



BARHAM

PARISH COUNCIL

13th January 2021

Attention:
To the Planning Case Officer
MSDC

Dear Case Officer

Planning Applications for Referral Committee Meeting – 29th January 2021

Barham Parish Council and the community of Barham are opposed to applications DC/18/00861 for 73 dwellings at Ely Road and 1856/17 for 269 dwellings at Church Road. We have also lodged objections to the draft Local Plan which was recently subject to public consultation and is proposing an expansion of Barham and Claydon within our Parish.

We have a number of detailed environmental objections which have not been fully addressed, particularly:

- Transport: the impacts on the capacity of the village and the lack of facilities or alternative modes of travel remain unaddressed. No response to our consultant report dated September 2020 has been received;
- Heritage: As per the comments of Historic England, the proposals represent harm to numerous heritage assets surrounding the site, including the Grade I Listed St Mary's Church, Shrubland Hall Park and Garden and the Grade II Henry VIII Farmhouse. Historic England were clear that these impacts need weighting against the public benefits of the proposal. We do not consider the public benefits to be sufficient to overcome this harm.

This letter addresses the matter of public benefit in more detail.

The Parish Council has a number of objections to the suggested community benefits attached to the proposals, particularly the larger scheme at Church Road next to St Mary's Church:

- A site is proposed to be reserved for medical use and then if not required, offered for community use, but with no associated funding to deliver such a facility – there is in fact no evidenced way this benefit can be realised;
- There were no other facilities or features that might enliven village life such as a café or appropriately located village green;
- The application is silent on design and appears to be simply extending modern suburban layouts which are alien to local character;
- The development is dominated by a large detention basin at its entrance and will detract from the entrance to the village and the setting of the Grade II Listed Henry VIII Farmhouse;



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- The car park and green for the Church is welcome but that only benefits the Church and not the wider village and its civic life;
- All the proposals are bringing forward large areas of open space, but its purpose beyond passive enjoyment is not clear.

In support of our assessment of public benefit, Barham Parish Council surveyed the village and 138 responses were received, 92% of which do not support the application.

The main concerns were as follows:

- Traffic - 84%
- Loss of Rural Character - 76%
- Disbelief the promised facilities will be delivered - 73%
- Lack of Services and Facilities to support new housing – 68%

However, they were also asked what additional facilities and services were desired. The three most popular choices were:

- Community Hall
- Village Green
- Café

A nursery and additional shops were close behind with workspace, gym and sports hall being seen as less important. Specific comments included requests for play areas and an improved bus services to Ipswich.

Respondents were also asked to rank the following scenarios in order of preference:

1. All proposed housing is rejected;
2. The proposals are approved but only if in addition to the school the doctors surgery, more new facilities and services are provided;
3. The proposals are approved but only if the school and surgery are to be provided;
4. The proposals are approved as quickly as possible to deliver the much needed housing.

There is therefore clear and ongoing opposition to any new housing, which are not unreasonable when the likely impact of 342 dwellings on a community are considered. However, if housing is imposed on Barham, it is clear that the vast majority of the community are demanding to see more services and facilities to support that new housing. These applications are clearly falling short in that regard.

In order to identify any potential common ground between the village and the applicant for the larger scheme at Church Road, a series of meetings were initiated by the Parish Council. This culminated in several meetings and a list of what would be needed (see attached e-mail).



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Unfortunately, the applicant has confirmed that they will not or cannot deliver these things, citing viability considerations in respect of the community hall.

The Parish Council therefore objects in the strongest possible terms to the fast-tracking of planning applications that are only a proposed housing allocation in an emerging Local Plan, a document which is now subject to objections from this Council and local people and will be contested at the forthcoming Examination (see our attached statement).

Setting aside ongoing opposition to the principle, the lack of public benefit in these proposals is evident from our survey and the failure of the applicant to meet the substantive terms of our requests:

- Community hall
- Cafe
- Village green with pond
- Shops/offices (or a doctors' surgery if required)
- A Stage 1 Design Code involving character appraisal prior to determination

It is our view that there is insufficient reasoning expressed as to why key policies within the 2008 Core Strategy and the 2012 Focussed Review are out-of-date and cannot be engaged in respect of this application. Although Mid Suffolk has a sufficient housing land supply (7.67 years), it is likely to be put to Members of Committee that its relevant planning policies are out of date and out of step with the NPPF.

It is our contention that key parts of the 2012 strategy remain in-step with the National Planning Policy Framework and that these are not being accorded sufficient weight. The suggestion that key planning policies within the Adopted Local Plans cannot be afforded significant weight due to the more recent NPPF is incorrect when considered against recent legal judgements: the NPPF cannot trump an Adopted Local Plan simply by it post-dating a Local Plan as the following case from March 2020 confirms: Gladman versus SoS for Housing, Communities and Local Government with Corby Borough Council and Uttlesford District Council (Cases CO/3932/2019 and 4265/2019).

The judgement is clear:

- Where there is a 5 year housing land supply in evidence, the Plan-led system still applies;
- The policies of that plan must still be considered in any planning balance;
- That the weight those policies are given in the balance sits with the decision-maker and not the NPPF as Paragraph 213 of the NPPF makes clear:



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“...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

We contend that key policies remain up-to-date and very relevant, such as the approach to delivering sustainable development at paragraph 2.6 in the 2012 Focussed Review:

‘To recognise the important relationship that exists in sustainable development between the delivery of growth and the delivery of infrastructure in the context of maintaining a commitment to environmental objectives, Core Strategy (2008) Strategic Objective SO6 is replaced with the following:

Strategic Objectives SO6:

Provision of housing, employment, retail, infrastructure and access to services will be coordinated to ensure that delivery of necessary infrastructure takes place to accommodate new development and to enable communities to be balanced, inclusive and prosperous.

Policy CS6 (Services and Infrastructure) of the Core Strategy states the following in its preamble:

‘New development will be expected to provide or support the delivery of appropriate and accessible infrastructure to meet the justifiable needs of new development. Consideration will be given to the timing of infrastructure provision and development may need to be phased to ensure the proper provision of infrastructure.’

These policy objectives remain up-to-date and relevant as the following from the 2018 NPPF clearly states at paragraph 92: Promoting health and safe communities:

‘To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.



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The previous Committee Report concerning this application is silent on the needs of the community, but the recent survey has reaffirmed these matters remain central to decisions on what is regarded as sustainable development where there is no allocation in an adopted plan in place. In short, the applicant must be held to the up-to-date high standards set out in the Adopted Plans: the reasons for approval set out in the earlier Committee Report fall short of that standard and cannot be supported.

The Planning Review Committee are invited to dismiss the applications. If they are minded to approve the applications, they are asked to attach appropriate weight to their policies and ensure essential community infrastructure is delivered in step with these proposals.

Historic England are clear in their 15th August 2018 response to the Church Road proposals that there is harm caused to the significance of St Mary's Church and that this harm could only be outweighed by public benefits. The Parish Council shares the concerns of Historic England that the loss of the rural setting of the Church and the iconic view from Norwich Road. The replacement of this view with a suburban development set behind a detention basin, is a significant loss to the identity and historic context for Barham and Claydon. The application should be refused on these grounds alone. However, if the Committee were minded to approve the proposals, then the Parish Council and the community has been very clear as to what form that public benefit should take.

If the applicant is unable to deliver these benefits in full due to cost, then it can be surmised that the application is either unviable in its current form and/or it is premature as it is unable to remedy its community impact that 269 additional houses with no community infrastructure will bring.

Yours sincerely

Darren Milward

Mr Darren Milward
Chairman to Barham Parish Council

CC MSDC John Whitehead
MSDC Tim Passmore



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