/Taylor's Garage site for housing will come forward in the foreseeable future. Consequently, the LPA could not reasonably conclude that this site is deliverable within the meaning of paragraph 47 of the NPPF'*. For the reasons set out below and having assessed all the technical issues, my client is now finalizing the layout in advance of a proposed planning application submission in Autumn 2017. The issues identified relating to the proximity of the sewerage treatment works have been confirmed by Anglian Water to be acceptable, and all flood risk technical works have been undertaken in accordance with the requirements of the Environment Agency. The site is therefore deliverable within the meaning of paragraph 47 and is the favoured development site of the parish council, neighbourhood plan group, and Keep Bildeston Beautiful.

The proposed scheme at Taylor's Garage seeks to deliver circa 49 residential units, associated public open space, a wildlife corridor. It will also provide additional footpaths to ensure strong connectivity with the remainder of the village and will provide an opportunity to efficiently use a brownfield site and enhance the appearance of this approach into village, which currently detracts from the character of the conservation area. In this way my client's site provides much wider benefits for the community, commands much wider local support, and is much better related to the settlement.

My client's scheme, having engaged with Bildeston Primary School has sought to address the existing traffic problems in the vicinity of Newberry Road in the morning drop-off and afternoon pick-up peaks. Having discussed these issues with the head teacher and bursar of the primary school, my client's scheme proposes a new school bus and parents' drop off area as anticipated as a key community benefit the scheme can deliver.

While it is acknowledged that members of planning committee can only assess the planning application presented before them, your committee report (in paragraph 70 acknowledges that 'the application site abuts

the housing settlement boundary and is considered a logical extension to the village'. It is also clear that the Taylor's Garage is sequentially preferable in sustainability terms and is the favoured site among the local community including the parish council, Plan It, Keep Bildeston Beautiful, and Bildeston Primary School.

We understand that Babergh District Council are of the opinion that delivery of the above site is not viable or achievable, and therefore there is limited prospect of the site coming forward. This note is intended to confirm that the site owner very much believes the site is both viable and deliverable, and fully intends to bring an application forward during Autumn 2017. It also evidences the current position in relation to the considerable amount of investigative and preparatory work that has been undertaken to fully understand and address the technical issues, to ensure that a realistic and acceptable planning application can be submitted.

- A promotion agreement has been entered into with Montague Asset Management LLP (MAM) to promote the site for residential development. The promotion agreement requires MAM to work up and submit a planning application.
- A professional team consisting of a planning consultant, architect, quantity surveyor, civil engineer, landscape architect, ecological consultant, highways engineer, utilities consultant, flood and drainage engineer, and affordable housing consultant has been appointed. None of the professional team have identified any unaddressable issues that would render the development undeliverable.
- A detailed intrusive geo-technical site investigation has been carried out. The site has been confirmed as suitable for development with no material risks in terms of geology or contamination identified (despite the site's past uses). Detailed information to inform the design of the surface water drainage and foundation design has been gathered.
- A full topographic survey of the site and also of the channel of the adjacent River Brett has been carried out, particularly to ensure details of levels on the site are accurate
- Highways surveys both of Bildeston Road and of Newberry Road (i.e. the primary school entrance) have been carried out.
- A CCTV survey of existing highways drainage on the southern end of High St and the B1078 Ipswich Road (to which see below) has been undertaken
- Ecological and landscape assessments have been completed to ensure the proposed development would have no adverse impacts.
- It is accepted that the site is noted by the Environment Agency (EA) as being at risk of flood, and it is noted that the site has flooded in the past. The EA's flood modelling is, of necessity, undertaken at an "overview" level, and as a result, the EA accept that more detailed site specific modelling can change their view as to the actual risk. Two pre-application meetings have been held with the EA to establish and agree the modelling parameters that the EA would expect to see in any planning application. Extensive work has been carried out by the flood and drainage engineer to produce detailed site specific flood models focussing on a variety of scenarios of increasing severity, and taking into account climate change. As a result, we believe that – subject to a formal planning application being submitted – a robust and coherent case can be made to satisfy the EA that the site does not fall within flood zone 3B and does not form part of the "functional flood plain".
- The modelling has identified two main flood risk elements:
 - Overtopping from the River Brett
 - Overland flow (particularly downhill towards the site from the B1078 Ipswich Road), exacerbated by the poor quality of the existing highways surface water drainage (evidenced by the CCTV survey). There is anecdotal evidence that past flooding on the site has been as a result of this overland flow entering the site through the grounds of the properties to the east, and then ponding as the result of a shallow depression in the middle of the site (evidenced by the topographic survey).
- As a result of the extensive investigation into flood risk of the site, mitigation measures would be proposed as part of any development as follows:

- The raising of levels in key parts of the site to ensure finished floor levels are above flood risk levels
- A system of “cut off” channels to divert any overland flow that reaches the site safely into the River Brett
- A system of swales and attenuation ponds to deal with surface water drainage. The ponds can be an example of making a virtue out of a necessity and used as a “feature” and for ecological enhancement
- All of the above can be achieved without material detriment to other properties, and – subject to a formal planning application being submitted – and we believe would in principle be acceptable to the EA.
- The emerging design for the scheme includes a drop off area for the primary school for both buses and cars, but also provides new safe pedestrian routes to the school. An equipped play area is also proposed as part of the design.

Subject to viability assessment (taking into account CIL obligations), a proportion of affordable housing would be provided.

It can therefore be concluded in light of the above that my client's site is deliverable and developable, is consistent with national planning policy objectives, involves the redevelopment of a brownfield site, has the widespread support of the local community, and provides a much wider range of community benefits.

I trust that the above is self-explanatory but should you have any queries please do not hesitate to contact me on 01223 459456 if you would like to discuss this in greater detail. I look forward to meeting you tomorrow afternoon.

Yours sincerely

William Nichols
Associate
Cambridge Planning

Cc: Stephen Clarke (Montague Asset Management), Matt Cloke (Montague Asset Management), Nick Ridley (Chairman of Planning Committee), Adrian Osborne (Vice Chairman of Planning Committee), Committee Services, Andrew Guttridge (Chairman of Bildeston Parish Council)