

Tabled Papers

DC/20/02094 - Land north of Church Field Road, Chilton

Outline Planning Application (some matters reserved, access to be considered) - Erection of up to 166 residential dwellings, a purpose built care home for up to 60 bedrooms, and associated infrastructure including landscaping, public open-space, car parking and means of access off Church Field Road.

Additional letters received and amendment to Recommendation

Garden's Trust

"We have read the Review of the Heritage reports by Babergh's independent consultant, Roy Lewis (RL) within the *(Public Pack) Agenda Document for Babergh Planning Committee*.

We must apologise that our responses did not make our assessment of the level of harm sufficiently clear (See RL paras 4.47 & 5.9). To clarify, we concur with RL's summing up in Para 5.13 and consider that *'the proposed development would cause a considerable amount of less than substantial harm to the significance of the grade II* listed Chilton Hall, its grade II listed garden wall, and its grade II registered park and garden, and a level of less than substantial harm to the significance of the grade I listed Church of St Mary not far short of substantial.'*

We continue to object strongly to this application."

Lady Hart

Further letter and attachments (**Pages 14 to 86**) received outlining objections to development. No further officer comment to those already made in the committee report.

Applicant – Jamie Dempster on behalf of Caverswall Enterprises Ltd

Further letter received, attached in full with appendices (**Pages 87 to 253**). The comments are noted but do not change the officer recommendation in relation to heritage, loss of employment land or affordable housing (specifically see para 2.4 of officer's report).

Note from Chief Planning Officer: Members are advised that the document titled *Addendum Submission purports to alter the application to provide "Amended affordable housing offer of 100% submitted under this scheme". This alteration is considered by your Planning Officers to be a material change in the nature of the application and one which has not been consulted upon or publicised. Officers are taking legal advice as to the position with that purported amendment of the application. Subject to the receipt of that advice Planning Officers are not minded to accept that alteration and to recommend the determination of the application as described within the officer report. A verbal update will be given at your meeting.*

BMSDCs Environmental Health (Air Quality)

A further consultation response has been received from Environmental Health (Air Quality) as indicated in the committee report. This identified in light of the newly permitted Sudbury Standby Generating Facility around 200m from the application site (allowed on appeal in August 2022) a revised air quality assessment is required for the proposed residential development at Church Field Road. This would need to take account of the impact of the

operational phase emissions from the allowed facility as permitted before any permission is granted to assess the impact of the permitted facility on potential residential receptors at the new development.

An additional reason for refusal is required to address this point. The Recommendation is therefore amended as follows, with the amendment highlighted in bold below:

1. That the application be REFUSED planning permission for the following reasons:-

- i. The application proposes residential development in the countryside where contrary to policy CS2 the circumstances of the application are not exceptional and there is no proven justifiable need for the development proposed.

Furthermore, the application proposes the development of land safeguarded for employment purposes, where no sustained marketing campaign has been undertaken at a realistic asking price, and where the applicant has failed to demonstrate that the land is inherently unsuitable or not viable for all forms of employment related use, contrary to policy EM24.

- ii. The proposed development would lead to a considerable level of harm to the significance of the designated heritage assets at Chilton Hall (comprising Grade II* Chilton Hall, Grade II Garden Wall to East of Chilton Hall, and Grade II Chilton Hall registered park and garden) and a level of harm to the significance of the Grade I Church of St Mary that would be not far short of substantial.

The development would not respect the features that contribute positively to the setting and significance of those assets, contrary to policies CN06, CN14, and CS15. Furthermore, the public benefits of the scheme are not considered to outweigh the less than substantial harm identified, making the proposal contrary to the heritage policies of the NPPF and independently providing a clear reason for refusal on this ground.

- iii. In the absence of a signed s106 Agreement or similar undertaking to provide for appropriate obligations, there would be an unacceptable impact on local infrastructure and lack of affordable housing, contrary to policies CS19 and CS21.
- iv. **In the absence of a revised air quality assessment to consider the impact on proposed residential receptors of operational phase emissions from the consented Sudbury Standby Generating Facility under application DC/21/00357, an assessment cannot be made as to whether an acceptable standard of amenity for future occupiers can be achieved in terms of air quality as required under paragraph 130(f) of the NPPF 2021.**
- v. The application development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.

2. In the event that an appeal against the refusal of planning permission is received, delegate authority to the Chief Planning Officer to defend that appeal for the reasons set out under 1. above, being amended and/or varied as may be required.

Chilton Hall

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28 November 2022

Sent by email

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FAO Ms Jo Hobbs

Dear Madam,

Application for outline planning permission – DC/20/01094.

Proposal: outline planning application (some matters reserved, access to be considered)-erection of up to 166 residential dwellings, purpose-built care home for up to 60 bedrooms and associated infrastructure including landscaping, public open space, car parking a means of access off Church Field Road.

I have read your detailed officer's report (the 'OR') issued recently.

I continue to object to this application for permission as described above. I agree with your conclusions and I support the recommendation of refusal of the application for all the reasons set out in the recommendation.

May I please draw the following matters to officers and members attention in relation to matters relating to this application. In the OR in section B headed Representations reference is made to 41 objections by way of bullet points. Those objections appear to have been made by or on behalf of individuals. Those objections appear to include objections made on my behalf by my solicitors Town Legal LLP (TL) who filed two letters of objection dated respectively 13 May 2020 and 30 April 2021. Those objections enclosed assessments made by independent experts respectively on issues of heritage, landscape and visual impacts (Ms A Farmer) and of current and proposed physical features (Elwood Landscape Design Ltd).

The issues on heritage are dealt with in Mr R Lewis review of all the heritage evidence and in the OR . I have therefore not attached the heritage assessments. The Applicants's landscape evidence is contradicted by Ms Farmer's assessment. The Applicants also rely on the structural landscaping (also referred to as the tree belt) as mitigation for the adverse impacts of their development whereas the Elwood assessment identifies several omissions, flaws and overstatements in the Arboricultural Impact Assessment filed on behalf of the Applicants.

Whilst no criticism is made, the contents of these objections and the latter two independent expert assessments are not dealt with in the OR. Whilst the assessments were served in relation to the original application they remain entirely relevant to this application because the revisions to the original scheme are very limited, being a small reduction in the maximum number of residential dwellings to be permitted on the site by 24 (from 190 to 166). That

reduction has allowed the applicants to create a modest amount of open space. Apart from that all matters for consent (access, height, massing and density) remain unchanged. Accordingly, I attach the two TL letters and the Farmer and Elwood assessments as they may be of assistance to officers and to members.

Also I should update briefly another matter referred to in the TL letters. In February 2022 your authority published its 5 year Housing Land Supply Position Statement (5YHLS) which sets out the up to date 5YHLS position covering the five year period from 1 April 2021 to 31 March 2026. For your authority the 5YHLS requirement is 2,116 residential units between those dates. Your Council considers it can demonstrate a 6.86 year supply being a surplus of 786 units. This is further evidence that residential development on this site is not needed.

Yours faithfully

Lady Hart of Chilton.

Land off Church Field Road, Chilton
Review of Landscape and Visual Impact Assessment

May 2020



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Executive Summary

The development site is located in Chilton Parish on elevated land between the edge of Sudbury and Chilton Hall.

Previous employment development proposed for the site was dismissed, more recent assessment of the site has highlighted sensitivities and constraints, and the current emerging Local Plan (Reg 18) makes no allocation on the site.

The proposed development is for up to 190 dwellings comprising two and three storey properties (up to 12.8m in height) and a residential care home (up to 60 bedrooms and 12.8m in height) on land that rises to c. 62m AOD.

In assessing the landscape and visual effects of the proposed development the LVIA does not demonstrate an understanding of the role of the historic landscape in present day character and fails to undertake a local landscape character assessment.

The character of the site and its immediate setting comprises a shallow 'bowl' of open land which contains notable heritage assets and has an intact pattern of field boundaries, field names and footpath routes. The rural land uses, vegetation patterns and openness of the area give rise to a landscape where perceptions of tranquillity and ruralness are easily appreciated, despite the close proximity of Sudbury. This context provides a rural and remarkably intact setting to key heritage assets including Chilton Church and Chilton Hall, which make a valued contribution to sense of place and local distinctiveness in return.

The Parameters Plan (Dwg. No. 3898-0311-PO4), Building Heights Plan (Dwg no. 3898-0312-PO4 and Massing Layout (Dwg no. 3898-0313-P04) indicate the following:

- proposed development will result in buildings up to c. 12.8m on the highest parts of the site
- the majority of the site is proposed for development with only the lowest slopes retained for open space
- the current views towards the church and wider landscape would be substantially lost

Based on the above I consider the LVIA assessment of landscape effects have been underestimated. The proposed development would physically encroach on the 'bowl' landscape and setting of associated heritage assets, with 3 storey buildings likely to be prominent, seen breaking the skyline and extending down the slope. The open, rural setting of the church and hall would be substantially undermined, and rural characteristics and openness of the local landscape would be diminished.

In terms of visual effects, the LVIA has failed to identify viewpoints from public rights of way to the southeast of the site with only one viewpoint considered (Viewpoint 6). It has also omitted consideration of views from the hall grounds to the site. This lack of analysis results in the overall assessment of visual effects being substantially underestimated.

In views from the southeast the church and hall (reflected in the mature trees within the grounds) are visible within a wider rural landscape. The white employment building to the south of Church Field Road is visible as is the Health Centre adjacent to the site. This latter building is known to be c. 9m in height and can be discerned in all viewpoints. The Parameter Plan and Building Height Plan show the extent of development and location of three storey development on higher parts of the site (in front of the Health Centre) and extending down the slopes. The proposed development would be considerably taller than the Health Centre and would undermine the visual primacy of the church tower. Such development would be seen above the existing planting and would break the skyline.

Furthermore, the LVIA has not included any visual assessment from the hall but has assumed that there is no inter-visibility between the hall and the church or between the hall and the site due to existing vegetation. However, there are glimpsed views from within the hall grounds to the church and also views in winter from the hall grounds to the site when the outline of the white employment building on Church Field Road can be discerned.

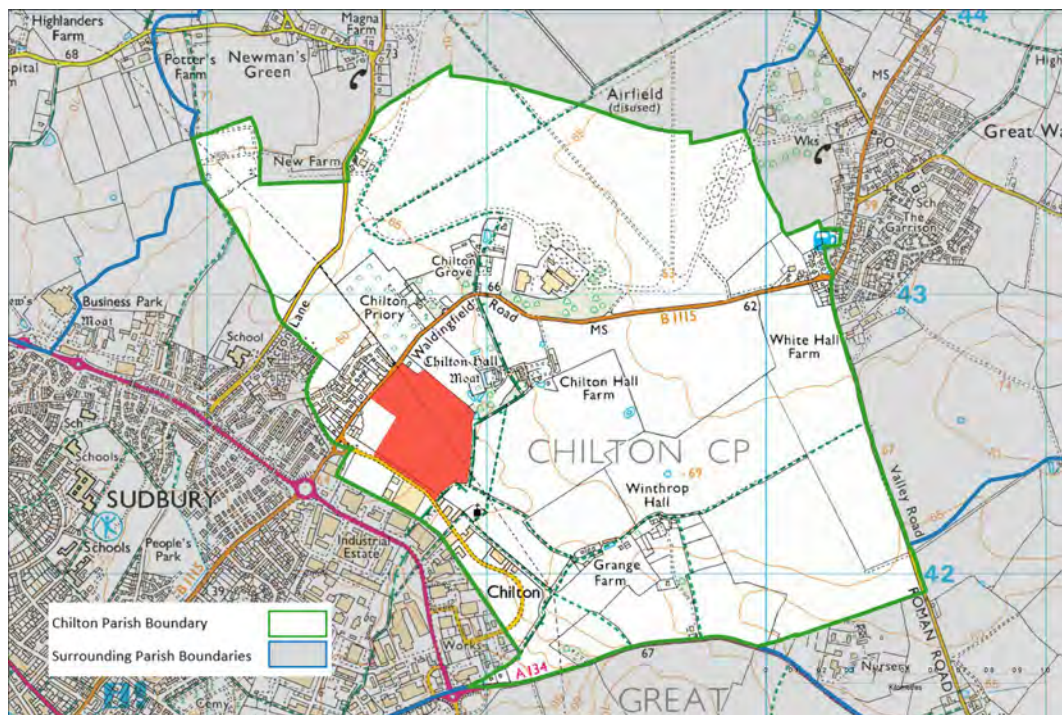
For these reasons, the LVIA visual assessment is considered to be incomplete and unreliable.

This review has illustrated that the proposed development does not respect the character of the immediate landscape. The proposed development would give rise to significant adverse effect on landscape character, views and on the setting of highly valued heritage assets, undermining valuable positive attributes on the periphery of Sudbury. These effects would not be in accordance with local plan policy CR01 which seeks to conserve and enhance landscape character and would be contrary to National Planning Policy Framework paragraph 170. It would also be contrary to landscape guidance in the NCA, Suffolk Typology and Joint Babergh and Mid Suffolk Landscape Guidelines. For these reasons planning permission should be refused.

1.0 Introduction

1.1 Appointment

- 1.1.1 Alison Farmer, BA (Hons), MLD, MLI is one of the UK's leading professionals in landscape character assessment, impact assessment and landscape evaluation. She is director of Alison Farmer Associates Ltd (AFA), based in Cambridge, and has over 25 years of professional experience.
- 1.1.2 In May 2020 Alison Farmer Associates was appointed on behalf of Lady Hart of Chilton to undertake a review of the Landscape and Visual Impact Assessment (LVIA) associated with a planning application for 190 houses and a care home off Church Field Road, Chilton. The work has involved desk study of the applicants LVIA, Heritage Statement and other relevant background material, a site visit, and preparation of this short report. A detailed review of vegetation on the edge of the development site has been undertaken by Elwood Landscape Design and a review of heritage issues undertaken by Michael Collins - cross reference is made to both these reports.



- 1.1.3 The development site is located in Chilton Parish (see diagram 1 above) on elevated land between the edge of Sudbury and Chilton Hall. It comprises a large (c. 11 ha) open field which has formerly been farmed and which is now uncultivated with some self set trees. The site is accessed via Church Field Road. The site is bounded by plantation planting to the north and east, while to the west is an existing Community Health Centre and to the south of Church Field Road an industrial estate. The development comprises the following components:

- Up to 190 dwellings comprising two and three storey properties (up to 12.8m in height).
- Residential care home (up to 60 bedrooms and 12.8m in height).
- Two vehicular access points off Church Field Road.
- Open space provision on the eastern side of site.
- Drainage swale features on south-eastern boundary of the site.
- Permissive footpaths through existing woodland boundary and across the site.

1.1.4 The proposed development is illustrated on the Development Parameters Plan (Dwg. No. 3898-0311-PO4). A Building Heights Plan is provided on drawing no. 3898-0312-PO4 and a Massing Layout drawing no. 3898-0313-P04. The indicative landscape strategy for the site is illustrated on Figure 5 Landscape Strategy Plan of the Landscape and Visual Impact Assessment (LVIA) and the Illustrative Masterplan on drawing number 3898-0310-P05 however both these latter drawings are only indicative.

1.2 Planning Background

1.2.1 The site was previously allocated for employment development in earlier local plans. It is understood that prior to this, boundary planting was undertaken around the northern and eastern perimeter of the site in anticipation of development (this is described separately in the ELD report). A planning application (B/09/00932/FUL) for two large scale warehouses was submitted in 2009. English Heritage objected on the basis that the proposed development would cause substantial harm to the church and Chilton Hall.

1.2.2 Eventually the scheme was granted permission in Jan 2014 only to be challenged and quashed in the High Court.

1.2.3 Since this time evidence base studies have been undertaken to inform the emerging Babergh and Mid Suffolk Local Plan, including the Heritage and Settlement Sensitivity Assessment (Place Services 2018). This includes an assessment of Sudbury and Chilton and states that:

'Chilton is a medieval church/hall complex located on the northern boundary of modern-day Sudbury. The Hall lies within a moated site and a registered park and garden. The expansion of Sudbury has extended to about the southern boundary of the landscape associated with the church....Chilton Hall...forms part of a church and hall complex with the Church St Mary situated half a kilometre to the south of the hall, and would historically have sat in complete isolation. It is now sited adjacent to a modern industrial estate.'

1.2.4 It goes on to state that:

'the hall is still discernibly separate from the edge of Sudbury and would be susceptible to any development which infilled this small section of open landscape between it and the edge of Sudbury.'

1.2.5 The assessment recommended to Babergh District Council that *'future development sites avoid further encroachment on these assets, in particular Chilton Hall and Church.....'*

- 1.2.6 More recently the Joint Local Plan Strategic Housing and Economic Land Availability Assessment (2019) has been undertaken. The site has been identified as SS0590. The assessment concluded that:

'the site is potentially considered suitable for residential development taking identified constraints into consideration' and that the site is suitable only in part – *'along the road frontages of Waldringfield Road and Church Field Road in order to mitigate heritage impact'* giving an estimate yield of just 25 dwellings.

- 1.2.7 In the most recently published Joint Local Plan Preferred Options (Reg 18) the site is not allocated for any type of development.
- 1.2.8 The LVIA at para 5.5.5 refers to the previous allocation for development and states that *'the principle of development on the site has been established.'* However, as shown above, the previous employment development was quashed, more recent assessment of the site has highlighted sensitivities, and the current emerging Local Plan (Reg 18) makes no allocation on the site.

2.0 Understanding Landscape and Heritage Context

2.1 Current Guidance

- 2.1.1 The LVIA makes reference to Guidelines on Landscape and Visual Impact Assessment 3rd edition (GLVIA) and 2002 landscape character assessment guidance. However this latter guidance has been superseded by the Natural England Guidance 'An Approach to Landscape Character Assessment' (Oct 2014). This latter guidance states:

'It is important to understand past land use, management, and associated settlement patterns, including the extent to which they have survived, and how different stages in history have contributed to the character of today's landscape and sense of place. To this end Historic Landscape Characterisation...can inform Landscape Character Assessment by providing information on the historic dimension of the present day or townscape within a given area.'

- 2.1.2 It goes on to state that:

'field systems and settlement patterns are often intimately linked and together contribute to distinctive local and regional patterns in the landscape.'

- 2.1.3 Similarly, GLVIA states in paras 5.7-5.11 that:

'The history of the landscape, its historic character, the interaction between people and places through time, and the surviving features and their setting may be relevant to the LVIA baseline studies, as well as the cultural heritage topic.'

- 2.1.4 **The LVIA makes no explicit reference to, nor lists in appendix A, the Heritage and Settlement Sensitivity Assessment or the Heritage Assessment undertaken by Heritage Collective in relation to the development. The LVIA therefore does not set out a clear understanding of the heritage of the area or its contribution to present day landscape character. This is a significant omission given the concentration of heritage assets and patterns which are still clearly apparent (refer to Michael Collins' report).**

2.2 Landscape Character

- 2.2.1 The LVIA identifies the site as falling within National Character Area 86: South Suffolk and North Essex Claylands and LCT 4 Ancient Rolling Farmlands in the Suffolk County Landscape Typology although it is also close to the Rolling Valley Farmlands landscape type. **The LVIA notes in para 5.3.2 that there are no management guidelines for the Ancient Rolling Farmlands, but this is not the case, and these are provided along with guidance for the Rolling Valley Farmlands in Appendix 1 of this report.**

- 2.2.2 Given the topography of the landscape around the site, the guidance for both landscape types has been reviewed. Guidance notes for Rolling Valley Farmlands are of particular relevance stating that the landscape is:

'highly sensitive because of the landform and the particularly rich built heritage.'

2.2.3 It goes on to state that:

'The setting of specific features and elements of these landscapes, such as small-scale enclosure patterns or historic buildings and monuments, can also be significantly damaged.'

'in a valley side situation, especially if located on the skyline, they [development] will have a considerable visual impact. It is preferable to seek a location outside the valley where the visual impact of this type of development can be mitigated much more effectively.'

2.2.4 Historic Landscape Characterisation covering the site and surrounding area is classified as pre 18th century enclosure in the County Historic Landscape Characterisation. Michael Collins' report confirms that the enclosure pattern surrounding the Hall and Church is of considerable antiquity.

2.2.5 GLVIA highlights the need to *'undertake more detailed landscape character assessment to draw out the key characteristics that are most relevant to the proposal... by identifying variations in character at a more detailed scale'* (para 5.15). It also states that *'when assessing landscape effects, the degree to which aesthetic or perceptual aspects of the landscape are altered either by removal of elements or addition of new components'..... and whether..... 'the effect changes the key characteristics of the landscape, which are critical to its distinctive character', should be assessed.*

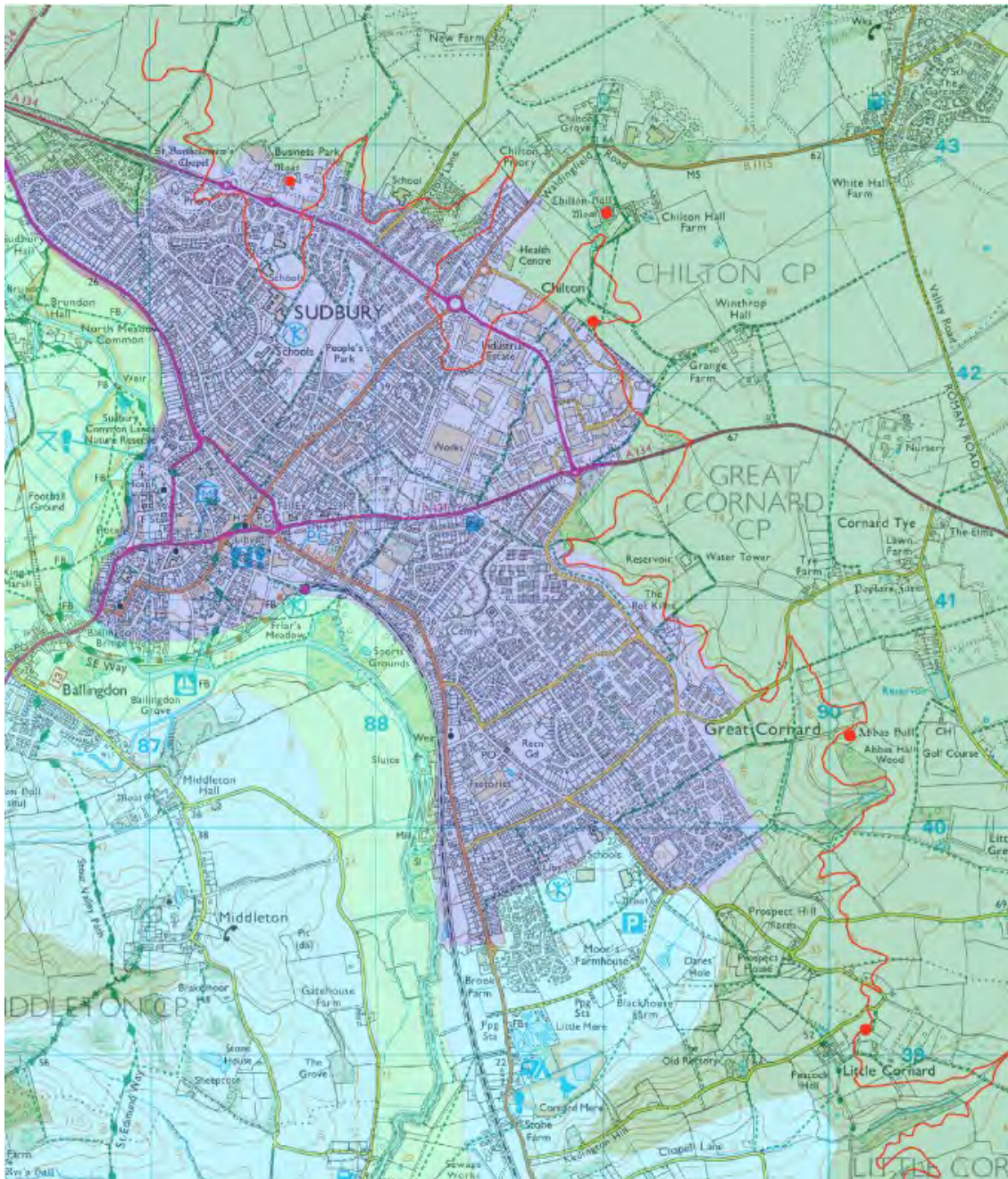
2.2.6 The LVIA sets out the value of doing a local level character assessment in para 2.3.5 **but does not undertake one. The local character of the area is considered further below.**

2.3 Settlement Character and Evolution

2.3.1 In order to understand the sensitivity or capacity of the site for development it is necessary to first understand its context in terms of the settlement of Chilton Parish on the higher land above the Stour Valley. Drawing 1 illustrates the location of Sudbury in the Stour Valley and its more recent expansion on to surrounding higher land as well as the position of Hall/Church complexes in the surrounding farmland above. This pattern is also noted in the Heritage and Settlement Sensitivity Assessment for Sudbury which states in relation to Chilton Hall that it *'forms part of a ring of hall complexes set on higher ground surrounding the historic settlement of Sudbury.'*

2.3.2 From this analysis several observations can be made:

- The church hall complexes which surround Sudbury occur around the 60m contour.
- The church and hall at Chilton are physically the most closely related and most intact examples of this relationship within the Sudbury context.
- The growth of Sudbury onto the higher land surrounding the Stour has encroached on these heritage assets and extended the town into a different landscape character (Ancient Rolling Farmlands).



Drawing 2:

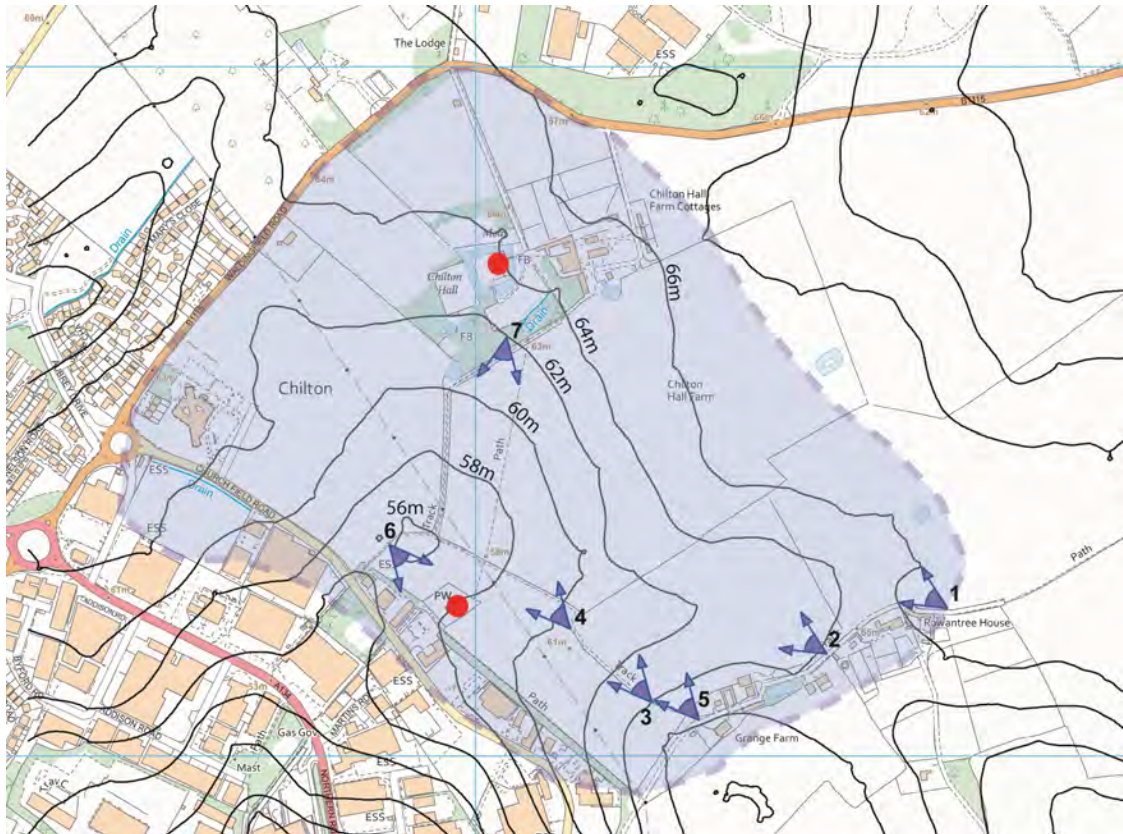
Distribution of church/complexes (red dots) around the fringes of Sudbury and near the 60m contour (red line).

Variations in landscape character are shown in the colour shading.

Green = Ancient Rolling Farmland above the Stour Valley
 Pale Blue = Rolling Valley Farmlands (on the valley sides)
 Pale Green = Valley Meadowlands on the valley floor.

- 2.3.3 Drawing 2 illustrates the topography of the site and the surrounding landscape in relation to the edge of Sudbury and the church/hall complex at Chilton. This illustrates that the church is set on slightly lower land at the lip of the Stour Valley with the land rising gently around it to the north, east and south. Chilton Hall is set on slightly higher land but in close proximity, its

position evident by the mature parkland trees which surround it. The height of the church tower, its construction in red brick and its distinctive form mean that it is a key landmark set within this gentle 'bowl' landscape. The setting of the church can be defined as a visual envelope from which it can be read as a local landmark as illustrated in drawing 2. From within this setting it is possible for the church tower, the site and Chilton Hall to all be discernible. As noted in Michael Collins' report the enclosure pattern and field names, as well as the rights of way network within this 'visual setting', are also remarkably intact and can be traced back to early maps of the Chilton Hall Estate. These patterns and relationships are illustrated in viewpoints 1-7 below and highlight that the church/hall complex and its surrounding landscape setting is remarkably intact, despite the expansion and proximity of Sudbury.



Drawing 2: Visual envelope of church illustrating the distinct 'bowl' within which the church sits and from which the relationship between the church, hall, enclosure pattern and historic routes can be perceived.

- 2.3.4 Within this context the site can be seen to form the western half of the wider 'bowl' setting to the church and hall. Similarly, Figure 3 of the LVIA illustrates the topography of the site - the western half of the site being flatter (c. 63.5-61.5m AOD) before dropping more steeply (c. 61.5-56m AOD). Views from the site to the church tower and to the mature trees in the grounds of Chilton Hall are discernible from a significant part of the site. Where there is a gap in the eastern perimeter planting of the site, the rising land beyond the site can also be seen (refer cover photo).
- 2.3.5 From the south/east there are views back towards the site in the context of the church and the hall. Similarly, the Health Centre on the western part of the site can be clearly seen and, at c.9m high, is a useful proxy for assessing the effects of proposed development on the site.

2.4 Value and Susceptibility

2.4.1 The LVIA assesses the Ancient Rolling Farmlands as having a medium value and medium sensitivity, noting that the LCA sets out policies to conserve and enhance features that are essential in contributing to local distinctiveness and sense of place (LVIA page 23). The Joint Landscape Guidelines aim *'to retain, enhance and restore the distinctive landscape and settlement character.'*

2.4.2 **Whilst the wider LCA can be regarded as medium value, I consider the site and immediate setting to have a higher value due to the concentration of heritage assets, their relationships and the integrity of their open rural landscape setting which comprises a distinct 'bowl' landscape and from which the historic aspects of the landscape can be understood and enjoyed.**

2.4.3 This is reiterated in Historic England's objection to the planning application which stated:

'The landscape between the hall and church allows views between the two and reflects the historic relationship between the buildings. The existing footpaths connect the two and offer access around the perimeter of the application site, enabling the hall and church to be experienced in their rural setting.'

2.4.4 **The historic patterns, features and characteristics make a positive contribution to present day landscape character and sense of place. In addition, an understanding of the church/hall complex at Chilton within the context of Sudbury illustrates that collectively they have a rarity value.**

2.4.5 In terms of susceptibility the Heritage and Settlement Sensitivity Assessment for Babergh and Mid Suffolk stated that:

'The hall is still discernibly separate from the edge of Sudbury and would be susceptible to any development which infilled the small section of open landscape between it and the edge of Sudbury. The church and the hall have a highly significant historic relationship, they are therefore of particular susceptibility to any development on the land directly between the two.'

2.4.6 Furthermore, the open rural character of the local area is highly vulnerable to development which results in a loss of openness and has an urbanising influence. In addition, the church tower is a key landmark, (despite its position on slightly lower land) which is highly susceptible to development on surrounding slopes where it may appear visually dominant and undermine the visual primacy of this characterising feature. The visual primacy of the church is already becoming lost due to increased tree cover and scale of adjacent buildings on the edge of Sudbury.

2.5 Sensitivity

2.5.1 The above analysis highlights that the site forms an integral part of a wider landscape which is highly valued and susceptible to changes that erode its historic character, rural character, time depth and integrity. The LVIA has underestimated the sensitivity of the settlement character of Chilton Parish (which is the church/hall complex) awarding it a low sensitivity. It

has also failed to assess the local landscape, which comprises the distinctive 'bowl' of landscape, of which the site is an important part.

- 2.5.2 This sensitivity was highlighted by the Heritage Officer at Babergh in their consultation response to the proposed development, stating that:

'The landscape in between the Hall, the walled garden, registered park and garden (RPG) and the church is clearly a part of the setting of all the assets and its contribution to the significance is no less than fundamental to all of them. It cannot be separated out from the historic buildings and demoted, despite its recent compromise through development adjacent. The current site is rough grassland and it plays a role in narrating the meanings and evolution of the group and in combination with the fields to the east the historic connection amplifies the experience of all assets.'

3.0 Landscape and Visual Effects

3.1 Approach and Assumptions

- 3.1.1 In addition to issues raised above the following shortcomings have been identified in the LVIA:
- The assessment was carried out in September and the photographs indicate views when vegetation is in full leaf. This is acknowledged in the LVIA para 2.6.1 as a 'best case' scenario. The LVIA does not reflect 'worst case' effects. In winter views development on the site will be more apparent and would reflect a 'worst case' scenario.
 - The LVIA relies on a development as set out in the Illustrative Masterplan to determine effects. Given that the masterplan is not for consent, any final development of the site may be substantially different. Moreover, there is considerable doubt that the perimeter planting surrounding the site will effectively achieve the level of mitigation assumed in the LVIA (refer to ELD report).
 - The LVIA incorrectly considers the proposed development to reflect development within Sudbury but as set out above, the site forms a setting to the settlement of Chilton which in this case is a Hall/Church complex.

3.2 Landscape Effects

- 3.2.1 The analysis in section 2 above highlights that the character of the site and its immediate setting comprises a shallow 'bowl' of open land which contains notable heritage assets and has an intact pattern of field boundaries, field names and footpath routes. The rural land uses, vegetation patterns and openness of the area give rise to a landscape where perceptions of tranquillity and ruralness are easily perceived, despite the proximity of Sudbury. This context provides a rural and remarkably intact setting to key heritage assets including the Church and Chilton Hall, which make a valued contribution to sense of place and local distinctiveness in return.
- 3.2.2 It is acknowledged that the setting of the hall and church has suffered in recent years from incremental development in the vicinity, and the growth of uncharacteristic peripheral plantation around the site. But its qualities and interest remain and have the potential to be a valued landscape asset on the fringes of Sudbury.
- 3.2.3 As noted above, the LVIA has underestimated the value and susceptibility of the site and its local landscape context to the type of development proposed. Judgements on landscape effects rely heavily on the existing perimeter planting to screen views to the development, but as noted in the ELD report, this planting requires substantial management and thinning. This is likely to reduce its effectiveness as a screen. Similarly, proposed landscape planting along Church Field Road (refer Indicative Masterplan) is unlikely to effectively screen 3 storey buildings and in any event would, in association with the development, result in a loss of openness and views currently afforded along the road.
- 3.2.4 The LVIA has not considered the secondary effects on landscape character which are likely to arise as a result of the proposed development. These include a loss of perceived rurality and tranquillity which are qualities valued both in terms of landscape character but also in relation to the setting of key heritage assets. These qualities would be undermined by increased activity and light pollution from the proposed development.

3.2.5 The LVIA illustrates the landscape strategy/mitigation for the proposed development on Figure 5. The following points can be made:

- Three storey dwellings/care home in the southwest of the site will be located on the highest part of the site and extend onto the more pronounced slopes of the valley. Development this high, in this location, is likely to break the skyline and be visible from the south/east including several footpaths (review LVIA viewpoint 6 and AFA viewpoints 1-5 – see below).
- The open space in the eastern part of the site aims to provide ‘a backdrop’ to the church. However, the open space is on the lower lying land and whilst it lies adjacent to the church, its relatively narrow extent and the encroachment of development on the upper slopes, means that development is likely to form the backdrop. The LVIA goes on to confirm this in para 4.2.2.
- The view cone across the site and associated with the church appears arbitrary. There are many places on the site where there are elevated views across to the church tower. These views would be lost due to the proposed development.

3.2.6 **Based on the above the LVIA judgements on landscape effects for the site, and settlement character of Chilton Parish have been underestimated, while impacts on the local landscape character have been missed altogether. For example, landscape impacts on the settlement character of Chilton Parish are judged in the LVIA to be low negative. This cannot be the case as the proposed development would physically encroach on the ‘bowl’ and setting of the church/hall complex, with 3 storey buildings likely to be seen breaking the skyline and extending down the slope. The open, rural setting of the church and hall would be substantially undermined, and rural characteristics and openness of the countryside would be diminished.**

3.3 Visual Effects

3.3.1 The LVIA representative viewpoints used to assess the visual effects of development were identified following the definition of a visual envelope based on manual analysis of topographical data combined with aerial images (LVIA para 2.4.4). This analysis has failed to identify viewpoints from public rights of way to the southeast of the site with only one viewpoint considered (Viewpoint 6). **The lack of analysis of visual impacts from the southeast results in the overall assessment of visual effects being substantially underestimated.**

3.3.2 The photographs contained within the LVIA include images which have been joined to create panoramas in such a way that it has caused the image to distort. For example, in LVIA viewpoints 1-3 the road appears curved when in reality it is straight. Significantly, these images reduce the scale of key elements in the view such as the church tower. These images do not reflect best practice, can only be used as a guide, and should not be relied upon in determining the effects of the proposed development.

3.3.3 Additional viewpoints have been provided in this report. They illustrate that there are views from the southeast from rising land which forms the ‘bowl’ setting to the church and hall. From these locations and from the wider network of public rights of way in the area there are sequential views of the key historic assets within their landscape setting. The public right of way through the hall grounds from Waldringfield Road enables users of the footpath network to see and appreciate the hall first-hand, even if the hall itself is not visible from the wider landscape, except when in close proximity.

- 3.3.4 In views from the southeast the church and hall (reflected in the mature trees within the grounds) are visible within a wider rural landscape. The white employment building to the south of Church Field Road is visible as is the Health Centre adjacent to the site. This latter building is known to be c. 9m in height and can be discerned in all viewpoints. Figure 4 of the LVIA shows the extent of development and location of three storey development (c. 12.8 m in height) on higher parts of the site (in front of and beside the Health Centre) and extending down the slopes. The proposed development would be considerably taller than the Health Centre and would undermine the visual primacy of the church tower. Such development would be seen above the existing planting and would break the skyline. Visual receptors on public rights of way are highly sensitive. Given the visual changes noted above, I conclude that significant adverse visual effects will be experienced from the wider locality.
- 3.3.5 In the case of viewpoints along Church Field Road (LVIA viewpoints 1-3) the LVIA acknowledges that the magnitude of change on completion would be high adverse but goes on to conclude that landscape mitigation will reduce the effects to medium adverse over the longer term. As noted earlier the proposed landscape mitigation is unlikely to screen views or successfully integrate the proposed development which will be 3 storeys in height, and the level of effect is therefore likely to remain high adverse.
- 3.3.6 Furthermore, **the LVIA has not included any visual assessment from the hall but has assumed that there is no inter-visibility between the hall and the church or between the hall and the site due to existing vegetation.** This assumption is flawed – just because there is no view in one direction does not follow there is no view in return. There are glimpsed views from within the hall grounds to the church (refer AFA viewpoint 7) and also views in winter from the hall grounds to the site when the outline of the white employment building on Church Field Road can be discerned.
- 3.3.7 **For these reasons, the LVIA visual assessment is considered to be incomplete and unreliable.**

4.0 Conclusions

4.1 Significance of Effects

4.1.1 The LVIA sets out several conclusions to justify development on this site and these are considered in turn below.

- ***The visual envelope is limited.*** Whilst it is agreed that the visual effects of the proposed development are limited to the local area this does not mean that development on this site is acceptable. The visual effects of the development on the sensitive visual receptors within the landscape setting to Chilton Church and Hall result in a substantial adverse effect.
- ***The greatest effects are felt adjacent to the site.*** Due to the 'bowl' landform the effects of development will also be significant further away on rising land to the southeast which permits elevated views across the landscape towards the site in the context of the church and hall.
- ***Vegetation can be used to screen and mitigate development.*** This is true but where openness is a valued characteristic mitigation planting can of itself cause adverse effects. Furthermore, the condition of the perimeter planting within the site is poor and likely to require thinning which will reduce its effectiveness as a screen.
- ***The retention of the rural character of land adjacent to the church is important –*** Leaving a small area of open space on the lower slopes of the site does not mitigate the effects of the proposed development on the setting of the church. This is because the setting of the church includes the whole of the site as part of the wider 'bowl' landscape. Development on the site would be considerably higher than the church and would undermine the visual primacy of this landmark structure.
- ***There is a lack of visibility between the hall and the site due to peripheral planting around the site.*** This is not the case as there are views from the western boundary of the hall grounds throughout the year and especially in winter. Furthermore, limited visibility does not prevent adverse effects on character due to noise intrusion, increased activity and night light spill, all of which can undermine perceptions of tranquillity and rural setting.

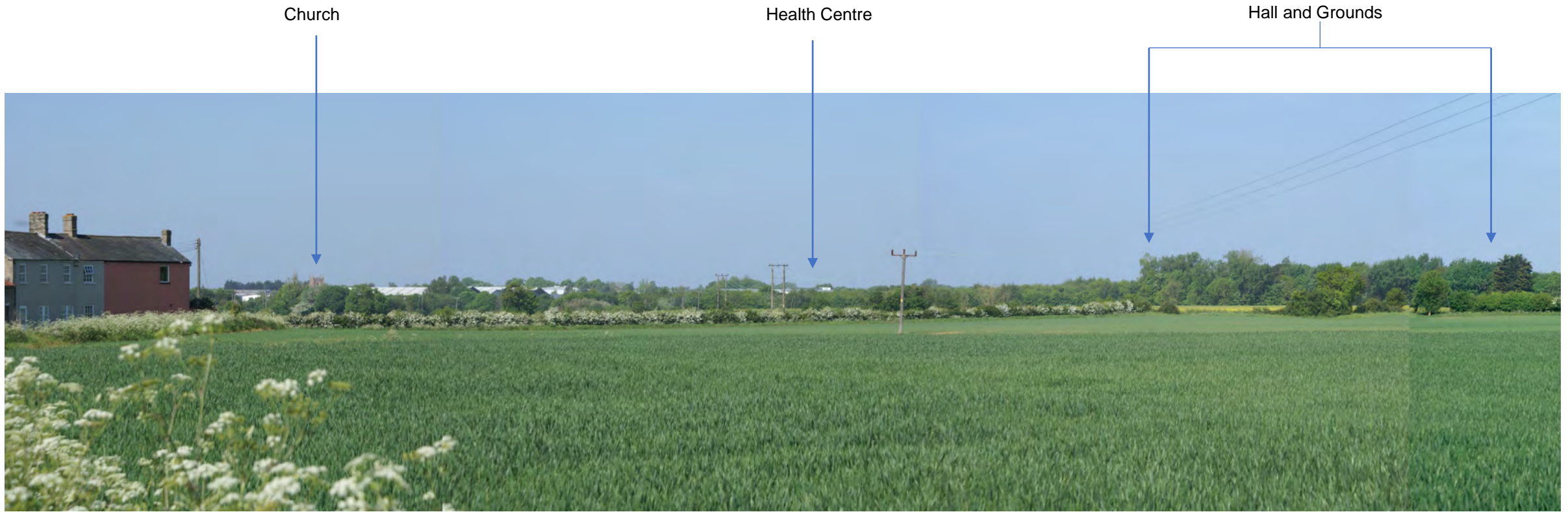
4.2 Recommendations

4.2.1 This review highlights a number of serious omissions and inaccuracies within the LVIA. It has also revealed a lack of understanding of the local receiving landscape and of its value, susceptibility and sensitivity. The result is an underestimation of the level of landscape and visual effects which will arise as a result of the proposed development. The LVIA is considered to have inadequately assessed the likely effects of the proposed development and should not be relied upon in reaching a decision on the proposed planning application.

4.2.2 This review has illustrated that the proposed development does not respect the character of the immediate landscape - the site forms part of a 'bowl' landscape and contains highly valued heritage assets which in association with, topography, open farmland, enclosure patterns and footpaths make a notable contribution to the local sense of place and time-depth. This increases the areas sensitivity.

- 4.2.3 The proposed development would give rise to significant adverse effect on landscape character, views and on the setting of highly valued heritage assets, undermining valuable positive attributes on the periphery of Sudbury. These effects would not be in accordance with local plan policy CR01 which seeks to conserve and enhance landscape character. It would also be contrary to landscape guidance in the NCA, Suffolk LCA and Joint Babergh and Mid Suffolk Landscape Guidelines. For these reasons planning permission should be refused.

Appendix 1



Viewpoint 1: PRow 8 looking northwest towards the Health Centre on the site. The church is located to the left the tower breaking the skyline. The mature vegetation associated with Chilton Hall is evident on slightly higher land to the right.



Viewpoint 2: PRoW 8 looking northwest towards the Health Centre on the site. The church is located to the left the tower breaking the skyline. The mature vegetation associated with Chilton Hall is evident on slightly higher land to the right.



Viewpoint 3: PRoW 5 looking northwest towards the Health Centre on the site. The church is located to the left the tower breaking the skyline. The mature vegetation associated with Chilton Hall is evident on slightly higher land to the right.

Church

Health Centre



Viewpoint 4: PRoW 5 looking northwest towards the Health Centre on the site. The church is located to the left the tower breaking the skyline.



Viewpoint 5: PRoW 5 looking northwest towards the Health Centre on the site. The church is located to the left behind vegetation.



Viewpoint 6: Restricted Byway 3 looking southeast towards church which sits slightly elevated overlooking this more intimate meadow.



Viewpoint 7: View from Chilton Hall Registered Park and Garden looking southwest towards Chilton Church.

Appendix 2

Rolling Valley Farmlands

Landscape Sensitivity & Change

This is a sloping valley side landscape largely associated with the rolling and undulating farmlands south of the river Gipping, not with the clay plateau landscapes north of the Gipping valley. These valleys are distinct, in terms of both cultural pattern and history, from the clayland valleys north of the River Gipping

The Rolling Valley Farmlands are generally comprehensively settled with substantial villages, such as Lavenham, Bildeston and Clare, that can have the character of small towns. These villages have distinctive and often dense late mediaeval cores, containing large numbers of high quality medieval buildings and more ornate churches than those found in north Suffolk. The Rolling Valley Farmlands are also the location of the towns of Hadleigh, Sudbury and Haverhill, which are subject to pressure for settlement extension.

These south Suffolk valleys are locally distinctive and even the areas outside “Constable Country” such as the villages of the Brett valley, have some of the highest national profiles of any Suffolk landscape.

The surrounding landscapes are rolling, sometimes steeply in the west of the county, with blocks of ancient woodland being a consistent feature. This woodland frames the valleys and is often present on the upper slopes.

The spatial relationship of this landscape to the adjacent valley floor means that change and development here can have a profound visual impact. In addition, some of this landscape is adjacent to or within the Dedham Vale Area of Outstanding Natural Beauty (AONB). This is an additional sensitivity in a landscape that is already highly sensitive because of the landform and the particularly rich built heritage.

Key Forces for Change

- Expansion of settlements.
- Construction of large agricultural buildings.
- Expansion of garden curtilage.
- Change of land use, especially the creation of horse paddocks.
- Impact of deer on the condition of woodland cover.
- Mineral extraction.

Development management

Exaggerated visual impact of the height of buildings and structures

In these valley side landscapes, the visual impact of new vertical elements is increased by the landform. Therefore new buildings are likely to have a significant impact on both the character and visual amenity of valley floor and valley side

landscape types. The setting of specific features and elements of these landscapes, such as small-scale enclosure patterns or historic buildings and monuments, can also be significantly damaged.

The majority of development will, to some degree, be subject to this problem. Therefore, it is essential to manage this issue effectively, taking every opportunity at the earliest stages of the development of the proposal to modify and improve it or to be clear with the applicant that the impact of the proposal is unacceptable or may be at a high risk of refusal due to landscape impacts.

Settlement form and expansion

Valley side landscapes have historically been a focus for settlement. However, large-scale expansion should be confined to the adjacent plateau. In this location the landscape and visual impact can be more easily mitigated with effective planting and design.

Settlement extension in a valley side landscape is likely to have a significant visual impact and adversely affect the character of the landscape, including that of the adjoining valley floor. A comprehensive Landscape and Visual Impact Assessment is essential to identify the risks and the options for mitigation. These developments tend to create a highly visible new “roofscape” on the sides of valleys. The effect of this can be partially mitigated by planting within the development as well as on the perimeter and offsite. It is essential to ensure that there is sufficient space within the development for effective planting, and that any requirement for offsite planting is considered at the earliest stage. The proposals for mitigation planting must always be commensurate with the scale of the development and the capacity of the landscape to absorb the development without damage to the landscape character.

It is important to maintain the existing pattern of settlement clusters on the valley sides and minimise visual intrusion on the very sensitive landscapes on the valley floor. New building here needs to be carefully located; it must be of appropriate scale and style as well as being integrated into the existing pattern of vegetation and settlement. There may also be specific styles related to a particular landed estate, which should be considered as a design option. Avoid, wherever possible, ribbon development on valley sides and slopes when this will cause settlement clusters to merge.

Large-scale agricultural buildings on or near valley sides

The siting, form, orientation and colour of these buildings make a considerable contribution to mitigating their impact. However in a valley side situation, especially if located on the skyline, they will have a considerable visual impact. It is preferable to seek a location outside the valley where the visual impact of this type of development can be mitigated much more effectively.

Barn conversions and extensions

These proposals require careful consideration and considerable attention to the detail of form and styling. Redevelopment proposals should also enhance the contribution these historic sites make to the wider landscape. In this landscape type much of the stock of barns and associated buildings are especially large and striking because of the long history of profitable arable farming

Specifically, any new building should usually be close to the existing cluster of buildings and should be subordinate in size to the principal buildings. The design, including the finishes such as tiles, brickwork, mortar, or wooden cladding should be appropriate for the style of buildings present. Staining used for exterior boarding should be capable of weathering in the traditional way, as a permanent dark or black colouring is not locally appropriate. As farmsteads in this landscape have usually developed over an extended period there may be a range of styles on site.

The change of land use, especially to residential curtilage, can often be more disruptive to the wider landscape than modifications to the buildings. The changes to the surrounding land from agricultural to residential use, which entails the introduction of lighting and other suburban features, can be extremely intrusive. Unless the site is well hidden, it may be necessary to impose clear conditions relating to the extent of garden curtilage and how this is screened from the wider landscape. Usually the risk of new domestic curtilage damaging the visual amenity and character of a valley side landscape is significant because of the shape of the land.

Manage the expansion of garden curtilage

The expansion of a garden which is not in keeping with the existing local pattern has a significant impact on the local character and form of the built environment, as well as on historic patterns of field enclosure. The visual impact of domestic clutter and garden paraphernalia can be particularly intrusive in these sloping landscapes. New or expanded curtilage should always be designed to fit into the local context and respect the established pattern.

In many cases the extent of gardens in a village or cluster within a parish is relatively uniform, with all gardens following a defined boundary with agricultural land. If settlement expansion is required then the local pattern must be respected wherever possible. However, new garden curtilage may be required in other situations, such as in association with barn conversions, or dwellings for agricultural workers in open countryside.

If a large area of agricultural land is to be attached to a domestic dwelling the planning authority should define the extent of the garden curtilage. The objective is to create a clearly defined and agreed distinction between the wholly domestic areas and, for example, land to be used as a paddock.

Effective boundary planting is essential for reducing the visual intrusion of garden extensions into the open countryside. This should be conditioned as part of the change of land use and is especially important when a section of arable land is taken in, because in these cases there are often no existing hedgerows or other boundary features present.

The style of boundary fencing and hedging to be used can have a significant impact. The use of appropriate low impact materials, such as post and wire fencing is preferable to close boarded fencing or fence panels. If the latter are required they should be screened by appropriate hedging. The use of locally appropriate hedging species including hawthorn, field maple, dogwood and other typical clayland species

should be specified in preference to non-native plantings such as leylandii or laurel for example.

Change of land use to horse paddocks

The proliferation of post and rail fencing and subdivision of land into small paddocks using temporary tape can have a significant negative landscape impact. In ecologically sensitive areas the impact on the quality and condition of grassland can be adverse. Mitigation strategies in terms of design, layout and stocking rates should be employed where possible.

It may be possible to screen the site with an effective and appropriate planting scheme. However, it may also be necessary to specify the type and extent of fencing to be used. On a sloping site post and rail or white tape can be particularly intrusive. If necessary brown or green fencing tapes should be conditioned and planting should be required to soften the impact of the post and rail fencing. Furthermore the location of field shelters and material storage areas should be specified, to minimise the landscape impact of these activities.

Opportunities should also be taken to design a field layout that is in keeping with the local field pattern or the historic pattern of boundaries.

Impact of deer on the condition of woodland cover

Large-scale deer control should be supported and individual sites may require deer fencing. New woodland plantings, as well as screening and mitigation schemes, will require effective protection from deer to support their establishment.

Mineral extraction and post working uses

As the location for mineral operations is dictated by the availability of economically viable aggregates, alternative siting is not an option. However, careful design and mitigation proposals during extraction, together with effective management and oversight of the restoration of sites, can minimise the impact of mineral extractions.

The post extraction uses of minerals sites can often be problematic. They can make ideal recreation centres, often based around fishing, but these can neutralise the wildlife benefits and be a source of intrusive landscape clutter on the valley side. In some cases former mineral workings can be the focus for large-scale development because the land is perceived to be of low value. The visual impact of such developments can be very significant in a confined valley landscape.

Land Management Guidelines

- Reinforce the historic pattern of sinuous field boundaries.
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows.
- Maintain and increase the stock of hedgerow trees.
- Increase the area of woodland cover; siting should be based on information from the Historic Landscape Characterisation and in consultation with the Archaeological Service.
- Maintain and restore the stock of moats and ponds in this landscape.

Ancient Rolling Farmlands

Landscape Sensitivity & Change

This is a rolling, wooded, arable landscape of generally medium clay, or lighter soils dissected by rivers and streams.

The characteristic land cover is arable farmland divided by an irregular sinuous field pattern, and scattered with ancient woodland. There are important areas of regular fields, arising from the enclosure of commons, greens and tyes.

Former WWII airfields are recurring feature of this landscape they are often the focus of industrial and transport orientated development that can have a considerable local visual impact.

Ancient woodland is a significant feature within this landscape. The extent of tree cover is now generally stable but much of this resource is at risk from inappropriate management and neglect including a lack of deer control.

Settlement is scattered widely throughout this landscape, with parishes tending to have multiple built clusters of various sizes: large groups often elongated; outlying groups often based on green side settlement; and wayside settlements and farmsteads. These historic patterns within parishes are easily lost to infill and ribbon development.

The Ancient Rolling Farmlands contain an important array of moated sites and farmsteads, both multi-period collections of buildings and some planned estate-type farmsteads. These are often the focus for redevelopment and modification. As well as the loss of characteristic features on individual buildings, the associated development of garden curtilages and paddocks has a significant impact on the wider landscape, which increases with the frequency of such conversions.

Although the majority greens commons and tyes in this landscape have been enclosed, they remain important open spaces that shape the relationship of buildings to each other and define the form of settlements. Intake of such land into gardens, or a change of use, has a significant impact on the character of the wider landscape.

Developments in agriculture have increased the demand for large-scale buildings, such as those associated with poultry production. These can cause considerable intrusion if the siting finish and planting is not appropriate to mitigate their visual impact.

Key Forces for Change

- Expansion of garden curtilage
- Change of land use to horse paddocks and other recreational uses
- Impact of deer on the condition of woodland cover

- Settlement expansion eroding the characteristic form and vernacular styles
- Conversion and expansion of farmsteads for residential uses
- Large-scale agricultural buildings in open countryside
- Development of former airfield sites
- Development of large-scale wind turbines

Development Management

Manage the expansion of garden curtilage

The expansion of a garden which is not in keeping with the existing local pattern has a significant impact on the local character and form of the built environment, as well as historic patterns of field enclosure. New or expanded curtilage should always be designed to fit into the local context and respect the established pattern. Furthermore, the visual impact of domestic clutter and garden paraphernalia on the wider countryside is often highly significant.

In many cases the extent of gardens in a village or cluster within a parish is relatively uniform, with all gardens following a defined boundary with agricultural land. If settlement expansion is required then the local pattern must be respected wherever possible. However, new garden curtilage may be required in other situations, such as in association with barn conversions, or dwellings for agricultural workers in open countryside.

If a large area of agricultural land is to be attached to a domestic dwelling the planning authority should define the extent of the garden curtilage. The objective is to create a clearly defined and agreed distinction between the wholly domestic areas and, for example, land to be used as a paddock.

Effective boundary planting is essential for reducing the visual intrusion of garden extensions into the open countryside. This should be conditioned as part of the change of land use and is especially important when a section of arable land is taken in, because in these cases there are often no existing hedgerows or other boundary features present.

The style of boundary fencing and hedging to be used can have a significant impact. The use of appropriate low impact materials, such as post and wire fencing is preferable to close boarded fencing or fence panels. If the latter are required they should be screened by appropriate hedging. The use of locally appropriate hedging species including hawthorn, field maple, dogwood and other typical clayland species should be specified in preference to non-native plantings such as leylandii or laurel for example. However, in some locations the influence of a landed estate may mean there is a locally distinctive tradition of non-native tree or hedge planting.

Change of land use to horse paddocks

The proliferation of post and rail fencing and subdivision of land into small paddocks using temporary tape can have a significant landscape impact. In ecologically

sensitive areas the impact on the quality and condition of grassland can be adverse. Mitigation strategies in terms of design, layout and stocking rates should be employed where possible.

It may be possible to screen the site with an effective and appropriate planting scheme. However, it may also be necessary to specify the type and extent of fencing to be used. On a sloping site post and rail or white tape can be particularly intrusive. If necessary brown or green fencing tapes should be conditioned and planting should be required to soften the impact of the post and rail fencing. Furthermore the location of field shelters and material storage areas should be specified, to minimise the landscape impact of these activities.

Opportunities should also be taken to design a field layout that is in keeping with the local field pattern or the historic pattern of boundaries.

Impact of deer on the condition of woodland cover

Large-scale deer control should be supported and individual sites may require deer fencing. New woodland plantings, as well as screening and mitigation schemes, will require effective protection from deer to support their establishment.

Settlement expansion eroding the characteristic form and vernacular styles

Parishes in this landscape tend to consist of multiple clusters of varying sizes. The release of land for development should, if at all possible, reflect the local pattern. Ribbon development destroys this pattern and can have a considerable impact on the wider landscape. When vernacular styles and detailing are used for housing or other development the choice should echo that of the immediate locality or the specific cluster in which the development is proposed.

Conversion and expansion of farmsteads for residential and other uses

These proposals require careful consideration and considerable attention to the detail of form and styling. Redevelopment proposals should also enhance the contribution these historic sites make to the wider landscape.

Specifically, any new building should usually be close to the existing cluster of buildings and should be subordinate in size to the principal buildings. The design, including the finishes such as tiles, brickwork, mortar, or wooden cladding should be appropriate for the style of buildings present. Staining used for exterior boarding should be capable of weathering in the traditional way, as a permanent dark or black colouring is not locally appropriate. As farmsteads in this landscape have usually developed over an extended period there may be a range of styles on site.

The change of land use, especially to residential curtilage, can often be more disruptive to the wider landscape than modifications to the buildings. The changes to the surrounding land from agricultural to residential, which entails the introduction of lighting and other suburban features, can be extremely intrusive. Unless the site is well hidden, it may be necessary to impose clear conditions relating to the extent of garden curtilage and how this is screened from the wider landscape.

Large scale agricultural buildings in open countryside

The right choice of siting, form, orientation and colour of these buildings can make a considerable contribution to mitigating their impact. There are also opportunities to design locally appropriate planting schemes to reduce the visual impact further.

Specifically, the siting of buildings should relate to an existing cluster of buildings whenever possible. Usually, although not in all cases, some shade of the colour green is preferred as this will integrate well with vegetation. The correct orientation of the building can also significantly change the visual impact of the development, and this consideration should always be explored.

In addition to new planting to mitigate the impact of a development, the option to modify the management of existing hedgerows should also be explored. There are often significant opportunities to retain these boundary features at a specific height. Furthermore, the location of the development in relation to existing trees that act either as screening or as a backdrop should be carefully considered. The planning authority should ensure that these trees are retained for the lifetime of the development.

New planting should be designed to integrate the development into the character of this landscape, and may consist of both backdrop and screening planting. Although there should be a preference for native tree species other options should not be overlooked, especially if they can act as nurse trees, or are likely to prove successful in difficult conditions.

The care and maintenance of the planting should be made a condition of these developments. In many cases the landscape impact of these projects is only acceptable if it is mitigated by effective planting. The applicant should therefore provide a detailed scheme of planting and aftercare, which can form the basis of a condition. Furthermore, depending on the risks to be controlled, the planning authority may need to consider a 106 agreement to secure the landscaping and design requirements for an extended period.

Development of former airfield sites

In most cases a specific master-plan approach is the most effective way to deal with the development of these sites. It is then possible to implement strategic planting schemes to mitigate the visual impact of long-term growth on the site, rather than dealing with proposals and mitigation on a piecemeal basis.

Specific issues relating to airfield development also include the preservation of cultural and historic features, such as bunkers and control towers, and the need for a design that retains them in an appropriate setting. Also, the alignment of runways etc can be echoed in the layout of buildings and the arrangement of planting.

Development of large-scale wind turbines

These developments have a significant local visual impact that cannot be effectively ameliorated; however, they usually take place in those areas that are the most open and lacking in tree and hedgerow cover. An opportunity therefore exists to generate

long-term landscape enhancement through extensive hedge planting schemes, which will provide a positive landscape legacy beyond the lifetime of the turbines. To achieve this, applicants should explore opportunities to manage funds generated by the income from the development to improve the condition of the landscape. Such a scheme is likely to cover an area within 4-6km of the site. The principal objective is to compensate for the landscape impact of the development by providing a long-term legacy of landscape *compensation*. There is little scope for planting to act as *mitigation* except at locations more distant from the turbines, when their scale in the landscape is reduced. In these more distant locations planting can be used to remove turbines from the views of specific receptors or from the setting of listed buildings. This work can also be included in an offsite planting scheme.

Land Management Guidelines

- Reinforce the historic pattern of sinuous field boundaries
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows
- Maintain and restore greens commons and tyes
- Maintain and increase the stock of hedgerow trees
- Maintain the extent, and improve the condition, of woodland cover with effective management
- Maintain and restore the stock of moats and ponds in this landscape

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Our ref: EPGR
13 May 2020

Dear Sir / Madam

Objection to planning application DC/20/01094 Land north of Churchfield Road, Chilton

Introduction and Summary of Objection

1. We write on behalf of Lady Hart of Chilton in response to the public consultation on the above-numbered application for outline planning permission. We strongly object to this proposal which is inappropriate and wholly unacceptable in this location for the following reasons:
 - (i) The proposed development will cause substantial harm to a unique group of heritage assets which share a close historical interrelationship with the local rural landscape from which they derive a great deal of significance. That conclusion is supported by expert evidence and the views of statutory consultees including the Gardens Trust. The applicant has put forward no justification, still less a “wholly exceptional” justification, as required (contrary to policies CN01, CN06, CN14, and CN15 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 194 and 195);
 - (ii) The principle of development on this site is not supported by the Development Plan. The Applicant’s reliance on policy EM24 and the tilted balance is misconceived;
 - (iii) The proposed development will have a significant adverse effect on the character of the immediate, sensitive landscape (contrary to policy CN01 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; NPPF paragraphs 127, 170); and
 - (iv) The proposed development will cause unacceptable highway impacts on the local highways networks (contrary to policies CS4 B and CS15; NPPF paragraphs 108 and 109).

Partners: Elizabeth Christie, Mary Cook, Duncan Field, Clare Fielding, Michael Gallimore, Raj Gupta, Meeta Kaur, Simon Ricketts, Patrick Robinson, Louise Samuel

13 May 2020

2. Taken together, and individually, each of these concerns constitutes a clear basis for refusing planning permission. Lady Hart recognises that provision of residential development and care home provision is not without general benefits but that must be weighed against the significant harm of locating such development on what is, by common consent, a highly sensitive rural location. In those circumstances and for the reasons we develop below, the modest benefits of this scheme do not come close to outweighing the substantial harm which will result.

Heritage

(a) Substantial harm to heritage assets

3. The Applicant is seeking outline planning permission across a site adjacent to four statutorily-listed heritage assets, including two that attract the highest level of protection: the Church of St Mary (Grade I); Chilton Hall (Grade II*); the wall around the kitchen garden at Chilton Hall (Grade II); and the Registered Park and Garden surrounding Chilton Hall (Grade II). Taken together, these assets comprise a cohesive group whose close historical and physical relationship to one another in what remains of their original rural landscape is essential to their significance.
4. That view is supported by the expert evidence of Michael Collins in a Heritage Impact Assessment prepared in response to this application and which we invite members to read in full. Mr Collins who has considerable experience of working in heritage conservation in the local area concludes that the proposed development in this location would be wholly unacceptable in conservation terms. The development will cause irreversible damage to this valuable group of listed assets as a consequence of which their significance will be very much reduced, resulting in substantial harm.
5. As you will be well aware, the Local Planning Authority is under a duty to give “special regard to the need to conserve” listed buildings and the settings of listed buildings under section 66 of the Planning (Listed Building and Conservation Area) Act 1990. The effect of this duty is that there is a clear presumption against granting planning permission where heritage assets are negatively impacted by proposed development. The National Planning Policy Framework (‘NPPF’) requires “*great weight*” to be given to a heritage assets conservation, regardless of the level of harm anticipated: in line with section 66, NPPF paragraph 194 makes clear that “any harm to or loss of the significant of a designated heritage asset, including from development within its setting should require clear and convincing justification”. Substantial harm to Grade I and II* listed assets should be “*wholly exceptional*” and permission should be refused where those wholly exceptional circumstances do not exist (NPPF para. 195).
6. Mr Collins’ expert conclusion that the proposed development will result in substantial harm to the relevant heritage assets is consistent with:
 - (a) The view of the Gardens Trust who are the statutory consultee in respect of the Registered Park and Garden;
 - (b) The LPA’s own finding of “substantial harm” in respect of a previous development application on the same site (reference B/09/00932); whilst that was for a different development the proposal in that case comprised a more limited and less intensive development envelope than the current application;
 - (c) The LPA’s ‘Heritage and Settlement Sensitivity Assessment’ (March 2018) (‘HSSA’) which identifies this group of assets as having a “*highly significant historic relationship*” and being of particular susceptibility to any development on the land directly between [them]”: it recommends that future development “avoid further encroachment... in particular [on] Chilton

13 May 2020

- Hall and Church”;
- (d) The LPA’s ‘Strategic Housing and Economic Land Availability Assessment’ (July 2019) which outlines that only development on road frontages should be considered on the site “in order to mitigate heritage impact”, and estimates a housing yield of only 25 units. This must be set against the 190 units proposed as part of this application;
 - (e) The LPA’s case in the context of the development of the emerging Joint Local Plan, recognising the severe constraints on the site, not to allocate the site for development of any kind; and
 - (f) The LPA’s heritage officer’s view that the undeveloped and open character of the site is “*fundamental*” to the significance of this important group of heritage assets.
7. The evidence as to the sensitivity of the application site, the positive contribution it makes to the significance of the heritage assets and the substantial extent of the harm that will result from development of this scale in this location is overwhelming. The LPA is under a duty to act consistently. Having previously taken the view that this is a highly sensitive site which cannot accommodate development, still less development at this scale, the LPA cannot depart from that view now.
8. By contrast, the Applicant’s assessment of the heritage significance, sensitivity of the site and the impacts of the development are entirely out of kilter with views of other experts (including Mr Collins, the LPA’s officers and statutory consultees). The applicant’s conclusion that the site does not contribute at all to the setting or significance of the heritage assets it immediately adjoins, is quite frankly absurd and self-serving. In light of that conclusion, the LPA is invited to attach little weight to the findings of the applicant’s ‘Heritage Assessment: Land at Church Field Road, Sudbury’ (February 2020). This document adopts an overly-simplistic focus on visibility between the assets, and between the site and the assets. The Planning Practice Guidance (‘PPG’) expressly deprecates such an approach. It provides specifically that “buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each” (Paragraph: 013 Reference ID: 18a-013-20190723).
9. In any event, the Applicant’s conclusions even as to visibility and visual impacts are flawed. As members will have experienced when considering the previous application (ref: B/09/00932), views of the site are available both from Chilton Hall and from the RPG, even through the vegetation present on the site boundary. This vegetation is poorly planted; is subject to extensive seasonal variation; has been poorly maintained for many years; and contains limited under-storey. As such the Applicant’s total reliance on this vegetation as “mitigation” for the heritage impacts is misplaced. A report from Elwood Landscape Design enclosed with these submissions sets out in detail how the landscaping on the boundaries of the site is inadequate for the purposes envisaged by the Applicant, and explains how the proposed development would further reduce its effectiveness.
10. In this regard, members are invited to take into account a recent local appeal decision (reference APP/D3505/W/19/3230839), in which the Inspector placed little reliance on the ability of landscape buffers to adequately screen harmful development from sensitive receptors.
- (b) Lack of “exceptional circumstances”**
11. The LPA is required to refuse planning permission for the proposed development unless wholly exceptional circumstances offer a compelling justification for the development. It is clear on any analysis that the exceptionality test is not met by the current application.
12. The proposed development consists of two elements: housing provision and a care home. In respect of housing, there is no evidence that there is a pressing need for housing in Chilton Parish, in

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Sudbury, or in Babergh generally. The LPA has demonstrated a Five-Year Housing Land Supply, and the emerging Joint Local Plan proposes to allocate sufficient land for development to meet the area's objectively-assessed need during the currency of that Plan. Moreover, the results of the Secretary of State's Housing Delivery Test released on 13 February 2020 indicate an over-delivery of housing in the order of 123% in the LPA's area. Although the application proposes to comply with the requirement in policy CS19 Core Strategy 2014 and provide 35% affordable housing, which is a benefit of the scheme, it is hardly exceptional, being simply the minimum policy-compliant affordable provision. Merely meeting a minimum policy requirement in this way cannot constitute a substantial public benefit and only moderate weight should be afforded to the affordable housing within the scheme.

13. In respect of the care home provision, whilst there may be public benefits in the provision of additional care home beds and some limited job creation as a result, these cannot justify residential development of this scale with such harmful effects. The applicant's Planning Statement makes clear that the care home element will be brought forward separately from the residential development, and by another company, Bran Investments Limited, who intend to purchase the land only once permission has been granted. There is no suggestion by the applicant that the realisation of the care home element is dependent on the successful delivery of the residential element. Moreover, the claimed public benefits of a care home could be achieved with considerably less harm being caused to heritage assets.
14. Finally, because no proper assessment of the heritage impacts has been undertaken, the application has not put forward any consequent assessment of whether either or both of the elements of this scheme could be achieved on alternative sites where the risk of harm to heritage assets would be less or non-existent.
15. For these reasons it is clear that, having regard to the heritage impacts of the development alone, the Council has a legal obligation to refuse planning permission for the development as proposed. Planning permission would be contrary to policies CN01, CN06, CN14, and CN15 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 194 and 195.

Principle of development

16. Neither policy EM24 nor the tilted balance offer any justification for speculative residential development of this nature on this site.
17. The proposed development is unacceptable in principle. It is not the case, as asserted by the Applicant, that the allocation of the site for employment land usage under Local Plan policy EM24 means that the principle of intensive residential development on the site is established. EM24 is a restrictive policy designed with the purpose of protecting sites with an established or allocated employment use unless certain criteria can be satisfied. It is a gateway policy whose effect is that permission for development will only be considered and assessed against other relevant policies in the development plan, if the applicant can demonstrate that the retention of the land for employment use is no longer viable. Even if that test is satisfied that does not justify or provide *carte blanche* for any type of non-employment development of whatever scale or design. At most, the Applicant may be able to satisfy the restrictive criteria of policy EM24 but that does not, of itself, lend any positive policy support for this development.
18. In any event, planning decisions should be taken in accordance with the development plan as a whole, and not merely individual policies. Other applicable policies contain strong protection for heritage assets and valued landscapes, to which the employment land allocations (and the potential identified in EM24 for alternative use) are necessarily subject.

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19. As set out above, both the development plan and material considerations in the form of the evidence base for and policy approach set out in the emerging Joint Local Plan make clear that development on this site should not be permitted, and that there is no pressing need for housing in the locality.
20. Needless to say, the applicant's application so far as it relies on the "tilted balance" is fundamentally flawed. As a starting point, the tilted balance does not apply when, as in this case, national policies protecting heritage assets are in play. In any event, the Applicant has failed to show that any preconditions for the application of the tilted balance exists. Development plan policies are not out of date merely due to the passage of time, and the Council has demonstrated a robust delivery of housing over past years, a Five-Year Housing Land Supply and sufficient proposed allocations in the emerging Joint Local Plan to meet objectively-assessed need.

Adverse Landscape Impacts

21. The report prepared by landscape experts Alison Farmer Associates which is enclosed with this letter makes clear that the proposed development does not respect the character of the immediate landscape, which is of particular sensitivity due to its topography, its function in the framing of and providing the setting to historic assets, and its open rural character. Ms Farmer's expert view is that the development would have a significantly adverse effect on landscape character.
22. By contrast, the Applicant's 'Landscape and Visual Impact Assessment' fails properly to accord with relevant guidance. It also fails to undertake a detailed assessment of the landscape character at a local level; any proper assessment would be expected to acknowledge how valued heritage assets together with topography, open farmland, enclosure patterns and footpaths (which are themselves historic) make a notable contribution to the local sense of place and time-depth. Yet the Applicant's assessment ignores this.
23. In particular, the tallest elements of the development will have a ridge height of 12.8m, which is significantly higher than both the existing health centre (at 9m), the residential development at the nearby Chilton Place development, and the immediately adjacent employment buildings in Chilton Industrial Estate. These elements will be located on the highest point of the site and as such will be prominent in sensitive views from the southeast and will form an urbanising backdrop to the landscape and church landmark. The loss of perceived openness, rurality and tranquillity will be stark and noticeable.
24. Furthermore, in the report prepared by Elwood Landscape Design, the Applicant's over-reliance on perimeter planting to screen views of the proposed development is misplaced and cannot effectively preserve landscape character. The assessment contained in this report is heavily supported by the approach of the inspector in the appeal decision noted above, who concluded that planting cannot be relied upon to provide "a solid permanent buffer to views. This is because it is ever-evolving, is reliant on regular maintenance... and may be reduced in scale or extent in the future". On this basis alone, the LPA should refuse permission for this development, which is contrary to policies CN01 and EN04 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 127 and 170.

Adverse Highways Impacts

25. Development on this site would also be unacceptable in highways terms. Sudbury has a longstanding problem with congestion in the centre of the town. The narrow streets necessitate one-way traffic circulation systems in many parts, which, whilst often assisting flow, have consequential

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environmental effects. An Air Quality Management Area has been in place in Sudbury for a number of years, and there are regular exceedances of maximum NO₂ levels.

26. Intensive residential development in Chilton is having an increasing and cumulative effect on local highways and in Sudbury itself: in particular the Chilton Woods development of 1,150 dwellings and the recent consented Chilton Place development contributing another 130, in very close proximity to this site which, when built, will add substantially to local car use and traffic on local roads. In addition, the proposed allocation of land at Tye Farm for a further 500 dwellings, at the southern/eastern end of Church Field Road, is a material consideration in highways terms which has not been taken account in the application.
27. It is clear that the vast majority of trips to and from the application site will be by car and not by sustainable forms of transport. The census data for the area covering the application site (Babergh 006) shows 83% of residents using cars to travel to work. The adjacent census area (Babergh 007) covering Sudbury shows that, although a high proportion of people commute less than 2km to work, the large majority continue to do so by car. Moreover, on the Applicant's own evidence the proposed development lies outside the "acceptable" walking distance for local schools and beyond even the "maximum" distance from the closest neighbourhood centre.
28. The Applicant envisages that the development will generate 967 additional two-way vehicle movements per day – this should be treated as a minimum, as little or no detail is available about the care home element of the scheme which can expect regular visitors, and the housing mix could change.
29. The Applicant has offered inadequate mitigation for the highway impacts necessitated by these additional vehicle movements, relying heavily on mitigation already envisaged by the Chilton Woods scheme. By way of example, the Applicant's Transport Assessment at paras. 7.43-7.49 demonstrates that at the A134 Northern Road/Shawlands Avenue junction, traffic from this development will contribute to extensive congestion and large queues, notwithstanding the mitigation provided. Further, although the Applicant suggests acute problems with the junction at B1115 East Street/A131 Girling Street can be addressed by unspecified "signal optimisation", on 2025 projections the junctions will still be at or close to capacity in the evening rush hour (see paras. 7.50-7.59).
30. In light of those impacts members ought to refuse permission since the proposal is contrary to policies CS4 B and CS 15 of the Core Strategy 2014, and NPPF paragraphs 108 and 109.

Conclusions

31. On any proper assessment, this planning application ought to be refused. If approved, it poses substantial harm to heritage assets of the highest quality, significant adverse impacts on a valued landscape, and adverse highways impacts.
32. Lady Hart regards herself as the temporary custodian of Chilton Hall, the significance of which is nationally-recognised in order to protect it for future generations. Damage to the all-important setting of the inter-related group of heritage assets of which Chilton Hall forms part will be irreversible.
33. This site could and should be set aside for more appropriate uses, which are being considered through the formal process of the preparation of a Chilton neighbourhood plan. This speculative residential development, which would be largest in Babergh after Chilton Woods, does not accord with the development plan nor respect this important, locally-accountable process which Lady Hart supports.

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34. Members are encouraged in turn to support this process, as well as to give effect to the strong protections for heritage and landscape assets in national and local policy: the only way in which they can do so is to refuse planning permission.
35. Finally, given the controversial nature of this proposed development, the fact it proposes breaches of the development plan, and the public interest in its determination, it is requested that the delegated report for the Committee is published at least 10 days before the meeting at which Committee members will consider the application, to allow proper consideration by Lady Hart and other interested persons.

Yours faithfully

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**FAO Ms Jo Hobbs
Planning Case Officer**



By email: planninggreen@baberghmidsuffolk.gov.uk

Our ref: EPGR
30 April 2021

Dear Sirs

Further objection to amended planning application DC/20/01094 Land north of Churchfield Road, Chilton

Introduction and Summary of Objection

1. We write on behalf of Lady Hart of Chilton in response to the amended application for planning permission under the above reference number. In our previous correspondence of 13 May 2020 we set out four clear reasons why permission should be refused for the proposed development. Those reasons for objecting have not changed.
2. The amendments brought forward by the applicant since our previous objection are extremely limited, comprising a modest reduction in the maximum number of residential dwellings to be permitted on the site by 24 (from 190 to 166). This reduction has permitted the applicant to create a modest amount of open space towards the north-eastern boundary of the site. That aside, all other matters for consent (access, heights, massing, and density) remain unchanged.
3. This minor change to the scheme does not alter the fundamental adverse impact that will arise from this scale and nature of development in this location and does not alter our fundamental evidence-based objections to it. We continue to strongly oppose the grant of planning permission on the same grounds, namely:
 - (i) **Unacceptable heritage harm** - The proposed development will cause substantial harm to a unique group of heritage assets which share a close historical interrelationship with the local rural landscape from which they derive a great deal of significance. That conclusion is supported by the expert evidence of Michael Collins and the views of expert statutory consultees. It is also consistent with the Council's own previous decision-making in respect of development on this site. The revised scheme simply does not address or mitigate this level of harm. Moreover, due to its surprising failure to identify the true extent of the heritage harm, the applicant has put forward no justification, still less a "wholly exceptional" justification, as required (contrary to policies CN01, CN06, CN14, and CN15 of the Local Plan

Partners: Elizabeth Christie, Mary Cook, Duncan Field, Clare Fielding, Michael Gallimore, Raj Gupta, Meeta Kaur, Simon Ricketts, Patrick Robinson, Louise Samuel

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tn.

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2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 194 and 195);

- (ii) **No development plan support for development** - The principle of development on this site is not supported by the current development plan (Core Strategy). The applicant's reliance on policy EM24 and the tilted balance is misconceived. There is no basis for applying the tilted balance. The Council can show a healthy five year housing land supply. In addition, development on this site is not supported by the Pre Submission Joint Local Plan, which is a significant material consideration. It would be contrary to good planning to approve large scale development on a site which the Council's planners have decided not to allocate for development and in circumstances where housing targets are being met in suitable locations.
 - (iii) **Landscape harm** - The proposed development will have a significant adverse effect on the character of the immediate, sensitive landscape. The further landscape evidence submitted by the applicant fails to address the concerns we have identified (contrary to policy CN01 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; NPPF paragraphs 127, 170); and
 - (iv) Notwithstanding the additional transport evidence provided, the applicant has failed to address our concerns that the proposed development will cause unacceptable highway impacts on the local highways networks (contrary to policies CS4 B and CS15; NPPF paragraphs 108 and 109).
4. We refer the Committee to our previous letter of 13th May 2020 and the detailed explanation of each of these points set out in it. The amended scheme does not alter our fundamental objections. For the reasons set out below, we maintain all the submissions made in that letter.

Heritage

(a) Substantial harm to heritage assets

5. Our original objection was supported by detailed expert evidence from Michael Collins which we urge you to read in full. Mr Collins has produced an update to that evidence by way of an Addendum to his original Heritage Assessment. His essential findings remain unaltered. We ask you please to consider it carefully. His evidence sets out clearly how:
- a. The four listed heritage assets, which are of the highest quality, adjacent to the site for which planning permission is sought (the Church of St Mary (Grade I); Chilton Hall (Grade II*); the wall around the kitchen garden at Chilton Hall (Grade II); and the Registered Park and Garden surrounding Chilton Hall (Grade II)) comprise a cohesive group whose close historical and physical relationship to one another is essential to their significance. This group value should not be underestimated.
 - b. That relationship is determined by their location in what remains of their original rural landscape, which includes the development site in its present undeveloped rural form. The application site makes a fundamental contribution to the significance of this group of heritage assets;
 - c. As such, the proposed development in this location would be **wholly unacceptable** in conservation terms. The development will cause irreversible damage to this valuable group of listed assets as a consequence of which their significance will be very much reduced, resulting in substantial harm.

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6. Mr Collins has given further consideration to the amended scheme of development as now proposed and prepared an addendum report. In his view:
 - a. The proposed development will erode the rural landscape setting between the Hall and Church resulting substantial harm to the group of designated assets.
 - b. The amended scheme does not reduce his assessment of harm which remains substantial. That is because of the urbanising effect of the residential and care home development.
 - c. The suburban, landscaped “public open space” now proposed does not mitigate the harm Mr Collins identifies. That space – even if not built upon – far from comprising a natural, rural landscape is a suburban, landscaped proposal.
 - d. His identification of heritage harm to a substantial degree aligns with the views of other specialist consultees including The Gardens Trust. Other expert consultees including Historic England have identified harm. In those circumstances, the applicant’s suggestion that its scheme will cause “no harm” is not only surprising but looks entirely unreasonable.
7. Mr Collins’ assessment of the contribution of the site to the significance of the heritage assets aligns with that put forward by every other expert heritage consultee, with the Council’s own planning evidence, including the ‘Heritage and Settlement Sensitivity Assessment’ (March 2018) (‘HSSA’), and with the Council’s heritage officer, who emphasises that the undeveloped and open character of the site is “*fundamental*” to the significance of this important group of heritage assets. The other heritage consultees agree with Mr Collins that the minor amendments to the scheme are not capable of overcoming the harm identified (regardless of how that harm is characterised).
8. Only the applicant considers that the site does not contribute at all to the setting or significance of the heritage asset. Its position makes it a total outlier. Its position is absurd and should be rejected. The updated ‘Heritage Impact Assessment’ (February 2021) produced for the applicant by Dr Jonathan Edis is in all material ways identical to that previously submitted, except for some perfunctory rebuttal in Appendix 7. The Committee is invited to note that the report fails, despite ample opportunity, to question or rebut any part of Mr Collins’ detailed evidence. Faced with this competing evidence, the Committee should, without hesitation, prefer that of Mr Collins.
9. As you will be well aware, under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a strong presumption against granting planning permission where heritage assets are negatively impacted by proposed development. *Any* harm to the heritage assets, taken individually or as a whole should be given “great weight” (NPPF para. 193). Substantial harm to Grade I and II* listed assets should be “*wholly exceptional*” and permission should be refused where those wholly exceptional circumstances do not exist (NPPF para. 195). There is nothing exceptional about the proposed development.

(b) Lack of “exceptional circumstances”
10. In this case, there are no wholly exceptional circumstances which offer a compelling justification for the development proposed, whether in its original form or in its amended form. No exceptional circumstances case has been advanced by the applicant, but it is clear on any analysis that the exceptionality test is not met by the current application for the reasons set out at paragraphs 11-15 of our submission of 13 May 2021.
11. The Council has a legal obligation to refuse planning permission for the development as proposed. Planning permission would be contrary to policies CN01, CN06, CN14, and CN15 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 194 and 195.

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Conclusion on heritage harm

12. Members must confront the fullest extent of the heritage harm (and other harms) that may arise as result of the amended scheme. They must not approve the outline development unless they conclude that the harm arising from the *fullest* extent of the development is justified by evidence of exceptional circumstances at this stage.
13. The fact that the applicant might in future bring forward a less extensive or less harmful scheme at the reserved matters stage is irrelevant. Before granting outline consent members must be satisfied that the fullest extent of development, in line with the parameter plans submitted for approval (setting the maximum heights, density and layout of the development) is acceptable in planning terms.
14. The additional illustrative plans included are non-binding and should be given minimal consideration since any future development may bear little resemblance to them. The fact that the level of impact *may* in future prove to be less is irrelevant. Members must confront the fullest extent of the harm now. Such considerations cannot be deferred to the reserved matters stage.
15. We object strongly to the principle of development of this site. There will also be additional impacts from this development of noise and light pollution. But, in any event, the sorts of significant amendments which would be required to this outline application to make it even remotely acceptable cannot be left to the reserved matters stage.
16. Local Planning Authorities are required to act consistently and reasonably. To grant permission for this development would be wholly contradictory to your Council's public position as contained in the Pre-submission Joint Local Plan (which has been submitted for examination by the Planning Inspectorate,). That document makes clear that due to the importance of the application site as part of the setting of these designated heritage assets there should be no development on this site.

Principle of development

17. Nothing in the applicant's 'Addendum Planning Statement' (February 2021) affects the submissions we made as to the principle of development at paragraphs 16-20 of our previous letter, to which we refer the Committee. Neither Policy EM24 nor the tilted balance offer any justification for speculative residential development of this nature on this site, which is unacceptable in principle.
18. In addition to those previous submissions, it is clear that the applicant can find no support for the principle of residential development on this site in the Pre Submission Joint Local Plan, which has now been submitted for examination and thus should be afforded **significant weight**.
19. Emerging Policy SP03 'Settlement hierarchy' makes clear that residential development will be delivered primarily through allocations, focussed within the settlement boundaries of Ipswich Fringe settlements, Market Towns/Urban Areas and Core Villages. That is a sensible plan-led approach. This site is specifically de-allocated for employment purposes and not allocated for development of any kind; it is deliberately discounted for development on the grounds of heritage sensitivity (SHEELA (October 2020) paragraph 3.7 and Appendix E). Contrary to what the applicant asserts, the site falls outside the settlement boundary of Sudbury and is within the Hinterland Village of Chilton, the modest Neighbour Plan housing requirement of which will be delivered through Chilton's emerging Neighbourhood Plan and not through speculative development. These further material considerations weigh heavily against the grant of planning permission.

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Adverse Landscape Impacts

20. We continue to rely on the detailed report submitted with our previous letter prepared by landscape experts Alison Farmer Associates. This careful report highlights the particular sensitivity of the immediate landscape due to its topography, its function in the framing of and providing the setting to historic assets, and its open rural character. Ms Farmer's expert view is that the development would have a significantly adverse effect on landscape character.
21. In particular, the height parameters plan is substantially unchanged and retains the tallest elements of the development (including the care home) on the highest point of the site. These will have a ridge height of up to 12.8m, which (contrary to what is said by the applicant) is significantly higher than both the existing health centre (at 9m), the residential development at the nearby Chilton Place development, and the immediately adjacent employment buildings in Chilton Industrial Estate. These elements will be highly prominent in sensitive views from the southeast and will form an urbanising backdrop to the landscape and church landmark. The loss of perceived openness, rurality and tranquillity will be stark and noticeable.

A letter from JB Associates of 26 February 2021 purports to provide a rebuttal to Ms Farmer's assessment. Without questioning her detailed assessment of the local landscape, this rebuttal merely asserts that, notwithstanding the obvious presence of the taller buildings on the skyline and above any screening, this visibility will have no adverse landscape impacts. Such a position is clearly untenable. This letter also relies heavily on the 'Heritage Impact Assessment' submitted with the application, to which for the reasons set out above limited or no weight should be ascribed.

22. No consideration has been provided of the detailed assessment previously submitted by Elwood Landscape Design, of the capacity of perimeter planting to screen views of the proposed development given its character as poorly-maintained 'plantation' and the continued identification by the applicant of the need to remove 2m of the healthiest, fully-leaved greenery on the northern site boundary to accommodate the development. Removal of the structural landscaping for purposes of development is not permitted under a restrictive covenant/charge on the registered title of the site. Complete reliance in both heritage and landscape terms on this poor quality landscaping is misplaced.
23. The LPA should refuse permission for this development, which is contrary to policies CN01 and EN04 of the Local Plan 2006; policies CS4 B and CS15 of the Core Strategy 2014; and NPPF paragraphs 127 and 170.

Adverse Highways Impacts

24. We strongly maintain the detailed highways objections as set out at paragraphs 25-30 of our letter of 13 May 2021 in the light of the applications updated Transport Assessment. Although the slight reduction in the maximum number of homes to be consented has resulted in a decrease in the total additional daily two-way vehicle movements (from 967 to 860), it remains the case that:
 - a. This should be taken as a minimum figure, as further detail about housing mix and care home may have a material effect;
 - b. The vast majority of transport to and from the site will be by car;
 - c. The site lies well outside the 'acceptable' walking distances from schools and neighbourhood centres, calling into serious question the applicant's assertion that it is a sustainable site;
 - d. Traffic from this development will contribute to considerable congestion and queues at the A134 Northern Road/Shawlands Avenue Junction. Also, traffic from this development

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together with traffic from the Chilton Woods development, entering or exiting from Aubrey Drive, will cause considerable congestion at the Homebase / Church Field Road Roundabout;

- e. Even with unspecified 'signal optimisation', the B1115/East Street /A131 Girling Street Junction will still be at or very close to full capacity at evening rush hour with not further mitigation provided.

25. In light of those impacts members ought to refuse permission since the proposal is contrary to policies CS4 B and CS 15 of the Core Strategy 2014, and NPPF paragraphs 108 and 109.

Conclusions

26. For the reasons given in this objection, which supplement those previously given in our letter of 13 May 2020, planning permission should be refused for the applicant's amended scheme. If approved, this development poses substantial harm to heritage assets of the highest quality, significant adverse impacts on a valued landscape, and adverse highways impacts. Moreover, this speculative residential development does not accord with the current development plan, is at odds with emerging planning policy, and has failed to demonstrate the exceptional circumstances required by national policy.

27. Finally, we repeat our request that, given the controversial nature of this proposed development, the fact it proposes breaches of the development plan, and the public interest in its determination, the delegated report for the Committee is published at least 10 days before the meeting at which Committee members will consider the application, to allow proper consideration by Lady Hart and other interested persons.

Yours faithfully



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REVIEW OF CURRENT AND PROPOSED PHYSICAL LANDSCAPE FEATURES

**On Land Adjacent to
Church Field Road, Chilton, Sudbury**

**for
Lady Hart of Chilton**

Relating to
Babergh Mid Suffolk DC Application Ref. DC/20/01094
by
Caverswall Enterprises Ltd and West Suffolk NHS Trust

13th May 2020

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1.0 **EXECUTIVE SUMMARY**

- 1.1 The aim of this report is to provide a review of relevant documents and highlight inaccuracies that mislead the detail of the submission, with conclusions relating to the overall effect of development on the physical landscape features that include the tree belts that border Chilton Hall and RPG.
- 1.2 The two listed buildings, St Marys' Church and Chilton Hall, the Registered Park and Garden (RPG) and the site are intrinsically linked through history; not only important for their physical, cultural and historical attributes, but also the positive contribution the site makes to both the historical and present day landscape setting of these assets. 'The Hyde' (the site) and 'Tower Fielde' are the only remaining manorial fields that separate the once open, rural landscape of Chilton Hall and the now encroaching urban fringe of Sudbury.
- 1.3 Vegetation around the site has been assessed by James Blake Associates (JBA) in the Arboricultural Impact Assessment, (AIA), but many omissions exist in the details provided. Most importantly, the report fails to give a full and complete explanation to the style, quality and character of boundary planting; simply stating trees are 'dense'. It fails to correctly describe it as a forestry style matrix 'plantation', overcrowded, resulting in poor trunk and limb structure with long and leggy stems/trunks (attenuated). The report fails to mention that much of the lower canopy is dead from overshadowing, with the majority of leaf growth only at canopy tips, offering little screening value at eye level. This style of matrix planting is wholly incongruous and inappropriate in relation to the historical assets, as an unnatural feature with a modern and unsympathetic planting layout.
- 1.4 The AIA mapping of the tree removals is not fully accurate and fails to identify tree removals to promote new recreational links within and around the woodland. Nor does it anticipate the effect of the potential upgrade to the informal path, or the need to adopt specialist construction methods.
- 1.5 Many application documents refer to the development as being '*sustainable*'. Landscape proposals are described as having a '*net gain in tree planting*' and making a '*positive contribution to biodiversity*' within the development.
- 1.6 The AIA fails to mention that the plantation-style tree belt is not sustainable long term. Whilst it acknowledges the lack of management since planting, the AIA fails to include management recommendations. These would normally be scheduled as required, regardless of development and also, as part of the development proposal.
- 1.7 Management is likely to require the removal of trees with poor physical structure and the thinning of remaining trees before replanting can take place. However, the adverse effect of any tree removals associated with this development will have very significant implications on the effect of tranquillity, isolation and remoteness relating to the setting of the Listed Hall.
- 1.8 Conceptual tree planting is illustrated on the Indicative Masterplan and Landscape Strategy plans. However, no weight can be placed on the location or quantity of indicative street trees, as these are rarely delivered at detailed design. In reality, adopting authorities: County Highways; Anglian Water and UK Power Networks etc. will not accept trees near adopted roads, verges, water pipes, attenuation features (SUDS) and electricity cables, without an offset easement, resulting in land sterilisation. This loss of tree planting between concept and detailed design is exacerbated by housing densities and the NHBC guidelines for tree offsets 'v' foundations. These constraints rarely allow forest scale trees to dominate the internal, urban built form. Externally, only shrub understorey planting is suggested in the boundary

'buffer' areas between the site and Chilton Hall/RPG/the church and POS is laid to varied grassland types and drainage - SUDS.

1.9 With or without tree management, the poor quality trees in the plantation cannot be relied upon to provide a sustainable, long term robust 'buffer'; and proposed concept planting strategies cannot be relied upon to deliver a net gain in trees to protect Chilton Hall and the RPG from proposed development, for the following reasons:

- **The physical structure and condition of individual trees within the plantations is generally poor.**
- **Tree removals from the plantation edge G3 may compromise remaining tree stability, resulting in additional tree losses from strong SW winds;**
- **Any tree removals to facilitate development and infrastructure, such as 'woodland access', will significantly increase visual permeability, allowing a 10m-12.8m high 'wall of development' to be clearly visible from the Hall, seen between tree rows and in gaps, located only 45m-76m away;**
- **Chilton Hall currently experiences a 'dark skies' setting at night, with relative isolation, tranquillity and remoteness. Light pollution, noise and visual encroachment from this 'wall of development', experienced only 45m-76m away, will not only have adverse effects on ecology, but also compromise setting of the Hall.**
- **Increased movement, activity and noise along infrastructure routes within the plantation, seen and heard 20m from the boundary will compromise the RPG/Hall's setting;**
- **Upgrading of PROW surfaces will highly urbanise the setting, within 20m of the boundary;**
- **Introduction of possible signage and lighting will highly urbanise the setting, within 20.5m of the boundary;**
- **Upgraded PROW surfaces may cause damage to tree roots, resulting in a further decline in tree health and increased permeability, within 20m of the boundary;**
- **Land sterilisation from utilities and services will result in significantly fewer trees delivered at detailed design stage;**
- **The current density of plantation trees prohibits the establishment of new planting, without management.**
- **Any replacement tree planting along boundaries, introduced as part of management, will take 30-40 years to mature into similar canopy proportions as the existing plantation.**
- **It is evident at detailed design there will be little opportunity to enhance or preserve the setting of Chilton Hall and adverse urbanising effects will remain, in perpetuity.**

1.10 In light of the above, it is difficult understand how the JBA Landscape Strategy could deliver a net gain in tree planting, based on the concept layout. Development of the site should not be permitted, as the boundary planting relied upon by the applicant to provide a number of important screening and mitigation functions is not sustainable.

2.0 QUALIFICATIONS

- 2.1 Elwood Landscape Design (ELD) is a Practice registered with the Landscape Institute and is in its twentieth year in business. ELD Director Ruth Elwood, BA(Hons), Dip LA, CMLI, has 30 years of experience in matters relating to landscape design and planning for development; reviewing both tree surveys and trees in relation to development. ELD has worked closely with arboricultural consultants during this period to understand tree biology, the history and value of trees in the landscape.
- 2.2 In May 2020, ELD was appointed on behalf of Lady Hart of Chilton to undertake a review of ‘landscape’ related documents associated with a planning application for 190 houses and a care home off Church Field Road, Chilton. These documents had been uploaded to the Babergh Mid Suffolk District Council planning portal for the applicants, Caverswall Enterprises Ltd and West Suffolk NHS Trust. The work has involved a desk study of the applicants submitted documents and other relevant background material; a site visit on 24th April 2020, and preparation of this short report. A detailed review of Heritage issues has been completed by Michael Collins and a review of the JBA LVIA has been undertaken by Alison Farmer Associates. Cross reference is made to both these reports.
- 2.4 The aim of this report is to provide a review of relevant documents and highlight inaccuracies that mislead the detail of the submission, with conclusions relating to the overall effect of development on the tree belts that border Chilton Hall and the Registered Park & Garden (RPG). The report review includes an Executive Summary located to the front of this report.

3.0 SITE LOCATION & CONTEXT

- 3.1 Heritage assets referred to in this report are: St Mary’s, a Grade I listed C16th church; Chilton Hall, a Grade II* listed building and the registered garden wall to the east of Chilton Hall, Grade II listed; whilst the remaining grounds around the Hall are designated as a Registered Park and Garden (RPG). ‘The Hyde’ (development site), and ‘Tower Fielde’ to the west are the only remaining manorial fields that remain, to maintain the last open area of ‘historical green gap landscape’, between the sprawling urban edge of Sudbury and the rural, isolated setting of Chilton Hall and the Church.
- 3.2 To provide the site context, the application site and RPG, listed buildings and parish boundary are illustrated below, Figure 1.

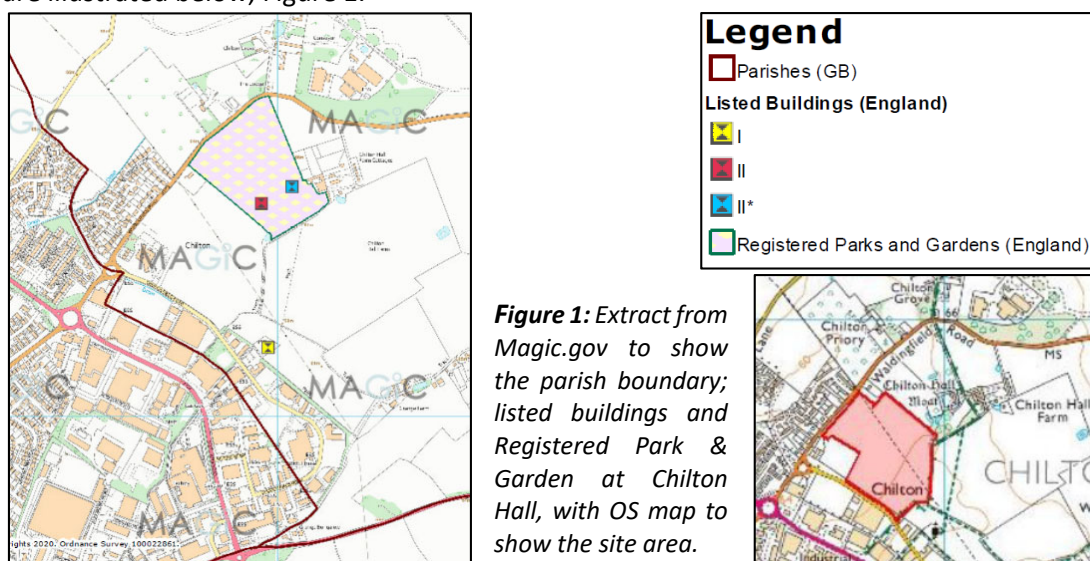


Figure 1: Extract from Magic.gov to show the parish boundary; listed buildings and Registered Park & Garden at Chilton Hall, with OS map to show the site area.

4.0 EXISTING VEGETATION BASELINE SURVEY

- 4.1 The development site is surrounded by a native tree belt, with deeper areas of planting along the northern and eastern boundaries and a greater proportion of shrubs with trees to the south and west along Church Field Road and Waldingfield Road.

'Woodland' Character

- 4.2 It is understood that the tree belts to the north and east comprise mainly deciduous native trees on a 3m grid matrix, planted by Suffolk County Council (SCC) some 20-30 years ago. Following the removal of some boundary trees, the plantation was served with a Tree Preservation Order in 2003, ref. Babergh DC TPO BT375 W1, to prevent further tree felling works. Refer to Figure 2.



Figure 2: Extract from the Babergh Mid Suffolk CADCORP Interactive Map to show TPO W1 in green, located around the site boundaries off Church Field Road, Chilton.

- 4.3 It must be noted that not one single application document identifies the site *'woodland'* character correctly, in its true context. It is not a *'woodland'*, but a narrow, deciduous *'plantation'*. The Planning Statement describes the site boundary as having a *'substantial woodland'* of 60m depth at the widest point. To the northern boundary, the trees vary in depth in areas adjacent to the RPG and Listed Wall and at the narrowest point, is less than 55m wide. This acts as a green *'fringe'*, physically separating Chilton Hall and the Church from the development site, providing a *'leafy exterior'* to views. This *'leafy exterior'* fails to indicate the poor internal structure of the plantation; the latter being significantly more important than the former. Chilton Hall contains some mature parkland trees within the grounds along its southern boundary, but this originates from the 1930s and is not dense, despite canopies being visible above the boundary plantation, from Church Field Road and the site.
- 4.4 Historically, the Hall would have been seen located on the plateau, set within the landscape as an island feature, with its own statuesque garden and parkland trees dominating the sky line, many of which are still visible above the site trees. When seen from a distance, en masse, the trees fill the northern boundary of the site and visually merge with the Hall's trees.
- 4.5 The SCC planting layout followed forestry guidelines typical of the 1980-1990s, using a 3m matrix grid format. In doing so, they wholly failed to consider that this style of planting was wholly incongruous and inappropriate in relation to the historical assets, as an unnatural feature with a modern and unsympathetic planting layout. Within the plantation, internal hedges are located along the edge of the informal footpath. The plantation layout failed to

adopt any aesthetics in design and failed to incorporate a shrub understorey creating a naturalistic layout; which was followed by a total absence of maintenance over the past 30 years. As such, the majority of trees are attenuated, with poor trunk and canopy formation and much dead wood exists to lower limbs allowing clear views between trunks at eye level.

Tree Survey by JBA

4.6 James Blake Associates (JBA) conducted a review of site trees, contained in an 'Arboricultural Impact Assessment' (AIA) report, dated February 2020. The AIA identifies the tree groups as follows (ELD underlining):

'3.4 The groups contribute significantly to the wider landscape and provide a buffer to the surrounding land; consequently most are of moderate value. They are in a good condition overall; some trees have natural branch dieback in their lower crowns, caused by shading from the original planting density and lack of subsequent management.

6.3 The survey assessed the tree population as consisting predominantly of moderate to low quality trees. Of the 10 survey entries six were deemed to be of moderate quality and value (B category), and four were assessed as being low quality and value (C category).'

Tree Survey Schedules

- Southern Boundary G2: (Cat C2), Good Condition - Planted mixed native species group. Dense level of planting in some areas, others more open.
- Northern Boundary G3 (Cat B2) & G7 (Cat B2): Good Condition - Planted woodland block with occasional older individual trees along eastern edge. The overall condition of the trees is good. The group has not been managed, and the original planting density has caused occasional natural branch dieback in lower crowns from subsequent shading.
- Eastern Boundary G4 (Cat B2): Good Condition - Planted woodland block with occasional older individual trees along eastern edge. The overall condition of the trees is good. The group has not been managed, and the original planting density has caused occasional natural branch dieback in lower crowns from subsequent shading.
- Western Boundary G8 (Cat B2): Good condition - Planted dense woodland block between informal path and ditch.

4.7 A review of the AIA content has resulted in the following findings in relation to the northern and eastern tree belts. Whilst the AIA states that G3, G4 and G7 planting is of 'moderate value', and 'good overall condition' as Category B2, this is not a detailed or accurate assessment of tree condition and value, for the following reasons:

- The AIA fails to mention that the 'woodland blocks' are based on a 3m forestry grid plantation/matrix, using high density straight line planting, with no shrub understorey. Refer to Photographs 1 & 2.
- The AIA fails to note that understorey shrubs are limited to the outer tree line along the inner development site edge, with minimal self-sown saplings or shrubs located amongst internal trees to create biodiversity.
- The AIA fails to identify the leaning, dense and overgrown internal hedges, which were identified on the topographical survey as 4m high, planted at 4no/m, located along the informal footpath. Refer to Photographs 3, 4, 5 and 6.
- The AIA fails to note that trees are all attenuated, (tall and leggy reaching for light), with leaves at canopy branch tips only, yet giving the external appearance of a dense 'woodland', when viewed from within the site. Refer to Photographs 7 & 8.
- The AIA fails to note that the majority of trees have a poor physical trunk and branch structure; with trunks often containing 2-3 leaders, weak fork unions and much dead

wood to lower canopies. Only peripheral boundary trees have better developed, balanced canopies. Refer to Photographs 1, 2 and 3.

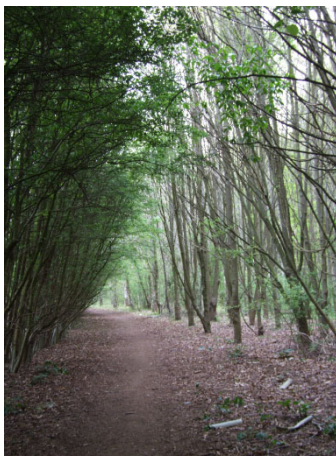
- The AIA notes that there is ‘occasional natural branch dieback’ to lower branches from shading impacts. This has been underestimated, as there is very little live growth of significance at lower canopy level, to offer screening value from eye level. Overcrowding and a lack of light have caused shading impacts and a loss of diversity following closure of the upper canopy in spring. Refer to Photographs 1, 2 and 3.
- The AIA fails to make any reference to, or take account of the historical context, when reviewing the incongruous nature of the matrix plantation in relation to its composition, position or alignment next to Chilton Hall, the Registered Park and Garden and the Church to the south.



Photographs 1 & 2: View from the Hall’s southern boundary/RPG, looking towards the site and ‘informal footpath’. The unattractive forestry style matrix planting on a 3m grid is clearly visible, with little to no lower live canopy growth or self-sown trees, (photo taken 24th April 2020). 7 rows of trees at 3m centres are located between the Hall’s boundary and the informal footpath, 20.5m to 26m to the south of the boundary. Glimpsed views of the site are visible beyond the trees.



Photograph 3: Extract from the JBA AIA to demonstrate the extensive dead wood to lower canopies and trunks and poor physical tree structure, typical of the plantation woodland.



Photographs 4 & 5: Left – the overgrown hedge is to the left of the photo; Right, the hedge is on right. These form leaning and dilapidated linear features of poor physical structure.



Photographs 6: The linear hedge located along the informal footpath and red line site boundary along the eastern boundary is also damaged and degraded with large gaps. The Bridleway/RB3 can be seen to the left of the ditch, next to other adjacent plantation trees, (outside of the site boundary).

- 4.8 With regard to tree group condition, the AIA statement of ‘good condition’ must be reviewed. The overall plantation canopy appears dense and healthy, giving the impression it is a vibrant woodland in aerial photographs and from within the site at tree top level. Upon closer examination, the woodland itself is overcrowded, with poor physical structure of individual trees due to attenuated growth, that exhibit tip end leaf cover only with dead wood to lower trunks. Internal hedges are overgrown and leaning in a state of disrepair. The woodland floor is bare, with no self-set saplings or shrubs due to overshadowing. This serves only to reconsider the overall condition as being fair to poor. The woodland is in need of management, which will create significant gaps in the planting.
- 4.9 With regard to tree group categorisation, the majority of trees belt plantations on site are identified as Category B2 in line with BS 5837: 2012. These are all of similar size, depth, height, scale, planting density and condition; with similar levels of visual permeability between the matrix rows. The planting to the south of the site is much smaller with a shrub dominance and is identified by JBA as a lower grade, Category C2.
- 4.10 The only distinguishing factor that makes the plantations a higher grade B2 Category over the lower grade C2, is maturity and species composition in relation to size. The classification of B2 is therefore considered an exaggerated grade, with most tree groups on site being the same classification of C2, especially when trees are seen within the context and setting of the trees around Chilton Hall. Longevity has to be questioned, as the lack of maintenance has forced the trees into an unsustainable attenuated form and associated decline, for all the reasons provided.
- 4.11 **The details required of the AIA are important in terms of assessing the visual contribution vegetation may, or may not make, towards the setting of the Hall, landscape proposals and ongoing management. ELD concludes that the baseline condition of trees is more accurately described as fair to poor, with overall categorisation of C2 as being a more representative of this matrix planting to the northern and eastern boundaries.**

5.0 PROPOSED DEVELOPMENT

Building Strategy

- 5.1 The KLH Parameters Drawing has been overlaid with the Indicative Masterplan in Figure 4. This demonstrates the layout, extent and height of development as per the conceptual layout. The salmon pink and darker brown areas are buildings up to 12.8m high towards the south. The reference in the Planning Statement to 2 storey residential buildings means buildings of 10.1m height with gardens, parking, roads and lighting on land encroaching up to 18.5m into the G3, northern tree plantation, directly opposite Chilton Hall, shown as a light brown wash on Figure 3.



Figure 3: KLH Parameters Drawing overlaid with the Indicative Masterplan to show the height an extent of development, encroaching 18.5m into the G3/G7 plantation along the northern boundary with Chilton Hall.

- 5.2 The Planning Statement describes the outline application for proposed development as follows, (ELD underlining):

'The erection of up to 190 residential dwellings, a purpose built care home for up to 60 bedrooms, and associated infrastructure including landscaping, public open-space, car parking and means of access off Church Field Road on Land to the North of Church Field Road, Sudbury, Suffolk.

If permitted, detailed drawings of the proposed development will be submitted to BDC with subsequent reserved matters applications. However, these details will need to accord with the development parameters set out in Drawing 3898-0311-P04.

In summary, the existing structural landscaping surrounding the perimeter of the Site will be retained, with the exception of a small section fronting Church Field Road, which will be cleared to provide further access to the Site. A significant amount of public open space will be provided to the south east of the Site and open space will also be dispersed throughout the Site to create a verdant character and to retain long distance views of St Mary's Church from the north west.

The majority of the residential development will be two storeys in height, with areas of dwellings up to three storeys being more centrally located close the Community Health Centre where they will be less visible in the wider landscape. The care home is proposed to be up to a ridge height of 12.8 metres, which will have the appearance of a three-storey building but given the requirements of a care home, including room heights, will only be two storeys.

Infrastructure Improvements - Proposals to Upgrade Informal Footpaths

5.3 It is noted that if development is approved, SCC consultee advice states it will require these infrastructure routes along the internal, informal footpath to be formally adopted and dedicated as a PROW.

5.4 The same path will need to be created as a bridleway to legally permit cycling as well as walking and this new bridleway, will need to connect to SCC PROW RB3 at its northern point near Chilton Hall, to increase connectivity. Chilton’s PROW RB3 will require surface improvements between the northern point of the development site and Church Field Road to accommodate the additional use as a result of development, to be implemented under Section 278 of the Highways Act 1980. There are no plans to illustrate this proposal, however, the intent is noted as part of the development’s infrastructure improvements.

5.5 **Improvements to the infrastructure within the northern plantation will have the adverse effect of increasing the visible volume of activity, movement and noise, adding a suburban character to an otherwise rural setting, located within 20m of the boundary of the RPG/Hall.**

Landscape Strategy

5.6 In addition to the KLH Indicative Masterplan, the JBA Landscape Strategy shows additional infrastructure links from the development to the informal boundary footpath located amongst trees. Refer to Figure 4. The development footprint encroaches into the G3 plantation area, resulting in tree removals over a distance of up to 18.5m deep along the southern edge of the plantation, reducing the green buffer width adjacent to Chilton Hall.



Figure 4: JBA Landscape Strategy extract, to illustrate proposed planting and infrastructure links within the plantation, 20m-26m from the boundary of Chilton Hall. 18.5m depth of trees to the northern boundary are to be removed from G3 to facilitate development.

- 5.7 The Planning Statement fails to recognise the boundary plantations as a public open space (POS) proposal in relation to Chilton Hall. It only identifies POS to the east of the site in Paragraph 4.23, which is described as benefitting the Church:

'This will also act as an additional landscape buffer, further helping to retain the setting and backdrop of the nearby heritage asset, St Mary's Church, by creating a visual and spatial barrier between the built form of the proposed development and the Church. Sightlines of the church will be retained with low-level planting and wildflower drifts leading up to the open space.' (ELD underlining).

- 5.8 This site is located outside Sudbury settlement boundary in Chilton Parish, with the landscape character of Ancient Rolling Farmlands, (as identified in AFA Review). It is not urban or suburban as incorrectly stated in the LVIA in relation to the landscape strategy:

'the use of existing landscape components to guide the landscape strategy and subsequent augmentation of these components can create a high-quality environment which respects the character of both the Sudbury urban area and the wider countryside.' (ELD underlining).

- 5.9 There is no detail of proposed planting within the boundary plantations, other than a brief mention in the LVIA that, 'development has been set back from the TPO Zone in order to retain existing trees as far as possible and to allow understorey planting in order to encourage ecological diversity.' (ELD underlining).

- 5.10 These statements do not consider the site context or the existing vegetation structure. Layout design should not be responding to the character of the 'Sudbury urban area', but respond more to the setting of the historic landscape. Understorey planting will be shaded out due to high levels of completion within the plantations, unless managed. In reality, these are both overstatements of quality and positive gain in relation to landscape augmentation, with the following landscape output as the most likely, real consequence of development.**

New Tree Planting Design Constraints

- 5.11 The relative high density of buildings between 10m to 12.8m high will create a 'wall of development', along the edge of the plantations. Internally, small plot frontages will dominate, located to the rear of pavements along the internal street scene, which in turn will be dominated by hard landscape. This combination will prevent any internal structural landscape of forest scale proportions.
- 5.12 Internal verges and areas of open space that fall into highway adoption areas will not be accepted by Suffolk County Council if they contain trees. SCC Highways Department is rejecting all tree planting in adopted areas on the basis of future maintenance needs/costs.
- 5.13 In both internal plot and POS areas where tree planting may be possible, they will be forced to avoid Anglian Water's adopted pipe routes and water attenuation facilities that are to be adopted by the Authority. Anglian Water is rejecting all tree planting in adopted areas on the basis of future maintenance needs/costs.
- 5.14 In all other areas where tree planting could be accommodated within the internal scheme area; they will need to incorporate small species of low water demand during detailed design; to comply with the requirements of the NHBC Chapter 4.2 (trees in relation to standard depth foundations), alongside other service utility easement offsets. These are often short lives species of little merit.

5.15 Management of trees is essential, whether semi mature woodland plantations or individual specimens in the urban landscape. The lack of management of the existing boundary trees renders them as an unsustainable resource, as the required management will expose Chilton Hall to increased harm from landscape and visual effects. In essence, it is very rare for forest scale trees to be successfully planted and retained within new development areas to reach maturity as worthy specimens, without continued and comprehensive management. The scheme currently fails to deliver an acceptable strategy for landscape design and mitigation.

5.16 **This review proves that additional new planting within the plantations is minimal, according to the Strategic Landscape plan, LVIA, AIA and planning Statement descriptions. No weight or reliance on the inclusion of conceptual street eight can be given, as these are rarely delivered in reality following sterilisation from adoption and utility easements. The open space to the east is currently dominated by drainage attenuation and a play area, with no significant tree planting indicated, whilst existing trees will eventually block views to the church tower. Management of all boundary trees is a requirement, although no details are provided. Ironically, the development’s entire mitigation strategy is wholly reliant on the continued provision of a mature tree canopy to surround the development, providing a continuous green foil that ‘hides’ the perception of development from Chilton Hall, in perpetuity.**

6.0 EFFECT OF DEVELOPMENT ON EXISTING BOUNDARY TREES

6.1 The AIA states that *‘most vegetation of moderate quality and those growing around the boundaries of the site are to be retained, helping screen the development, and can be adequately protected throughout the development process.’* Trees identified for removal include all internal group of self-set trees, G5, and part of 2 groups, namely G3 and G2. G3 is described as *‘self-set scrub’*, to be removed to *‘accommodate development’*, whilst a section of the G2 group will be removed from the southern boundary, *‘to accommodate the access road.’*

6.2 The AIA states that: *‘Whilst all internal vegetation is to be removed, its loss to public amenity is considered to be negligible due to its lack of visual presence.’*

6.3 It concludes: *‘that the proposal is acceptable, and the layout has been designed to minimise the tree removals and their impact on the local landscape. Tree planting will adequately compensate for any tree loss associated with the proposal.’*

6.4 The following effects of development on the northern and eastern boundary plantation trees are not a detailed, or accurate assessment for the following reasons:

- The AIA first states vegetation *‘growing around the boundaries of the site are to be retained’*, and then contradicts this by stating, the *‘self-set scrub’* of G3 is to be removed to accommodate development.
- The AIA states such losses as being negligible due to a lack of visual presence.
- The AIA fails to note the depth of tree losses in terms of scale.
- The AIA fails to note the potential consequence of woodland edge removal and potential failure of the weaker G3 tree core.
- The AIA fails to identify tree removals associated with infrastructure links.
- The AIA fails to anticipate any potential upgrading works to formalise the footpaths into PROW/cycleway and makes no reference to specialist, no dig construction. These

‘upgrade’ requirements have not been pre-empted in of the application reports or indicated on any drawings.

- The AIA fails to note the impact of existing or new electricity cables/services on trees.
- None of the submitted reports note that the effect of increased public access will result in increased antisocial behaviour, in and around the Hall/RPG.
- The AIA fails to include any tree management details, irrespective of development.
- The layout is indicative, so the AIA is unable to confirm that proposed tree planting will, ‘contribute to screening the development and enhance the tree population internal to the site.’ There are many reasons why this is unlikely to be realistic, as outlined below.

- 6.5 The following expands on the points above relating to tree impacts from development. These losses relate to the removal of some of the most diverse planting on the site to include the outer edge to be removed from G3, which contains a mixture of trees and woodland understorey shrubs and should therefore not be considered as ‘negligible due to a lack of visual presence’. Losses here extend northwards up to 18.5m distance to facilitate development of the 10.1m high housing, located even closer to the boundary of Chilton Hall and the RPG. This level of tree removal when combined with the creation of internal links for improved infrastructure shall create increased permeability, revealing ‘a wall of 10.1m high built form’, seen from the Hall along the plantation fringes. The AIA fails to detail these losses. Refer to Photograph 7.



Photograph 7: Extract from the JBA AIA, to demonstrate the edge of plantation to G3 to be removed for a distance of up to 18.5m. The image illustrates the diversity of species and healthy trees, with branches covered in leaves to ground level as a result of increased sunlight and a lack of overcrowding along the site/plantation edge. Removal of these outer trees will reveal the weaker, attenuated inner core, with leaves at branch tips only and bare stems, with poor trunk and branch formation. Increased permeability will have adverse effects on the boundary of the RPH and Chilton Hall.

- 6.6 In addition, the removal of planting from the southern edge of G3 has the potential to expose the inner tree belt matrix as a vulnerable edge; as trees are currently protected by the stronger, outer planting. These inner trees will be less robust and less able to resist the prevailing SW winds on the light sandy soils that will provide limited root anchorage; resulting in potential wind throw and failure of the inner core. The AIA fails to detail this potential loss. Refer to Photograph 8.



Photograph 8: View from Church Field Road looking across the site's self-set saplings towards the G3 plantation, with the Hall and its specimen trees located on the higher ground. The entire length of the southern, front edge of G3 planting, up to 18.5m deep, is to be removed to facilitate the development revealing the weaker, inner core of attenuated trees.

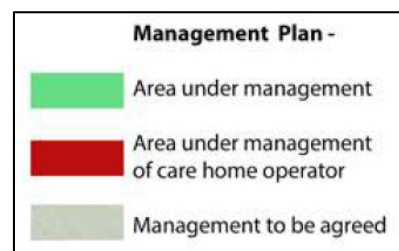
- 6.7 The proposal to upgrade the internal, informal footpath to a PROW and upgrade the surface to a cycle path, under a S278 agreement has not been identified in other planning documents or in the AIA, in relation to tree root damage. The AIA states in Paragraph 6.12 that: *'No specialised construction methods are required and all works are outside precautionary RPAs of retained trees.'* ELD disagrees with this statement as there has been no consideration in the AIA on the effects of excavation and foundation works, to provide an upgrade and potentially asphalt surface to the new PROW cyclepath over tree roots, with no recommendations for no dig construction.
- 6.8 In addition, in Paragraph 7.2, the AIA states that, *'This continuing involvement has culminated in a proposal that seeks to improve and enhance the tree scape of the site and the wider area whilst offering a sustainable approach to development.'* Based on the information provided, ELD does not consider it possible to *'improve and enhance the tree scape'* or offer a *'sustainable approach to development'*, as there are proposals to enhance the plantations and no management recommendations to either improve the sustainability of individual trees or the condition of the plantations, regardless of development.
- 6.9 The AIA concludes on the front page summary that, *'the proposal is acceptable, and the layout has been designed to minimise the tree removals and their impact on the local landscape. Tree planting will adequately compensate for any tree loss associated with the proposal.'* ELD does not agree with this conclusion, as the site design encroaches into the plantation edge resulting in tree removals to maximise densities, with no regard for enhancement or management as compensation. The Planning Statement fails to mention these tree losses in the description of the Development Parameters.
- 6.10 **We conclude that the AIA is not detailed or thorough, failing to include important details relating to the extent of tree removals in relation to development and the potential effects of removals on the existing tree structure. These omissions and the lack of management recommendations, means the overall effects identified in the AIA cannot be applied to accurately assess trees retained in other reports, such as the LVIA in relation to increased permeability. The AIA conclusions stating the site proposals are acceptable, with minimal tree removals and proposals to adequately compensate for losses are completely unfounded, as the masterplan is wholly indicative and the plantations are not robust or sustainable to be retained in perpetuity, if left in their current state.**

7.0 EXISTING & PROPOSED TREE MANAGEMENT

- 7.1 Currently the semi mature plantations are exhibiting 30 years of attenuated growth resulting from high density planting. If left to mature in their current state, the planting matrix will slowly collapse, as trees fail to survive as a result of high levels of competition. These plantations are neither sustainable in perpetuity, to provide a long term, robust woodland canopy; or appropriate, as a modern, incongruous planting style in relation to the historical assets. They all require management.
- 7.2 A single KLH Management Plan drawing, Figure 5, identifies the areas of management responsibility, but the entire boundary plantation is identified as, ‘*management still to be agreed*’. The Planning Statement states the TPO woodland ‘*will be retained, and improved where required through a landscape management plan.*’ It goes on to say in Paragraph 6.59 that, ‘*The layout has been designed to ensure the health and stability of retained trees is not compromised and these details can be adequately secured through the use of appropriately worded planning conditions if required.*’



Figure 5: The KLH Management Plan. The boundary plantation areas have no management as this is yet to be agreed and is likely to be handed to the site’s Management Company.



- 7.3 No details for tree management have been identified in the AIA, aside from referencing the need for management. The LVIA refers to the production of a Landscape and Ecological Management Plan (LEMP) ‘*to ensure the long-term management and maintenance of the access roads and open space areas. The management plan should include appropriate measures for the management of strategic planting to ensure its successful establishment and long-term maintenance. This should include the implementation of replacement vegetation as may be required to develop and maintain the landscape framework.*’
- 7.4 **This document would be part of the detailed application stage, assuming the scheme is approved and relates more to management of NEW planting and not the existing plantations, confirming that no strategy for the plantations has been provided as part of the outline scheme. Leaving these details to be defined by a Reserved Matters Application or suitably worded Planning Conditions as suggested by the Planning Statement, would be inappropriate and would be too late. As such, it is not possible to give appropriate weight relating to the impact of such tree works at the outline application stage, if they are not provided, to determine whether the principal of development has an overriding adverse effect on boundary plantations, that are being eroded by development and in need of critical management.**

- 7.5 ELD understands that plantation ‘management’ is likely to require the removal of dead trees and trees with poor physical structure and points of weakness, followed by the thinning of remaining trees before a strategy of replanting can take place. Hedgerows would require coppicing to ground level to allow for regeneration from the base. This could lead to the loss of a significant proportion of trees, to provide space for the remaining trees to mature to become a climax woodland and new planting to establish; which could take several decades to reach a similar tree canopy cover to the existing trees.
- 7.6 If the plantation was managed by thinning, with a more sympathetic replacement tree strategy, it should be noted that any such replacement planting will take 30-40 years, to provide trees of similar height, with a closed canopy and similar external appearance of existing trees; leaving a very long period of permeability and exposure, with a lack of screening along the boundary with the Hall.
- 7.7 Encroachment of development will result in tree losses. Increased recreational links will result in tree losses. Management through thinning and replanting will result in tree losses. The level of adverse effect from any tree removals in relation to development, (housing and infrastructure) will have significant implications on this boundary vegetation structure, creating increased permeability and clear visual links between the Hall and site, seen from only 52m-72m away.**
- 7.8 The effect of tree removals in relation to development, combined with plantation management would destroy the integrity of the plantation as a ‘buffer’ revealing the full scope of adverse effects of development so close to Chilton Hall. Therefore, thinning would not be acceptable or appropriate, as part of the development proposal due to the extremes of increased permeability and loss of protection along the Hall’s boundaries, creating an unacceptable level of openness with direct visual links to the 10.1m high ‘wall of development’.**
- 7.9 Knowing the detail of the tree strategy for losses, management and proposed planting is critical when deciding if the development principal can be approved, or not, when considering important heritage assets in such close proximity to fragile tree belts, that can offer no reliance for longevity or sustainability.**
- 7.10 It should be noted that tree planting cannot be relied upon to provide a solid and permanent buffer to views. This is because trees are ever evolving; are reliant on regular maintenance to retain a consistent form and may be reduced in scale or extent in the future by natural forces, disease or management.**

8.0 OTHER CONSIDERATIONS

Lighting

- 8.1 ELD agrees with Place Services (and Natural England) concerns in relation to lighting, and light overspill into the woodland edge, as per the ALH External Lighting report. Refer to Figure 6. The physical presence of lighting combined with any light overspill from the site development area is wholly unacceptable, in relation to:
- Ecological effects on bat foraging areas next Chilton Hall; and
 - Visual impacts (refer to AFA Review).
- 8.2 Bats roosts in buildings and trees around Chilton Hall are likely to be using the plantation and site area as part of their foraging habitat; although we note that no bat survey has been completed, (amongst other survey omissions), as per Suffolk Wildlife Trust comments.
- 8.3 The presence of new lighting associated with development, to potentially include illumination along the upgraded infrastructure routes PROW would further urbanise this rural landscape and erode the sense of remoteness, isolation and tranquillity associated with the setting of Chilton Hall. The Hall and the RPG should be retained in a ‘dark skies’ environment, typical of its rural and historical setting.
- 8.4 Light overspill and any visual connection with urban lighting seen from Chilton Hall is wholly unacceptable. The degree of adverse light intrusion will depend on the number of trees removed as part of the development and/or management of the plantations, should any works be undertaken. Unfortunately, the adverse effect of lighting along Church Field Road near the church has already encroached upon St Mary’s and these lights around commercial units are visible in winter, from the RPG around the Hall.
- 8.5 **The Planning Statement is yet again placing reliance on detailed design stages to resolve any outstanding issues relating to ecological effects and light pollution identified at outline application stage, stating: ‘if designed sensitively at the reserved matters stage, the impact of lighting from the proposed development on the surrounding receptors will be minimal.’ This is not acceptable.**



Figure 6: ALH lighting report plan to show potential light overspill from development. There is no consideration in any report of the effect of lighting on bats, or Chilton Hall. Development lighting generally will be highly visible through the plantation trees, further exacerbated by management of trees if thinned to increase visual permeability.

9.0 CONCLUSION

- 9.1 The above interrogation clearly demonstrated flaws, omissions and overstatements of tree quality, intent and environmental gain in all planning documents.
- 9.2 Externally, the trees appear to be vigorous and healthy, with well-developed canopies that during summer months, give the impression of a well-managed and vibrant woodland. **This leafy exterior fails to indicate the poor internal structure of the plantation, the latter being significantly more important than the former.** These deciduous, native tree blocks are unsustainable and structurally poor, based on the 3m matrix, forestry style plantation planting format, that is now overcrowded following 3 decades of no management. As a result, the majority of individual trees are of poor physical structure, with attenuated growth throughout; multiple leading stems with poor trunk/branch formation and much dead wood throughout the lower canopies. Internal hedges are attenuated and degraded from a lack of management. The AIA fails to identify this level of detail in the assessment and refers to the northern and eastern plantations as being Category B2 trees, in *'good condition overall'* and of *'moderate quality'*. For the above reasons, ELD cannot agree and considers the trees to be of fair to poor condition and a reduced quality grade, Category C2 throughout.
- 9.3 The AIA identifies the clearance of all internal trees and self-set shrubs, removal of some boundary trees to permit the new access and removal of the 'buffer' edge of G3, to permit the encroachment of development into the northern plantation opposite Chilton Hall. These removals have been underplayed.
- 9.4 A loose area of grey shading on the AIA Tree Removal Plan in the AIA indicates the extent of G3 tree removals to permit development. When measured, the encroachment extends up to 18.5m into the plantation, but no explanation of scale of removal is provided in the text. In addition, there is no mention of works required to facilitate the infrastructure links to the informal paths, which are required to be upgraded to formal PROW. There is no mention of wind throw, which could become an issue following the removal of the outer edge of G3. Prevailing SW winds could cause the weaker, attenuated, inner core to fail on the light soils, resulting in additional loss of tree cover. The need for specialist construction methods are omitted with no consideration of existing cables and services located between trees. The LVIA states that details of management will be included in a Landscape and Ecological Management Plan and tree management is mentioned in passing in the AIA, such that it acknowledges the lack of management. Despite a column being provided in the Tree Survey Schedule, there are no *'Tree Management Recommendations'* provided, to either improve individual tree/plantation health/condition, or remediate the effects of development. For the above reasons, ELD considers the tree losses have been underplayed and greater losses can be expected as a result of development.
- 9.5 The Planning Statement is reliant on Management Plans that are to be provided at detailed design. Without these details up front as part of the outline application, the principal of development cannot be accurately assessed, as the application in its entirety, is wholly reliant on the boundary tree cover to be retained and for it to continue to perform as a green 'buffer' to the edge of development. ELD firmly believe that the removal of any trees for development is inappropriate, due to the extremes of increased permeability and loss of protection along the Hall's boundaries, creating an unacceptable level of openness with direct visual links to the 10.1m high 'wall of development'.
- 9.6 The site's boundary plantation is not sustainable in its current form. If left it will gradually decline and fail. If managed by thinning and replanting, the level of change to planting

structure and density associated with development would result in unacceptable levels of harm to Chilton Hall.

9.7 With or without tree management, the poor quality trees in the plantation cannot be relied upon to provide a sustainable, long term robust ‘buffer’ around the outside edge of the development site. The increased permeability and close proximity of physical development, with increased noise and lighting, new and upgraded access routes within the setting, will significantly reduce tranquillity, isolation and the feeling of remoteness. These are the three essential components required for the preservation of this heritage asset.

9.8 It should be noted that tree planting cannot be relied upon to provide a solid and permanent buffer to views. This is because trees are ever evolving; are reliant on regular maintenance to retain a consistent form and may be reduced in scale or extent in the future by natural forces, disease or management. It would take 30-40 years for new tree planting to grow and form a closed canopy, of similar appearance to the ‘green exterior’ of the canopy currently seen.

9.9 Landscape proposals are described as having a ‘*net gain in tree planting*’ and making a ‘*positive contribution to biodiversity*’ within the development. It is difficult to believe the proposals could provide a net gain in tree planting, should the plantation undergo a regime of management. No weight can be placed on the location or quantity of indicative street trees, as these are rarely delivered in reality, in accordance with concept layouts and no specification of species has been provided. Understorey planting is suggested in the woodland to increase ecological diversity, but this will be crowded out by overshadowing, unless the woodland is managed and thinned. It is clear there will be little planting to enhance or preserve the setting to Chilton Hall.

9.10 In reality, adopting authorities will not accept trees near services resulting in site sterilisation and loss of tree planting potential between concept and detailed design. These tree losses will be compounded by NHBC regulations, resulting in small insignificant, short lived trees being located within the urban framework. These will offer little to amenity value as their canopies will not be seen above 10m high roof tops, even at maturity.

9.11 Proposed concept planting strategies cannot be relied upon to deliver a net gain in trees, or a positive contribution to biodiversity that both serve to enhance the landscape setting and protect Chilton Hall and the RPG from proposed development.

9.12 The combined inaccuracies, lack of detail and omission/blurring of details in the application documentation serves to raise conclusive concerns over the viability of development within this historical and vital gap landscape, required to preserve the only remaining rural field offering separation between Sudbury and Chilton Hall.

10.0 RECOMMENDATIONS

- 10.1 We most strongly recommend that the application is refused and the land protected from development in perpetuity. In doing so, refusal of this application will prevent inappropriate encroachment and infill development on this rural, historical land parcel.
- 10.2 Without development along the boundaries, it would be possible to undertake a phased management of trees and hedges, combined with a replanting strategy that could enhance the setting of Chilton Hall and St Mary's Church and the boundary with Church Field Road. An appropriate scheme that creates a sustainable and diverse landscape buffer through planting and management, would be of benefit to the community at large, the Hall and Church for centuries to come. Designed, informal routes could be created and in doing so, the historical landscape preserved, preventing the adverse effect of urban encroachment upon the Hall. In turn this would mitigate the associated loss of tranquillity and retain the essential elements of isolation remoteness. The site could be used for community benefit and nature conservation, with a true net gain to biodiversity and cultural heritage.

APPENDIX 1

DOCUMENTS CONSULTED

Planning Portal Documents appraised by ELD as part of this review include:

- KLH Design & Access Statement (no date)
- KLH Indicative Masterplan, Drawing 3898-0310-rev P05.
- KLH Development Parameters Plan, Drawing 3898-0311-rev P04
- KLH Building Heights, Drawing 3898-0312-rev P04.
- KLH Massing Layout, Drawing 3898-0313-rev P04.
- KLH Management Plan, Drawing 3898-0315-rev P04.
- Survey Solutions Topographical Survey, 2018
- Vincent & Gorbing Planning Statement, March 2020
- JBA Arboricultural Impact Assessment, February 2020
- JBA Landscape & Visual Impact Assessment, February 2020
- JBA Great Crested Newt Survey, June 2019
- ALH External Lighting Report, 13th February 2020
- SCC Highways Consultee response, 2nd April 2020
- Tree Officer Consultee response, 17th April 2020
- Place Services Consultee response on Ecological Reviews, dated 30th March 2020
- Natural England Consultee response, dated 9th April 2020
- Suffolk Wildlife Trust Consultee response, dated 5th May 2020.
- Heritage Consultee response, dated 8th April 2020.
- Historic England Consultee response, dated 9th April.
- BWB Utilities Statement, dated 17th February 2020.

Documents appraised by ELD that have been prepared for Lady hart of Chilton include:

- Review of Landscape and Visual Impact Assessment, by Alison Farmer Associates (AFA) May 2020
- Heritage Impact Assessment, (HIA) by Michael Collins, May 2020

HEADS OF TERMS

Land at CHURCH FIELD ROAD SADBURY SUFFOLK


Parties	(1) Legal & General Affordable Homes (Development 3) Limited ("L&G" / "LGAH") (2) Caverswall Enterprises Limited ("CEL")
L&G's Solicitors	Cathy Small Senior Legal Counsel Legal & General Affordable Homes E. cathy.small@landgah.com T. 020 8148 4886 A. Legal & General Affordable Homes, 12 Cock Lane, London, EC1A 9BU
HPL's Solicitors To follow
Property	Land at Church Field Road Sudbury Suffolk being the whole/part of the land registered under title numbers – [to be provided by HPL]
Transaction	Conditional Land Purchase (Subject to Planning Approval or a Resolution to Grant Approval subject to Satisfactory S106 Agreement) for the Application Scheme comprising 166 Units with 35% Affordable Housing as Policy plus the agreement to deliver additional Shared Ownership up to 100% of the entire scheme.
Conditions	The offer is also subject to the following conditions: <ol style="list-style-type: none"> 1. Release of satisfactory S106 Agreement & S278 Agreements with no adverse conditions and with all financial contributions deductible from the purchase price. 2. Confirmation of Affordable Housing CIL relief on the whole site 3. No restrictions shall apply on the levels of rent applicable to the unsold equity of the shared ownership units and affordable rented units. Further, there will be no restriction imposed within the S106 Agreement on the recycling of shared ownership first tranche sale or staircasing capital receipts within a specified geographical area. 4. All existing reports and surveys associated with the site will be provided to Legal and General Group in a suitable format, with reliance, at nil cost. 5. Vacant possession of the site with any works on 3rd party land being available and practical through licences procured by the seller.

	<ol style="list-style-type: none"> 6. Full due diligence to confirm the planning permission can be implemented with recourse to major sewer or service diversions and that there is capacity within the site boundary or close thereto to procure all statutory services. 7. Legal and General companies relative internal and Group board approvals. 8. RICS Red Book Valuation. 9. Full vacant possession and unencumbered clean legal title. 10. Satisfactory Planning Permission for a scheme comprising no less than the following units:
<p>Consideration and Payment Terms</p>	<p>L&G shall enter a contract for the purchase of the Property from the landowners for the sum of [REDACTED] subject to Contract and with full vacant possession on Completion</p> <p>A [REDACTED] deposit payable on exchange of contracts [REDACTED] of the Contract sum payable [REDACTED] weeks from receipt and the balance payable on receipt of full Reserved Matters Approval for the buyers Standard House Types to be submitted as part of the RM application.</p>
<p>Planning</p>	<p>This agreement is subject to a satisfactory detailed planning consent and a satisfactory S106 / 278 Agreements for a scheme comprising no less than</p> <p>PRELIMINARY HOUSING MIX – 166 UNITS</p> <p>S106 AFFORDABLE RENT:</p> <p>12 NO 2B FLATS 699 FT2 – NSA 8,388 FT2 20 NO 2B HOUSES 727 FT2 – NSA 14,540 FT2 10 NO 3B HOUSES 847 FT2 – NSA 8,470 FT2 4 NO 2B BUNGALOWS 750 FT2 – NSA 3,000 FT2</p> <p>S106 SHARED OWNERSHIP</p> <p>10 NO 2B HOUSES 727 FT2 – NSA 7,270 FT2 4 NO 3B HOUSES 847 FT2 – NSA 3,388 FT2</p> <p>ADDITIONAL NON S106 SHARED OWNERSHIP</p> <p>18 NO 2B HOUSES 727 FT2 – NSA 13,086 FT2 18 NO 3B HOUSES 847 FT2 – NSA 3,388 FT2 4 NO 3B HOUSES 847 FT2 – NSA 3,388 FT2 18 NO 2B HOUSES 727 FT2 – NSA 13,086 FT2 29 NO 3B HOUSES 847 FT2 – 24,563 FT2 5 NO 2B BUNGALOWS 750 FT2 – NSA 3,750 FT2 12 NO 3B HOUSES 847 FT2 – NSA 10,164 FT2 2 NO 3B HOUSES 945 FT2 – NSA 1,890 FT2</p> <p>TOTALS: 166 UNITS – NSA MIN 130,229 FT2</p> <p>The sizes novated are minimum NIA's and the seller will raise no objection</p>

	<p>should the unit sizes increase in order to accommodate the buyers preferred Modular Construction by L&G Modular Homes Limited or following any request to amend Standard House Types from the LPA in order to Approve the RM Application.</p>
<p>Planning Agreements and Infrastructure Agreements</p>	<p>Both parties will be obliged to cooperate and execute any such planning agreements/infrastructure agreements within an agreed timeframe, and to comply with the terms of any such agreements.</p> <p>All financial contributions, costs payable to a relevant authority and all costs incurred in negotiating and entering into any such planning agreements and/or infrastructure agreements as they fall due. All S106 and S278 costs are either the responsibility of the seller or shall be paid by the buyer and be fully deductible from the Contract Sum. For the avoidance of doubt these HOT's assume that there will be separate S106 Agreements on the residential and the Care Home site</p> <p>Both parties will observe, perform and comply with all planning agreements and infrastructure agreements for so long as each of them have an interest in the property under this agreement.</p> <p>Neither party can sign or enter into any planning agreements or infrastructure agreements without the approval of the other as to its terms.</p>
<p>Development Costs</p>	<p>Any costs incurred by either party prior to exchange of Contracts are irrecoverable.</p>
<p>Alienation</p>	<p>Neither party shall be permitted to assign or otherwise dispose of or hold on trust for a third party [other than a Group Company], any of its interest in the agreement without the prior written consent of the other. Any approved assignee will be required to enter into a deed of covenant with the other party and the assigning party shall also be required to the performance of the obligations of the assignee.</p> <p>Change of Control of either party shall require the consent of the other.</p>
<p>Insolvency</p>	<p>If a party is subject to insolvency (to exclude solvent refinancing) then the other party can require the defaulting party to assign/transfer to it its rights under the Development Agreement on agreement of satisfactory terms</p>

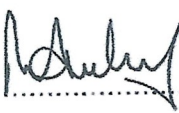
These heads of terms are confidential to the intended parties to the proposed transaction and to their professional advisors.

The documentation for the proposed transaction may contain further terms as the parties may require, including additional terms on matters that are covered in this document.

Signed:  For and on behalf of Legal & General Affordable Homes
(PropCo) Limited

Name: JOHN D BALCER

Date: 28 NOVEMBER 2022

Signed:  For and on behalf of Caverswall Enterprises Limited

Name: ROBERT AUDLEY

Date: 24/11/22

**Appendix 1 – The Chilton Woods Committee
Report ref. DC/22/02336 – relevant extracts
(pages 1, 9-12 and 17)**

Committee Report

Item No: 6A

Reference: DC/22/02336

Case Officer: Samantha Summers

Ward: Sudbury Northwest.

Ward Member/s: Cllr Jan Osborne. Cllr Trevor Cresswell.

RECOMMENDATION – GRANT RESERVED MATTERS WITH CONDITIONS

Description of Development

Application for approval of Reserved Matters for Phase II (matters relating to appearance, scale, layout and landscaping) - Erection of 242no. dwellings, residential amenities, open space, parking and associated development details pursuant to Outline Planning Permission B/15/01718 dated 29.03.2018

Location

Chilton Woods Mixed Development to North Of, Woodhall Business Park, Sudbury, Suffolk

Expiry Date: 04/08/2022

Application Type: RES - Reserved Matters

Development Type: Major Large Scale - All Other

Applicant: Taylor Wimpey East London (Limited)

Agent: Savills

Parish: Sudbury

Site Area: 9.3Ha

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: Yes

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

This is a major development.

PART TWO – POLICIES AND CONSULTATION SUMMARY

CLASSIFICATION: Official

salicaria, Lobelia cardinalis, Sedges- Carex pendula, Saw sedge Cladium mariscus, Juncus effusus, Elder Cornus foemina, Cornus sanguinea, Cornus alba siberica, Cornus sericea- more varieties to maximise colour and interest, and a Wetland Meadow seed Mix can be sown appropriately.

In our officer's opinion, this could be a really positive space for both nature and humans.

BMSDC Public Realm – 10.06.2022

Further to my email below, I have received further advice from our Biodiversity officer relating to this application. This is specifically relating to the proposed tree planting. He observes as follows:

“I'd question some of the tree species selected for the less formal areas. Beech is listed frequently, which to my mind isn't found that widely in this area, certainly looking at the tree survey information. Oak would be more likely. Hornbeam is also not found locally that often but would appear appropriate for the soil. Not sure how well beech will fair, particularly with potential climate change scenarios.

Whitebeam is also frequently listed but is not commonly found outside of urban areas in this location. Overall, the species mix appears somewhat generic and not tailored to the location, more a range of native species found nationally, rather than locally. I'd prefer the less urban open space, around the perimeter, to contain a range of species that better reflects what's present within the wider landscape”

I realise that we have passed the consultation deadline date, but if it is possible to include the above in our response that would be useful, and at the least if this could be considered and communicated to the developer prior to approval, with the suggestion that they consider altering their planting specification accordingly, we would be grateful.

BMSDC Waste Services

Looking at the Refuse Strategy I can see that there are communal points for some dwellings and the bin stores listed, however there does not appear to be individual bin presentation points (bpp) for the rest of the properties would these bpp be at the edge of the curtilage? Communal collection point for dwellings 288,289 and 298 are hidden behind properties my concern is that these may become an issue as not visible from the road. Please could the point be moved to be more prominent?

The bin stores diagram labelled bin bike garage elevations shows that the bin store has a slope up to the entrance, how wide is this area as it would need to accommodate a 1100l bin and the operatives with ease?

BMSDC Strategic Housing - 06.06.2022

Key Points

<p>Support: The proportion of affordable homes, at 30%, exceeds the requirements of the Section 106 agreement. Future phases will need to be examined to ensure that they also include appropriate provision, given that the site as a whole only has to deliver 25% affordable housing.</p>
<p>Support: The mix and distribution of affordable homes is acceptable, although the applicant needs to correct a discrepancy between the Planning Statement and submitted plans.</p>
<p>Comment: The site would benefit from more smaller open market units and some bungalows.</p>

- 2. Housing Need Information:
- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Babergh there is a need for 110 new affordable homes per annum. The Council's Choice Based Lettings system currently has 197 households registered for affordable housing with a local connection to Sudbury, as of May 2022, with almost 800 households on the Housing Register with a local connection to Babergh.

3. Required Mix for Affordable Housing

3.1 The Section 106 agreement for B/15/01718 (the outline permission for the entire site) secured 25% affordable housing for the Chilton Woods development. This was below policy-compliance but agreed with regard to the assessed viability of the site. The obligation makes provision for the first 500 dwellings to provide a minimum of 12% affordable housing, with remaining dwellings (up to 1,150) to secure 35%. In respect of tenure, 75% of affordable units were to be for affordable rent and 25% intermediate housing (to mean Shared Ownership unless otherwise agreed). Review points were built into the Section 106 Agreement in respect of affordable housing provision, but these triggers haven't been reached yet.

3.2 Phase 1 (DC/21/02764) secured 42.5% affordable housing, in excess of the minimum requirement in the Section 106. Furthermore, this second phase (the subject of this application) will also exceed the requirements of the Section 106 agreement, at 30%. Phases 1 and 2 together equate to 35.5% affordable housing across the two phases, significantly above the minimum requirement. Whilst this is to be welcomed, future phases will need to be examined to ensure that they include affordable housing. This is not a matter for this phase, but is highlighted for the future.

3.3 The mix of affordable units proposed by the applicant is set out below:

Tenure	Number of Units	Size (bedspaces / persons)	Type	Floorspace (m ² , GIA)
Affordable Rent <i>54 total</i>	3	1b2p	Wheelchair Flat ¹	71.7
	10	1b2p	Flat	50.1 – 51.8
	23	2b3p - 2b4p	Flat	61.1 – 73.8
	10	2b4p	House	80
	8	3b5p	House	94
Shared Ownership <i>18 total</i>	14	2b4p	House	80
	4	3b5p	House	94

With regard to data from the SHMA and the latest information from the Housing Register, the mix is considered acceptable. However, future phases (with lower overall densities) should make provision for more larger affordable units, namely 3-bed Shared Ownership and a small number of 4-bed affordable rent units. As per the paragraph above – this is for later phases / future planning decisions.

3.4 It should be noted that three of the ground floor, 1b2p flats are proposed as being wheelchair units. This is welcomed but, if it is relevant to the decision to be made, Building Control colleagues might usefully be contacted to confirm whether the units meet the relevant standard (either wheelchair adaptable or wheelchair ready).

3.5 The applicant has included provision for lifts to be installed in the three blocks of flats. This is accepted as including lifts at the outset may make it harder for the developer to secure a Registered Provider to take the units on, due to the ongoing maintenance costs involved. Colleagues may wish to take advice on whether the proposals would genuinely allow for future installation of lifts, if desired by the eventual Registered Provider.

3.6 All affordable units meet the relevant Gross Internal Area requirements of the Nationally Described Space Standard. The distribution of the affordable homes is acceptable. A balance has

to be struck between pepper-potting and clustering for management purposes, and the affordable units are distributed groups of no more than 14.

- 3.7 The Section 106 Agreement sets out phasing arrangements within each phase.
- 3.8 Despite what the Planning Statement says in paragraph 3.8, it is not clear that the development delivers a tenure-neutral design, given that the unit types for the open market homes are different to those identified for affordable homes.
- 3.9 It needs to be confirmed that the eventual Registered Provider will not be subject to sharing any unreasonable ongoing costs for highway maintenance. It is recommended that any highway to be transferred to the RP should be constructed to an adoptable standard.
- 3.10 The affordable units need to be assessed to determine whether there is sufficient vehicle and cycle parking (in line with Suffolk Guidance on parking). It also needs to be determined that there is sufficient bin storage.
- 4. Open Market Mix
- 4.1 The key (extant) policy for considering this issue is Policy CS4 of the Babergh Core Strategy, which directs that this site should follow the approach to density and mix set out in policies CS18 and CS19. These policies state that that the housing mix should reflect established needs in the District.
- 4.2 The Strategic Housing Market Assessment ('SHMA' 2019, part 2) indicates the market housing requirements for the district as a whole. This may not represent a directly and specifically appropriate mix in the circumstances of a development, but it offers a guide as to how the development can provide an appropriate mix and contribute to meeting overall needs.

Size of unit (bedrooms)	Current proposal	Split to mirror district-wide requirement'	Difference
1	6	21	-15
2	42	61	-19
3	80	51	+29
4+	42	37	+5

- 4.3 This shows a deficit in the number of 1- and 2-beds relative to District-wide needs. Future phases ought to act to bring the overall mix closer to the District-wide needs.
- 4.4 The Planning Statement sets out that 88% of units will meet the M4(2) standard, which is welcomed, but it is not clear which units this applies to. If this needs to be checked prior to determination, Building Control colleagues will need to be approached for advice.
- 4.5 All open market units meet the gross internal area requirements of the NDSS.
- 4.6 No units are proposed as bungalows; the applicant has indicated that they intend for bungalows to come forward in future (lower density) phases.

Appendix: Size of new owner-occupied accommodation required in Babergh over the next 18 years

Source: Ipswich Strategic Housing Market Assessment Part 2 Partial Update (January 2019)

Table 4.4c (using the 2014-based projections)

Size of home	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	598	1,183	585	12.2%
Two bedrooms	5,037	6,765	1,729	36.1%
Three bedrooms	12,327	13,774	1,447	30.2%
Four or more bedrooms	10,605	11,098	1,033	21.5%
Total	28,026	32,820	4,794	100.0%

BMSDC Strategic Housing – 24/08/2022

The open market housing mix appears to have been updated as follows.

Bed spaces	Original Submission	Updated Proposal	Change
1b	6	6	-
2b	42	42	-
3b	80	88	+8
4b+	42	34	-8

The change seems to be a reduction in the number of 4-beds, with 8 units becoming 3-beds. The number of open market 1, 2 and 5-beds has not changed.

It appears that an updated accommodation schedule has not been submitted, so the figures above have been generated by cross referencing the Phase 2 Tenure Plan (1369-3-1204, dated July 22) and Phase 2 Unit Mix Plan (1369-3-1200, dated July 22). The applicant should be asked to confirm whether these figures are correct.

Accordingly, the table below updates the relationship with the District-wide open market needs.

Bed spaces	Updated Proposal	Split to mirror district-wide requirement	Difference
1b	6	21	-15
2b	42	61	-19
3b	88	51	+37
4b+	34	37	-3

The changes in the open market mix are broadly positive, although it would be preferable if there were a greater proportion of 1 and 2-bed open market units.

- 1.9 The south-eastern corner immediately adjoins Acton Lane and the western parcel from the first phase of the development. The western boundary of the site lies immediately adjacent to the Suffolk County school site with the northern edge adjoining the village centre parcel. Access into the parcel is provided via the site wide distributor road which forms part of the approved major infrastructure works application. The access points onto Aubrey Drive, Reynolds Way and Acton Lane form the principal points of ingress/egress to the residential land at this stage. The access strategy for this phase of the development is wholly in accordance with the provisions of the outline permission.
- 1.10 The parcel comprises a plot of land to the west of Acton Lane, located immediately west of the new access point of Reynolds Way/Acton Lane. The local distributor road, as approved under the Major Infrastructure Works - Reserved Matters Application (MIW RMA) wraps around the western/southern boundary of this parcel and the proposed Suffolk School site to the north and loops around to create a connection to Aubrey Drive. Northbound vehicular access along Acton Lane is terminated at the Reynolds Way/Acton Lane access point and is instead routed via the local distributor road, which reconnects to a section of Acton Lane located to the north of the Suffolk County School site. The major infrastructure works secured delivery of a shared cycle/pedestrian access route running along the eastern boundary of Parcel B and the Suffolk school site. To the south and east of the parcel are existing housing estates.
- 1.11 The properties along Mountbatten Road and Hawkins Road (to the south) comprise terraces of two-storey dwellings and apartments. The properties along Acton Lane (to the south-east) comprise a series of semi-detached and detached two-storey dwellings. This plot represents a natural continuation of development from the first residential phase located immediately to the north and on the eastern edge of the local distributor road.

2.0 The Proposal

- 2.1 The Phase 2 development site seeks 242 dwellings. The mix of dwellings is as follows:
- 36 x 1 and 2 bed flats
 - 6 x 1 bed coach house
 - 66 x 2 bed houses
 - 100 x 3 bed houses
 - 30 x 4 bed houses
 - 4 x 5 bed houses
- 2.2 The site brings forward 30% affordable houses (72 units). This is broken down as 25% shared ownership and 75% affordable rent:
- 36 x affordable rent apartments
 - 18 x affordable rent houses
 - 18 x shared ownership houses
- The Strategic Housing Team has raised no objection to the mix and tenure of the development.
- 2.3 There is a mixture of parking options on the site ranging from parking courts and on-site parking to garages.
- 2.4 Density of build on the site is 26 units per hectare overall for the site, including the green spaces.

Appendix 2 – Babergh Affordable Housing delivery/completions snapshot

Babergh Net Residential Completions by AMR Year - Table 4 of the Babergh and Mid Suffolk Joint Annual Monitoring Report 2020-2021 dated December 2021.

Babergh					
AMR Year	Net Completions (A)	of which Affordable (B)	% Affordable (B as % of A)	No. of Windfall (C)	% Windfall (C as % of A)
2020 / 21	402	89	22%	346	86%
2019 / 20	293	114	39%	218	74%
2018 / 19	579	52	9%	456	79%
2017 / 18	331	71	21%	221	67%
2016 / 17	226	83	37%	168	74%
2015 / 16	157	27	18%	124	79%
Totals	1,988	436	-	1,533	-

Table 4: Babergh Net Residential Completions by AMR Year

Note: Net delivery figures quoted, since gross figures sometimes higher (due to demolitions etc.) Affordable housing completions from B&MSDC and Registered Providers.

There is a shortage of affordable housing as confirmed by the Council's own 2019 Strategic Housing Market Assessment which indicates that in Babergh there is a need for 110 new affordable homes per annum. When this is measured against the completions of affordable housing in the Babergh area over the last 6 years as outlined in the Annual Monitoring Report (2020-2021) such as:

- 2020 / 21 – 89/ 110 completions – thus under delivery.
- 2019 / 20 – 114/ 110 completions – thus delivery met.
- 2018 / 19 – 52/ 110 completions – thus under delivery.
- 2017 / 18 – 71/ 110 completions – thus under delivery.
- 2016 / 17 – 83/ 110 completions – thus under delivery.
- 2015 / 16 – 27/ 110 completions – thus under delivery.

Appendix 3 – Heritage Report prepared by Dr Jonathan Edis dated 26 November 2022



Heritage Review

Land at Church Field
Road, Sudbury

Review of the "Lewis
Review"

November 2022 | Project Ref 181C

HCUK Group is a multi-disciplinary environmental practice offering expert advice in archaeology, heritage, landscape, arboriculture, and planning. We began life as Heritage Collective LLP in 2010, before becoming Heritage Collective UK Limited in 2014. Finally, in 2020, we became HCUK Group Limited.



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Author with date	Reviewer code, with date
JE 26.11.2022	

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1. Introduction

Background

- 1.1** This Heritage Review has been prepared by Dr Jonathan Edis, Director of HCUK Group, on behalf of Caverswall Enterprises Limited. It provides a commentary on a document named *Critical review of assessment of the impact of the proposal on heritage assets* (the "Lewis Review"), dated October 2022, prepared by Mr Roy Lewis on behalf of Babergh District Council. The Lewis Review examined issues to do with the effect of proposed development (DC/20/01094) on the setting of heritage assets near Church Field Road, Sudbury. More specifically, it reviewed eight documents in which the setting issues had been previously discussed, one of which was a Heritage Impact Assessment prepared by Dr Jonathan Edis of HCUK Group on behalf of the applicant dated February 2021.
- 1.2** The Lewis Review is the council's "preferred position"¹ for the determination of application DC/20/01094, contrary to the advice of the council's own Heritage and Design officer, which "should not be relied on", according to the Lewis Review (paragraph 5.11).

Qualifications

- 1.3** I am Dr Jonathan Edis. I hold the degrees of BA (Hons) in History, MA with distinction in Architectural Building Conservation, and PhD, and I am a Member of the Chartered Institute for Archaeologists (MCI(A)) and a Member of the Institute of Historic Building Conservation (IHBC). I have forty years of professional experience of the historic built environment in the public and private sectors, including six years with the Royal Commission on the Historical Monuments of England (RCHME), ten years as a Conservation Officer with Bedfordshire County Council, and ten years as Director and Head of Historic Buildings in CgMs Limited (now RPS) 2000-2010.²
- 1.4** I am a founding director of HCUK Group, a company which since 2010 has provided independent heritage consultancy and other services. The company works in all

¹ Paragraph 5.54 of the report to committee relating to application DC/20/01094.

² During which time Mr Lewis was briefly employed in my team, in the Newark office of CgMs.

sectors (e.g. housing, renewables, commercial, infrastructure etc) throughout the country.

- 1.5** I have advised on thousands of cases involving change to heritage assets and their settings. I have provided expert heritage evidence at more than 150 public inquiries and many other appeals involving heritage assets, and I have given expert evidence on heritage in both civil and criminal courts.

Previous involvement

- 1.6** I have been involved in this site for more than a decade, and I advised on an earlier scheme for commercial development.

The heritage assets

- 1.7** The relevant heritage assets are described in HCUK Group's assessment of February 2021, and no further additions or deletions have been suggested in the Lewis Review.

The proposed development

- 1.8** The proposed development is described in various documents already submitted to Babergh District Council, which need be not repeated here.

Note on national heritage policy and guidance

- 1.9** It should be noted that the National Planning Policy Framework (NPPF) has been amended since application DC/20/01094 was submitted. The paragraph numbers have changed, but the relevant guidance remains the same.
- 1.10** References to GPA3 are to advice in *The Setting of Heritage Assets*, Historic England, second edition, December 2017, which is further explained in Chapter 2 of the Heritage Impact Assessment submitted with application DC/20/01094.
- 1.11** The Practice Guide accompanying the NPPF draws a distinction between the two categories of harm that might affect a designated heritage asset, and the extent of

harm within those categories. For further explanation, see paragraph 2.8 and Appendix 1 of the Heritage Impact Assessment by HCUK Group, February 2021.

2. The Lewis Review: Specifics

Introduction

2.1 The Lewis Review examined eight previous documents, on which I comment below. I note that Mr Lewis did not visit the site until 17 October 2022, the month in which the Lewis Review was published.

Assessment by HCUK Group

2.2 The Lewis Review asserted (paragraph 5.1) that HCUK Group's assessment of impact was "not credible" and it was characterised as "extreme" in paragraph 5.2. I note that the Part 4 of the Lewis Review spent some 17 paragraphs on HCUK's assessment, which is far more than was spent on any of the other seven assessments.³ The main points are noted below, and some are discussed further in the overview of the Lewis Review in Chapter 3:

- The Lewis Review (paragraph 4.3) criticises the HCUK assessment because it is said not to have identified the modern buildings to the south "specifically as a negative aspect in relation to significance". In fact, this matter is addressed under paragraph 3.12 of the HCUK assessment. There is, of course, no policy requirement to state which elements of setting are positive, neutral, or negative. Where negative elements are identified in the existing setting, it is important not to double count them in the assessment of impact when considering the proposed development.
- In paragraph 4.4 the Lewis Review refers to views of the Church of St Mary, specifically noting "important views from parts of Chilton Hall" (with added emphasis). This is not how the same views are characterised in paragraph 4.26 of the Lewis Review.
- I do not accept the criticism, in paragraph 4.5 of the Lewis Review, that the HCUK assessment did not take account of the contribution of the wider surroundings when undertaking Step 2 of GPA3. The discussion in

³ This pattern is reversed in the Conclusions (Part 5) of the Lewis Review, where the HCUK assessment is dismissed in the opening paragraph, followed by thirteen paragraphs discussing harm to significance.

paragraphs 3.3. to 3.13 of the HCUK assessment, and the supporting figures and appendices, all show that these things were taken into account. There may be a difference of opinion as to contribution to significance, but it is unfair to say that it was not taken into account.

- In paragraph 4.6 of the Lewis Review the operative word is “experienced”. The significance of the walled garden can best be experienced from within, not by looking at the outside, through trees from the footpath.
- Paragraph 4.7 of the Lewis Review relies on the Michael Collins assessment (which is in other respects found to be unconvincing, as reported further below) for aspects of time depth within the Registered Park and Garden. However, the Lewis Review is forced to admit that “these fields may currently have the appearance of modern agricultural land...and scrub in the case of the application site” which rather undermines the case that it seeks to make.
- I do not accept the criticism, in paragraph 4.8 of the Lewis Review, that the HCUK assessment did not identify the spatial and visual inter-relationships between the Hall and the Church and the surrounding rural area. A proper reading of Chapter 3 of the HCUK assessment, and the supporting visual material, belies the allegation. The Lewis Review struggles to make a credible case for the existence of significant visual links between the Church and the Hall, and it describes (paragraph 5.12) the distance between the two as “considerable”.
- Given that Archaeology Collective is a subsidiary of HCUK Group, joint-owned by myself, I cannot agree to the “omission” suggested in paragraph 4.9 of the Lewis Review. For “omission” the reader should substitute “inclusion”. A fair reading of HCUK’s assessment is that the rest of paragraph 4.9 of the Lewis Review is unsubstantiated.
- The underlying point in paragraph 4.10 of the Lewis Review is that the Review overestimates the contribution made by the application site to the significance of the heritage assets (despite admitting that it is only “scrub” in paragraph 4.7).
- Paragraph 4.11 of the Lewis Review concerns itself with cumulative impact. As I have already pointed out, it is important not to double count the

“negative” aspects of past development when assessing the potential impact of proposed development. I say more about this in Chapter 3.

- Paragraph 4.12 of the Lewis Review says that the HCUK finding of a “largely abstract” effect on the setting of Chilton Hall is “misleading”. I find this surprising, since the HCUK position is a fair assessment of the actual situation. The contrary opinion (which is presumably that of the Lewis Review) would be that the effect on Chilton Hall is “largely visual”. If that assessment is accepted by the council, then the visual impact could reasonably be described as small, and the abstract impact as smaller.
- Paragraph 4.13 of the Lewis Review assumes that any visibility of the proposed development from the churchyard would harm the significance of the Church, which is simply not the case.
- Views from footpaths, which are discussed in paragraph 4.14 of the Lewis Review, are primarily a landscape and visual consideration, rather than a heritage consideration. GPA3 makes no distinction between public and private views. The author of the Lewis Review may have momentarily overlooked the fact that the heritage assets are the receptors for the purposes of heritage assessment, not people on footpaths. Diurnal effects are, in fact, considered and accepted in Appendix 2 of the Heritage Impact Assessment, despite the untrue allegation in paragraph 4.14 of the Lewis Review.
- Paragraph 4.15 of the Lewis Review makes further allegations about the “inadequacy” of the HCUK assessment in respect of views of the Church and its tower. It seems to proceed on the basis that any change is harmful, and that the entire surroundings of a heritage asset have to be preserved intact in order to be free of harm. The Lewis Review is entirely unrealistic in its approach to this aspect of the assessment, and I do not see support for this approach in policy.
- A further allegation of the Lewis Review, in paragraph 4.16, is that the HCUK assessment “relies very heavily on screening by trees and vegetation”. This is manifestly untrue. The word “screening” appears only once in HCUK’s assessment, where it is quoted (under paragraph 1.10) from the pre-application advice of officers of Babergh District Council. Nevertheless, it is

relevant that (1) there is existing vegetation in the vicinity of the appeal site, that (2) the effect of the vegetation can be strengthened by additional planting, and that (3) it is reasonable to take the circumstances of the surroundings into account when arriving at conclusions on the setting and significance of heritage assets.⁴

2.3 In my opinion, the Lewis Review is not a balanced review of the HCUK assessment. It sets out to contradict it, and to find fault.⁵ Unfortunately, it sets the tone for its review of the other documents within its own remit, which I summarise below. While error is found in almost every other report, there is a tendency to find reasons oppose the development, not to consider it on its actual merits.

Assessment by Babergh District Council

2.4 The consultation response from the council's Heritage and Design Officer concluded that the proposal would result in a low to medium level of less than substantial harm to the significance of designated heritage assets. This is described as an "inaccurate understanding" of the level of harm that can arise (Lewis Review, paragraph 4.24), and it is concluded that the "assessment should not be relied on" (Lewis Review, paragraph 5.11).

Assessment by Historic England

2.5 Historic England concluded that there would be a "considerable" level of less than substantial harm to the significance of designated heritage assets, within the meaning in what is now paragraph 202 of the NPPF. The Lewis Review (paragraphs 4.30 and 5.7) described this conclusion as "justified and reasonable". It should be noted that the word "considerable" is open to interpretation.⁶

2.6 I take interest in the comment (paragraph 4.26 of the Lewis Review, said in connection with Historic England's analysis) that the view of Chilton Hall from the top of the church tower is of "no consequence" - apparently based on the fact that

⁴ I note that the effect of the proposed development on the "open, rural and remote character of the wider setting" is said to be "non-visual" in paragraph 4.16 of the Lewis Review.

⁵ The structure of Part 4 of the Lewis Review suggests that it is seeking to make a case against the HCUK assessment, by using that as the starting point. Given that the Lewis Review aligns itself with the view of Historic England, it would have been fairer to start with the assessment of Historic England, and then to compare all the other assessments against that baseline.

⁶ The Lewis Review (paragraph 5.12) described the distance between the Church of St Mary and Chilton Hall as "considerable". The word is open to a wide range of inferences, many of which are imprecise.

it is not a public view (like the view from Chilton Hall to the church, which is a private view – see paragraph 4.4 of the Lewis Review).⁷

Assessment by Michael Collins (for Lady Hart of Chilton)

2.7 The analysis of Michael Collins (which makes no specific reference to GPA3⁸), concluded that the proposed development would cause substantial harm to the significance of designated heritage assets, within the meaning of what is now paragraph 201 of the NPPF. The Lewis Review (paragraph 5.2) was “not convinced” of this, for obvious reasons that are set out more fully in the Review itself. In short, the Collins objection is alone in concluding on the matter of substantial harm, and it is unsupportable and untenable.

Assessment by Historic Buildings and Places

2.8 Historic Buildings and Places⁹ concluded that there would be harm to heritage assets, but the Lewis Review noted (paragraph 4.42) that the “responses do not explain the analysis that led to these conclusions”.

Assessment by The Gardens Trust

2.9 The Gardens Trust responses suggest that there would be serious harm to the settings of heritage assets, but the Lewis Review noted that the Trust does not formally state the category or extent of harm to significance (Lewis Review, paragraph 4.47).

Assessment by Suffolk Preservation Society

2.10 The Lewis Review is critical of the responses of Suffolk Preservation Society, going to far as to say (paragraph 4.57) that it “questions the accuracy” of what is said.

⁷ Public and private views are given equal weight in GPA3.

⁸ Lewis Review, paragraph 4.35.

⁹ The new/alternative name for the Ancient Monuments Society.

Assessment by Place Services

2.11 The Place Services responses follow those of the council's Heritage and Design Officer, which, as stated above, are considered by the Lewis review to be unreliable, and based on an inaccurate understanding of the level of harm that can arise.

Summary of the Lewis Review: Specifics

2.12 The Lewis Review is, as its formal long title suggests, critical in its approach. It finds the HCUK assessment "not credible" and extreme"; it says the assessment of Babergh District Council's own Heritage and Design Officer is "inaccurate" and "should not be relied on"; it is "not convinced" about the assessment of Michael Collins; it says that Historic Buildings and Places have not explained themselves, and that the Gardens Trust have not explained the category or extent of harm to significance; it "questions the accuracy" of Suffolk Preservation Society's assessment, and it criticises Place Services for following the "inaccurate" lead of the council's Heritage and Design Officer. Historic England is the only organisation to be given anything like a clean bill of health, with an endorsement of its assessment of less than substantial harm (paragraph 202 of the NPPF) that is characterised as "justified and reasonable".

2.13 It should be borne in mind that the Lewis Review was completed in October 2022, on the basis of a site visit that took place on 17 October 2022. This suggests that considerable haste was involved in its production, and that the author of the report had little time to reflect on the other eight assessments after completing the site visit.

2.14 It should further be noted that the Lewis Review is not a heritage assessment, in itself.¹⁰ It does not undertake its own research, or go through its own methodological analysis of the circumstances of the application site (whether by way of guidance in GPA3, or otherwise). It simply criticises other reports, starting

¹⁰ The scope of the Lewis Review is said (paragraph 1.2) to be "restricted to the single issue of assessment of the impact of the proposal on the setting of heritage assets". On that basis, one might expect it to be an independent Heritage Impact Assessment in its own right. Instead, it is a judgmental document.

with a detailed and selective dissection of HCUK's assessment on behalf of the applicant.

2.15 The specific conclusion of the Lewis Review (paragraph 5.14) is as follows:

"...the proposed development would cause a considerable amount of less than substantial harm to the significance of the grade II listed Chilton Hall, its grade II listed garden wall, and its grade II registered park and garden, and a level of less than substantial harm to the significance of the grade I listed Church of St Mary not far short of substantial".*

2.16 The conclusions of the Lewis Review are entirely selected from the opinions of the other recent commentators, without any evidence of independent analysis, and in opposition to the only assessment that combines a GPA3-compliant methodology with first-hand experience of the site over more than a decade – namely, the analysis in the HCUK assessment.

3. The Lewis Review: Overview

Introduction

3.1 Having examined the way in which the Lewis Review dissected the HCUK assessment, and then judged the other assessments accordingly, I now turn to an overview of the fundamental errors contained in that document. The primary issue lies in the assessment of significance and impact.

Assessment of significance and impact

3.2 There seems to be no dispute about the essential physical significance of the heritage assets. What is in dispute is the contribution made by the setting of those assets, and how that contribution will change if the proposed development goes ahead. It is very important to separate those two stages in the assessment, a process that was undertaken in HCUK's assessment of February 2021.

3.3 Too often, the assessments of significance and impact can become conflated. This can be seen to have happened in paragraph 4.11 of the Lewis Review, where the "existing industrial development along and to the south of Church Field Drive" is taken into account. There is further evidence of this in paragraph 4.21 of the Lewis Review, where it is inferred that it is necessary to "weigh the degree of adverse impact on the setting of heritage assets that would be caused by the proposed development together with existing urban development" (with added emphasis). Paragraph 4.36 of the Lewis Review goes even further, bringing in the "urbanisation of the wider area". Then in paragraph 5.1, it is said that "existing recent development" should be acknowledged. Ultimately, it becomes unclear whether the Lewis Review is considering the impact of the proposed development in application DC/20/01094, or whether it is considering the impact of all previous change within the setting of the heritage assets, plus the effect of application DC/20/01094. This may have led the Lewis Review to overestimate the effect of the proposal, and to find harm rather than change - especially when one bears in mind that the Review was hastily prepared, and drew selectively from existing sources.

3.4 Finally, it is instructive to consider the recent Secretary of State decision in the case of Edith Summerskill House,¹¹ wherein the Secretary of State endorsed¹² the following observations from Inspector Griffiths as regards the extent of harm where a development only affects the setting of a designated heritage asset:

"12.49 The point was not made in these terms at the Inquiry but for my part I see little between the decision of the High Court in Bedford, the Court of Appeal in Bramshill, and the PPG. Essentially, substantial harm is set at a high bar, such that a good deal (or all) of the significance of a designated heritage asset would have to be removed for it to be reached. That means that the range for a finding of less than substantial harm is very wide indeed, from a harmful impact that is hardly material, to something just below that high bar.

12.50 In cases where the impact is on the setting of a designated heritage asset, it is only the significance that asset derives from its setting that is affected. All the significance embodied in the asset itself would remain intact. In such a case, unless the asset concerned derives a major proportion of its significance from its setting, then it is very difficult to see how an impact on its setting can advance a long way along the scale towards substantial harm to significance."

3.5 Even if the category of effect in the case of application DC/20/01094 is found to fall within the orbit of paragraph 202 of the NPPF (less than substantial harm to significance), it follows, from the Secretary of State's assessment in the case of Edith Summerskill House, that it is difficult to see how an impact on the setting of the designated heritage assets near Sudbury can advance as far along the scale as has been suggested by other commentators - including the inferences in the Lewis Review.

¹¹ Appeal Reference APP/H5390/V/21/3277137 (dated 4 July 2022)

¹² Paragraph 13 of the Secretary of State's decision: "...the Secretary of State agrees with the Inspector that the Church of St Thomas of Canterbury does derive something of its significance from its setting, but the overwhelming proportion is locked into its form and fabric (IR12.51) and that the harm that would be caused to the setting and thereby the significance of the church would be less than substantial, and very much at the lower end of the scale (IR12.52)".

Appendix 4 – Applicant weighting exercise in relation to public benefits

Appendix 4 – Public Benefits Assessment

LPA REF. DC/20/01094 -

LAND ON THE NORTH SIDE OF CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE, CHILTON, SUFFOLK

Where less than substantial harm has been found, NPPF para. 202 requires that harm to be weighed against the public benefits of the proposal.

The PPG defines public benefits as: ‘Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (para. 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.’

As is confirmed at paragraph 5.59 of the committee report, there are several public benefits addressed, though there differences in the independent balancing exercises between the assets harmed and the weight accrued to the public benefits, including cumulatively as set out in the table below.

Key – N = Negligible weight | M = Moderate weight | Sig = Significant weight | Sub = Substantial weight

Public Benefit	Why it is a public benefit	Council’s position	Applicant’s position
Delivery of Housing	Relates to a basic need and poses inherent social, and economic (through construction and occupation) benefits.	N	N It is agreed that the Council can demonstrate a 5YHLS.
Provision of affordable housing – 35%	There is a shortage of affordable housing in the district.	M/ Sig	Sig
Provision of affordable housing – 100%	“	-	Sub

			100% affordable housing holds substantial weight
Care Home	Social benefits for future residents and economic benefits through employment of staff, and contributing towards meeting an unmet need.	Sig	Sig
Public Open space, retention of woodland buffer and formalisation of PROW.	Provision of approx. 14% of the gross site area for public open space and that would formalise the provision of public open space and the formalisation of an existing informal footpath to a PROW, whereas at present the provision within the site is informal and not secured in perpetuity for public use.	M	Sig
Biodiversity net gain	An improvement on the existing biodiversity value of the site - of approx. 34.22%	N/ M	M

Summary of public benefits:

As the above demonstrates, the applicant disagrees with the view of the Council and their weighting of relevant public benefits. A strong package of public benefits is provided, which cumulatively are of substantial weight. These are further summarised as follows:

1. Provision of up to 166 new homes, contributing to meeting local housing need.
2. A minimum of 100% affordable housing to meet the Objectively Assessed need for affordable housing in Babergh District.

3. A new care home use providing capacity for 60 beds to meet specialist housing needs and support local health infrastructure.
4. Creation of 55 FTE jobs in addition to significant local economic benefits during the construction phase of the development.
5. Provision of approx. 14% of the gross site area for public open space (excluding the existing woodland around the site boundary), which will provide a buffer for St Mary's Church, an area for recreation, and help to enhance biodiversity.
6. Retention of the 60-metre woodland belt around the northern edge of the Site which acts as a buffer between the site and Chilton Hall.
7. Biodiversity Net Gain of approx. 34.22%, which it is anticipated will be improved on following the submission of final details as part of a reserved matters application.
8. Creation of a network of footpath and cycleways through the development.

Further to the above, it is important to highlight the significant public benefits of the proposed scheme, notably the provision of additional housing including new affordable homes and the proposed care home use. Local housing evidence including the Council's own 5YHLS statement and Objectively Assessed Housing Needs finds that there is a need for the following in Babergh over the plan period: -

- New homes: 7,904 dwellings
- Affordable housing: 2,096 dwellings
- Care homes: 572 spaces [units]

The proposed development would make an important contribution to meeting local need in each respect, thus helping to the deliver the objectives of the Development Plan. In accordance with the NPPF, these should be given significant weight in the planning balance against any perceived harm arising from the proposed development. The delivery of 100% affordable housing should however be given substantial weight.

The proposals will therefore provide substantial public benefits as outlined above which should be given weight accordingly, in light of the presumption in favour of sustainable development as mandated in the NPPF.

Appendix 5 – Revised site layout plan (March 2021)

This document references the following file:

Reference Name	Status	Revision
PC-XX-XX-01-Designer-001_3898		P01

Revisions	Date	Drawn / Chk'd
P01 Planning	23/10/19	TB / SE
P02 Amended For Planning	29/01/20	SE
P03 Footpath Added	31/01/20	SE
P04 Client Amendments	12/02/20	LG
P06 10% Commercial Allowance Added	09/02/21	OF / SE
P07 Commercial plots removed	16/02/21	OF / SE
P08 Minor Amendment to Unit Placements	19/02/21	SE
P09 4 Units Removed, new pond added, landscaping amended	23/02/21	SE



KEY

- Site Boundary
- Existing Trees + Hedgerows (to be retained)
- Potential Attenuation Area
- Proposed Landscaping
- Play Areas (LEAP or LAP)
- Indicative Care Home (Use Class C2)
- Indicative Residential Parcels with Car Parking (Use Class C3)
- Indicative Internal Road
- Indicative Pedestrian Routes
- Existing Footpaths
- Proposed Footpaths
- Proposed Newt Pond

SCHEDULE

Site Area	116,000m ² (28.7 acres)
Net Developable Area	60,000m ²
Care Home Site	6,800m ²
Public Open Space	20,300m ²



Client
HIGHBRIDGE PROPERTIES PLC

Project
**LAND AT CHURCH FIELD ROAD
RESIDENTIAL DEVELOPMENT**

Title
INDICATIVE MASTERPLAN

Project N^o Drawing N^o Revision
3898 - 0310 P09

Scale - unless otherwise stated Status Issued For
1 : 1000 @ A1 S2 Planning

BS 1192 Ref
PC-Designer-0310



Appendix 6 – Fenn Wright Employment Information (October 2019 and February 2021)

**Caverswall Enterprises Ltd, West Suffolk NHS Foundation Trust and
Highbridge Plc**

Land to the North of Church Field Road, Sudbury, Suffolk

Employment Land Report

October 2019

Commercial Division at Ipswich

1 Buttermarket, Ipswich,
Suffolk, IP1 1BA

T: 01473 232 701

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Addendum

- 1. Response To Economic Development Officers formal pre-application response**
- 2. Response to MENTA's "Grow on Space Supply and Demand Analysis"**

Appendices

Appendix I	-	Location Plan, Street Plan, Site Outline Plan
Appendix II	-	Site Photographs
Appendix III	-	Historical industrial sales (5 years – Source Costar Suite)
Appendix IV	-	Historical industrial letting transactions (5 years – Source Costar Suite)
Appendix V	-	Current availability of industrial stock.
Appendix VI	-	Historical Office Sales (5 years – Source Costar Suite)
Appendix VII	-	Historical office letting transactions (5 years – Source Costar Suite)
Appendix VIII	-	Existing requirement schedule for industrial space. (Source Estate Agents Cleaning House (EACH)).

1.0 Executive Summary

- 1.1 This Employment Land Report has been prepared in advance of the submission of an outline planning application for a mixed use development comprising residential use and a care home on Land North of Church Field Road, Sudbury (the Site). A location plan, street plan and site outline plan are attached at Appendix I.
- 1.2 The Site is located approximately 1 mile north east of the centre of Sudbury. It extends to approximately 11ha and has road frontage to Church Field Road and Waldingfield Road.
- 1.3 To the south of the Site is the Chilton Industrial Estate where there are a variety of commercial occupiers. To the north east is Chilton Hall, a Grade II* listed building, together with a walled garden also being listed as Grade II and a Registered Park and Garden (Grade II listed). To the south east is the Grade I listed Church of St Mary and to the west and north is the Sudbury Community Health Centre, residential dwellings and Waldingfield Road.
- 1.4 The Site is allocated for employment use in the adopted Local Plan Alteration No 2 (2006) under saved Policy EM2. As such, saved Policy EM24 applies. Policy EM24 relates to the retention of allocated employment sites and sets out two criteria to demonstrate the way in which the retention of a site for employment use can be fully explored prior to the approval of a non-employment use. The Policy states that applicants can **either** undertake a sustained marketing campaign at a realistic asking price, **or** where agreed in advance, the applicant can demonstrate that a site is inherently unsuitable or not viable for all forms of employment related use.
- 1.5 The objective of this Employment Land Report is to assess whether the Site is required for purposes pursuant to the development plan (adopted Local Plan and the emerging Joint Babergh and Mid Suffolk Local Plan), and to provide information on the inherent unsuitability and viability of the Site for all forms of employment related use. The Report has focused upon B Use Classes in accordance with the definition and explanatory text adopted in the Economy and Employment Chapter of the adopted Local Plan.
- 1.6 Pre-application advice received from the Planning Officer at Babergh Council in August 2018 states that *'First and foremost, the policy (EM24) is clear that the dispensing of its second limb must be treated in advance, despite elements of the SPD indicating a supporting statement be provided with a planning application. I therefore consider that the most robust approach, in the circumstances, is to produce a comprehensive 'EM24 Statement' prior to the submission of the application – to be agreed in writing by the Council – and then to submit that agreed*

Statement (perhaps also with the reply of the Council appended) with the planning application’.

- 1.7 In line with the pre-application advice received, together with the requirement of Policy EM24, this Report is being submitted to Babergh Council in advance of the submission of an outline planning application for mixed use development (residential and care home) on the Site in order to comply with Criterion 2 of Policy EM24; that the Site is inherently unsuitable and not viable for all forms of employment use. It is considered that the production of this comprehensive employment report will provide Officers with an early opportunity to fully explore the retention of the Site for an appropriate employment use.
- 1.8 Despite the allocation of the land for employment since 2006, no development has taken place on the Site. A number of attempts have been made historically to deliver the Site for employment use.
- 1.9 A planning application for two detached industrial buildings was submitted on part of the Site owned by Caverswall Enterprises Ltd in August 2009, with consent granted in January 2014. The consent was the subject of a judicial review and the planning consent was quashed on one ground only (non referral of the application to the Secretary of State) in 2015. This followed two other attempts to obtain planning permission for employment use on the Site in 2002 and 2006, both of which were also quashed following judicial reviews on the grounds of the lack of an EIA, and a defective screening opinion respectively.
- 1.10 The Site is inherently unsuitable and not viable for B Class Uses for the following reasons:
 - Modern requirements for occupiers mean that the site is incapable of meeting current occupier demands.
 - Site constraints, including topography and proximity to heritage assets limits the potential scale, type and location of employment development.
 - Recent planning consents on sites within Babergh have resulted in a greater supply of commercial land than required.
 - Low demand for employment space coupled with low rents and capital values within Babergh make the Site unviable for commercial development. To enable delivery of the Site would require substantial infrastructural investment, including utility connections – electricity, water, drainage, other works including estate roads and connections to roads, site levelling. The likely short to medium term take up is limited and the initial outlay would mean delivery of the site would be prohibitive.

- Demand for office accommodation has been poor with a high number of vacant office sites moving to residential use via either permitted development rights or planning applications, which shows the lack of demand within the area for offices.
- 1.11 The above conclusions are evidenced in the emerging Joint Local Plan and the associated technical evidence base for the Plan. The Regulation 18 Joint Local Plan (2017) stated that based on the forecast jobs growth net employment land requirements for 2014 to 2036 are forecast to be 2.9 hectares in Babergh. The employment land supply at that time was 86.06 hectares and the conclusion can therefore be drawn that there is a significant oversupply of employment land within the District.
- 1.12 The employment land supply position in the July 2019 Regulation 18 Preferred Options Joint Local Plan remains similar. The Plan states that there has been a *'modest net additional employment land requirements (as indicated by the 2016 release of the EEFM). Combined, Babergh's requirement of 2.9ha and Mid Suffolk's requirement of 9.4ha indicates a total requirement across the area of 12.3 ha. In quantitative terms, there is therefore considered to be more than sufficient existing identified land to meet baseline objectively assessed need over the plan period, given the modest baseline forecast in both areas'*. As such, there is a greater supply of commercial land than is required in Babergh District.
- 1.13 The re-assessment of the land in the 2019 Strategic Housing and Economic Land Availability Assessment (SHELAA) has led to the conclusion that the Site lies within an area of high heritage sensitivity and should therefore be discounted for employment use. The emerging Joint Local Plan is consequently proposing to de-allocate the Site from employment use.
- 1.14 In summary, in compliance with Policy EM24, evidence in this Report demonstrates that the Site is not suitable for B Class Uses (B1, B2 or B8), and that such uses would not be viable. These conclusions can be drawn for both development of the whole of the Site for employment use, as well as development of part of the Site for employment use.
- 1.15 The Site is not required for employment purposes pursuant to the adopted Local Plan, and is clearly not required for employment purposes pursuant to the emerging Joint Local Plan.
- 1.16 The adopted Local Plan acknowledges in Paragraph 4.20 that other types of land use outside classes B1, B2 and B8 are also important employment providers, and the Supplementary Planning Document; Safeguarding Employment Land (Paragraph 1.2)

states that employment in other, non B Class Uses, is also significant for providing jobs and for benefitting the wider community.

- 1.17 The proposed development is therefore seeking to provide employment as part of a care home, which it is acknowledged will fall outside B Class Uses, but given the identified site constraints, and evidence demonstrating the lack of viability of B Class Uses on the Site, will offer job opportunities that are viable and deliverable within the current economic climate and context of both Sudbury and the District.
- 1.18 The approach adopted in assessing the Site for the use of the land for employment, and the identification of a non B class use opportunity for employment on the land is fully compliant with the NPPF, particularly Paragraph 120, and the adopted Local Plan and associated SPD; Safeguarding Employment Land.

2.0 Introduction

- 2.1 Fenn Wright has been involved with Land North of Church Field Road, Sudbury ('the Site') since the acquisition of Chiron Diagnostics approximately 30 years ago, subsequently it was sold to Promotional logistics in the early 2000's, a company affiliated with Caverswall; the current owners. Subsequent to this in 2016 Fenn Wright were jointly instructed by Highbridge Plc (hereinafter "Highbridge"), Caverswall Enterprises Ltd (hereinafter "Caverswall") and West Suffolk NHS Foundation Trust (hereinafter "The Trust") to provide employment related advice in respect of the Site. The collective parties hereinafter are referred to as the "Client".
- 2.2 The Site is allocated for employment use in the adopted Local Plan Alteration No 2 (2006) under saved Policy EM2. The Site has remained undeveloped since the allocation was made.
- 2.3 Saved Policy EM24 applies to the Site, given its allocation. This Policy relates to the retention of allocated employment sites and sets out two criteria to demonstrate the way in which the retention of a site for employment use can be fully explored prior to the approval of a non-employment use. The Policy states that applicants can **either** undertake a sustained marketing campaign at a realistic asking price, **or** where agreed in advance, the applicant can demonstrate that a site is inherently unsuitable or not viable for all forms of employment related use.
- 2.4 The objective of the Employment Land Report is to assess whether the Site is required for purposes pursuant to the development plan (adopted Local Plan and the emerging Joint Babergh and Mid Suffolk Local Plan).
- 2.5 Pre-application advice received from the Planning Officer at Babergh Council in August 2018 states that *'First and foremost, the policy (EM24) is clear that the dispensing of its second limb must be treated in advance, despite elements of the SPD indicating a supporting statement be provided with a planning application. I therefore consider that the most robust approach, in the circumstances, is to produce a comprehensive 'EM24 Statement' prior to the submission of the application – to be agreed in writing by the Council – and then to submit that agreed Statement (perhaps also with the reply of the Council appended) with the planning application'*.
- 2.6 In line with the pre-application advice received, together with the requirement of Policy EM24, this Report is being submitted to Babergh Council in advance of the submission of an outline planning application for mixed use development (residential and care home) on the Site in order to comply with Criterion 2 of Policy

EM24; that the Site is inherently unsuitable and not viable for all forms of employment use. It is considered that the production of this comprehensive employment report will provide Officers with an early opportunity to fully explore the retention of the Site for an appropriate employment use.

2.7 In assessing the suitability and viability of the Site for employment uses, the Report considers employment generating uses that fall within B Use Classes which are defined as: -

- **B1 Business** - Offices (other than those that fall within Class A2), research and development of products or processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial process other than one falling within Class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** – Use for storage or as a distribution centre.

2.9 This approach has been taken in order to accord with guidance contained in the Employment Chapter of the adopted Local Plan which makes it clear that land allocated as General Employment Areas includes all employment types B1, B2 and B8. Uses outside these Classes that generate employment, such as retailing, leisure, financial and professional services, are excluded from the employment policies within the Employment Chapter of the adopted Local Plan.

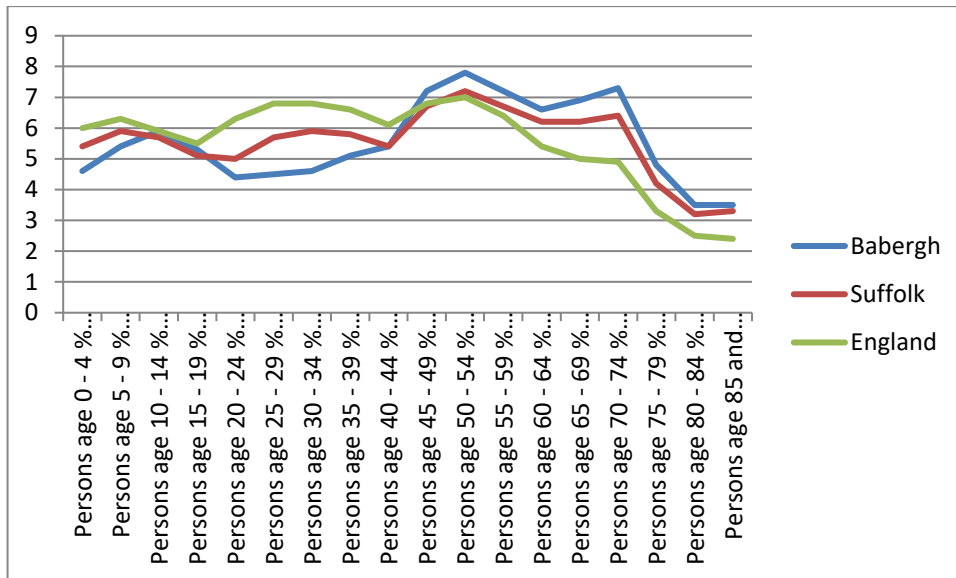
2.10 This definition is also referenced in the SPD; Safeguarding Employment Land adopted by Babergh District Council in 2008. Paragraph 1.2 states '*Land allocated as Employment Area incorporates all employment types defined in Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)*'.

3.0 The Site

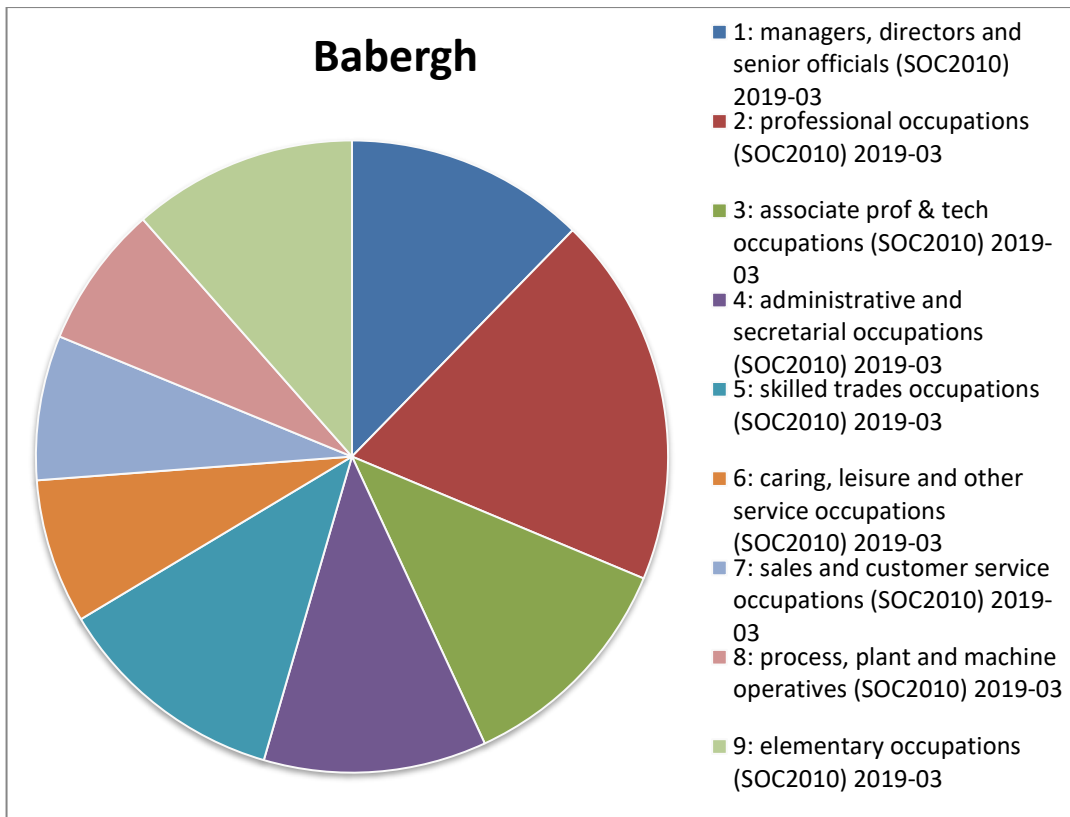
- 3.1 The Site is approximately 1 mile north east of the centre of Sudbury. It extends to approximately 11ha, and is located with frontage to Church Field Road, with further frontage to Waldingfield Road. Access to the site is currently from Church Field Road.
- 3.2 To the south of Church Field Road is the Chilton Industrial Estate where there are a variety of commercial occupiers. The Site sits to the south west of Chilton Hall which is a Grade II* listed building, together with a walled garden also being listed as Grade II and a Registered Park and Garden (Grade II listed).
- 3.3 The eastern boundary is mostly agricultural fields with a small office development bordering to the south. To the south east of the Site is the Grade I listed Church of St Mary. To the west and south of the Site is the Sudbury Community Health Centre, residential dwellings and Waldingfield Road.

4.0 Local Market for Employment Land

4.1 Babergh District is located in the south of the county of Suffolk, approximately 80 miles north east of London, and is home to a resident population of just under 88,000 people. Babergh itself is located from the west of Sudbury to the south and west of Ipswich. The relevant age split is delineated in the below graph (Source ONS): -



4.2 The Office of National Statistics (ONS) concluded in 2014 that 42,632 of the 87,700 residents were in employment, of which 72% were in full time and 28% in part time employment. The ONS apportions those in employment into the following roles: -



4.3 The District is made up of some 76 settlements connected by a network of mainly B and C class roads. The main roads within the District are the A1071 single carriageway which connects Sudbury with Hadleigh and on to Ipswich and the A12/14 interchange at Copdock. The A134 single carriageway runs through Sudbury connecting it with Bury St Edmunds in the north and Colchester in the east.

4.4 The largest settlement within Babergh is Sudbury which is home to a population of 22,000 people. Hadleigh is the next largest centre home to a population of around 8,250 people. Sudbury is described within the Ipswich and Waveney Areas Economic Land Needs Assessment: -

“Sudbury is the largest town in Babergh district. It is an historic market town with an attractive and vibrant town centre. It plays an important role in serving the shopping, leisure, social and cultural needs of the western part of the District. It has experienced substantial growth in recent years with new employment areas, new retail both in town centre and out of centre locations and new housing to the north and in Great Cornard. It has an hourly train service to Marks Tey where there are connections to London, Colchester and Ipswich. It is influenced by nearby Bury St Edmunds, Essex and Cambridgeshire which are linked to it by the A131 and A134. Further housing and employment growth is planned to the north of the town at Chilton Woods and to the east of the town and at Great Cornard.”

- 4.5 Of the economically active population within Babergh, approximately 57.4% are employed within the Babergh district, 11.7% travel to Ipswich, 5.7% travel to Colchester and 5.3% travel to St Edmundsbury. Babergh sees an elevated level in comparison to neighbouring districts when it comes to commuters to London, which is 3.7% as against 1.9% of residents of Mid Suffolk who travel to London.
- 4.6 The ONS also confirms that approximately 68.5% of the working population resides in the District. The figures are above Ipswich's figures which see 62% of its workforce living within the district – which may be a reflection upon the ease of access offered by the various routes into the town, coupled with quality of living conditions and access to countryside offered by those districts outside Ipswich.
- 4.7 Relatively poor road and rail links to Sudbury have resulted in both a positive and negative impact on the commercial property market. Existing employers have been able to secure a reliable workforce, although there has been limited substantial inward investment with few new substantial employers in Sudbury and thus interest in large sites.
- 4.8 The characteristics that deter labour mobility results in a limited pool of employers which results in relatively low labour costs. In addition, the lack of inward investment is shown in relatively low occupational costs in comparison with Ipswich or Colchester.

5.0 Planning Policy Context

National Planning Policy Framework (NPPF)

5.1 The NPPF sets out three overarching objectives of the planning system which are required to achieve sustainable development. One of these is an economic objective which is identified as *'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure'* (para 8).

5.2 Paragraph 80, the NPPF states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. As such planning policies should:

'a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;

b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;

c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.'

5.3 When considering the effective use of land, Paragraph 120 of the NPPF advises that:

'Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.'

- 5.4 In summary, it is clear that the NPPF is seeking to encourage economic growth as part of sustainable development. In doing this, it recognises that economic circumstances can alter over time resulting in the need to regularly review employment allocations. Where there is no prospect of the site coming forward for employment use then it should be reallocated for a more deliverable use, or that alternative uses should be supported, subject to a requirement.

Regional Economic Strategy

- 5.5 In 2017, the New Anglia Local Enterprise Partnership for Norfolk and Suffolk prepared an Economic Strategy for the two Counties for growth up to 2036. The Strategy outlines ambitious plans for future growth across Norfolk and Suffolk and identifies the diverse range of economic sectors within the wider area.
- 5.6 Priority themes and places are set out in the Strategy, where there will be focused action and investment in order to help achieve aims and targets within the Strategy. The priority places are areas where evidence shows that there are significant opportunities and commitment for continued growth. These priority areas comprise:
- Ipswich
 - Norwich and Greater Norwich
 - Norfolk and Suffolk Energy Coast, including Bacton, Great Yarmouth, Lowestoft and Sizewell, with assets on and offshore
 - Cambridge - Norwich corridor
 - The East/West corridors along the A47 from Lowestoft to King's Lynn and the A14 Felixstowe through Ipswich, Stowmarket, Bury St Edmunds, Newmarket and Haverhill to Cambridge
 - King's Lynn and the A10 and rail corridor to Cambridge
- 5.7 Sudbury is not identified as a priority place for business / employment growth in the Strategy.

Development Plan

Adopted Local Plan Alteration No 2 (2006)

5.8 Land north of Church Field Road, Sudbury is allocated under saved Policy EM02 of the adopted Local Plan as a General Employment Area and new employment allocation. As such, planning permission will in principle be granted on the land for employment related development.

5.9 Policy EM24 (saved) in the adopted Local Plan seeks to protect existing employment sites and premises from non-employment uses. Paragraph 4.60 states that Policy EM24 will apply to all proposals affecting land, sites or premises in, formerly in, or allocated for employment use.

5.10 Policy EM24 states that:

‘Planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored. This may be undertaken in one of the two following ways:

- 1. by an agreed and sustained marketing campaign, undertaken at a realistic asking price; or*
- 2. where agreed in advance, the applicant can demonstrate that the land, site or premises are inherently unsuitable or not viable for all forms of employment related use’.*

5.11 Paragraph 4.62 of the explanatory text in the adopted Local Plan states that:

‘The use of the approach listed at 2. in Policy EM24 will only be considered acceptable when agreed in advance by the determining authority and the applicant. This approach will require the applicant to employ appropriate commercial expertise to demonstrate that the land, site or premises in question are inherently unsuitable or not viable for all conventional forms of employment related use’.

5.12 In line with pre-application advice received, together with the requirement of Policy EM24, this Report is being submitted to Babergh Council in advance of the submission of an outline planning application for mixed use development (residential and care home) on the Site in order to comply with Criterion 2 of

Policy EM24; that the Site is inherently unsuitable and not viable for all forms of employment use.

5.13 In 2008, Babergh Council prepared an SPD: 'Safeguarding Employment Land' to provide additional guidance on the interpretation of Policy EM24, and in particular 'the criteria against which proposals for alternative use of business, industrial and warehouse land will be considered (Para 1.1).

5.14 Paragraph 6.2 of the SPD states that:

'...it is accepted that even if a site is suitable in land use terms, individual circumstances on the site may mean that its full retention in employment use, following either refurbishment or redevelopment, is not a viable option. If this is the case, applicants will be expected to clearly demonstrate this in a supporting statement accompanying the planning application. The Council will give full consideration to the evidence provided'

5.15 Paragraph 6.4 continues:

'There will be a number of sites across the Babergh District where their sole use for business and industrial purposes is no longer appropriate. In such cases, and where this is demonstrated by the Applicant/Agent, the Council will adopt a more flexible approach and, where appropriate, will seek to secure a mix of land uses.'

5.16 When considering residential development on employment land, the SPD advises that 'the applicant or agent should explain why mixed-use development, including a reasonable proportion of business and industrial space is not feasible on a particular site.'

Babergh Local Plan 2011-2031; Core Strategy and Policies, 2014

5.17 The Core Strategies and Policies document (CS) was adopted in 2014. The CS considers that Babergh has a realistic opportunity to plan for the creation of an indicative 9,700 new jobs in the 20-year period to 2031.

5.18 Policy CS3 sets out the strategy for growth and development over the plan period. For the 'Local Economy' the Policy advises that existing employment sites will be regularly reviewed and new sites will be allocated for employment in DPD's. These new sites are identified in the CS as;

' i) sub-regionally and locally strategic sites at Sproughton, Brantham, Wherstead Park (all allocated in this document) and the IP8 site, Sprites Lane, Ipswich (in subsequent document(s)), to accommodate the need for strategic and well-located sites for port-related and other businesses, and new business land and premises in Ipswich;

ii) allocations within mixed-use planned developments at Chilton (Woods) and land off Lady Lane, Hadleigh;

iii) employment land as part of mixed use development planned for the Strategic Allocations / Broad Location for Development; and,

iv) where appropriate, and subject to regular review, allocations will be made to protect existing and provide for new employment areas in towns, villages and the rural area.'

5.19 The Policy continues that sufficient land will be allocated, and existing sites and premises protected from other types of development to accommodate a range of employment development to provide for approximately 9,700 new jobs in Babergh by 2031.

5.20 Paragraph 3.4.4.9 of the CS advises that a number of smaller employment locations / sites remain allocated across the District which are covered by the Local Plan Saved Policies because the Suffolk Haven Gateway Employment Land Review (2009) indicates that they should be retained. Land to the north of Church Field Road, Sudbury falls within this category. The Site was assessed within the Suffolk Haven Gateway Employment Review and it was concluded that the land should be retained for employment use, perhaps as part of a mixed use development. It is unclear why the employment allocation across the whole of the Site was consequently retained in the CS.

Emerging Babergh and Mid Suffolk Joint Local Plan

5.21 The draft Babergh and Mid Suffolk Joint Local Plan (JLP) is currently at the Regulation 18 stage, and a public consultation ended in late September 2019. This was the second Regulation 18 consultation – an earlier Regulation 18 version was published for consultation in August 2017.

5.22 The local plan technical evidence base comprises the following documents:

- Ipswich Economic Area Sector Needs Assessment (Sept 2017)

- Employment Land Needs Assessment – Ipswich and Waveney Economic Areas (March 2016)
- Babergh and Mid Suffolk Draft Strategic Housing and Economic Land Availability Assessment (July 2019) (2019 SHELAA)
- Babergh and Mid Suffolk Draft Strategic Housing and Economic Land Availability Assessment (August 2017) (2017 SHELAA)

5.23 Based upon the above technical evidence, the August 2017 Regulation 18 JLP states that there is more employment land available than what the forecast need is in the District:

'Based on the forecast jobs growth the net employment land requirements for 2014-2036 are forecast to be 2.9 hectares in Babergh and 9.4 hectares in Mid-Suffolk.

As of 1st April 2015 there were some 113.41 hectares of employment land available in MidSuffolk (including 10.9 hectares at Cedars Park, 39.5 hectares at Mill Lane, Stowmarket and 51.3 hectares at Eye Airfield) and 86.06 hectares in Babergh (including 20 hectares at Chilton Woods, Sudbury and 35.5 hectares at the former sugarbeet factory site in Sproughton)'.

- 5.24 The employment land supply position in the July 2019 JLP Preferred Options remains the same, and Paragraph 9.13 advises that for the period up to 2036, Babergh has a modest net additional requirement, as indicated by the 2016 release of the EEFM, of 2.9ha. As such, in quantitative terms, the Council consider that there is more than sufficient existing identified employment land to meet baseline objectively assessed need over the plan period, given the modest baseline forecast.
- 5.25 Policy SP05 of the JLP Preferred Options identifies existing strategic employment sites to be protected. The list does not include Land to the North of Church Field Road. The emerging JLP is therefore proposing to remove the allocation of the Site for employment uses.
- 5.26 Details of the Site were submitted to the local planning authority in August 2016 through the 'call for sites' process; at that time the site was being promoted for mixed use to include residential and employment use.
- 5.27 The 2017 SHELAA states that for housing use (reference SS0590), the site is suitable, available and achievable. Highways, impact on the structural landscaping belt bordering the Site and impact of the industrial estate to the

north of the Site were identified as requiring further investigation. In summary, the 2017 SHELAA concludes that partial development of the Site for residential use would potentially be suitable, taking identified constraints into consideration.

- 5.28 For employment use, the 2017 SHELAA (reference SS0933) states that the Site is again suitable, available and achievable. The 2017 SHELAA concludes that *'the site is assessed as suitable for employment development, but consideration needs to be given to the mitigation of Chilton Hall immediately to the north east of the site. The site could form an extension to the existing employment site of Chilton Woods Industrial Estate to the south'*.
- 5.29 The 2017 SHELAA therefore considers Land to the north of Church Field Road to be suitable, available and achievable for both housing and employment.
- 5.30 Land north of Church Field Road has been considered for residential use as part of the 2019 SHELAA under reference SS0590. The 2019 SHELAA states that the Site is considered to be suitable, available and achievable. Under the 'Suitability' assessment, the same considerations that were identified in the 2017 SHELAA are highlighted (highways, TPO landscape belt and neighbouring employment uses), although a further consideration (heritage) has been included for investigation.
- 5.31 In conclusion on residential use, the 2019 SHELAA states that *'The site is potentially considered suitable for residential development, taking identified constraints into consideration. However only part development (road frontage along Waldingfield Road and Church Field Road) is recommended to mitigate heritage impact'*.
- 5.32 For employment use, the Site (reference SS0933) has been discounted on the basis that the land *'lies within an area of high heritage sensitivity'*.
- 5.33 In summary, the emerging JLP suggests that for Babergh there is a low net additional employment requirement to 2036, and there is a surplus of existing and allocated employment land to meet this need. This demonstrates that the employment allocations made in 2006 under the adopted Local Plan reflect a very different economic climate for B class uses when compared to the current economic climate.
- 5.34 For land to the north of Church Field Road, the adopted Local Plan allocates the site for employment use. This allocation is retained in the adopted Core Strategy, despite the fact that the Suffolk Haven Gateway Employment Land Review recommends that a mixed-use development on the Site should be considered. However, given the conclusions drawn in respect of the emerging JLP on the oversupply of employment land when compared to the forecast need, the allocation of the Site for employment use is being proposed for deletion. The technical evidence that sits behind this

proposed de-allocation is that for employment purposes, the site is within an area of high heritage sensitivity.

6.0 Existing employment sites in Sudbury and surrounding areas

6.1 Sudbury comprises the largest single employment centre in Babergh and nearly 30% of the district's workplace population. Changes to the way the valuation office records data for certain planning uses means that there are not up to date figures for floor spaces of certain uses. However, within the 2010 rating list for the postal town of Sudbury (including surrounding settlements) industrial uses totaled 218,000 sq. m. with a further 25,000 sq. m. of office accommodation.

6.2 The majority of B Class Uses in Sudbury are confined to the Chilton Industrial Estate¹. Much of the existing stock within the Chilton Industrial Estate is reaching economic obsolescence since it is around 40 – 50 years old, and was constructed as part of the London Overspill as a consequence of the Greater London Plan whereby funding was provided to subsidise development within the town. Employment development since this time has been steady, although mostly limited to the Woodhall Business Park and the Chilton Industrial Estate.

6.3 We have researched previous market transactions to identify the current market within Sudbury and the surrounding areas. This evidence suggests expansion by existing firms, rather than inward investment, including:

- Kersey Freight, who took 43,000 sq. ft. The firm also has a large presence in Hadleigh;
- H Erben, who took 25,600 sq. ft. on Alexandra Road, which was in addition to their large warehouse and office in Hadleigh; and
- Rapid Steel Decking (UK) Ltd took 20,000 sq. ft. on Curzon Road, who relocated from Stour Valley Business Centre.

This is reflected in the Economic Land Needs Assessment - Ipswich and Waveney Economic Area (2016) – *'Elsewhere within the Ipswich Economic Area, smaller commercial centres such as Hadleigh and Sudbury are characterised by relatively self-contained property markets driven by largely localised demand.'*

6.4 We have identified eleven transactions within the industrial and warehouse market in Sudbury over the last five years which are in excess of 2,000 sq. ft. These transactions produce a mean rent of £4.24 per sq. ft.

6.5 We have identified seven office transactions over the same period, although of these only two are over 2,000 sq. ft. An average rent of £11 was recorded per square foot,

¹ Economic Land Needs Assessment - Ipswich and Waveney Economic Areas (2016)

although stripping out the smaller office accommodation results in a figure of £8.50 per square foot.

- 6.6 The level of rents in larger settlements, including Ipswich, are much higher – with 44 similar transactions on industrial and warehouse space within the same period, demonstrating an average rent of £4.70 per square foot.
- 6.7 Office accommodation saw a slight reduction in value, although there were 125 transactions over the same period. Once the transactions at sub 2,000 sq. ft. are removed, the average figure achieved is £8.50 per square foot.
- 6.8 There has been finite speculative development of industrial and office accommodation over the past five years within Sudbury and the area immediately surrounding Sudbury. This is mainly due to viability concerns - rents achieved and subsequent capital values reached via an investment approach are vastly below capital construction costs. Any potential upward pressure on rents is exacerbated by modest availability rates.
- 6.9 The most recent newly constructed large building in Sudbury is the Former Forward Wholesale building, now occupied by AF Trenchers, on Northern Road. This was constructed in 2008/09. However, the owner occupier went into administration shortly after construction was completed and a subsequent distressed sale in January 2015 saw the building sell for £800,000 (£42.36 per sq. ft.) – a reported loss of £700,000 on the development cost.
- 6.10 Delphi Diesel Systems are now openly marketing their factory in Sudbury, which occupies a site of 9 hectares, with 359,000 sq. ft. of accommodation. A slow-down of production is anticipated and this together with natural shifting of jobs will culminate in the closure of the factory in 2020. Colliers International are instructed and are currently offering the site for sale. The site offers a variety of differing quality accommodation, mostly falling within the B Use Classes, although other uses such as a social club are included. The accommodation is in parts dated and is likely to offer a fairly economic standard of unit. We understand that the latest position is that Delphi have explored opportunities to secure a commercial operator with no success and are now exploring alternative non employment uses on the site.
- 6.11 At the time of writing this Report, it is understood from Costar Suite that 96,200 sq. ft. of space is currently available to let in the industrial market in Sudbury. This figure is regarded by Costar as an availability rate of 4.6% of all stock within the market of Sudbury.

- 6.12 Looking at office accommodation, availability rates are 1.2% which is the lowest level for the past five years. Despite the low availability rate, there appears to be low upward pressure on capital and rental values.
- 6.13 Planning and permitted development has seen the amount of available office accommodation fall to the levels referred to above. This further highlights an issue with demand. Large office blocks which have changed from office use (B1a) include Sulby House (North Street), Talas House (Ballingdon Street), Friars House (Friars Street), The Limes (Bakers Mill Cornard) and the Former Tax Office (Newton Road). This has resulted in around 50,000 sq. ft. of office accommodation being lost to residential, reflecting the lack of demand in Sudbury and the surrounding area for offices.
- 6.14 Chilton Woods now benefits from an outline consent, with in excess of 15 hectares of employment or quasi-employment uses. Despite marketing of the site, we do not believe a purchaser has been found². Any commercial element is likely to be subsidised through the higher residential land value uses. The consent is in outline and therefore the detail of the commercial uses are not known. However, based upon the planning application documentation there is a flexible mix of accommodation including smaller industrial or office/research units. The scheme will also provide for some convenience retail and a hotel.
- 6.15 The most recent development of smaller business units in Sudbury comprises a pair of light industrial units on Meekings Road, which were completed in 2018 and are currently on the market. Elsewhere, the next most recent large scheme of small units, completed in the early 00's, is at the Cloisters which is adjacent to the Site. Changes to building regulations and increases in construction costs have resulted in less speculative development of this type since this time.
- 6.16 A local developer – The Bird family of Acton, have been involved in delivering a number of starter industrial units on Bull Lane and Acton Place Industrial Estates. Much of this was on land that was already owned and constructed by an in-house team of builders. The Family have been previously quoted as accepting a lower than normal return to enhance the remainder of their holding on the Estate, although formal figures are unavailable.
- 6.17 Within the 2017 and the 2019 SHELAA, the Council identify a number and variety of new employment sites within Sudbury that are deliverable within the next five years. These sites are in addition to the 86.4 hectares of land already allocated for employment use in the adopted Local Plan, and the Core Strategy.

² Updated position set out in Paragraph 1.4 of Addendum attached to this Report

- 6.18 Within the wider Babergh district there have been a number of different planning applications. An area of strategic importance within the adopted Core Strategy is the former British Sugar site in Sproughton, which has been the subject of a master plan to create a logistics park on 52ha. The development has also been awarded enterprise status which will see occupiers benefit from business rate relief up to £250,000. Completion of the first bespoke designed packaging and distribution building is due imminently and will be occupied by LDH (La Doria Ltd) which totals 260,000 sq. ft. with a 41m high bay element.
- 6.19 Within the wider Ipswich Economic Areas there are allocations within Mid Suffolk for 113.4 hectares, including Gateway14 which is located on land immediately to the south of the A14 and extends to approximately 39.5 hectares. A further development of 3 hectares at Great Blakenham, known as Port One, has recently announced the exchange of contracts on a new build 147,000 sq. ft. warehouse. The land currently benefits from outline consent, but a detailed application will seek warehousing with an eaves height of up 18m.
- 6.20 Design and build packages on Suffolk Park (Bury St Edmunds) and Port One (Great Blakenham) have units signed up at £5.90 per sq. ft. and £6.25 per sq. ft. respectively. Unipart took 147,000 sq. ft. on Suffolk Park on a speculative developed unit. In the case of the latter, incentives reduce this effective rent to £5.90 per sq. ft. for 144,000 sq. ft. of industrial space. There is an obvious quantum saving on units of this size.
- 6.21 There are further industrial based developments either enjoying outline consent, allocations or full consent in various locations including - Suffolk Park (Bury St Edmunds), Suffolk Business Park (Bury St Edmunds), Gateway 14 (Stowmarket), Port One (Great Blakenham), Sproughton Park (Former British Sugar Site), Orwell Crossing (South East Ipswich A14), Severalls (Colchester).

7.0 Assessment of Site

Qualitative Assessment of the Site for Employment Uses

- 7.1 The Site has been the subject of a number of employment planning permissions that were successfully judicially reviewed. In 2002, planning permission for industrial/commercial development was granted but this was later quashed. In 2006 reserved matters for industrial/commercial development was approved but was then quashed. In 2009 an application for planning permission to erect a warehouse was submitted to the Council (under reference: B/09/00932). The planning process was drawn out, with consent being granted in January 2014. This was subsequently quashed in 2015. Indirectly, while the judicial reviews were successful on points of law (non referral to Secretary of State, screening opinion and EIA), they highlighted a number of site-specific constraints for employment use on the site, which together with changing occupier needs, has resulted in a review of the planning strategy for the Site, including the future use of the land.
- 7.2 Topography, and proximity to heritage assets limit the scale of potential use of the Site for modern industrial and warehouse uses.
- 7.3 The Proposals Map of the adopted Local Plan indicates that the existing substantial screening of approximately 60 metres around the northern and eastern boundaries of the Site should be retained as part of any development. Modern industrial and warehouse uses would most likely require additional landscape screening, which would reduce the net developable area of the Site further. In addition, while the shape of the Site is currently quite regular, factoring in additional landscape screening may offer some challenges that would make configuration of an employment use challenging. It is our experience that most commercial users will require regular shape buildings for reasons such as servicing and racking.
- 7.4 Proximity to residential dwellings on Waldingfield Road, the Sudbury Community Health Centre and Chilton Hall, will also limit the end use of the site for many industrial uses. Potential occupiers may have concerns surrounding noise generation within the building, restriction on travel movements in evening and weekends, restriction on movements within the service yard areas due to reversion Klaxon protection devices and problems of light policy from open gantry doors. These concerns were raised by objectors to the 2009 employment application referenced in Paragraph 7.1 above. Furthermore, vehicle movements may be restricted – goods in or out may not be possible to the rear or southern sides of the building if they are likely to affect local residents which would further restrict the scale, type and operation of possible employment development.

- 7.5 The site specific constraints are much greater than those at other established commercial locations within the Sudbury area and also other sites identified in the SHELAA for possible employment use in the future. Knowing the unsuccessful planning history for employment use on the Site, it is unlikely that any local occupier would choose this Site when other un-constrained sites, including Chilton Woods, offer many advantages where no conflict between uses would exist with the scheme carefully designed to create an independent employment centre.
- 7.6 We have discussed the Site confidentially with local commercial property experts, since Fenn Wright were initially instructed to provide advice on the site in 2016. The feedback / general comments have been that there may be some limited occupational demand for part of the site for employment uses, of small quarter acre or half acre plots, however it is unlikely that the demand would be sufficient to enable delivery of the entire site within a period which would justify the costs associated with the provision of infrastructure and construction.

Quantitative Assessment of the site for Employment Uses

- 7.8 Babergh District Council has been involved in the preparation of a number of technical documents to evidence the emerging JLP review which commenced in Autumn 2017 with the first public consultation. A number of new pieces of research have come forward as part of the evidence base for this new draft local plan. The information contained within these reports provide a useful picture as to the likely demand for employment uses within the district as a whole. It also shows a strong trend towards growth of the Ipswich fringe.
- 7.9 The Ipswich and Waveney Economic Area Employment Land Needs Assessment (ELNA) identifies:
- “As at 1st April 2015 there were some 86.4 hectares of undeveloped and uncommitted employment land in Babergh District identified in existing Local Plans. This includes 15 hectares north of the Woodhall Business Park and 5 hectares at Waldingfield Rd, Sudbury, 10.5 hectares east of Lady Lane, Hadleigh, 6 hectares at Wolsey Grange on the Ipswich fringe, 35.5 hectares at the former sugar beet factory site in Sroughton and 7.3 hectares at the regeneration site in Brantham.”*
- 7.10 The Ipswich Economic Area Needs Assessment September 2017 identifies growth in jobs of 3,640 between 2014 and 2036 in the entire Babergh District. This will see a net growth of B Class jobs of 595, with 2,010 jobs grown in office uses – B1a/b, a loss of 1,570 jobs in industry – B1/B2 and a growth of 155 jobs in Distribution – B8.
- 7.11 This change will only see a need for 22,130 sq. m. of new space over 2.9 hectares in Babergh over the next twenty years.

- 7.12 The ELNA forecasts some limited growth within the B8 sector being in Logistics, Transportation, Wholesale and distribution uses predominantly located on the A14 surrounding the Port of Felixstowe and to the south and west of Ipswich.
- 7.13 We have conducted an investigation into previous industrial / warehouse sales transactions in and around Sudbury over the past five years. The rates achieved for existing stock ranges between £7.16 per sq. ft. for a long leasehold building which recently sold at auction, to £62.34 per sq. ft. which was achieved on a more modern let investment on Byford Road. A copy of the schedule is appended to this report at Appendix III.
- 7.14 Similar investigations have been carried out into sales transactions within office accommodation over the past five years. From a total of 6 office sales, capital values range from £55.06 per sq. ft. for Sulby House – a low quality 1970's/80's office block with high site to cover to £187.03 per sq. ft. for The Limes in Great Cornard – a particularly high quality former house on a good sized plot. The mean average is £113.19 per sq. ft. A copy of the schedule is at Appendix VI.
- 7.15 The Building Cost Information Service demonstrates an all in mean build cost rebased to Q3 2019 for the East Anglia region as follows: -
- “Factories – Generally” of £101.08 per sq. ft. from a sample size of 117.
 “Warehouses/stores” of £90.49 per sq. ft. from a sample size of 52.
 “Offices – Generally” of £177.80 per sq. ft. from a sample size of 124
- 7.16 These costs exclude land value, developers profit, finance costs, taxes, CIL etc. This creates an obvious issue of viability. The only substantial modern industrial building constructed within the last 10 years in Sudbury is that of Forward Wholesale where the owner-occupier went into liquidation shortly after completion, the subsequent sale completing at a significant loss. We are not aware of any recent office buildings being constructed in the past decade.
- 7.17 We have also carried out investigations into the rents passing in relation to industrial developments in Sudbury. The Ipswich Economic Area Sector Needs Assessment states: -
- “agents noted that the relative values between the cost of land and development and achievable rents/values are currently insufficient for speculative development to occur (especially for smaller scale industrial premises), and that this is unlikely to change over the short term which is likely to place further pressure on existing industrial supply. For example, typical rents for industrial space currently comprise*

£6sq.ft/£65sq.m for small scale units, £4- 5sq.ft/£40-£55sq.m for larger unit sizes. These would need to increase to at least £7sq.ft/£75sq.m and £6sq.ft/£65sq.m respectively.”

7.18 A copy of the lettings evidence is appended to this report at Appendix IV which demonstrates an average rent achieved of £4.94 per sq. ft. This supports the figures referred to within the Ipswich Economic Area Sector Needs Assessment – if anything this suggests the division between build costs and rental values is even greater.

7.19 The Ipswich Economic Area Sector Needs Assessment makes a similar statement about office accommodation: -

In the current market, viability remains a key barrier to new office development, with achievable rents (which generally extend to a maximum of £14sq.ft/£140sq.m) currently lagging behind those required to enable new development (circa £18sq.ft/£180sq.m) by around £4sq.ft/£40sq.m.

7.20 Investigations have been carried out into the office market (B1a/b). During the same five year period there were 10 office lettings with a mean average annual rent of £9.35 per sq. ft. The rents passing are 50% below the area average, and nearly half the level required at the date of the Needs assessment – construction costs have since increased the level required. A copy of the lettings schedule is at Appendix VII

7.21 Aspinall Verdi were appointed by Babergh District Council to advise the local authority on a Plan Viability and CIL review in June 2019. The review further corroborates the issues which have been repeatedly identified in this Report surrounding viability. Section 9.14 of the Review states *‘In our employment viability testing we have considered office and industrial development. Our viability testing shows that both are currently unviable, and there is not an opportunity to seek planning contributions for these types of development’.*

7.22 Analysing the available stock appears to demonstrate that this picture is not going to change in the short term. A copy of a schedule of the available properties in Sudbury is appended to this report at Appendix VI. A large distribution building, a short distance from the site is currently on the market to let at £5.95 per sq. ft. for just under 77,000 sq. ft. However, this property has been marketed for two years and failed to attract sufficient interest. There are two brand new buildings recorded on Meekings Road at a quoting rent of £11.70 per sq. ft. The Meekings Road units have been vacant since completion at the end of 2018. Plainly the quoting figures are not indicative of finally agreed values.

- 7.23 We have carried out research using Estate Agents Clearing House and have reviewed live requirements in Suffolk for both office & R&D (1 recorded requirement) and Light Industrial, General Industrial, Storage, Warehouse, Distribution unit, chilled production/Warehouse, Trade Counter unit, Open Storage, Business Unit, Industrial Design & Build, Data Centre (26 recorded requirements). Copies of the requirement schedule are appended to this report at Appendix VIII.
- 7.24 Reviewing the requirements, a number appear to be duplicated. The office requirement appears to incorporate industrial elements and requires good logistical links. The majority are specific to other locations, or seek sites within close proximity to the A12 or A14. This corroborates the importance of good transport links to major routes, identified earlier in this Report.
- 7.25 The ELNA suggests a need for office space to enable the growth of office based employment which is forecast over the life of the plan. This office based growth covers a variety of sectors. Since the introduction of permitted development rights for change of uses from B1(a) – offices to C3 – residential dwellings, the amount of available office accommodation has declined. However there has been limited upward pressure on rental and capital values which would be a key indicator of supply outstripping demand.
- 7.26 This experience is further corroborated by the limited number of active office requirements on Estate Agents Clearing House.

8.0 Conclusions

- 8.1 Sudbury is an important settlement being the largest within the Babergh District. Home to a modest residential population together with an active industrial and warehousing operation the town is responsible for employing a large number of Babergh's population.
- 8.2 Babergh's evidence base for the emerging draft joint local plan which was consulted upon in Autumn 2017 and more recently in August/September 2019 demonstrates a surplus of employment land within the district, with the Ipswich Economic Area Sector Needs Assessment (2017) identifying only a net need for 2.9 hectares of employment land required to support forecast growth over the next 20 years. Since Babergh has currently 86.4 hectares of land allocated for employment within the adopted Local Plan and Core Strategy, the need for only 2.9 ha of additional employment land for the period up to 2036 represents a significant over supply.
- 8.3 Sudbury has suffered from low inward investment owing to poor road communication. This is recognized in the Ipswich & Waveney Economic Areas Economic Land Needs Assessment (2016) which identifies that much of the forecast growth will be within the logistics, transportation, wholesale and distribution sectors and focused in areas with good transportation links including around the port of Felixstowe, and more importantly in Babergh in the Ipswich fringe. The former British Sugar site on the west side of Ipswich (but within the Babergh district), offers end occupiers enterprise zone status which will incentivise many likely occupiers to that specific location.
- 8.4 The Site struggles with a number of site specific constraints which were highlighted within the previous planning applications and indirectly the subsequent quashing of the employment planning permissions on the Site. These constraints include relative proximity to heritage assets such as St Mary's Church and Chilton Hall and the walled garden and registered park and garden at the Hall. The scale of any employment building on the Site must be sympathetic to the heritage assets, which will also limit the scope and extent of any employment development on the Site, including the extent of employment development towards the northern and eastern boundaries of the Site. Such constraints would not be present within a typical business setting.
- 8.5 The topography, and location, of Church Field Road means that the subject Site is in effect isolated from the wider industrial estate and associated employment uses. The Site is surrounded to the north, north-east and west by residential dwellings and the Sudbury Community Health Centre. These surrounding uses, together with Chilton Hall and the associated gardens, constrain the potential business uses that

could be accommodated on the Site, from aspects such as hours of operation through to the scale and height of development that could be built on the land.

- 8.6 The constraints surrounding the Site mean that it is unlikely to successfully compete as an industrial or distribution building particularly in terms of building height and scale, when compared with other sites within the region— other modern industrial buildings within the Ipswich Fringe in Babergh include a nearly completed 40m eaves food packaging facility. The former British Sugar site also enjoys enterprise status offering substantial rate relief, with easy access to the A14 dual carriageway adjacent to the Site.
- 8.7 Viability issues for employment uses on the Site are likely to preclude the development of the Site on a speculative basis, particularly where limitations on height and scale mean that maximum values cannot be obtained from mezzanines.
- 8.8 Competition from superior well connected locations like Suffolk Park (Bury St Edmunds), Suffolk Business Park (Bury St Edmunds), Gateway 14 (Stowmarket), Port One (Great Blakenham), Sproughton Park (Former British Sugar Site), Orwell Crossing (South East Ipswich A14), Severalls (Colchester) mean that any external occupier is less likely to consider Sudbury. This is because established industrial/employment sites exist elsewhere with better logistical access and better access to labour forces in bigger centres, many of which even enjoy enterprise status offering substantial business rate relief.
- 8.9 Viability issues stretch across the majority of the employment generating sector. This is particularly true for construction costs for office accommodation being 50% higher than best capital values achieved.
- 8.10 Current availability of stock, including the void which is now offered at the Delphi Diesel Systems site, will likely absorb any local demand that exists in the short to medium term – with long term future growth to be absorbed by the 15 hectares as consented at Chilton Woods. Local occupiers will know the unsuccessful planning history of the subject site and be reluctant to choose it over Chilton Woods or other established locations where constraints surrounding proximity to residential, heritage assets and topographical irregularities will not be present.
- 8.11 Development on the Site for commercial uses is unlikely, because:
- there are site specific constraints associated with commercial development which are incapable of mitigation;
 - there is a lack of growth within the sector;

- there are competing sites which are superior in terms of location and access, such as the Ipswich Fringe;
 - there are competing sites within the District that are un-constrained;
 - there is an acknowledged oversupply of deliverable commercial development land in both Sudbury, at Chilton Woods, and the wider Babergh District.
- 8.12 Based on the evidence available, and all of the aforementioned reasons we believe that it is reasonable to state that Site is inherently unsuitable and not viable for all forms of B class employment related use.
- 8.13 This conclusion has also been drawn in respect of the emerging Joint Local Plan which is proposing to de-allocate the Site from employment use. The basis for the de-allocation is that there is an oversupply of employment land to 2036 in the District, and re-assessment of the land in the 2019 SHELAA has led to the conclusion that the Site lies within an area of high heritage sensitivity and should therefore be discounted from use for employment.
- 8.14 It is therefore considered that the loss of the Site from employment use is not required for purposes pursuant to the adopted Local Plan, and is clearly not required for purposes pursuant to the emerging Joint Local Plan.
- 8.15 Given that the Site is currently allocated for employment use in the adopted Local Plan, Policy EM24 applies. When General Employment Areas or employment allocations are proposed to be taken out of employment use, Policy EM24 requires that either an agreed and sustained marketing campaign is carried out, or that where agreed in advance the applicant demonstrates that the land is inherently unsuitable or not viable for all forms of employment related use.
- 8.16 This Report is being submitted in advance of the submission of an outline planning application for mixed use development (residential and care home) on the Site, in order to comply with Criterion 2 of Policy EM24; that the Site is inherently unsuitable and not viable for all forms of employment use.
- 8.17 In compliance with Policy EM24, evidence in the Report demonstrates that the Site is not suitable for B Class Uses (B1, B2 or B8), and that such uses would not be viable. These conclusions can be drawn for both development of the whole of the site for employment use, as well as development of part of the Site for employment use.
- 8.18 The Report has focused upon B class uses in accordance with the definition and explanatory text adopted in the Economy and Employment Chapter of the adopted Local Plan. The SPD; Safeguarding Employment Land prepared in 2008, primarily to

provide additional guidance on the interpretation of Policy EM24, advises that where the sole use of a site for business and industrial purposes is no longer appropriate then applicants/agents should adopt a more flexible approach to secure a mix of land uses.

- 8.19 The adopted Local Plan acknowledges in Paragraph 4.20 that other types of land use outside classes B1, B2 and B8 are also important employment providers, and the SPD (Paragraph 1.2) states that employment in other, non B Class Uses, is also significant for providing jobs and for benefitting the wider community. The proposed development is therefore seeking to provide employment as part of a care home, which it is acknowledged will fall outside B class uses, but given the identified site constraints, and evidence demonstrating the lack of viable of B class uses on the Site, will offer job opportunities that are viable and deliverable within the current economic climate and context of both Sudbury and the District.
- 8.20 The approach adopted in assessing the Site for the use of the land for employment, and the identification of a non B Class Use opportunity for employment on the land is fully compliant with the NPPF, particularly Paragraph 120, and the adopted Local Plan and associated SPD on Safeguarding Employment Land.

General

This report is addressed to Highbridge Plc, Caverswall Enterprises Limited and West Suffolk National Health Service Foundation Trust and is intended to be used in conjunction with a planning application for the site located on Church Field Road, for the purpose of this planning application by the aforementioned parties or their subsidiaries and for no other purpose. The opinions stated therein are particular to the circumstances referred to above.

No responsibility whatsoever is accepted to any third party to whom it may be readdressed and no responsibility whatsoever is accepted to any third party for the whole or any part of its contents. Any such parties may not rely upon the content of this report.

Neither the whole nor any part of this report or any reference to it may be include now, or at any time in any other published document, circular or statement, or referred to or used in any without our written approval from Fenn Wright as to the form and context in which it may appear.



Date: 31st October 2019

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Addendum

1. Response to Economic Development Officers formal pre-application response

- 1.1 Fenn Wright have been provided with a report prepared by Babergh's economic development officer in relation to a formal pre-application response to this employment report.

The response states "We do not accept that the submission provides demonstration that the site is inherently unsuitable for B use employment. Whilst the provision of a care home may offer a level of employment related to that sector and will satisfy other district needs, it is not a suitable use of this specific site as it will not provide the scale, type or quality of employment that local market is demanding."

We look into the various contended elements within this response and look to address the points raised in detail hereinafter.

- 1.2 The response initially looks to comment on the need for space, making reference to the Ipswich and Waveney Economic Area Lands Needs Assessment (ELNA) (2016) figures as being a minimum need to support growth. The ELNA actually forecasts the need for employment land using a complex model which is defined within appendix 3 of the ELNA. The main input is based upon existing and historic levels of growth. It looks to achieve a realistic floor area requirement, rather than a minimum floor area requirement as referred to by the economic development officer.

Whilst some scenarios may see an increase in demand for locations such as Sudbury, the fundamental qualitative data in the ELNA places great weight on the need for good road communications, which echoes Fenn Wrights experience and that witnessed by Estate Agents Clearing House, which reiterates the point that logistical location is fundamental to decision making of occupiers.

- 1.3 The report confirms that there is no spatial element to the quantum of available space. Reference is made to all available land being located on or around Ipswich. No regard is had to the now vacant Philips Avant site, or Delphi Diesel systems sites, which both present substantial existing available employment sites.
- 1.4 The Chilton Woods position has moved on since the drafting of the original Employment Land Report and it is our understanding that a developer is now engaged in the site for both the residential and the employment elements. Whilst deliverability of elements of the site are forecast for 10 years, we understand from the developer that elements may be brought forward sooner. This delivery would accord with the phasing assumptions made in the Environmental Statement submitted with the outline

planning application for Chilton Woods which indicate the following phasing for the period up to 2035:

- Phase 1 - 5.8ha of employment land
- Phase 2 – 6.1ha of employment land
- Phase 3 – 3.1ha of employment land

- 1.5 The market currently for small industrial units available for sale is generally still buoyant in more established centres. Where demand is undoubtedly strong – ie Ipswich, development of this type is simply not taking place owing to viability. There are no small scale industrial units being developed to our knowledge in the Ipswich economic area. However, this is caveated by the desire of all businesses to be well located with good infrastructure, including main roads. Unfortunately as this report covers in detail, Sudbury simply is not well connected. This can be witnessed by the impact on capital and rental values, which are lower in Sudbury than surrounding centres.
- 1.6 The response then goes to cite “The ELNA went on to identify that of businesses already located in the area, a high proportion expect their business operations to expand in terms of land and premises during the next five to ten years, anticipating a requirement for additional space to support their growth plans. The majority of these businesses indicated that they would require relocating to another site within the same town or local area or expand on their existing site.” The actual ELNA response rate for Babergh was poor, with only 7 respondents (8% response rate) 74% of respondents across the Ipswich Economic Area anticipate growth in the next 5 – 10 years. Of which 45% suggested that they would require a new site. 45% of respondents stated they would grow within their existing site. In pure numbers of respondents this suggests that of the 7 respondents, 2.33 aspire to relocate in the next 5-10 years.
- 1.7 The Delphi site is disregarded rather quickly, the site is being marketed currently, and whilst it offers a substantial site with aging buildings, it has many similar characteristics as the subject site, together with many more which make it vastly more suitable. It is currently available for occupation, it has existing buildings which could be adapted to suit a variety of ongoing uses. The building is still being used by Delphi and consequently it cannot be argued that it is derelict. Whilst some works may be required, these pale into insignificance when compared to the scale of infrastructural works, servicing, planning, site levelling etc which will need to be carried out to make the subject site suitable for commercial use.

Furthermore, Savills are now also offering the more modern Philips Avent site which totals 17.76 acres with 300,126 sq. ft. the site houses a variety of different buildings which may be suitable for a variety of industrial or office uses in nearby Glemsford. The

majority of the buildings on site were built in the late 90's to early 2000's and offer some high quality accommodation.

1.8 A comment is made in relation to the need to create sustainable development to stop out-commuting. This however, does little to deal with the fact that fundamentally inward investment into Sudbury has always been poor because employers find Sudbury a challenging location for reasons beyond employment. This is detailed within our report relating to the poor infrastructure available. Low population growth levels in Babergh (the lowest in the Ipswich & Waveney Economic Areas), with high levels of employment will do little to change this situation.

1.9 Fenn Wright are the most active commercial agents for sales on Costar with 3 times the number of recorded transactions than the second place agent. As well as being the most active leasing and letting agent on Costar leasing 325,526 sq. ft. of space in Babergh as against the nearest competitor – Birchall Steel who let some 183,534 sq. ft. of space.

Owing to the sensitivities of our client, a former major employer in the town, marketing of the property was via discussions with agents, rather than open marketing which would have created distress for employees of the firm. Through our intimate knowledge of the Babergh market we have actively discussed the site confidentially, and consequently identified interest from care home operators.

1.10 The point around enquiries has been misinterpreted. Whilst there is a schedule of requirements across East Anglia (not locational specific), the subject site fails to meet any of the requirements owing to its poor logistical location. There are competing sites which are vastly more suitable.

1.11 This point is confirmed by the ELNA, 45% of respondents identified a need to expand within their own site. The physical cost of relocation is often excessive, and alteration of existing buildings proves to be a much more financially viable alternative to relocating the operation. It certainly isn't indicative of a demand to move premises as witnessed by the ELNA response.

1.12 The site is indeed located on Churchfield Road, which is probably best described as a business estate. The nearest uses is in fact D1 being the medical centre. The Cloisters is predominantly home to B1(a) office operators. The immediate adjoining uses are compatible with residential. The size and scale of buildings are less imposing than further along Churchfield Road, which further acknowledges the site sensitivities.

- 1.13 The presence of heritage assets is likely to be a material consideration if an industrial operator were to consider the site. The previous concerns raised by residents at the planning stage cited this as a major consideration. In addition onerous restrictions were placed in the subsequently quashed consent, including restrictions on HGV movements, restrictions on use of loading bays, restrictions on type of forklift truck, restrictions on noise produced from reversing vehicles, general noise restrictions, restrictions on storage in external areas, removal of permitted development rights on buildings to control use. Residential use is plainly less invasive in terms of both physical character – as previously mentioned, together with nature of road movements, and noises created on site.
- 1.14 The report goes on to suggest that a mixed use scheme should be considered. With the enhanced value achieved from enabling development, used to deliver some small scale employment along the Churchfield Road frontage. The issue with this concept is that by providing employment along the Churchfield Road frontage, the resultant impact is a scheme which has residential located on back land behind industrial accommodation, access to the residential being effectively via the industrial space at the front of the site. The resultant impact will be a detrimental impact on residential amenity and consequential value.

The provision of a care home on the site will see the provision of around 50 full time equivalent jobs with a variety of employment opportunities available. This use will deliver jobs, however, will not create conflict with other enabling uses – ie residential.

2. Response to MENTA's Grow on Space Supply and Demand Analysis

- 2.1 Fenn Wright have reviewed the aforementioned report which states "Babergh and Mid Suffolk District Council have commissioned a market evaluation and demand study into the provision of business start-up, incubator and grow on business space within their districts. With specific focus on the number nature and demand for commercial floor space."
- 2.2 The report uses both quantitative data in the form of investigations via property portals and qualitative data in the form of interviews with local agents & questionnaires with occupiers.
- 2.3 The data collection window is between 19th and 29th August 2019, this data period is unreliable and unreflective of the true commercial estate market. Most agents would choose not to bring a new property to the market at any time between July and September. During the holidays, the market is much flatter as a consequence of less market participants physically being present at work. This is reflected in deals done data.
- 2.4 The report goes on to identify a lack of incubation and start up space, but fails to identify a number of sites within the district. The glaring omission is that of Hadleigh Business Centre which was taken by the Babergh as a pre-let in the mid 2000's. Unfortunately owing to a lack of take up the local authority handed the property to the landlord, citing a lack of demand. Subsequently the freeholder has been offering the accommodation on individual suite basis. Voids are currently high with 6 different sized units available. Demand is low with 2 transactions taking place over the last 24 months, the property is fully advertised by Fenn Wright.

The space is of fairly basic fit out to allow use as either offices, or light assembly, packing etc under the B1 use. Historically small health and wellbeing services have occupied suites within the scheme with the owner welcoming any interested parties for a variety of uses.
- 2.5 Stour Valley Business Centre offers a mixture of industrial and office suites aimed at start up style operators. There are three available spaces in the scheme currently. Offering a range of accommodation from a single office up to 1,181 sq. ft.
- 2.6 Other schemes like Neutral Territory (Claydon), Kersey Mill (Kersey), Acorn Business (Bramford) also offer some of the elements referred to as required, but do not appear to be acknowledged as existing.

- 2.7 The report identifies a need for flexibility on planning consents to permit retailing, but fails to identify the clear conflict that this creates with out of town retailing policy.
- 2.8 Whilst local agents are consulted, the majority of the response appears to support the belief that the majority of demand within the area is surrounding the A14 and A12 as witnessed by Ewan Dodds comments. This is further reinforced by Simon Burton of Barker Storey Matthews who identifies a number of sites along the A14 corridor and surrounding Bury St Edmunds.
- 2.9 Whilst the report identifies a perceived need based upon finite research, it fails to fully investigate the extent of the facilities already available, resulting in a skewed perception on supply and demand.
- 2.10 Qualitative research is useful, but appears to be finite and carried out against a limited cross section of business operators. Agents consulted again are limited, to predominantly agents who specialise in areas outside the district – Ewan Dodds in Colchester and Simon Burton in Bury St Edmunds and Cambridgeshire, further giving a skewed impression of the market.

Appendices

- Appendix I - Location Plan, Street Plan, Site Outline Plan
- Appendix II - Site Photographs
- Appendix III - Historical industrial sales (5 years – Source Costar Suite)
- Appendix IV - Historical industrial letting transactions (5 years – Source Costar Suite)
- Appendix V - Current availability of industrial stock.
- Appendix VI - Historical Office Sales (5 years – Source Costar Suite)
- Appendix VII - Historical office letting transactions (5 years – Source Costar Suite)
- Appendix VIII - Existing requirement schedule for industrial space. (Source Estate Agents Cleaning House (EACH)).

Appendix I

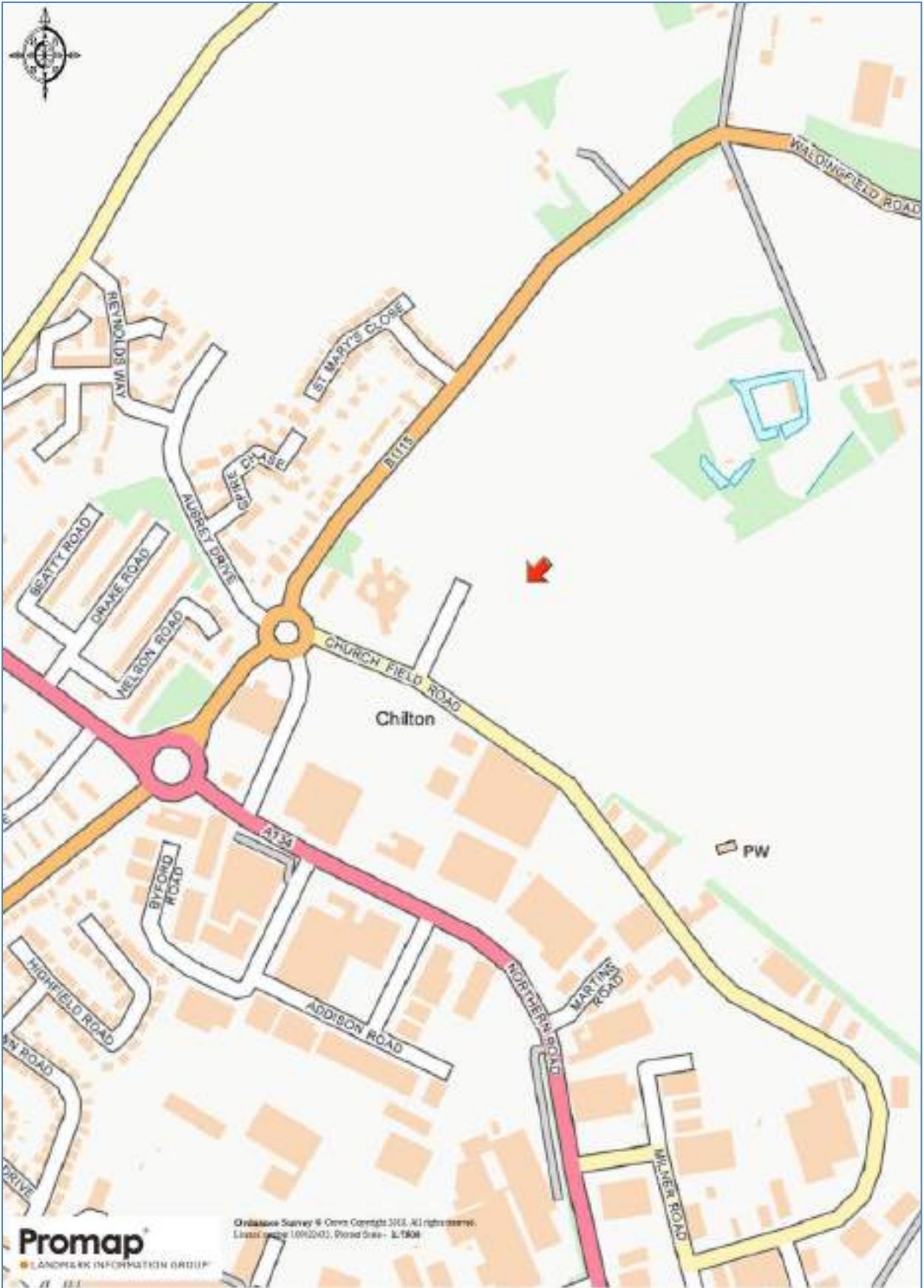
Location Plan – Identifying the property in a regional context

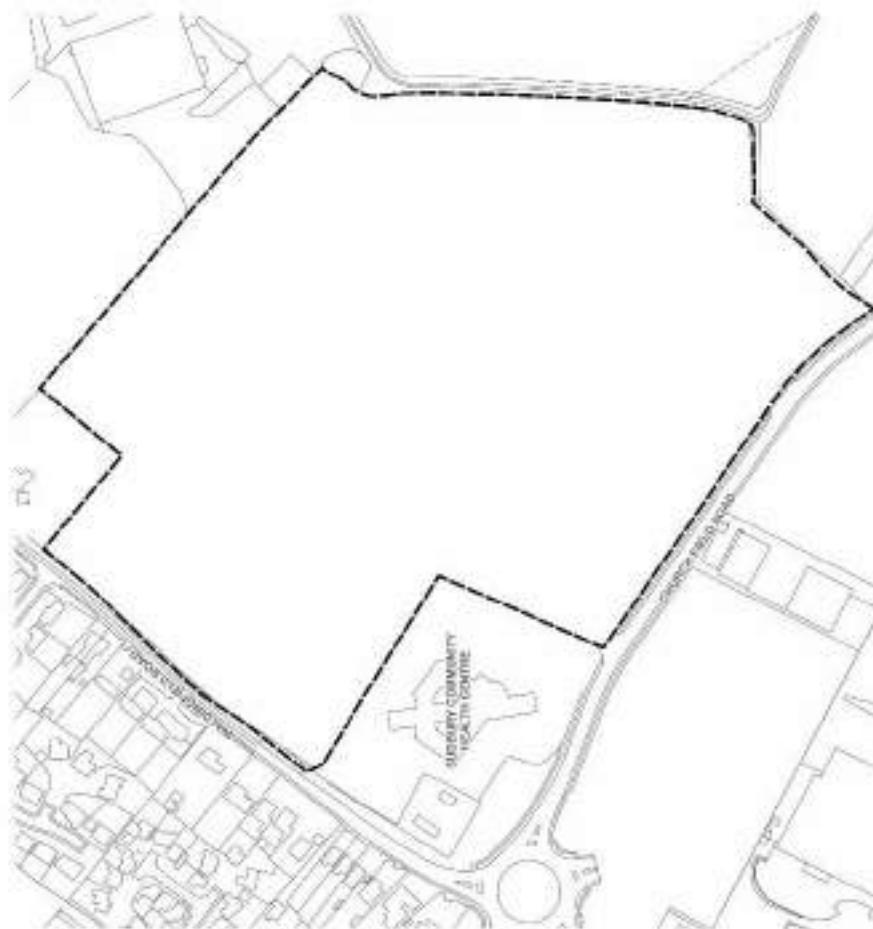
Street Plan – identifying the property in a local context

Site Outline Plan – delineating the approximate site extent

(for indicative purposes only)







**LAND NORTH OF
CHURCH FIELD ROAD, SUDBURY**
Site Identification

PROJECT NO	DRAWING NO	DATE
5258	002	NOVEMBER 2016
ISSUE	DATE	SCALE
HNA	NOVEMBER 2016	1:2500

T: 416.291.1234 FAX: 416.291.1235
 1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1S 1W7
 WWW.VICGROUP.COM
 1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1S 1W7
 416.291.1234



Appendix II

Site Photographs (Taken by Fenn Wright in 2017)



View from Church Field Road – South east



View north from Church Field Road



View from west of site looking south east



View from south of site looking north west

Appendix III

Historical Industrial Sales (Past 5 Years – Source Costar Suite)

Sale Date	Property Name	Property Address	Size	Sale Price	Price Per SF	Comment
26/10/17	Bulmer Road	Brundon Ln	19000	136000	£7.16	Restrictive long lease
29/04/16		15-17 Addison Rd	17988	670000	£37.25	
17/03/15		Byford Rd	1836	115000	£62.64	
30/01/15	Forward Wholesale	Northern Rd	18885	800000	£42.36	High site to cover
01/08/14	Bull Lane	Bull Ln	3953	150000	£37.94	
24/01/14	Ballington Hill	Babbage Rd	5723	200000	£34.95	
20/05/13	Industrial Unit	Windham Rd, 4/Ground (Part)	3367			
20/05/13	Industrial Unit	Windham Rd, 5/Ground (Part)	3000			

Appendix IV

Historical Industrial Lettings (Past 5 Years – Source Costar Suite)

Start Date	Address	Total SF Leased	Rent/SF/Yr	Rent Type
24/07/2019	Mills Rd	1,300	6.64	Effective
02/04/2019	Drury Dr	1,670	5.75	Effective
31/03/2019	2 Smaley Ln	580	6.21	Effective
01/02/2019	Melford Rd	1,009	7.14	Achieved
25/05/2019	Melford Rd	3,526	4.25	Effective
01/12/2018	Chilton St	6,566	4.01	Effective
21/12/2018	Unit 6 Byford Rd	2,650	5.58	Effective
21/12/2018	Melford Rd	2,008	5.38	Asking
01/11/2018	Mills Rd	1,300	6.35	Achieved
11/02/2019	Northern Rd	43,000	3.00	Asking
14/10/2018	Melford Rd	4,145	2.90	Asking
08/11/2018	Ballingdon HI	14,100	3.19	Effective
01/07/2018	Warner Way	2,200	5.91	Effective
27/12/2017	Warner Way	2,666	5.62	Achieved
01/10/2017	4 Bulmer Rd	3,200	4.69	Effective
01/10/2017	Drury Dr	2,848	6.32	Effective
25/09/2017	Bull Ln	1,120	7.14	Effective
25/08/2017	Warner Way	1,823	6.18	Effective
14/08/2017	Alexandra Rd	1,200	7.24	Effective
01/10/2017	Milner Rd	29,304	2.73	Effective
26/06/2017	Curzon Rd	20,028	4.19	Effective
05/06/2017	Curzon Rd	14,374	3.49	Asking
01/04/2016	Bull Lane	3,050	4.91	Asking
30/10/2015	Northern Rd	43,000	1.97	Effective
01/05/2015	Bulmer Rd	3,200	2.81	Asking
	Average Rent		4.94	

Appendix V

Current Industrial Availability

Building Name	Building Address	Leasing Company Name	Total Available Space (SF)	Avg Rent-Direct (Industrial) £ per sq. ft.
Bulmer Road	1-4 Bulmer Rd	Nicholas Percival	3200	4.69
AFB Unit	Church Field Rd	Dowley Turner Real Estate	76904	6.25
	Melford Rd	Birchall Steel Ltd	4145	3.62
	Mills Rd	Birchall Steel Ltd	2817	5.65
	Northern Rd	Fenn Wright	43000	3
Cloisters	Warner Way	Birchall Steel Ltd	2200	6.36

As at September 2019 - Please note the above schedule omits the Delphi accommodation which is currently available equating to in excess of 350,000 sq. ft. of existing accommodation over a variety of buildings.

Appendix VI

Historical Office Sales (Past 5 Years – Source Costar Suite)

Sale Date	Property Name	Property Address	Size	Sale Price	Price Per SF
04/06/19		19 Gaol Ln	1,675	£185,000	110.45
		23 Friars St	1,130	£125,000	110.62
	Sulby House	North St	31,784	£1,750,000	55.06
07/12/16	The Limes	7 Mill Tye	2,807	£525,000	187.03
07/12/16	The Weighbridge	Mill Tye	1,817	£225,000	123.83
01/07/15	Siam Surgery	Siam Pl	4,828	£445,000	92.17
				Average	<u>£113.19</u>

Appendix VII

Historical Office Lettings Transactions (Past 5 Years – Source Costar Suite)

Start Date	Address	Total SF Leased	Rent/SF/Yr	Rent Type
01/09/2019	Gainsborough Street	1,370	7.00	Effective
07/09/2018	1A King St	446	14.57	Asking
06/04/2018	1 Old Market Pl	310	9.68	Effective
07/02/2018	1A King St	409	8.56	Effective
08/01/2018	47 Gainsborough St	418	11.96	Effective
01/01/2018	Alexandra Rd	428		
01/01/2018	Bakers Ct	2,112	10.17	Effective
01/01/2018	Windham Rd	2,846	6.68	Achieved
01/11/2015	100 East St	4,490	6.68	Asking
26/12/2014	Swan St	788	8.88	Effective
	Average		<u>£9.35</u>	

Appendix VIII

Current Industrial Requirements

Current Office Requirement

(Source Estate Agents Clearing House (EACH) Sudbury,
Suffolk)



Listing

1	req Light Industrial, Trade Counter unit, Media/Art Studios, Business Unit, General Industrial, Warehouse, Development - Industrial, Investment-Industrial London E(not E1/E14), London E1/E14, London EC, London N, London NW, London SE(not SE1), London SE1, London W(not W1), London WC, Buckinghamshire, Essex, Hertfordshire, Middlesex, Suffolk, Surrey FHold1500000mx£1,500,000 Client: Pir Freehold industrial/business units for sub-division and refurbishment. Any size considered with cash funds available.	AVAILABLE
2	req Light Industrial, Trade Counter unit, Media/Art Studios, Business Unit, General Industrial, Warehouse, Development - Industrial, Investment-Industrial London E(not E1/E14), London E1/E14, London EC, London N, London NW, London SE(not SE1), London SE1, London W(not W1), London WC, Buckinghamshire, Essex, Hertfordshire, Middlesex, Suffolk, Surrey FHold1500000mx£1,500,000 Client: Pir Freehold industrial/business units for sub-division and refurbishment. Any size considered with cash funds available.	AVAILABLE
3	req Light Industrial, Trade Counter unit, Media/Art Studios, Business Unit, General Industrial, Warehouse, Development - Industrial, Investment-Industrial London E(not E1/E14), London E1/E14, London EC, London N, London NW, London SE(not SE1), London SE1, London W(not W1), London WC, Buckinghamshire, Essex, Hertfordshire, Middlesex, Suffolk, Surrey FHold1500000mx£1,500,000 Client: Pir Freehold industrial/business units for sub-division and refurbishment. Any size considered with cash funds available.	AVAILABLE
4	req Light Industrial, Trade Counter unit, Media/Art Studios, Business Unit, General Industrial, Warehouse, Development - Industrial, Investment-Industrial London E(not E1/E14), London E1/E14, London EC, London N, London NW, London SE(not SE1), London SE1, London W(not W1), London WC, Buckinghamshire, Essex, Hertfordshire, Middlesex, Suffolk, Surrey FHold1500000mx£1,500,000 Client: Pir Freehold industrial/business units for sub-division and refurbishment. Any size considered with cash funds available.	AVAILABLE
5	req Light Industrial, Trade Counter unit, Media/Art Studios, Business Unit, General Industrial, Warehouse, Development - Industrial, Investment-Industrial London E(not E1/E14), London E1/E14, London EC, London N, London NW, London SE(not SE1), London SE1, London W(not W1), London WC, Buckinghamshire, Essex, Hertfordshire, Middlesex, Suffolk, Surrey FHold1500000mx£1,500,000 Client: Pir Freehold industrial/business units for sub-division and refurbishment. Any size considered with cash funds available.	AVAILABLE

6	req Light Industrial, General Industrial Essex, Suffolk 3,000 - 5,000 sf FHold500000ms±500,000 small industrial unit for owner occupier	AVAILABLE
7	req Light Industrial, General Industrial Essex, Suffolk 3,000 - 5,000 sf FHold500000ms±500,000 small industrial unit for owner occupier	AVAILABLE
8	req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...	AVAILABLE
9	req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...	AVAILABLE
10	req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...	AVAILABLE
11	req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...	AVAILABLE

12	<p>req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold</p>	AVAILABLE
<p>The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...</p>		
13	<p>req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold</p>	AVAILABLE
<p>The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...</p>		
14	<p>req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold</p>	AVAILABLE
<p>The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...</p>		
15	<p>req Light Industrial, General Industrial, Business Unit, Warehouse, Industrial Design & Build, Data Centre, Distribution unit, Development - Office, Development - Industrial, Trade Counter unit, WorkStations, Office Norfolk, Suffolk 3,000 - 7,000 sf FHold</p>	AVAILABLE
<p>The ideal facility will have capability to provide 3,000 sq ft of offices with 1,000 sq ft of warehouse space. Standard industrial units where mezzanine offices can be added will be considered. Plea...</p>		
16	<p>req Warehouse, Light Industrial, Development - Industrial Suffolk, Lowestoft min 50,000 sf FHold Lease Dear Agent, We are seeking to acquire an existing industrial unit of 50,000 sq ft or 2-2.5 acres of land to develop for B1, B2 and B8 use in Lowestoft on a leasehold or freehold basis. Ideally the e...</p>	AVAILABLE

17	<p>req Warehouse, Light Industrial, Development - Industrial Suffolk, Lowestoft min 50,000 sq ft FHold Lease Dear Agent,</p>	AVAILABLE
<p>We are seeking to acquire an existing industrial unit of 50,000 sq ft or 2-2.5 acres of land to develop for B1, B2 and B8 use in Lowestoft on a leasehold or freehold basis. Ideally the e...</p>		
18	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex, Suffolk Ext: 1 - 2 acres L8899</p>	AVAILABLE
<p>Seeking 1-2 acres of land for a national rental/contract hire operator. Ideally nearby the A12/A14/A120. Portacabin offices to be brought to site....</p>		
19	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex, Suffolk Ext: 1 - 2 acres Lease</p>	AVAILABLE
<p>Seeking 1-2 acres of land for a national rental/contract hire operator. Ideally nearby the A12/A14/A120. Portacabin offices to be brought to site....</p>		
20	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex, Suffolk Ext: 1 - 2 acres Lease</p>	AVAILABLE
<p>Seeking 1-2 acres of land for a national rental/contract hire operator. Ideally nearby the A12/A14/A120. Portacabin offices to be brought to site....</p>		

21	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex,Suffolk Ext: 1 - 2 acres Lease</p> <p>Seeking 1-2 acres of land for a national rental/contract hire operator.</p> <p>Ideally nearby the A12/A14/A120.</p> <p>Portacabin offices to be brought to site....</p>	AVAILABLE
22	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex,Suffolk Ext: 1 - 2 acres Lease</p> <p>Seeking 1-2 acres of land for a national rental/contract hire operator.</p> <p>Ideally nearby the A12/A14/A120.</p> <p>Portacabin offices to be brought to site....</p>	AVAILABLE
23	<p>req Light Industrial, Garage/Repair, Warehouse, Business Unit, Open Storage, General Industrial, Industrial Design & Build, Development - Industrial, Car Spaces, Development - Roadside Essex,Suffolk Ext: 1 - 2 acres Lease</p> <p>Seeking 1-2 acres of land for a national rental/contract hire operator.</p> <p>Ideally nearby the A12/A14/A120.</p> <p>Portacabin offices to be brought to site....</p>	AVAILABLE
24	<p>req Light Industrial, General Industrial, Warehouse Cambridgeshire,Norfolk,Northamptonshire,Suffolk,Warwickshire 10,000 - 15,000 sq ft F/Hold Lease</p> <p>DMA are instructed by clients to acquire the following:</p> <p>Circa 11,000 sq ft Warehouse with on site parking & loading area ...</p>	AVAILABLE

25	<p>req Light Industrial, General Industrial, Warehouse Cambridgeshire, Norfolk, Northamptonshire, Suffolk, Warwickshire 10,000 - 15,000 sq ft FHold Lease</p>	AVAILABLE
DMA are instructed by clients to acquire the following:		
Circa 11,000 sq ft Warehouse with on site parking & loading area		

26	<p>req Light Industrial, General Industrial, Warehouse Cambridgeshire, Norfolk, Northamptonshire, Suffolk, Warwickshire 10,000 - 15,000 sq ft FHold Lease</p>	AVAILABLE
DMA are instructed by clients to acquire the following:		
Circa 11,000 sq ft Warehouse with on site parking & loading area		



Addendum to Employment & Land Viability Report

Made in response to comments received from DLP Planning Limited and the Viability Appraisal prepared by Rider Levett Bucknall

February 2021

Prepared by J P Birchall MRICS, Fenn Wright, 1 Buttermarket, Ipswich, Suffolk,
IP1 1BA

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1 EXECUTIVE SUMMARY

- 1.1 This report responds to a number of the issues raised by DLP in their addendum of January 2021, demonstrating that the site is not suitable for any form of employment use, with reference to information contained in our earlier reports. We summarise these issues as follows: -
- *“There is a lack of sufficient consideration of the suitability of the site for each type of employment use (B1, B2 and B8), including provision of robust evidence to support these claims.”*
 - *“Some of the evidence around current demands for employment floorspace (particularly in terms of office floorspace and desires of businesses to expand on-site over relocating to other sites) could be fully justified and clearly articulated. For example, it would be useful to include a summary of quantitative demands for floorspace by land use class;”*
 - *“There is a lack of clear quantitative assessment of the supply of employment land in the locality of the Church Field Road site, including with reference to the status of existing allocations, extant permissions and existing vacant/available units.”*
 - *“requirements listed in appendix 8 are not specific to Sudbury, this does not mean employment space within Sudbury would not meet requirements”*
 - *“The report does not explicitly identify alternative available sites, nor does it clearly assess the relative suitability of these alternative sites compared with the Church Field Road site. For example, it would be useful if other allocated sites, sites with planning permission, or those currently being developed were assessed to identify their suitability in comparison with Church Field Road.*
 - *Fenn Wright have not given any commentary as to how the heritage assets will materially impact the site.*
 - *“The Heritage Assessment submitted with the planning application concludes that the site does not materially contribute to the setting or significance of the heritage assets of Chilton Hall, the listed wall surrounded by the walled garden and the Historic Park and Gardens, and St Mary’s Church”.*
- 1.2 The report highlights the specific issues with the site, the need for space which is regarded as finite and compares the subject site to Chilton Woods which is a mixed use scheme with land values subsidising 15 hectares of unconstrained employment land which will meet the needs of Sudbury and indeed the entire district for the next 20 years.
- 1.3 The report goes on to critique the appraisals prepared by DLP’s advisors Rider Levett Bucknall (Hereinafter RLB).
- 1.4 RLB have prepared two appraisals in response to our five previous viability models.
- 1.5 RLB have relied upon incorrect information when reaching a conclusion on viability which means that the RLB report is factually incorrect and gives the impression that the site is viable based on that information. This is contrary to the information and evidence contained in the Fenn Wright report. It is also contrary to much of the evidence forming part of the basis for the draft Local Plan November 2020
- 1.6 Much of the evidence that is quoted relates to transactions that Fenn Wright were involved in and have knowledge of so we know that it is not a true account of the transaction being referred to. One incorrect transaction was completed by another agent and full details verified and particulars included.

- 1.7 Fenn Wright are the most active commercial agents in Suffolk and Essex as awarded by the Estates Gazette, and recently awarded the most active agent in the South East again via the prestigious EG Awards beating national competition. I personally have been involved in the Sudbury market since 2006 and believe no other Chartered Surveyor knows the market better.
- 1.8 It is important to note that:
- 1.8.1 RLB have provided a second appraisal of the site as serviced industrial land, again they have erred in their approach understating both developer profit, and interest calculations.
- 1.8.2 They have had no regard to the likely timeframes required to sell the site in its entirety as serviced plots.
- 1.9 If such errors are addressed with the evidence adopted, it is clear to see that the site is not capable of viable delivery for employment generating uses.
- 1.10 The report reaches a different conclusion if we address the incorrect rental figures RLB adopted, but using the same overall approach as RLB, the site has a residual land value of **-£18,196,609 (negative Eighteen Million One Hundred and Ninety Six Thousand, Six Hundred and Nine Pounds)** or developer's profit on GDV on benchmark land value of -110.86% (Negative One Hundred and Ten point Eighty Six percent). This figure reconfirms the appraisals contained within our earlier report.
- 1.11 It is our view based on our previous reports and having regard to the DLP/RLB analysis that the site is neither suitable for employment uses either as an entirely employment generating site, or as a mixed use site. Nor is it possible to deliver an economically viable scheme of either entirely employment or mixed uses development on the site.

2 INTRODUCTION

- 2.1** The purpose of this report is to provide a further response to the review of employment land and land viability study carried out by DLP incorporating viability evidence prepared by Rider Levett Bucknall and prepared by John Barber FRICS.
- 2.2** The report is an addendum to accompany an earlier employment land viability study prepared by Fenn Wright and should be read in conjunction with our earlier report of December 2020, which formed a reply to DLP's report "Review of Employment Land Need and Viability" of September 2020 (hereinafter DLP's September 2020 Report", which in turn was a response to Fenn Wrights Employment Land Report of October 2019 – (hereinafter "Our October 2019 report").
- 2.3** The report looks to support planning application reference DC/20/01094 and deals with the comments that have been made by DLP within their most recent addendum entitled Review of Employment Land Need and Viability of January 2021 (hereinafter DLP's January 2021 Report).
- 2.4** This report aims to address some of the issues highlighted within DLP's January 2021 report (relating to the unsuitability of the site for employment purposes) and the subsequent viability appraisal (covering the commercial unviability of the site for employment uses) which we believe to be incorrect due to a number of factual errors contained within that report and the evidence base relied upon.

3 ASSESSMENT OF 'EMPLOYMENT & VIABILITY LAND STUDY'

- 3.1** This section of the addendum attempts to address the identified gaps within the evidence base associated with the suitability for the site for employment uses, particularly noted within DLP's January 2021 Report - para 2.6 "Previously identified gaps in evidence"
- 3.2** The DLP January 2021 report suggests "*There is a lack of sufficient consideration of the suitability of the site for each type of employment use (B1, B2 and B8), including provision of robust evidence to support these claims.*" Given that the site has a fairly detailed planning history – owing to the topographic, ecological constraints and proximity of an heritage asset we have significant concerns over the practicality of development of the site for any employment uses.
- 3.3** We have fully reviewed the DLP report and note that DLP's consultants – Rider Levett Bucknall have agreed that delivery of B1 in any form is not viable, accordingly we have not sought to substantially deal with proving the case for this area within our replies to the wider DLP report, focusing on B2 & B8 for which RLB suggest to be viable.
- 3.4** The Site has been the subject of previous employment planning permissions that were successfully judicially reviewed. In 2002, planning permission for industrial/commercial development was granted but this was later quashed. In 2006 reserved matters for industrial/commercial development was approved but was then quashed. In 2009 an application for planning permission to erect a warehouse was submitted to the Council (under reference: B/09/00932). The planning process was drawn out, with consent being granted in January 2014. This was subsequently quashed in 2015. Indirectly, while the judicial reviews were successful on points of law

(i.e. non-referral to the Secretary of State, screening opinion and EIA), the judicial reviews highlighted a number of site-specific constraints that would affect any employment use on the site, and together with changing occupier needs, these constraints have resulted in a review of the planning strategy for the site, including the future use of the land.

- 3.5** Topography, ecology and proximity to heritage assets limit the scale of potential use of the Site for modern industrial and warehouse uses. The nature of the transactional evidence on new build units (even at the smaller end of the spectrum) supports the contention that occupiers want high bay units.
- 3.6** The Proposals Map of the adopted Local Plan indicates that the existing substantial screening of approximately 60 metres around the northern and eastern boundaries of the Site should be retained as part of any development. Modern industrial and warehouse uses would require additional landscape screening which would also be needed to provide a buffer between the heritage assets and the employment use, which would reduce the net developable area of the Site. We estimate that this could further restrict the net deliverable space on the site of around 10-15%.
- 3.7** In addition, while the shape of the Site is currently quite regular, factoring in the required additional landscape screening may offer some challenges that would make configuration of an employment use challenging and cost prohibitive. It is our experience most commercial users will require regular shape buildings and plots for reasons such as goods loading, servicing, racking and automation. This can be found in the most recent transactions on Sproughton Enterprise Park, Port One Logistics Park and Suffolk Park where plots are sold as very regular shapes, areas which are not regular in shape are effectively 'dead space'. Copy layout plans for these three schemes attached at Appendix VIII.
- 3.8** Close proximity to residential dwellings on Waldingfield Road, the Sudbury Community Health Centre and Chilton Hall, will also likely limit the end use of the site for many B2 and B8 industrial uses. Potential occupiers will have concerns surrounding noise generation within the buildings, restriction on travel movements in evening and weekends, restriction on movements within the service yard areas due to reversion klaxon protection devices which cannot be switched off and problems of light pollution from open gantry doors – such were concerns raised by objectors on the Promotional Logistics 2009 application. Further vehicle movements may be restricted – goods in or out may not be possible to the rear or southern sides of the building, there may be restrictions on working hours, if they are likely to affect the amenity of local residents which would further restrict the scale, type and operation of possible employment development.
- 3.9** This point is also important in the consideration of a mixed use development with some employment and some residential use since there would need to be a landscape buffer between the two uses to ensure that the amenity of new residents is protected and that the employment occupiers were not subject to complaints linked to the operation of the use. Indeed it is a standard requirement for most operators to be in an “established industrial area” due to concerns over potential conflict.

- 3.10** Heritage considerations have played a part in the failed planning history of the site and the emerging local plan evidence base suggests that this, together with lack of need, is the reason for de-allocating the site from employment use.
- 3.11** Responses from the Heritage Officer and the Landscape Officer to the current planning application have emphasised the importance of the heritage assets and any potential impact that development on the site could have on these. As part of the comments made by the Officers they consider that a view cone should be retained towards St Mary's Church. This in effect dissects the site which further compromises the site for potential employment uses (with their requirement for large regularly configured floor plates), it also reduces the developable area as any large warehouse immediately adjacent to this view cone would need to take design considerations so as to not appear overly harsh against a setting of open green land
- 3.12** The site-specific constraints on this site are much greater than other established commercial locations within the Sudbury area and also other sites identified in the SHELAA for possible future employment use. Knowing the unsuccessful planning history for employment use on the site, it is unlikely that any occupier, local or otherwise, would choose this site when alternative sites with no constraints are available and offer many advantages – including Chilton Woods where no conflict between uses would exist as the scheme has been carefully designed to create an independent employment centre.
- 3.13** These site-specific issues have clearly affected market interest in the site and is why the site has failed to come forward for development since its allocation. The local authority has accepted the site is not suitable for employment uses as the site is to be deallocated within the emerging local plan. In short it is reasonable to state these specific issues, particularly when coupled with viability concerns, preclude the development of the site for B1, B2 or B8 uses.
- 3.14** DLP's January 2021 report goes on to say in 2.7 *"Some of the evidence around current demands for employment floorspace (particularly in terms of office floorspace and desires of businesses to expand on-site over relocating to other sites) could be fully justified and clearly articulated. For example, it would be useful to include a summary of quantitative demands for floorspace by land use class;"*
- 3.15** Babergh District Council, Mid Suffolk District Council, Ipswich Borough Council and East Suffolk Council appointed Nathaniel Lichfield and partners to prepare an Economic Lands Needs Assessment (ELNA) to help formulate a strategy for supporting local businesses meet their employment needs. This report conducted both quantitative data investigations, as well as qualitative with research of actual occupants. The report identified that Babergh has a high percentage of relatively small organisations 95% employing less than 20 people. The needs of businesses of that size are likely therefore to be for relatively small footprint buildings, with good levels of onsite parking, good proximity to amenities e.g. coffee shops / supermarkets for lunch breaks, nearby Gyms and so on. More latterly an increase in awareness for the environment also means greater connectivity with public services – train and bus routes, together with onsite car charging facilities.

- 3.16** The ELNA then goes on to identify the changing employment patterns within the Babergh district. The report forecasts growth in B Class jobs of 2,690 jobs over the life of the plan – a relatively modest growth of 134.5 jobs per annum. The report concludes a growth of 3,175 jobs within the life in use classes B1a/b predominantly within Professional and Business Services and Real Estate. The goes on to say 240 jobs will be gained within use B8 – primarily within wholesale and land transport, the same report suggests losses of 725 jobs within manufacturing falling within uses B1c & B2.
- 3.17** This job information is then used to reach a conclusion on perceived need by making an assumption as to the space required for each job type – 12.5 sq. m. for a general office employee, 43 sq. m. for industry 65 sq. m. for distribution and so on. The report concludes the following needs for floor space (in sq. m.) within the report: -

Use Class	Babergh
B1a – General Office	25,965
B1a – Serviced Business Centre and Business park	3,960
B1a – Call centres	1,095
B1b – Science Park and Small Business Units	27,365
B1b – High tech R&D	4,035
Offices (B1a/B1b)	62,420
B1c / B2 – Industry	-9,700
B8 – Distribution (General, Smaller Scale)	17,640
B8 – Distribution (Larger Scale, Lower Density)	0
Industrial (B1c/B2/B8)	7,940
Total	70,360

- 3.18** This information is then used to produce a net land requirement in hectares as follows: -

Use Class	Babergh
Offices (B1a/B1b)	11.9
Industrial (B1c/B2/B8)	2.0
All B Uses	13.9

- 3.19** This 20 year requirement is for the entirety of the Babergh district which equates to 0.695 hectares per annum. Taking an optimistic view, if we assume half of the need is located in Sudbury then this equates to an annual need of floor space of 0.35 hectares (0.86 acres) per annum. Made up of 0.7 acres for office use and 0.16 acres for industrial use per annum.
- 3.20** Trends since the report was completed appear to suggest a much greater concentration of employment generating uses towards the east of the district along the Ipswich Fringe with large warehouse completions for La Doria and Amazon being notable.
- 3.21** DLP's January 2021 report go on to suggest within 2.7 of their report dated January 2021 that *"There is a lack of clear quantitative assessment of the supply of employment land in the locality of the Church Field Road site, including with reference to the status of existing allocations, extant permissions and existing vacant/available units."*
- 3.22** Within our earlier report we provided a schedule of available units within the immediate area; this is an ever evolving situation, but at that time we noted an availability of 132,266 sq. ft. of industrial space, although we made reference to the availability of the Delphi Diesel Site where 350,000 sq. ft. was available.
- 3.23** At the time of our earlier report we provided a schedule of annual rental transactions which saw the following Trends: -

Year	No. Transactions	Total Take Up (sq. ft.)	Average Unit Let Size
2019	6	51,085	8,514
2018	7	32,959	4,708
2017	9	76,563	8,507
2016	1	3,050	3,050
2015	2	46,200	23,100
Total 5 year take up	25	209,857	
Average annual	5	41,971	9,576

- 3.24** This demonstrates an average annual transactional level of 41,971 sq. ft. per annum with an average unit size let of 9,576 sq. ft. albeit this is skewed somewhat by 2016 – if we disregard this year then it is an average annual letting of a total of 51,702 sq. ft. Whilst we understand there has been some take up there still remains substantial industrial availability: -

- 3.25** Delphi Diesel Systems – This was acquired by an owner occupier who has use for around 100,000 sq. ft. the balance – some 250,000 sq. ft. is available to let in parts or as a whole at £3.50 per sq. ft.
- 3.26** 1 Northern Road – known as the LEIT building, this property comprises a purpose built logistics building available from Fenn Wright at £140,000 per annum for 43,000 sq. ft. equating to £3.25 per sq. ft.
- 3.27** Windham Road, Sudbury – 3,020 sq. ft. available from Birchall Steel at £5.95 per sq. ft.
- 3.28** Stour Valley Centre, various workshops available from 145 sq. ft. to 893 sq. ft. The larger commands a quoting rent of £4.05 per sq. ft.
- 3.29** Giving a total availability of 294,038 sq. ft. with a good range of available stock from small to large unit sizes and some flexibility.
- 3.30** Therefore it is clear to see that there is sufficient availability to meet the industrial needs within the short to medium term.
- 3.31** Turning this now to office accommodation: -
- 3.32** Transaction rates are much lower as we concluded in our earlier report: -

Year	No. Transactions	Total Take Up (sq. ft.)	Average Letting Size (sq. Ft.)
2019	1	1,370	1,370
2018	7	6,969	995
2017	None recorded	None Recorded	
2016	None recorded	None Recorded	
2015	1	4,490	4,490
Total 5 year take up	9	12,829	
Average annual (excl 2017 & 2016)	3	4,276	2,285

- 3.33** This trend of quantitative data suggests an annual take up of around 2,285 sq. ft. whilst this is at odds with the data contained within the ELNA, it does reflect our own practical experiences when dealing with the market. Moving to availability we note the following properties: -
- 3.34** Stour Valley Business Centre – this scheme offers multi let services office style accommodation. Currently there is availability of 6 suites ranging from 227 sq. ft. up to 1,670 sq. ft. with a total of 4,025 sq. ft. available at rents starting from £12.50 per sq. ft. inclusive of electricity, water, heating, business rates, insurance & grounds maintenance.
- 3.35** New Mill Business Hub, Bakers Mill, Great Cornard – this scheme formerly was occupied by a single tenant, over three floors. As letting has proved challenging the

unit has been split and the second and third floor are available independently or together at 523 sq. ft. and 543 sq. ft. respectively – totalling 1,066 sq. ft. The property is let on an inclusive basis at £15.75 with the rent including service charge, insurance and external repairs.

- 3.36** Mill Tye, Bakers Mill – located in the same scheme as the above, this property comprises 783 sq. ft. over 4 floors. Arguably some of the best specification space in Sudbury with views over the Stour. This space is offered at £13,750 per annum.
- 3.37** Drury Drive, Woodhall – office accommodation of 725 sq. ft. offered as two individual units of 240 sq. ft. or 485 sq. ft. or a the pair combined. The quoting rent is £12,000 per annum - £16.50 per sq. ft.
- 3.38** 1 Old Market Place, Sudbury – a second floor office suite in the town centre. This property offers 306 sq. ft. and is marketed at £3,000 per annum.
- 3.39** The total available stock in Sudbury of office accommodation is 6,905 sq. ft. which again offers ample potential to cover historical demand.
- 3.40** Para 2.21 of our December 2020 report makes reference to the lack of demand for employment uses and this is highlighted within the transactional evidence which formed part of that earlier report, but also substantiated with the above analysis of available stock. We have identified that there are no clear current requirements for B1, B2 and B8 uses within the Sudbury area. Whilst plainly there would be some occupational demand, this occurs on an adhoc basis and it is likely that transactional volume and demand simply correlate with previous levels of stock turnover rather than anything substantially more. There is a fairly consistent level of take up annually, and relatively good levels of availability which are around 5 times the sq. ft. average annual take up which suggests a fairly balanced market for supply and demand, with no evidence to suggest increases in supply will be met by increasing demand.
- 3.41** Para 2.22 of the DLP January 2021 report stated that whilst *requirements listed in appendix 8 are not specific to Sudbury, this does not mean employment space within Sudbury would not meet requirements.* The point within our previous report was perhaps not best conveyed – the requirements have specific characteristics, or needs, which the subject site simply does not meet. I have reattached an up-to-date schedule from Estate Agents Clearing House at Appendix I and have now gone through the evidence to explain the reason that the requirements do not fit the subject site. Within the Estate Agent’s Clearing House evidence, we note 41 requirements across the entire south east including London. Within this list of comparables, none specify Sudbury as a target town. Further detail is provided on any nearby areas and I further elaborate on these using the numbered comparables within the schedule. This schedule is across the maximum requirement period, so many of these requirements may now be outdated. Below is my reasoning as to why I do not believe the numbered requirements would be a suitable fit for Sudbury, The numbering referred to adopts the numbering within the schedule:

1. This refers to a requirement for trade counter uses. It is specified that Screwfix are the occupier and we understand that Screwfix have terms agreed (if not

completed) on a property on Martin's Road which is an established unit and we have therefore disregarded this as a potential interest.

2. Refers to London and the West End only.
3. Refers to Oxfordshire for 1-2 acres of open storage land and urgently which unlikely to be deliverable on the subject site.
4. This refers to a requirement for general industrial of 5-7,500 sq ft albeit with large amount of land of a site up to 1 acres. These applicants would consider developing themselves although refer to the A14 corridor between Bury St Edmunds to Newmarket and up to Thetford.
5. Refers to the Borough of Folkestone only.
6. Refers to Basingstoke, Farnborough and over that sort of area.
7. Refers to Staines & Egham only.
8. Refers to Ipswich, Lowestoft, Newmarket and Bury St Edmunds although goes onto specify that it is looking especially along the A14 corridor between Ipswich and Newmarket and the A12 corridor between Ipswich and Lowestoft. This is for a logistics use and as a consequence the locational issues present a major problem.
9. Refers to a requirement along the M1/M25.
10. Refers to Thurrock, Grays i.e. east London and south Essex area.
11. Refers to Waltham, Stow, Richmond, Finchley and general London areas.
12. Refers to Romford and being close to a train station.
13. Refers to a warehouse surrounding Guildford and surrounds with a requirement for it to be high bay.
14. Portsmouth and surrounds.
15. Refers to London, West End and for a high bay warehouse.
16. Refers to an existing building for East London or West Essex.
17. Refers to Ashford and Kent
18. Refers to a list of various areas none of which are remotely close to the subject site.
19. Refers to West London and Slough etc.
20. Refers to a number of sites to the west of London.
21. Refers to a number of storage sites and the nearest being Cambridge for basic open storage land.
22. Is for an existing yard for storage between Cambridge and Huntingdon.
23. Refer to south London.
24. Refers to Bicester (Oxfordshire).
25. Refers to Ealing and surrounds and has a requirement for a minimum of 10 metre eaves.
26. Refers to Slough, Windsor and Maidenhead.
27. Refers to sending through suitable particulars includes an attachment which is a plan showing slough to High Wickham and Uxbridge (West London).
28. Refers to a requirement for existing buildings however the unit must be roadside on key arterial route.
29. Refers to inside M25.
30. Refers to a number of port locations, the nearest being Great Yarmouth.
31. Refers to a 5 mile radius from Enfield.
32. Southampton
33. Sevenoaks, Oxford and Edenbridge
34. Andover and Winchester area
35. Refers to a minimum eaves height of 10-12 metres which we do not believe will be deliverable on the subject site.
36. Refers to north London.
37. Is north east and south east London together with requirement flyer stating the north properties must be within close proximity to overground services.
38. Bournemouth, Leatherhead, Heathrow and Gatwick

- 39. Wembley
- 40. Luton, Dunstable and Milton Keynes, Hemel Hempstead

- 3.42** We have discussed the site confidentially with local commercial property experts, since Fenn Wright were initially instructed to provide advice on the site in 2015. This discrete marketing also included correspondence with members and officers of Babergh District Council who enquired about acquiring the site, presumably for employment generating uses. My clients were not averse to a sale and sought further discussions on the site, but these were not progressed, presumably as the local authority did not consider the site suitable for developing for employment generating uses. We understand shortly thereafter Mid-Suffolk were represented by the same team in the acquisition of the Gateway 14 Land within the Mid Suffolk owned “Gateway 14 Ltd”.
- 3.43** The general comments from other agents appear to be that there would be some very finite occupational demand for part of the site for employment uses, of small quarter acre or half acre plots, which would obviously be significantly more expensive to deliver than a typical scheme of minimum single acre plots due to additional servicing and estate roads etc. The comments surrounding finite supply and only for small areas is substantiated by our own work above, the ELNA and corroborated by this qualitative advice. The subject site would be competing for this finite demand with Chilton Woods, which is vastly better suited for commercial uses and offers sufficient land to more than covering any commercial need for the life of the next plan – indeed beyond the plans 20 year life span.
- 3.44** Within DLP’s January 2021 Report at 2.7 they state **“The report does not explicitly identify alternative available sites, nor does it clearly assess the relative suitability of these alternative sites compared with the Church Field Road site. For example, it would be useful if other allocated sites, sites with planning permission, or those currently being developed were assessed to identify their suitability in comparison with Church Field Road”**. The report goes on at para 2.19 to state **“states that the Chilton Woods site now benefits from outline planning consent, including over 15 hectares of employment / quasi-employment uses. Further recent speculative developments have been identified at the Cloisters and Bull Lane and Acton Place Industrial Estates.”** By way of further background – Bull Lane and Acton Place were both developed by the late Ken Bird around the latter 2000’s to early 2010’s. The Cloisters was a development which as I understand it the local authority supported as landowners in the early 2000’s both these schemes are hardly “recent speculative developments”.
- 3.45** Chilton Woods is a development site which has held strategic importance for Babergh District Council for a number of years and affords a section within the extant local plan. The scheme provides a substantial element of Babergh’s 5 year land supply at circa 1,400 new homes, with a strategic site allocation within the CIL charging schedule which will see no CIL being payable on the site. Since our previous report, the site has been sold and formal completion taken place by Suffolk County Council to Taylor Wimpey New Homes. Fenn Wright have provided some advice to Taylor Wimpey on elements of the employment land.
- 3.46** The proposed development is found to the north west of the subject site and encompasses a large area to the north of Sudbury itself. The proposed employment land will be accessed via a new roundabout onto the Sudbury bypass (A134). Two vehicular routes to the estate will be created. The employment area to be retained to

the west of the site immediately adjacent to the Tesco Superstore and existing Woodhall Industrial Estate. The employment land should be readily deliverable in a relatively short time frame as the employment land to be served via the same main estate road as the residential dwellings consequently there will be no substantial infrastructural delivery hurdles to cross, further reducing the cost of delivery. Taylor Wimpey have appointed a preferred promoter for the employment element of the site, although formal marketing has not yet commenced.

- 3.47** The lack of constraints and potential conflicts, together with heavily subsidised land values associated with the 1400 dwellings (for which no CIL is payable), mean that site will be capable of delivery in a much faster timeframe and at a value at which the Church Field Road site cannot compete. The Chilton Woods site has the capacity to absorb all the demand for commercial floor space for the entirety of the forecast plan period and beyond with 15 hectares of space.
- 3.48** Paragraph 2.20 of DLP's January 2021 report goes on to state **"Paragraph 5.32 states that *Some previously allocated employment sites have now been converted into residential schemes as a consequence of a lack of demand*". However, it is unclear what evidence there is that these changes of use were due to lack of demand as opposed to increased land values and rates of return associated with residential uses.** Arguably the most pertinent example of employment land being granted residential consent relates to Persimmon's Holding at Hadleigh, an incredibly recent decision of June 2020. Part of the site is allocated under policy EM03 for employment generating uses with a minimum delivery of 5 hectares of employment uses falling within use class B1/B2/B8, the remainder of the site allocated for residential and used to help support the delivery of the commercial floorspace. Subsequently Persimmon Homes were granted a consent on the site for the development of 170 dwellings under reference DC/17/03902, with an outline consent for 10,000 sq. ft. of class A1, A2 & A3 floorspace by decision dated June 2020. Whilst economic development are noted as strongly opposing the application, the consent was still granted, subject to no unilateral undertakings on delivery of the employment floorspace, simply a requirement to transfer the land to the local authority, who will then need to incur the actual costs associated with the delivery of the same. This site has many similar characteristics that the subject site has yet fails to deliver anything like the potential job creation that the subject site's proposed care home facility does.
- 3.49** The Persimmon scheme places the burden on delivery of the commercial space onto the local authority who will have to cover the cost. Both schemes are fringe of settlement. This site in Hadleigh is located in a "Low" CIL Charging Zone. The planning officer's report states "Whilst the Council's Economic Development Team initially expressed concern at the loss of employment land it must be recognised that the site has been allocated for employment purposes since at least 2006 and has not come forward for such uses." The planning application appears to provide no further documentation or supporting evidence as has been requested with the subject site.
- 3.50** Unfortunately, we cannot comment as to whether the local authority allowed this departure from policy as a consequence of lack of demand as opposed to increased land values as no employment report or viability appraisals appeared to form part of the application. We cannot understand why our client's site is being treated differently given the circumstances Interestingly, Hadleigh has a strong industrial estate which is fully occupied. Whilst 5 hectares are allocated to the south of Persimmons holding for employment uses, these are not deliverable in anything like the timeframe the employment land at Chilton Woods is deliverable. Hadleigh is regarded in many ways

as being a stronger centre due to its proximity to the A12 and A14 both of which are around 15 minutes' drive time at the Copdock Interchange.

- 3.51** Elsewhere within the Sudbury area itself we understand the same developer, Persimmon, also had consent for the erection of 360 dwellings and a requirement to provide an element of commercial floor space. I previously worked alongside a colleague within my former firm on an employment report to support a change of the commercial element to residential under reference B/11/01433. No formal marketing campaign took place. Persimmon were granted consent to develop this employment element for residential dwellings as a consequence of lack of demand. Interestingly, this comparative site had the benefit of 360 dwellings to improve viability, so presumably the employment could be delivered quite cheaply, but still there was no appetite.
- 3.52** More recently, the existing Babergh council offices located on Corks Lane are the subject of a current application with a resolution for grant for conversion to residential use subject to dealing with some minor issues surrounding flooding and cricket ball striking issues. This is despite the premises not having been marketed and backed up by a viability appraisal which appears to adopt much more generous assumptions than those suggested by RLB in their report of January 2021.
- 3.53** Taking these examples it is clear that allowing these sites alternative uses away from employment allocations are indicative of a relatively poor market for B1, B2 and B8 type uses.
- 3.54** 2.24 of the DLP January 2021 Report suggests that *Fenn Wright have not given any commentary as to how the heritage assets will materially impact the site*. Whilst we have given detailed commentary on this point in our report of October 2019, I will further elaborate:-
- 3.55** Plainly the heritage assets of Chilton Hall (Grade 2 star – north east), the listed Walled Gardens of Chilton Hall (north) and the Grade 1 listed St Mary's Church (south east) (all close to the boundary of the subject site) will have an impact on the ability to fully develop the site for employment use. Part of the site close to the Church will need to be left undeveloped to provide a backdrop to the asset and act as a buffer between the Church and the built form, views over to the Church will need to be preserved resulting in the site being dissected and the part of the site closest to Chilton Hall will need to be left undeveloped to provide a buffer between the Hall and the employment use. This will be in addition to conserving the existing tree belt around the northern boundary of the site.
- 3.56** The above heritage constraints will limit the ability to develop the subject site in a commercial way. Height of units is a material requirement for occupiers – see the Ladoria site constructed by Ipswich Borough Assets within the Babergh district where the building has a ridge height of 40.475 metres. It is self-evident that a building of this scale and size would be unsuitable for a site in close proximity to such important heritage assets.
- 3.57** Topographic changes mean that the land gently rises to the west as you reach Waldingfield Road and realistically any modern warehouse building with an eaves of

more than 8 or so meters is likely to have an over bearing effect on the landscape. An inability to develop tall buildings is likely to have a material adverse impact on the marketability of the assets when all of new industrial / warehouse deals lately have been on units in Babergh / Mid Suffolk are of in excess of 16 metres as referred to within our evidence schedule forming part of our previous report.

- 3.58** A further site constraint relates to ecology, and the amount of land that will need to remain undeveloped to provide an area for reptile mitigation, an area for great crested newt mitigation and an area for the re-location of priority habitat grassland. These considerations will further limit the amount of land and shape of plot that can be brought forward for employment use, particularly as many industrial uses can present an issue to preservation of such features – additional requirements likely will exist beyond typical industrial obligations to ensure the protection
- 3.59** This view is corroborated by the re-assessment of the land in the 2019 Strategic Housing and Economic Land Availability Assessment (SHELAA) has led to the conclusion that the Site lies within an area of high heritage sensitivity and should therefore be discounted for employment use, being part of the reason for its de-allocation within the draft local plan.
- 3.60** Plainly it is the case that with limited demand and varied choices for occupiers, any tenant or owner-occupier will take preference in a site which does not limit their ability to use the property without any limitation on the design of the buildings and how the use is to be operated.
- 3.61** DLP state within paragraph 2.25 of the report dated January 2021 that the Paragraph 6.39 states that ***“The Heritage Assessment submitted with the planning application concludes that the site does not materially contribute to the setting or significance of the heritage assets of Chilton Hall, the listed wall surrounded by the walled garden and the Historic Park and Gardens, and St Mary’s Church”***. As this conclusion relates to the site itself rather than the proposed uses, this conclusion would likely be the same were the site to be developed for employment use.” I do not believe this to be correct, the statement is made in the context of the planning application - Given the comments made above and the Heritage Officer comments, I do not believe this statement made by DLP to be current or accurate.

4 VIABILITY STUDY

- 4.1** Whilst within the earlier section of this report we have sought to justify a lack of suitability of the site for all forms of employment use, it should be noted that the consultant agrees that the site is simply not viable for the delivery of B1 uses and as a consequence we have not referred to the use of B1 on the site within our revised calculations although find it useful to eliminate this area of approach.
- 4.2** I will therefore respond specifically to the approaches adopted for employment use for B2/B8 uses (broadly taken as light industrial with ancillary offices and logistics use) and set out my comments below:
- 4.3** I note that Rider Levett Bucknall broadly agree with the approach adopted, the majority of the assumptions and the background sources relied upon are similar to our own although there are clearly differences in the assumptions that have been made and the baseline information relied upon.

- 4.4** It is imperative to stress that a viability appraisal contains significant inputs to reach a conclusion, but the two most important are: - Gross Development Values and Construction costs – nominal changes in either of these elements result in substantial changes to the residual land value. Unfortunately, the critical failing of the conclusions is the reliance that RLB have made on the Aspinall Verdi report without carrying out their own due diligence or enquiries which results in adopting an unattainable and frankly unrealistic capital value. I appreciate that RLB are not a local firm, which explains why they have incorrectly used the figures so detached with the market.
- 4.5** Unfortunately, RLB have purely relied upon the evidence contained with Aspinall Verdi's PVCRS report. This is a document I have also had regard to albeit in a much more holistic way – in effect to sense check and qualify the approach which I consider to be reasonable. Where necessary we have made our own enquires to ensure reliance is reasonable. RLB's report has been prepared without consideration of the facts and available evidence and therefore this has significantly compromised the conclusions of the report.
- 4.6** RLB have adopted a capitalisation approach when reaching a conclusion on capital value for industrial space within the proposed development. Capitalisation approach assumes a hypothetical rental value and then uses an investment yield to capitalise to reach a capital value. This is dependent upon imputing both correct rental values together with correct investment yields. Interestingly, our searches suggest no investor sales of industrial space took place in Babergh over the last 5 years, the majority being owner occupier – this informed our approach.
- 4.7** RLB appear to have carried out no due diligence into the information contained within the Aspinall Verdi report and have simply accepted it at face value. Without considering any of the evidence which formed part of the Fenn Wright report which contained a breakdown of actual confirmed transactional evidence and this appears to have been completely ignored within RLB's response which we believe at the very least should have considered this information and then explained the grounds for disregarding.
- 4.8** Aspinall Verdi depend upon 7 transactions to deduce an overall rental value for "industrial accommodation" however no regard is made for the generally accepted valuation approach to assume a quantum consideration i.e. the larger the unit the lower the rent that will be paid with a smaller unit having the opposite effect to a point where you reach what is known a threshold rent. The figures that Aspinall Verdi appear to have adopted don't seem to correlate with the information we have obtained from CoStar and it is unclear as to how Aspinall Verdi have reached their conclusions – I suspect it is through error. Aspinall Verdi should have verified the information. For the avoidance of doubt, upon verification we found 5 of the 7 transactions to be incorrectly reported by Aspinall Verdi.
- 4.9** It is also unclear as to how the figure of £10 per sq. ft for B2/B8 space has been adopted as there doesn't appear to be any rational as the mean average (using the incorrect figures) is £8.58 per sq. ft.
- 4.10** I would also wish to identify the following additional errors within the information that form part of the assumptions:-

- 4.11** Unit 6 Warner Way, Sudbury – This property is referred to as being let at £11.71 per sq. ft which equates to a rental value of £25,762. However, I have spoken to the agent – Gordon Birchall of Birchall Steel Consultant Surveyors who confirms the rent agreed was £13,000 for year 1, £13,500 for year 2 and £14,000 for year 3 - an effective rent of £13,500 per annum - £6.14 per sq ft. Letting particulars attached at Appendix II
- 4.12** Referred to is 5-12 Crockatt Road, 9 Ipswich – I believe this should be 9 Byford Court, Crockatt Road, Hadleigh. This is not an industrial unit and is an office unit forming part of a holding that Fenn Wright sold to Aaron Clarke Accountants. Sales particulars attached at Appendix III.
- 4.13** The next property referred to is Unit 4 Sproughton Industrial Estate – this is known as Unit 4 Whitegates Industrial Estate, Sproughton. Fenn Wright again were the agents involved in the letting and we can confirm the information contained within this element is accurate, albeit this is an incredibly small property of only 600 sq. ft.
- 4.14** 5-11 Crockatt Road, 9 Ipswich – Again, this presumably relates to the same unit which is an office and not an industrial unit and again was part of a sale to Aaron Clarke Accountants.
- 4.15** Barn 7, Peppers Lane – This is occupied as a gymnasium rather than a warehouse or industrial. Gyms fall within use class D2 and we are unable to verify the accuracy of this information as we have been unable to locate the transactional data. We would suggest Gyms' carry a premium over industrial or warehouse values, and certainly this rental figure should not be relied upon as demonstrative of rental levels achievable on industrial property in Sudbury.
- 4.16** Unit 1-3 Ballingdon Hall (presumably this relates to Unit 1-3 Ballingdon Hill, Sudbury) – this property size is correct. It was let by Fenn Wright and the property was let for £45,000 per annum which equates to a rent of just over £3.19 per sq ft. Letting particulars attached at Appendix IV.
- 4.17** The last transaction refers to is Melford Road, Sudbury which correlates with the information contained within our report.
- 4.18** If we adopt a mean average of the transactions that are actually accurate and correct and verified (as they should have been by Aspinall Verdi) then we conclude a mean average rent of £4.62 per sq. ft or **£4 per sq. ft.** if we disregard the Gym which is obviously use class D2. Certainly, far short of the alleged figures within Aspinall Verdi's report. I find it inconceivable to believe that Aspinall Verdi would have concluded an appropriate industrial rent of £10 per sq. ft. having had the correct information, or indeed having any actual knowledge of the market. Our supporting calculations are enclosed at Appendix V.
- 4.19** It is clear to see that the approach adopted by Rider Levett Bucknall is therefore fundamentally incorrect. If I simply adopt their approach and reach a capitalisation of the whole using the unadjusted figure of **£4.60 then we end up with an annual rent**

roll of £1,815,772 for the 403,505 sq ft and not £4,035,000 as stated. £4 equates to £1,614,020.

- 4.20 This former translates to a capital value using the same approach that has been used by RLB of £24,356,143. The latter to £21,649,905 A difference in value of approximately £30million - £33 million in GDV.**
- 4.21** I do however accept that there might be some form of premium for a new build unit although I would suggest the differential in value would need to depend upon the type of unit that is being assumed. In any event it would not be significant given the difference of some £30m which has been identified. Our evidence base was much more comprehensive than Aspinall Verdi's on which RLB have relied in that we provided our own data from actual transactions.
- 4.22** The Aspinall Verdi report appears to adopt a circa 15% premium for new build over existing stock (an approximation of the differential between the mean average rent of £8.58 per sq. ft. and the figure adopted of £10 per sq. ft.) If I apply the same approach with the correct figures we reach a conclusion of ERV of £4.60 per sq. ft. and not £10 per sq. ft.
- 4.23** Using the capitalisation approach, I do not necessarily have significant issues with the 6.5% net initial yield for the wider Ipswich/Colchester market but the lack of actual comparable transactions to support this yield from Babergh is telling. Typically industrial and warehouse space in Babergh transacts to owner occupiers on a direct comparison approach rather than an investment return approach, which we have previously supported with evidence.
- 4.24** Typically industrial properties transact on an investment basis where the quality of property and lease terms are of institutional grade – ie let to an undoubted covenant for a term certain of around 20 years with 5 yearly uplifts. The approach RLB have adopted, assumes a letting on this basis, albeit allows a void period of 12 months to cover capital incentives / fit out. This generally falls in line with our experiences of inducements required for similar lettings. There simply is no evidence of this type of approach in Babergh within the actual market, which in turn should dictate the approach adopted to value.
- 4.25** Whilst the capitalisation approach could be utilised (despite a lack of investment sales) it must be at a rental level which is realistic and attainable supported by transactional evidence. The end capital value should also accord with the direct comparison evidence which is available. At the previously cited £10 per sq. ft. it produced a direct comparison capital value significantly beyond the evidence within our earlier report. Best rents being paid on the A14 corridor are located at Ipswich or Bury St Edmunds where rents of £6 per sq ft are being achieved by Jaynic where a headline rent of £5.90 was agreed with Unipart, albeit subject to 12 months' rent free – giving an effective rent of £4.72 per sq. ft. which is located in a vastly superior location.
- 4.26** Interestingly, there are some questions over the reliability of the investment evidence as well - The transaction on 2-5 Cavendish Street relates to an acquisition carried out by Tramco Cambridge Ltd, a client of Fenn Wright's. This yield here is misleading, as

there is an equivalent calculation which should take into consideration the ability to further develop the site.

- 4.27** Mid Suffolk District Council's owned company Gateway 14 Limited acquired the site off the A14 in Stowmarket. Jaynic have been agreed as promoters for the site and we understand are to quote headline rents of £6 per sq. ft. for new build warehouse space. Great Blakenham the headlines are at around £6 per sq ft, albeit the only deal there is to a questionable covenant - FDS Corporation – a new start company where I represented the tenant. But all these are subject to big incentives which create an artificial figure.
- 4.28** If RLB had carried out their own investigation work or indeed reviewed our own report which included comprehensive transactional data then they would have clearly understood that a level of £10 per sq ft is simply unrealistic in B2/B8 space. Whilst I may accept that you may achieve this figure on certain very small units this requires a significant number of other variables to be altered – especially build costs, and also timeframes to let as witnessed within our comments on the ELNA as well as supporting take up analysis.
- 4.29** RLB have cherry-picked the lowest construction cost justifiable using the advanced warehouse range. Looking at the actual sample of these, it includes units of up to 1,000,000 sq. ft in space, RLB have included a timeframe of 15 years for samples which still only produces 10 samples (considering data from the last 15 years). If we consider data from the last 10 years then only 4 samples are possible – which demonstrates the reliance on outdated data which has been indexed rather than current data. Generally speaking industrial build costs have risen faster than the indices average as a consequence of above average steel price increases and increasing obligations under building regulations using a 15 year sample as RLB have done further skews the figure downwards as the historic figures are simply indexed.
- 4.30** If RLB are looking to achieve a rental value of £10 per sq ft, then this should be matched with an appropriate build cost. BCIS provides a range of scenarios which would be appropriate. In this instance I do not know why one would deviate from the “warehouse up to 500 sq. m.” and not the “advance warehouse” rate as plainly this assumes a unit size of potentially as much as 1,000,000 sq. ft. with all the economies of scale that allows.
- 4.31** A copy of the latest BCIS figures for all Warehouse and Industrial space is appended at Appendix VII, these are rebased to Babergh for Q1 2021 using a sample range over the past decade. It is clear to see that the cost of developing small units of up to 500 sq. m. would cost nearly double the amount RLB have suggested.
- 4.32** Accordingly, the unrealistic rental calculations and optimistic construction cost information completely skew the report to give this impression that a scheme is viable for delivery in this location. To reiterate, the conclusion of the RLB report that B2/B8 development is viable (as they are suggesting) is based on completely incorrect information which leads questions over the credibility of the remainder of the report that RLB have produced.

- 4.33** Whilst I do not necessarily disagree with the broad approach that RLB have adopted, the over reliance on the Aspinall Verdi report and figures adopted are indicative that they do not really understand or have any on the ground knowledge of the local or regional employment market, if they did it seems inconceivable that they would have concluded the values which they have suggested would be attainable.
- 4.34** I find it disconcerting that our capital values are so disconnected. I have not had any contact with RLB which would normally be the case on a viability land approach to verify information contained within my report – particularly when my evidence is so disconnected from their own evidence. I regularly work with BNP Paribas and DVS Service and we adopt a transparent open book approach. It is not clear why this approach has not been adopted by RLB but it is obviously incredibly frustrating and leaves the impression that RLB are simply looking to justify a viability position, rather than reach a conclusion which reflects the actual situation on the ground.
- 4.35** I have used my justified figures and set out below my revised appraisal in relation to the site using the approach RLB have adopted but using the new figures.
- 4.36** I do not accept the point that RLB make in relation to the benchmark land value. The site is adjacent to the settlement boundary and benefits from an employment allocation. The approach is inconsistent – RLB seek to justify a high residual land value for the site consented for serviced industrial land, although the site currently has an allocation for employment generating uses. How can it be the case that the site has a low benchmark of only £110,000 per acre – the minimum land use multiplier contained within government guidance, yet accordingly to their methodology, have a residual land value of £180,000 per acre on the assumed industrial serviced scheme – which they openly acknowledge to be low risk. Considering the landowner position as we must, surely a benchmark land value must be somewhere between the two. I accept the site area that RLB have suggested as a compromise, albeit the low gross to net site is another argument to support our contention that the value applicable should not be only 10x agricultural value. Accordingly, I have revised my position to conclude a benchmark land value of £3,395,700, calculated as below: -
- 4.37** I believe a reasonable compromise to be calculated as follows: -
- | | | | | |
|--------------------|---|------------------|---|------------|
| 20.58 acres | @ | £15,000 per acre | = | £308,700 |
| Plus EUV + Premium | | 10x | = | £3,087,000 |
| Total | | | = | £3,395,700 |
- 4.38** The residual approach adopted by RLB in relation to the value of the site as serviced land is again detached from reality and contains a mistake which complete invalidates the appraisal. RLB have not adopted the BLV referred to earlier in their appraisal which needs to be a cost line, instead putting land value in at zero. Land should be treated as a cost, as plainly it will have implications – be it directly through finance interest, or indirectly through lost opportunity as a consequence of capital employment. Furthermore, typically developer profit is calculated inclusive of land cost. The consequence of not adopting the BLV within RLB's figures are that the appraisal produces a residual land value surplus which is significantly overstated, interest, profit and other costs which are significantly understated.

- 4.39** It must also be remembered that the site benefits from an allocation for employment uses and it stands to reason that it simply cannot be the case that there is any substantial deferential between the residual land value of the site and the benchmark land value as a consequence – again considering the Landowner position as we are required, any landowner with land which is allocated for employment uses is unlikely to be willing to accept a significantly lower figure than the Residual Land Value. The developer’s return is gained via profit – whilst a consent would be needed, plainly a site with an allocation for that use is likely to be consented on planning grounds – so I do not understand on what basis RLB believe that there can be a substantial uplift on values of the site as serviced plots ; this falls within the use of industrial for which the site benefits an allocation and would reasonably be expected as a use that could be derived from the site. Any uplift on the BLV and the value achieved from the sale of completed plots would either translate through to Profit for a developer, or additional land value – which would be taken by the landowner and consequently directly impact the appropriate Benchmark Land Value. I believe once RLB correct their further error here then we will have a clearer answer.
- 4.40** Whilst we believe there would be some finite demand for serviced plots as per our B2/B8 viability report, it is clear to see that commercial development is not viable, and as a consequence purchasers of bare plots are going to struggle obtaining developer finance, or if they can it will be at relatively low levels of loan to value the consequence of which is a vastly reduced market. This should be reflected within the timescales RLB have adopted to sell this land but it is not – there is an identified need for only 2 hectares of B2/B8 land within the local authorities own evidence base in the next twenty years. It is unclear on what basis RLB consider the site capable of sale in its entirety over 10 years, given the further constrained market required of cash purchaser.
- 4.41** RLB adopt a profit on cost of 15% of the infrastructure, it is our belief that this is an error in their calculations, the profit stated equates to profit on GDV of 6.5%. With such low take up, significant upfront capital expenditure in both site servicing and purchase price, this simply makes no sense. This is vastly below the typically accepted range of 15-20% profit on GDV. The developer profit would be eroded servicing a 70% developer loan if RLB had correctly included land value within their calculations – land cost needs to be included so that finance costs can accurately be calculated – the calculations for interest appear not to factor in land cost. If we assume the BLV that RLB have contended (which is not accepted) then profit at 15% on cost (again which is not agreed) should have been at least £820,300. A developer is simply not going to accept a site where they are tying up nearly £4,000,000 for 10 years for £400,000 return. They would be better buying zero risk investments – GILTS.
- 4.42** I do not believe that the appraisal prepared for the development of the entire site is as employment land is remotely credible. It would not lead to delivery of any completed units and as a consequence I would suggest that it should be disregarded as it plainly does not demonstrate a viable scheme.
- 4.43** I have revised my residual appraisal for the site as B2/B8 adopting the same inputs that RLB have, with new Benchmark as above and rental values based on the correct evidence and uplifted to new build. I set out below our conclusions: -

100% Commercial B2/B8: Residual Land Value: - £18,196,609
100% Commercial B2/B8: Development Appraisal: Profit on GDV (-110.86%).
Copy Appraisal Summaries are attached at Appendix VI.

- 4.44** It is clear from our appraisals that once the correct factually driven evidence is input into the appraisal, that the output broadly accords with our earlier findings. The consequential impact is justification of our earlier viability models which confirm no B1/B2/B8 uses will be suitable on the site.
- 4.45** It is unfortunate that RLB have relied upon incorrect information when reaching a conclusion on their submissions. They have provided a statement to the effect that they have considered all appropriate sources of information to reach a conclusion, yet that plainly is not the case.
- 4.46** We have provided a breakdown of transactional evidence which is appropriate to the locality, and RLB have chosen not to refer to that evidence whatsoever when reaching a conclusion on the values that they have reported. This lack of consideration raises questions of credibility within the other areas of the report and it is plain to see that unfortunately RLB have no knowledge of the local market or locational specific issues – if they had they would not be looking to compare the A14 corridor with Sudbury.
- 4.47** The local authority has produced a wealth of evidence to support the revised local plan and much of this follows the same narrative as our own qualitative experiences – commercial development is simply not viable (which is why there is no local commercial speculative development). This fact appears to have been accepted elsewhere in the very recent past and we fail to understand why we are being asked to justify a position where this site has far more constraints to development than other sites by comparison.
- 4.48** As a consequence, I believe that through the use of RLB's own inputs and after correcting their evidence base, we have clearly demonstrated that the site is not capable of delivering any form of employment.

5 COMPLIANCE

This report is to be read in conjunction with earlier revisions of our Employment and Viability Land Study report dated December 2020 to which this report forms an addendum and response to DLP's report dated January 2021 but received in February 2021.

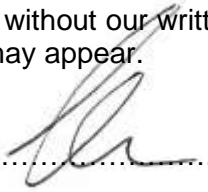
This report is addressed to Highbridge Plc, Caverswall Enterprises Limited and West Suffolk National Health Service Foundation Trust and is intended to be used in conjunction with a planning application for the site located on Church Field Road, for the purpose of this planning application by the aforementioned parties or their subsidiaries and for no other purpose. The opinions stated therein are particular to the circumstances referred to above.

No responsibility whatsoever is accepted to any third party to whom it may be readdressed and no responsibility whatsoever is accepted to any third party for the whole or any part of its contents. Any such parties may not rely upon the content of this report.

Neither the whole nor any part of this report or any reference to it may be included now, or at any time in any other published document, circular or statement, or referred to or

used in any without our written approval from Fenn Wright as to the form and context in which it may appear.

Signed

.....

Date:

....04.03.2021....

J P Birchall MRICS
Partner

Fenn Wright
1 Buttermarket
Ipswich
Suffolk
IP1 1BA

jpb@fennwright.co.uk
01473 417720

Appendix I - Estate Agents Clearing House Schedule

undefined

Fenn Wright 01473 417 720 contact John Birchall, 1 Butemarket, IP1 1BA Ipswich, printed at 10.10 on 21.02.21



Listing

req Open Storage
Winchester to Basingstoke
Ext: 4 - 8 acres
FHold
Lease

Open storage use

26.01.21 AVAILABLE

1 PDF

John Ryde Commercial
Cheltenham
01242 576 276 
Paul Maguire
01242576276

req Trade Counter unit, General Industrial, Warehouse, Garage / Repair, Shop, Showroom /
Gallery, Roadside/Drive-in unit, Drive-thru at Retail / Leisure Park, Retail Warehouse
London South East England
2,750 - 10,000 sf
Lease

Occ/Use/Ref: Screwfix
Trade Counter and Retail Requirement

London / South East / East Anglia

26.01.21 AVAILABLE


2

See target list in attachment - will consider all other ideas

PDF

Hartnell Taylor Cook LLP   

London - West End

020 7491 7323 

Jack Davies

020 7788 3827

07901 853 503

req Light Industrial, Warehouse
Hounslow Feltham TW Cranford TW
18,000 - 20,000 sq ft
Lease

3 Preliminary search of the market - Please send all options with rent, rates and service /
estate charges to matt@snellers.com

01.02.21 AVAILABLE

Sneller Commercial

Teddington

020 8977 2204

Matt Walters

req Storage, Open Storage
Oxfordshire

1 - 2 acres

Lease

Occ/Use/Ref: **Open Storage required urgently**

REVISED - Leasehold & Freehold

4 Our client is looking for 1-2 acres of open storage which MUST be accessible and within 5
miles of the M40 motorway, using Bicester as a central location, within 20 mile...

18.02.21 AVAILABLE

Phoenix & Partners

London - West End

020 7323 4123

Ania Sagajlo

07979 942 640

req Light Industrial, General Industrial, Storage, Warehouse, Distribution unit, Trade Counter
unit, Open Storage, Industrial Design & Build

Bury St Edmunds IP Newmarket CB Soham CB Thetford IP

5,000 - 7,500 sq ft

FHOLD/LongLs

5,000 - 7,500 sq ft on a site of 0.5 - 1 acres or development land of up to 1 acre.

5 A14 Corridor - Bury St Edmunds to Newmarket (and north up to Soham & Thetford).

14.12.20 AVAILABLE

E/B2/B8 - inc. Showroom/trade counter...

EDE

Savills (UK) Limited

Chelmsford

Phil Dennis

01245 293 216

07799 221 113

req Open Storage, Light Industrial, General Industrial, Warehouse, Distribution unit, Storage
Folkestone Borough

4 acres

FHold

Large Yard

Site of circa 4 Acres

Site is for open storage but sites with buildings will be considered

Within the borough of Folkestone

Willing to convert/develop existing site

6 Freehold...


PCE

Sibley Pares Chartered Surveyors  

Maidstone

01622 673 086 

Matthew Sadler

07860 870 042 

Phil Hubbard

07921 212 430

req Light Industrial, General Industrial, Storage, Warehouse, Open Storage

Basingstoke RG Hook RG Camberley GU Fleet GU Farnborough GU Andover SP

10,000 - 20,000 sq

FHold/LongLs

Lease


Good Parking

Large Yard

7

SBT

Basingstoke

01256 331243 

Simon Taylor

01256331243

07785 318684

18.10.20 AVAILABLE


18.10.20 AVAILABLE


req Warehouse, Business Unit
Staines TW Egham TW TW
6,000 - 10,000 sf
Fhold/LongLs
Lease

IDEALLY INCLUDING A HIGH OFFICE CONTENT OR WITH THE CAPABILITY OF
EXTENDING OFFICES OR MEZZANINE ON AN UPPER FLOOR. MINIMUM EAVES
HEIGHT 18ft PARKING FOR UP TO 20 CARS

17.12.20 AVAILABLE

EDE

Landwood Group 
Manchester

0161 710 2010 
Richard Blackman
07801 306 574

req General Industrial, Light Industrial, Warehouse
Ipswich IP Lowestoft NR Newmarket HS Bury St Edmunds IP
125,000 sf
Lease


1. Location- Suffolk and especially on the A14(Ipswich to Newmarket) and A12(Ipswich to
Lowestoft)

2. Type- Industrial/Warehousing

3. Size- Building(or multiple buildings) of 125,000sq.ft on a site of ...

18.12.20 AVAILABLE

Whybrow 
Colchester



01206 577 667 
Emily Jones
01206 577 667

req Light Industrial, Warehouse
Bricket Wood AL Watford WD Watford North WD Kings Langley WD Abbots Langley WD
Hemel Hempstead HP London Colney AL Chandlers Cross WD St Albans AL Berkhamsted
HP
10,000 - 15,000 sf
Fhold

Noble Harris have been retained to acquire a vacant warehouse close to the M1 / M25 .

10 My client is keen to purchase a freehold as soon as possible.

If there are any suitable options, they are ready to...

The Noble Harris Partnership 
London - West End

020 7637 3333 
Jake Hoffman
020 7291 6144
07904 082 118

req Warehouse, Business Unit, Light Industrial
Thurrock - Grays - Basildon - Wickford - South Woodham Ferrers - Rayleigh - Southend
2,000 - 3,500 sf
FHold/LongLs

Ground floor warehouse/office with ideally mezzanine/office or the ability to build one.
Forecourt parking and loading.
Location within a complex of units or a stand alone unit.

09.01.21 **AVAILABLE**

11

Freehold or Long Leaseh.
Brian Croker Property Consultancy
Chelmsford

020 7293 0564

Brian Croker

07960 451 054

req Light Industrial, General Industrial, Food Production / CHILLED storage, Distribution
unit, Open Storage

Walthamstow E Walthamstow IG Richmond DL Richmond TW Finchley N

FHOLD/LongLs

Richard Susskind & Company

09.01.21 **AVAILABLE**

12

London - City

020 7831 8311

J Perlmutter

07814 699 096

req General Industrial

Romford RM

min **45,000 sf**

FHOLD

Lease

Industrial Unit Required within a 10 mile radius of Romford RM7 - 45,000 sq ft - Close to
train station. To buy or rent. Ref: SS

12.01.21 **AVAILABLE**

13

PDF

Claridges Commercial

Woodford Green

020 8559 1122

Adrian Cole

req Warehouse, Distribution unit, Storage, Industrial Design & Build
Guildford and Surrounds

7,500 - 10,000 sf

Lease

Modern unit

Refurbished unit

New unit

Detached unit

14

Industrial Estate

14.01.21 AVAILABLE

Distribution/Business Park...

High bay warehouse with good yard area and car parking

Lewis & Tucker Surveyors Ltd

London - West End

020 7629 5101

Graham Greenberg

020 7323 2321

07768 817 675

req Warehouse, Storage, Distribution unit

Portsmouth & Surrounds

7,000 - 10,000 sf

Lease

New unit

Refurbished unit

Modern unit

Detached unit

15

Industrial Estate

14.01.21 AVAILABLE

Distribution/Business Park...

High bay warehouse with good yard area and car parking

Lewis & Tucker Surveyors Ltd

London - West End

020 7629 5101

Graham Greenberg

020 7323 2321

07768 817 675

req Garage / Repair, General Industrial
Eastleigh SO Southampton SO Hedge End SO
5,000 - 12,000 sf

FHoid
Lease

URGENT

On behalf of our retained client, we are instructed to identify an industrial property


14.01.21 AVAILABLE

16 Size: 5,000 - 12,000 ft2

PDF

Realest  

Southampton

023 8202 3999 

Adrian Whitfield

023 8202 2175

req Light Industrial, General Industrial, Storage, Warehouse

Essex E IG

1,500 - 2,200 sf

Lease


Small industrial unit needed for well established printing firm. East London and near surrounding areas preferred.

14.01.21 AVAILABLE

17 PDF

Dobbin & Sullivan  

London

020 8221 9610 

Chris Harding

020 8 221 9619

req Light Industrial, Warehouse, General Industrial

Feltham TW Ashford TW Chertsey KT Twickenham TW

1,500 - 2,500 sf

Lease

Occ/Use/Ref: Shredding Company

14.01.21 AVAILABLE

18 Minimal office content required.

Franklin Commercial

Esher

0207 117 2526 

Simon Franklin

req Warehouse, Distribution unit, Development - Industrial, Industrial Design & Build
Camberley GU Braeknell RG Guildford GU Aldershot GU Basingstoke RG Chertsey KT
Weybridge KT

25,000 - 50,000 sq ft

Freehold

Lease

On behalf of our retained client, we are instructed to identify either an existing warehouse building with offices or a site suitable for new build, on a freehold or leasehold basis

19.01.21 AVAILABLE


19

Size: 25,000 to 4...

[PDF](#)

Realest  

Southampton

023 8202 3900 

Adrian Whitefield

023 8202 2175

req Warehouse

Staines TW Egham TW Slough SL Chertsey KT Weybridge KT Woking GU


20,000 - 40,000 sq ft

Lease

[PDF](#)

20 Wright & Partners  

London - West End

020 7493 4121 

David Cooke

020 7529 5437

07850 430 203

19.01.21 AVAILABLE

req Warehouse

LU6 Dunstable, Eaton Bray, Edlesborough, Kenworthy, Northall, Sewell, Studham, Tottenham, Whippsnade HP21 Aylesbury LU7 Bragenham, Briggington, Buccott, Cheddington, Chelmscote, Clipstone, Crafton, Cublington, Eggington, Great Billington, Grove, Heath and Reach, Hookliffe, Hollingdon, Horton, Ivinghoe, Ivinghoe Aston, Ladburn, Leeton, Leighton Buzzard, Linslade, Little Billington, Mentmore, Pitstone, Slapton, Soulbury, Stanbridge, Stewkley, Stockgrove, Tebworth, Trizworth, Wing, Wingfield HP3 Apsley, Bovingdon, Feldon, Flaunden, Hemel Hempstead, Nash Mills, Pinstock, Shendish

6,000 - 8,000 sf

Lease

21 Occ/Use/Ref: Warehouse Requirement

21.01.21 AVAILABLE


Modern unit

Eaves height 6m+

[PDF](#)

Brasier Freeth  

Hemel Hempstead

01442 263033 

Claire Madden

01442 298 806

07540 107 824

req Storage

Stevenage SG Cambridge CB Bedford MK St Albans AL Enfield EN Watford WD Edgware HA

1.5 - 2.5 acres

Lease


22 We are carrying out an initial sweep on behalf of our client for Open Storage Land (no buildings please) in Stevenage down to North London on a site of 1.5 - 2.5 acres.

22.02.21 AVAILABLE







Reporting Friday 5 February 202...

Realest  

Southampton

023 8202 3999 

Joanne North

	<p>req General Industrial, Warehouse, Storage Cambridgeshire 13,000 - 18,000 sf Lease</p> <p>Large Yard Seeking industrial unit with large yard between Cambridge and Huntingdon</p> <p>PDF</p>	<p>23.01.21 AVAILABLE</p>
23	<p>Eddisons  Cambridge</p> <p>01223 467 155  Ben Green 01223 448 791 07825 309 599</p>	
	<p>req Light Industrial, Office, Shop South London 700 - 2,000 sf Fhold/LongLs</p> <p>• 700 sq ft to 2,000 sq ft • Freehold or Long Leasehold only • Ground floor preferred with access doors for large printing equipment • High Ceilings & good natural light • Easy access to tube or train...</p>	<p>24.02.21 AVAILABLE</p>
24	<p>Randell Commercial  London SW11</p> <p>020 7135 2033  Ashley Brudenell</p>	
	<p>req General Industrial, Storage, Warehouse, Distribution unit, Trade Counter unit Bicester OX 7,000 - 10,000 sf Fhold Lease</p> <p>Occ/Use/Ref: Warehouse/Distribution unit Warehouse/Distribution unit wanted with good yard area. Leasehold or Freehold within the Bicester area.</p>	<p>25.01.21 AVAILABLE</p>
25	<p>First class major covenant offered. Richard Lionel & Ptnrs London - West End</p> <p>020 7487 4451  Richard Daniels 020 7487 4451 07956 599037</p>	

req Warehouse, Distribution unit
London borough of Ealing & surrounding
15,000 - 20,000 sf

FHold/LongLs
Lease

Occ/Use/Ref: **National BB occupier**

On behalf of a long established good quality national occupier

+ BB requirement for west London



26

+ 15,000 sq ft - 20,000 sq ft warehouse to include circa 4,000 sq ft office space


+ 10 metre eaves

+ Goo...

[PDF](#)

Flude Property Consultants  

Brighton

01273 727 070 

Andrew Halfacree

01273 740 385

req Light Industrial, General Industrial, Warehouse

Slough Borough Council Royal Borough of Windsor and Maidenhead High Wycombe HP

2,000 - 3,000 sf

Lease

Occ/Use/Ref: **Warehouse with office space**

See PDF of Requirements with Location Map enclosed. This is URGENT for August 2021 occupation.

27


Minimum 2,000 sq ft of Warehouse space.

Please send suitable units through. Thank you.

[PDF](#)

Phoenix & Partners

London - West End



020 7323 4123 

Ania Sagajlo

07979 942 640

29.01.21 **AVAILABLE**

10.02.21 **AVAILABLE**

- req Light Industrial, General Industrial, Storage, Warehouse, Distribution unit
 Fareham PO Portsmouth PO Havant PO Gosport PO
1,000 - 3,000 sq
 FHold
 Lease
 Occ/Use/Ref: **GFYSM**
 1 Level Loading Door
 Unit with or without offices, minimum 5 m eaves height.
28 Freehold preferred, leasehold acceptable. **27.01.21 AVAILABLE**
Warwick Martel
 Ransay
 01794 521 511 
 Simon Martel
 01794 521 511
 07973 619456
- req General Industrial, Development - Industrial
 South East England South West England
 FHold/LongLs
 Lease
 Industrial 15,000 sq ft on 2 acres or 10,000 sq ft on 1 acre+
 Industrial Land 0.5 - 2 acres; Nationwide (secondary locations) Empty land or building of
 minimum 12,000 sq ft
29 Roadside - Any key arterial ... **28.01.21 AVAILABLE**
 PDF
Graves Jenkins  
 Brighton
 01273 701070 
 Stephen Oliver
 07786 577 323
- req Warehouse, General Industrial, Light Industrial, Storage
 London Essex Kent Hertfordshire Surrey Middlesex
 FHold/LongLs
 WITHIN GREATER LONDON - INSIDE M25 - PRIVATE INVESTMENT FUND - CASH
 PURCHASES
30 Preference for East London & Essex **28.02.21 AVAILABLE**
 - Warehouses ...
Alex Martin Commercial Ltd  
 London SE1
 020 7100 2346 
 Joe Fox

- req Warehouse
 Southampton SO Hedge End SO Camberley GU Farnborough BR Guildford GU Woking GU
 Maidenhead SL Slough SL Dorking RH Taunton TA Great Yarmouth NR
10,000 - 15,000 sf
 Fhold
 ShortLs
 Occ/Use/Ref: 1-2Acres/10-15k Shed Requirement
- 31 1-2 acres with a 10-15000sqft shed either existing or with the possibility to build. Freehold. Good Road connections & established commercial locations preferred. Vacant sites and short leases also co... 09.02.21 AVAILABLE
- Stirling Shaw**
 Him
 07843 511 820
 Julius de Mattos
- req General Industrial, Storage, Warehouse, Open Storage
 Enfield
5,000 - 7,000 sf
 Lease
- 32 Retained client looking to acquire leasehold industrial premises with equivalent sized hard standing yard space for waste management company. Anywhere within a 5 mile radius of Enfield would be consi... 09.02.21 AVAILABLE
- Adam Stein & Co Ltd**
 South Woodford
 020 8989 8313
 Adam Stein
 020 8989 8313
 07954 265 351
- req Warehouse, Distribution unit, Light Industrial, General Industrial, Storage
 Southampton SO
15,000 - 25,000 sf
 Fhold
 Lease
- 33 Existing Industrial Unit of between 15,000 and 25,000 sq ft, with self-contained, secure yard, ideally covered loading and 24/7/365 access within a 10 mile radius of the M27/ M3 junction 09.02.21 AVAILABLE
- Hellier Langston**
 Southampton
 023 82 02211
 Jason Webb
 02380 574513
 07989 909054

	<p>req Light Industrial, General Industrial Oxted RH Sevenoaks TN Edenbridge TN 2,500 - 3,000 sf Lease</p> <p>Industrial unit. Area of search: Oxted, Edenbridge, Sevenoaks and immediate surrounds PDE</p>	11.02.21 AVAILABLE
34	<p>Gildersleeve & Payne Oxted 01883 723 888 Nick Payne 020 8686 4400</p> <p>req Light Industrial, Warehouse, General Industrial Andover, Amesbury, Salisbury, Winchester area. 8,000 - 12,000 sf Lease Occ/Use/Ref: DAS/JW 8000 to 12000 sq ft of industrial/warehouse space, including 3000 to 5000 sq ft of offices with good loading and parking.</p>	11.02.21 AVAILABLE
35	<p>Myddelton & Major Salisbury 01722 337577 Jody Williams 01722 337 577</p> <p>req Light Industrial, Storage, Warehouse, Distribution unit, Trade Counter unit London South East England 15,000 - 30,000 sf Freehold Occ/Use/Ref: Industrial - Large eaves height Eaves 10-12m Eaves 12m+ Good Parking Eaves 8-10m</p>	11.02.21 AVAILABLE
36	<p>Large eaves height to install 1/2 mezz levels Freehold required Car parking spaces - at least 10 The Noble Harris Partnership London - West End 020 7637 3333 Carl Dobrin 020 7291 6141 07545 077 869</p>	11.02.21 AVAILABLE

req Lock-up Garage / Container
North London Secure Depot / Yard Acquisition
25,000 - 30,000 sq ft

Lease

Occ/Use/Ref: **Sercos Vehicle Depot Requirement**

Requirement for 25,000 - 30,000 sq. ft. of hard standing / yard for use as a Vehicle Depot.

Client: Sercos Group PLC;

37 Timing: ASAP (Must be in occupation no later than Q3 2021);...
[PDF](#)

17.02.21 **AVAILABLE**

Alexander Reece Thomson LLP

London - West End

020 7486 1681 

Oliver Hayes

0207 034 3390

0772 458 8423 

Seb Norman

020 7034 3395

req Light Industrial, Storage, Warehouse, Distribution unit, Business Unit

London

min **2,000 sq ft**

Fitted

Lease

Occ/Use/Ref: **B2 / B8 Coffee Roastery**

B2 / B8 Coffee Roastery requirement ideally looking for premises of circa 2,000 sq.ft. with
24/7 Access / Security, ideally a minimum of 2 demised parking spaces . Target areas can

17.02.21 **AVAILABLE**

38 be found on the at...

[PDF](#)

Smith Price RRG 

London - West End

020 7409 2100 

Mark Cherry

020 7318 5752


req Warehouse, Distribution unit
Bournemouth BH Leatherhead KT Heathrow TW6 Gatwick Airport Distribution Centre RH6
30,000 - 100,000 sq ft

Lease

This is an updated search to our previous requirement. Aerospace client seeking either
30-40,000 sq ft OR 75,000-100,000 sq ft storage and distribution unit with yard. Head Office
based in Leatherhead...

17.02.21 AVAILABLE

39

Coverwood 

Godalming

01483 801092 

Tim Melton

01483 801092

07974 674876

req Business Unit, Trade Counter unit, Warehouse, General Industrial, Storage
Wembley NW Wembley Park HA Wembley HA
min 2,500 sq ft

FHold/LongLc max £3,000,000

Owner Occupier seeking multiple industrial units in the Wembley Park area. Each unit must
be a minimum of 2,500 sq ft and preferably with some form of land attached. They would
also consider units wi...

18.02.21 AVAILABLE

40

Sint & Co

London - Camden

020 7763 6363 

David Raymond

07808 238 184

req Warehouse, Business Unit, Light Industrial

Luton LU Dunstable LU Milton Keynes MK Hemel Hempstead HP

7,500 - 8,500 sq ft

FHold

Lease

Occ/Use/Ref: Modern unit required

ECE

18.02.21 AVAILABLE

41

Simpsons

Watford

01923 252 188 

Paul Felton

01923 604 024

07602 861 528

req General Industrial
Bromley BR West Wickham BR Orpington BR Sidcup DA Beckenham BR Swanley BR
Penge SE Biggin Hill TN Crystal Palace Parade SE19
950 - 1,300 sq ft
Lease - max £15/sq ft


James Commercial are instructed to find an industrial premises with B2 use for a coffee
importing and roasting business, in the areas listed (or other similar locations close by).

42

Please email us de...

James Commercial  

London

020 7127 8781 

J Stamatopoulos

07479 497 174

18.02.21 AVAILABLE

Birchall Steel Consultant Surveyors

**EXCELLENT MODERN INDUSTRIAL UNIT
WITH GOOD EAVES HEIGHT AND AMPLE PARKING
WITHIN AN ATTRACTIVE SMALL DEVELOPMENT
IN THE HEART OF THE TOWN'S MAIN INDUSTRIAL ESTATE**



**ABOUT 2,200 SQ FT
17'9" TO EAVES**

Unit 6 Warner Way
Chilton Industrial Estate
Sudbury
CO10 2GG

AVAILABLE ON A NEW LEASE

RENT £14,000 Per Annum Exclusive

100% Small Business Rate Relief Available

Old Bakery Mews
6 King Street
Sudbury
Suffolk CO10 2EB

01787 883888
birchallsteel@btconnect.com
www.birchallsteel.co.uk

Birchall Steel Limited trading as Birchall Steel Consultant Surveyors
Registered Office: 61 Station Road – Sudbury – Suffolk – CO10 2SP – Company No: 08571498
VAT No: 700 0186 01

LOCATION

Warner Way is a small well planned modern development approached via Windham Road and about quarter of a mile from the junction of Windham Road with Northern Road, the towns eastern bypass. The town centre is approximately one mile by road although a footpath link means that the town centre along with the bus and railway stations are within a ten minute walk. Major occupiers in the vicinity include Ridgeons, Nestle, Macfarlane and Specflue.

Sudbury itself is a busy and expanding market town with a population of around 22,000 (including Great Cornard) and which serves a much wider catchment area. The town continues to see steady growth in all sectors.

Sudbury is located some 12 miles south of Bury St Edmunds, 14 miles northwest of Colchester and 23 miles from the county town of Ipswich. Stansted and the M11 are both within a 40 minute drive with the east coast ports of Harwich and Felixstowe and Cambridge within one hours reach. There are branch line train services from Sudbury via Marks Tey to London with fast and regular main line services from Colchester to Liverpool Street taking around 50 minutes.

DESCRIPTION

The property comprises a mid-terrace industrial unit constructed in the 1990's being built of steel portal frame with part brick/blockwork elevations and part profiled steel cladding, all under an insulated profiled steel clad roof. The unit offers open clear space with small offices and services block at the rear. The building has an eaves height of 17'9" and primary access is by means of an electrically operated roller shutter door 13'6" wide x 14'9" high.

The building provides the following accommodation but please note that all dimensions and areas are approximate:

Gross Internal Dimensions 63' x 34'6" providing 2177 sq.ft.

Rear Office 17'6" x 11'6"

Kitchen/Staff Room 11'9" x 6'6"

Hallway off with access to Ladies and Gents Cloakrooms with w.c. and wash basin.

Outside There is a large concrete forecourt in front of the unit with parking for 6-8 cars.

SERVICES

Main water, electricity (3 phase supply) and drainage are connected. A gas supply is laid to the building but there is no meter.

RATES

The rateable value is £11,750 and the multiplier for the current year is 46.6p. **Please Note:** As the rateable value is less than £12,000 the property will be eligible for 100% Small Business Rate Relief and further details are available upon request.

TERMS

The unit is available To Let on a new lease on full repairing and insuring terms for a minimum term of five years.

RENT

£14,000 per annum exclusive payable quarterly in advance.
VAT is chargeable on the rent.

VIEWING

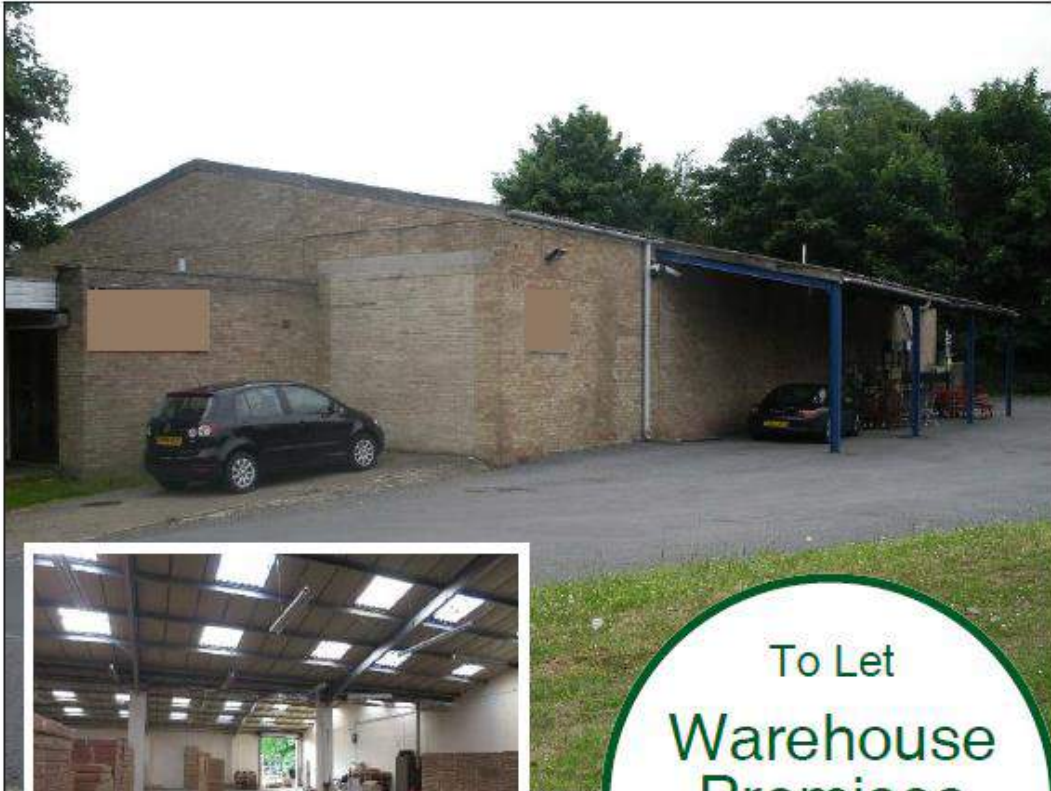
Strictly by confirmed prior appointment with Birchall Steel Ltd:
01787 883888

EPC



1411.2

1 - 3 Ballingdon Hill, Sudbury, Suffolk CO10 2DX



To Let
**Warehouse
Premises
with Yard**
1,310 sq m
(14,100 sq ft)

- 0.8 acre site
- Prominent Roadside Location
- Minimum eaves height 3.7 metres
- Generous yard and parking
- Energy Rating: E



Details

Location

The property comprises a prominently located detached warehouse building at the entrance to the Ballingdon Hill Industrial Estate with good road frontage onto the A131. Sudbury town centre is approximately ½ mile to the north.

Sudbury is an expanding market town with a population of approximately 20,000 (including Great Comard) and is situated some 15 miles south of Bury St Edmunds, 14 miles north west of Colchester and approximately 23 miles from the County town of Ipswich. Halstead and Braintree are 10 and 15 miles away respectively and the town is well served by public transport to include a branch line train service from Sudbury to London via Marks Tey.

Description

The property comprises a detached warehouse building with goods access to its front and side elevations with generous ancillary parking and external areas.

The property has a minimum eaves height of 3.7 metres.

Planning

The property has been used for at least 25 years for B8 purposes. The site is zoned for employment purposes which carries a presumption in favour of B1, B2 and B8 uses.

Terms

To let on a new lease at £50,000 per annum.

Business Rates

From verbal enquiries with the Local Rating Authority we understand that the premises has a Rateable Value of £39,000.

VAT

The property is not VAT elected

Legals

Each party to bear their own costs incurred in this transaction.

Viewing

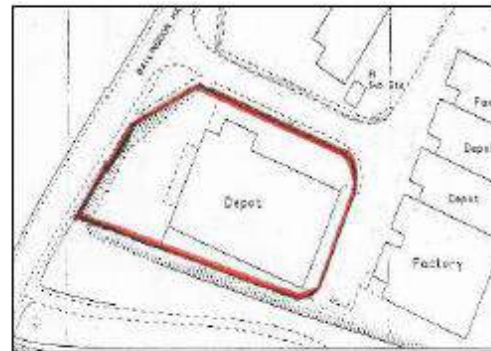
Strictly by prior appointment with the sole agents:

Fenn Wright

1 Tollgate East, Stanway, Colchester, CO3 8RQ

Contact:

Lewis Chambers T. 01206 216562 E. lcc@fennwright.co.uk



For further information

01206 216 565
fennwright.co.uk

Fenn Wright for themselves and for the vendors or lessors of this property whose agents they are give notice that:

- i. The particulars are set out as a general outline for the guidance of intending purchasers or lessees; and do not constitute, nor constitute part of, an offer or contract.
- ii. All descriptions, dimensions, references to condition and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct but any intending purchasers or lessees should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.
- iii. The vendor or lessor does not make or give, and neither Fenn Wright nor any person in their employment has the authority to make or give, any representation or warranty whatsoever in relation to this property.
- iv. All statements contained in these particulars as to this property are made without responsibility on the part of Fenn Wright or the vendor/lessor.
- v. All quoting terms may be subject to VAT at the prevailing rate from time to time.
- vi. Fenn Wright have not tested any electrical items, appliances, any plumbing or heating systems and therefore, cannot give any warranty or undertaking as regards their operation or efficiency.



Particulars for 1 - 3 Ballingdon Hill, Sudbury, Suffolk CO10 2DX



FennWright

Commercial - Suffolk
01473 232 701

Units 9 & 10 Byford Court, Hadleigh, IP7 6RD



For Sale

- Located on an established business centre with easy access to Hadleigh town centre, Ipswich and Sudbury
- Modern office accommodation with parking
- 185.82 sq m (2,000 sq ft)

Two Modern
Connected
Business Units



Details

Location

Hadleigh is situated approximately 9 miles west of Ipswich, 12 miles north of Colchester and a short distance from the A12 and A14 trunk roads.

The property is located within the Byford Court Business Centre on Crockatt Road adjoining the Lady Lane Industrial Estate and situated adjacent to the A1071 Hadleigh bypass.

Description

The property comprises two modern business units of brick and blockwork construction with profile sheet cladding to the roof. The units are connected via an opening in the party wall.

The premises have been partitioned to provide a number of individual office and meeting rooms as well as WCs and a kitchen, although the configuration could be adapted to meet purchasers requirements. The premises are fitted to a good specification which includes suspended ceilings incorporating recessed lighting, air-conditioning providing heating & cooling and carpeted floor coverings.

We understand the forecourt provides 8 car parking spaces.

Accommodation

According to our measurements, the premises provide the following net internal floor areas:

Unit 9	94.35 sq m	(1,015 sq ft)
Unit 10	91.47 sq m	(985 sq ft)
Total net internal area	185.82 sq m	(2,000 sq ft)

Please see the floor plan on the following page for the current layout.

Business Rates

Each unit is currently assessed individually with the following Rateable Values:

Unit 9 Rateable Value £8,900
Rates Payable (2017/18) £4,147.40 per annum

Unit 10 Rateable Value £8,600
Rates Payable (2017/18) £4,007.60 per annum

The full rates are based on a UBR for 2017/2018 of 0.466 pence in the pound applied to the above Rateable Values. The UBR for 2018/19 will be 0.48 pence in the pound. All interested parties should make their own enquiries with the local rating authority in order to verify their liability.

Local Authority

Babergh and Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Telephone: 0300 1234000

Services

We understand that the premises are connected to mains electricity and water, with private drainage.

We have not tested any of the services and all interested parties should reply upon their own enquiries with the relevant utility providers in connection with the availability and capacity of all those serving the property, including IT and telecommunication links.

Legal Costs

Each party to be responsible for their own legal costs.

Terms

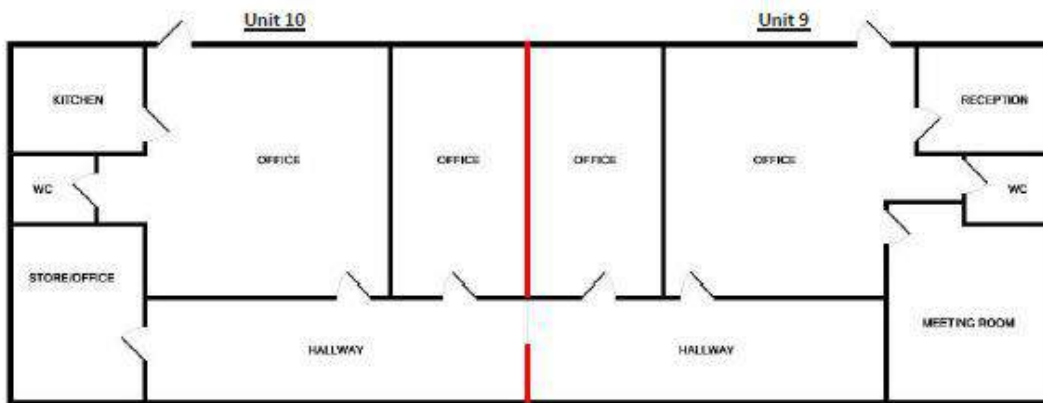
Offers are invited in the region of £245,000 plus VAT for the freehold interest with vacant possession.



Office/Reception



Meeting Room



Indicative Floor Plan

Particulars

Prepared in March 2018.

EPC



Viewing

Strictly by prior appointment with the sole agents:

Fenn Wright
1 Buttermarket, Ipswich, IP1 1BA

01473 232 701
fennwright.co.uk

Contact Hamish Stone
hws@fennwright.co.uk

Particulars for Units 9 & 10 Byford Court, Hadleigh, IP7 6RD.



For further information

01473 232 701
fennwright.co.uk

Fenn Wright for themselves and for the vendors or lessors of this property whose agents they are give notice that:

- i. The particulars are set out as a general outline for the guidance of intending purchasers or lessees and do not constitute, nor constitute part of, an offer or contract.
- ii. All descriptions, dimensions, references to conditions and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct but any intending purchasers or lessees should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.
- iii. The vendor or lessor does not make or give, and neither Fenn Wright nor any person in their employment has the authority to make or give, any representation or warranty whatsoever in relation to this property.
- iv. All statements contained in these particulars as to this property are made without responsibility on the part of Fenn Wright or the vendor/lessor.
- v. All quoting terms may be subject to VAT at the prevailing rate from time to time.
- vi. Fenn Wright have not tested any electrical items, appliances, any plumbing or heating systems and therefore cannot give any warranty or undertaking as regards their operation or efficiency.



Particulars for Units 9 & 10 Byford Court, Hadleigh, IP7 6RD



Appendix V – Our Calculations on Rental Evidence: -

Aspinall Verdi's assumptions, on which RLB have relied: -

Property	Size (sq. Ft.)	Rent Reported Per Sq. Ft.	Total Rent P.A
Unit 6 Warner Way	2200	11.71	25762
5-12 Crockatt Road, 9 Ipswich	770	10.39	8000.3
Unit 4 Sproughton Road	600	10	6000
5-11 Crockatt Road, 9 Ipswich	773	8.41	6500.93
Barn 7, Peppers Lane	3089	8.22	25391.58
Unit 1 -3 Ballingdon Hall, Sudbury	14100	8.13	114633
Melford Road, Sudbury	1009	7.14	7204.26
Total	22541		193492.07
	Mean Average per sq. ft.	8.58	

Transactions which have been verified as accurate: -

Property	Size	Actual Rent Agreed Per sq. ft.	Actual rent agreed P.A	Comments
Unit 6 Warner Way	2200	6.14	13508	Details Confirmed By Birchall Steel
5-12 Crockatt Road, 9 Ipswich			0	Not industrial
Unit 4 Sproughton Road	600	10	6000	Details
5-11 Crockatt Road, 9 Ipswich			0	Not industrial - particulars attached
Barn 7, Peppers Lane	3089	8.22	25391.58	Not employment - D2 (Gym)
Unit 1 -3 Ballingdon Hall, Sudbury	14100	3.19	44979	Incorrect rent quoted - Fenn Wright letting agents, particulars attached
Melford Road, Sudbury	1009	7.14	7204.26	
Total	20998		97082.84	
	Mean Average	4.62	say £4.60	

Appendix VI – Viability calculations adopting RLB’s inputs but the correct rent assessments
100% B2/ B8

Residual Land Value



APPRAISAL SUMMARY

FENN WRIGHT

Land off Churchfield Road
Sudbury
Suffolk

Summary Appraisal for Phase 1

Currency in £

REVENUE

Rental Area Summary

Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
1	403,505	5.30	2,138,577	2,138,577	2,138,577

Investment Valuation

Current Rent	2,138,577	YP @	6.5000%	15.3848	32,901,177
--------------	-----------	------	---------	---------	------------

NET REALISATION

32,901,177

OUTLAY

ACQUISITION COSTS

Residualised Price (Negative land)			(13,371,916)	(13,371,916)
------------------------------------	--	--	--------------	--------------

CONSTRUCTION COSTS

Construction	ft ²	Rate ft ²	Cost	
	403,505 ft ²	72.84 p/ft ²	29,391,304	29,391,304
Externals		15.00%	4,408,696	
Contingency		5.00%	1,690,000	
Section 106			250,000	
				6,348,696

PROFESSIONAL FEES

Architect		5.00%	1,774,500	
Quantity Surveyor		1.00%	354,900	
Structural Engineer		1.50%	532,350	
Civils		1.50%	532,350	
Project Manager		1.00%	354,900	
Planning costs			90,000	
				3,639,000

MARKETING & LETTING

Marketing		1.00%	329,012	
Letting Agent Fee		10.00%	213,858	
				542,869

DISPOSAL FEES

Sales Agent Fee		1.00%	329,012	
Sales Legal Fee		0.50%	164,506	
				493,518

Additional Costs

Arrangement Fee			100,000	
				100,000

TOTAL COSTS

27,143,471

PROFIT

5,757,706

Performance Measures

Profit on Cost%	21.21%
-----------------	--------

Land off Churchfield Road
Sudbury
Suffolk

Profit on GDV%	17.50%
Profit on NDV%	17.50%
Development Yield% (on Rent)	7.88%
Equivalent Yield% (Nominal)	6.50%
Equivalent Yield% (True)	6.77%
IRR	(2.78)%
Rent Cover	2 yrs 8 mths
Profit Erosion (finance rate 7.000%)	2 yrs 9 mths

Development Appraisal



APPRAISAL SUMMARY

FENN WRIGHT

Land off Churchfield Road
Sudbury
Suffolk

Summary Appraisal for Phase 1

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
	1	403,505	5.30	2,138,577	2,138,577	2,138,577

Investment Valuation

Current Rent	2,138,577	YP @	6.5000%	15.3846	32,901,177
--------------	-----------	------	---------	---------	------------

NET REALISATION

32,901,177

OUTLAY

ACQUISITION COSTS

Fixed Price			2,710,400		2,710,400
Agent Fee		0.75%	20,328		
Legal Fee		0.75%	20,328		
				40,656	

CONSTRUCTION COSTS

	ft ²	Rate ft ²	Cost		
Construction	403,505 ft ²	72.84 pft ²	29,391,304	29,391,304	
Externals		15.00%	4,408,696		
Contingency		5.00%	1,690,000		
Section 106			250,000		
				6,348,696	

PROFESSIONAL FEES

Architect		5.00%	1,774,500		
Quantity Surveyor		1.00%	354,900		
Structural Engineer		1.50%	532,350		
Civils		1.50%	532,350		
Project Manager		1.00%	354,900		
Planning costs			90,000		
				3,639,000	

MARKETING & LETTING

Marketing		1.00%	329,012		
Letting Agent Fee		10.00%	213,858		
				542,869	

DISPOSAL FEES

Sales Agent Fee		1.00%	329,012		
Sales Legal Fee		0.50%	164,506		
				493,518	

Additional Costs

Arrangement Fee			100,000		100,000
-----------------	--	--	---------	--	---------

FINANCE

Debit Rate 7.000%, Credit Rate 0.000% (Nominal)					
Land			391,462		
Construction			57,836		
Other			2,235,613		

APPRAISAL SUMMARY

FENN WRIGHT

Land off Churchfield Road
Sudbury
Suffolk

Total Finance Cost	2,056,911
TOTAL COSTS	45,951,554
PROFIT	(13,850,177)

Performance Measures

Profit on Costs	(28.43)%
Profit on DCV%	(29.66)%
Profit on NCV%	(29.66)%
Development Yield% (on Rent)	4.65%
Equivalent Yield% (Nominal)	6.60%
Equivalent Yield% (True)	6.77%
IRR	6.60%
rent cover	- 8 yrs -1 mth
profit erosion (finance rate 7.000%)	N/A

Appendix VII – BCIS Cost Data for Industrial / Warehouse



£/m2 study

Description: Rate per m2 gross internal floor area for the building Cost including prelims.

Last updated: 13-Feb-2021 00:41

> Rebased to 1Q 2021 (328; forecast) and Babergh (97; sample 15)

Maximum age of results: 10 years

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
282. Factories							
Generally (10)	1,016	438	710	894	1,177	2,863	34
Up to 500m2 GFA (10)	1,125	837	897	1,056	1,255	1,637	6
500 to 2000m2 GFA (10)	1,271	647	956	1,114	1,228	2,863	11
Over 2000m2 GFA (10)	813	438	564	715	856	1,682	17
282.1 Advance factories							
Generally (10)	902	503	762	857	1,088	1,308	15
Up to 500m2 GFA (10)	1,023	837	857	1,017	1,095	1,308	5
500 to 2000m2 GFA (10)	963	647	851	1,031	1,106	1,149	6
Over 2000m2 GFA (10)	660	503	-	640	-	856	4
282.12 Advance factories/offices - mixed facilities (class B1)							
Generally (10)	900	528	655	745	1,042	1,637	7
Over 2000m2 GFA (10)	679	528	602	709	745	813	5
282.2 Purpose built factories							
Generally (10)	1,226	438	713	1,071	1,576	2,863	12
500 to 2000m2 GFA (10)	1,733	932	-	1,569	-	2,863	4
Over 2000m2 GFA (10)	972	438	626	838	1,365	1,682	8
282.22 Purpose built factories/offices - mixed facilities (10)	833	425	714	854	946	1,231	20
284. Warehouses/stores							
Generally (10)	847	354	538	733	913	2,613	28
Up to 500m2 GFA (10)	1,341	589	851	926	1,729	2,613	5
500 to 2000m2 GFA (10)	798	424	642	738	887	1,435	11
Over 2000m2 GFA (10)	685	354	525	579	854	1,323	12
284.1 Advance warehouses/stores (10)	789	532	-	849	-	926	4
284.2 Purpose built warehouses/stores							
Generally (10)	856	354	546	723	902	2,613	22
500 to 2000m2 GFA (10)	793	424	604	733	898	1,435	10

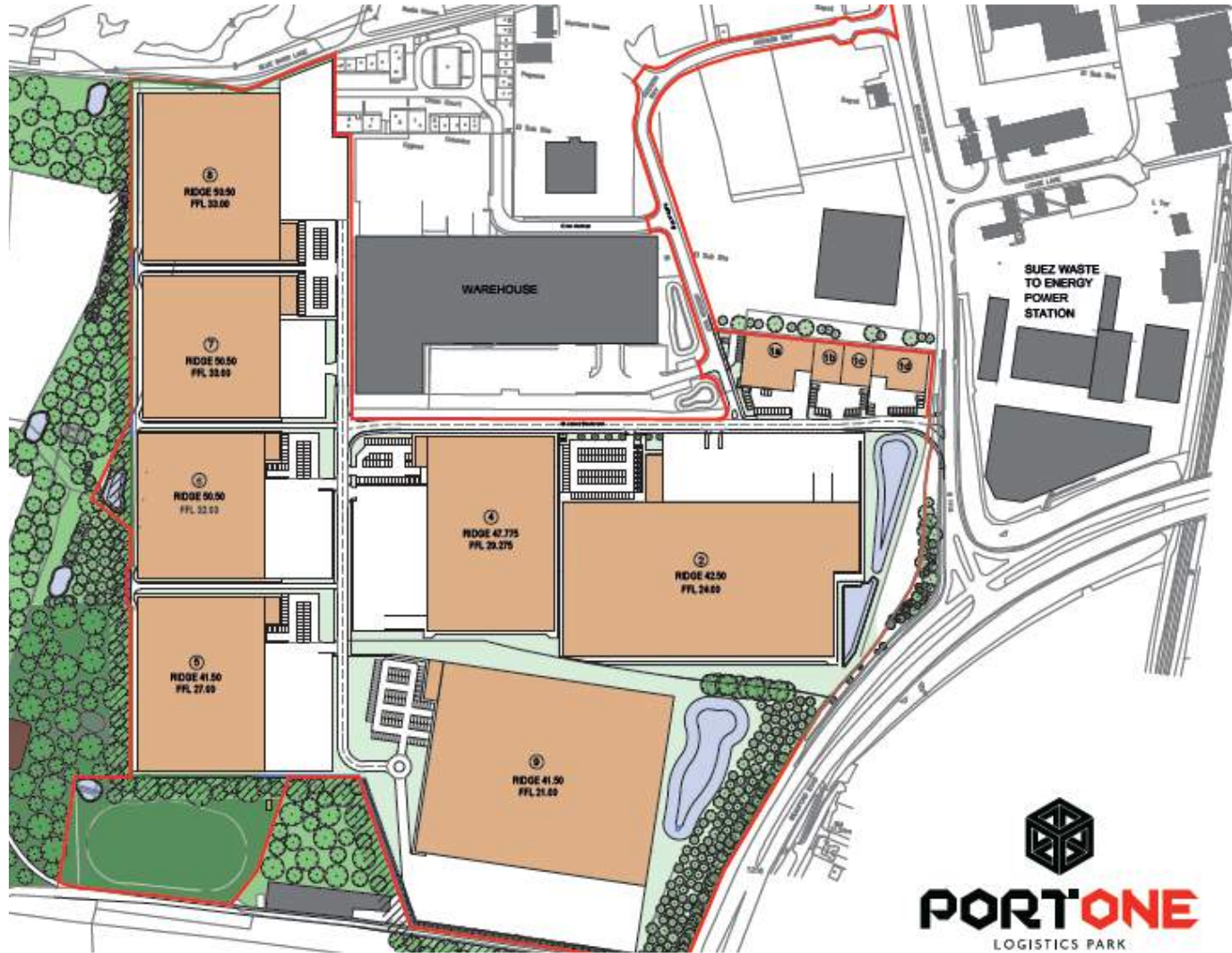
Page 2: -

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
Over 2000m2 GFA (10)	663	354	526	619	845	1,060	9

Appendix VIII – Site Layout Plans confirming plot shapes and unit sizes of other schemes



Eastern Gateway Enterprise Park, Ipswich (Within Babergh)



Port One Logistics Park, Great Blakenham (Within Mid Suffolk)

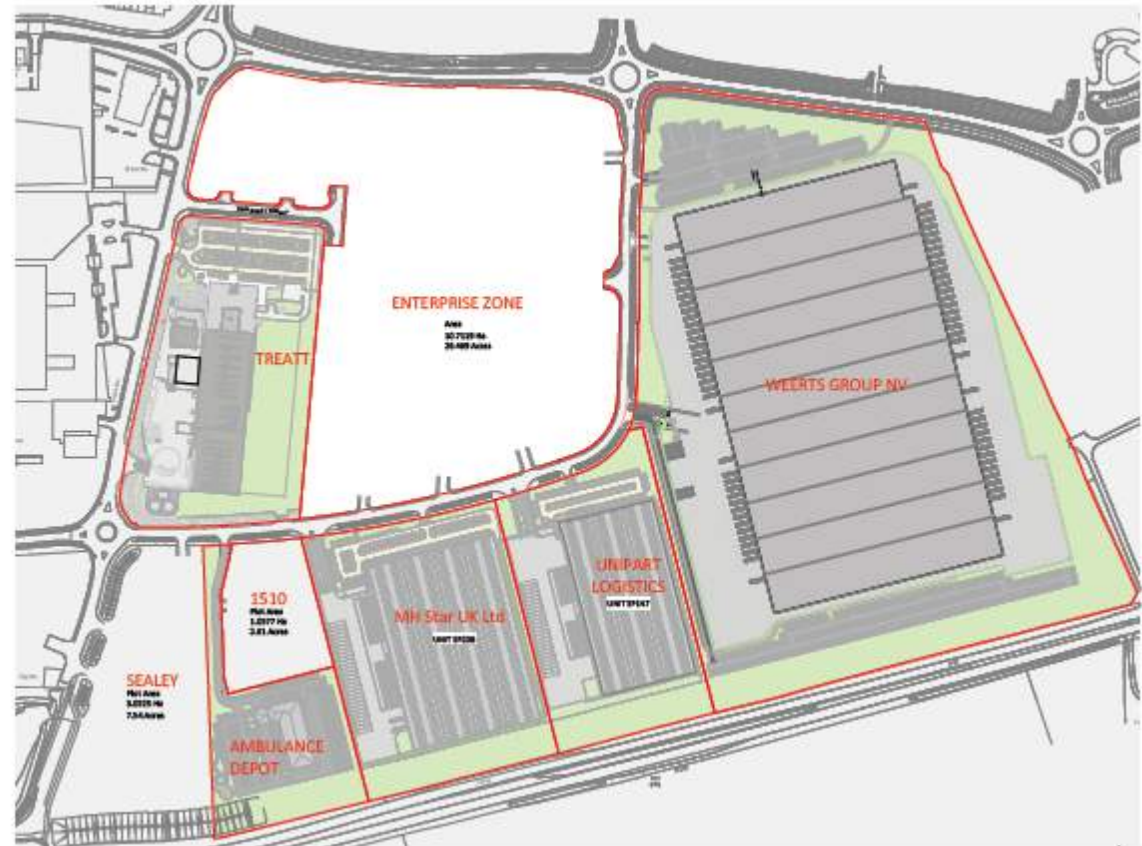


Enterprise Zone

LAND FOR DESIGN & BUILD

Immediately Available

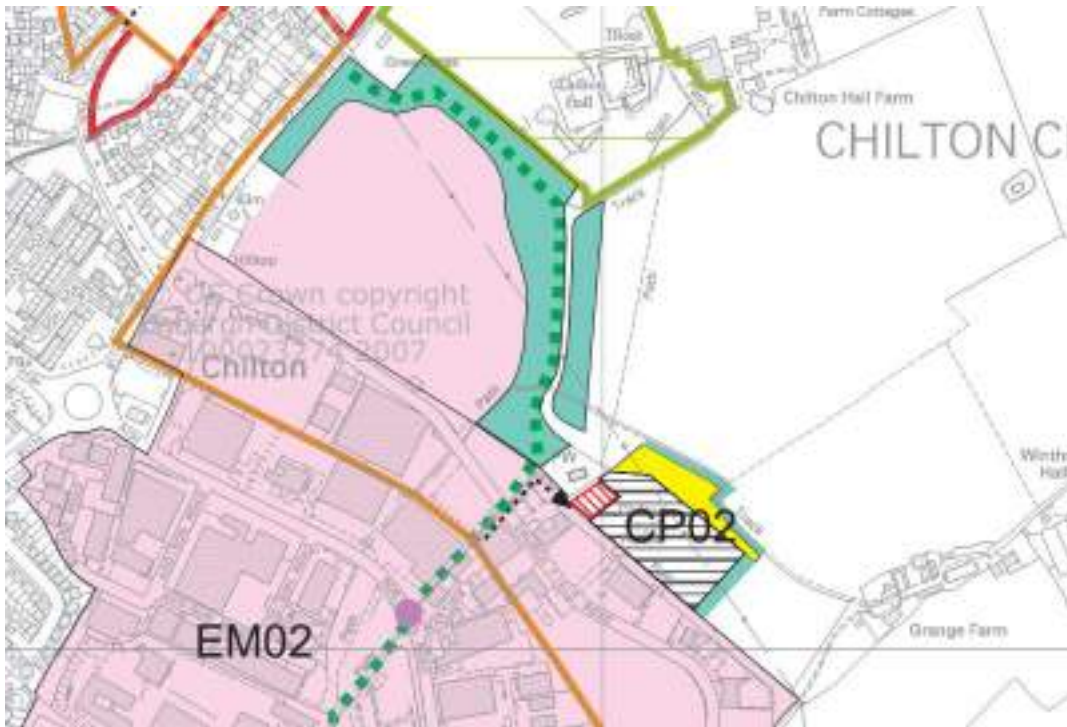
- B1, B2 & B8 uses
- 26.47 ac (10.71 ha)
- 10,000 - 500,000 sq ft (929 - 46,451 sq m)
- Fully serviced
- Typical building delivery 12 months



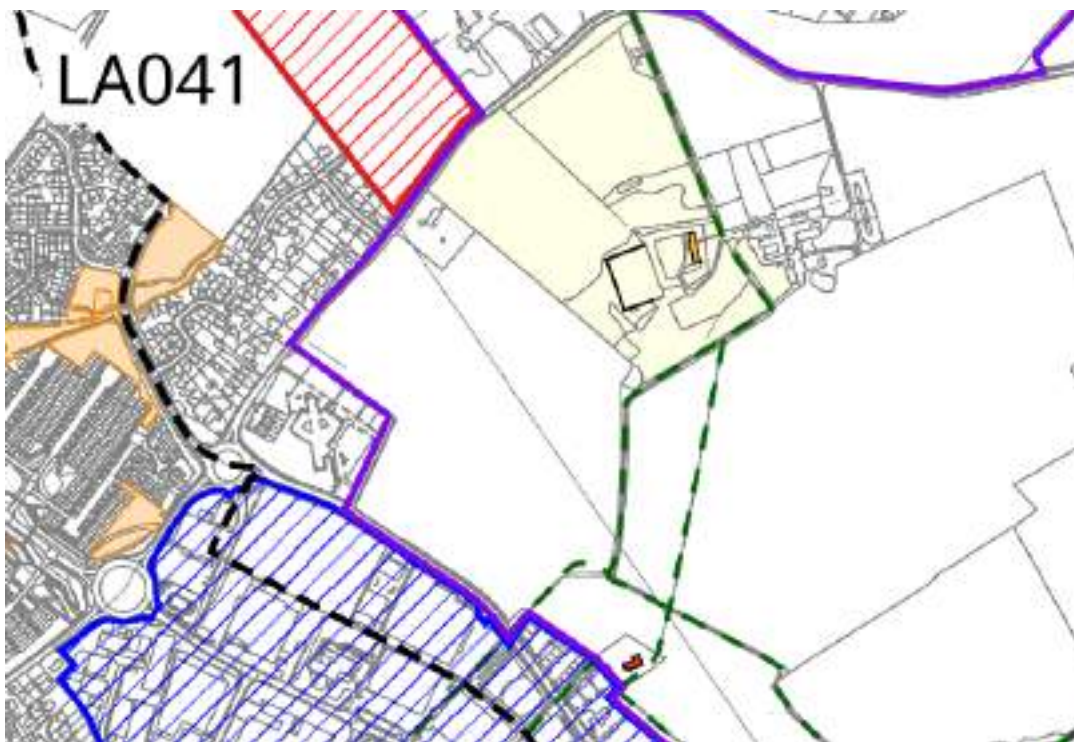
Suffolk Park, Bury St Edmunds (Within West Suffolk)

Appendix 7 – Employment deallocation proposed under the emerging JLP

Extract of Babergh Local Plan 2006 Policy Map Inset 1 – Sudbury, Gt Cornard and Chilton



Extract of emerging Joint Local Plan Allocation Map LA041 – Allocation: Land north-west of Waldingfield Road, Chilton



Addendum Submission

LPA REF. DC/20/01094 -

LAND ON THE NORTH SIDE OF CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE,
CHILTON, SUFFOLK

1. INTRODUCTION

1.1. The applicant, Highbridge Properties PLC, seeks to respond in relation to the outline planning application ref. DC/20/01094 which has been confirmed on the 30 November planning committee agenda but with a recommendation for refusal. This addendum submission covers three key matters:

1. Amended affordable housing offer of 100% submitted under this scheme.
2. Revised level of harm to the significance of the designated heritage assets and weight owed to public benefits.
3. Clear demonstration of the non-viability of employment development on the site as per limb ii) of Policy EM24.

2. Amended affordable housing offer of 100% submitted under this scheme

- 2.1. Despite comments made by officers at paragraph 2.4 of the committee report the applicant is of the view that where the scheme is tenure blind bar an undertaking to deliver 35% affordable housing, a 100% affordable housing scheme is capable of being delivered.
- 2.2. The proposals have always been advertised with the quantum of residential units stated only on the description of development (190 dwellings originally and later 166 dwellings under revised submission) and this allows flexibility to encompass an indicative mix of affordable housing offer whether this be 35% or 100% affordable. This conflicts with para 2.4 of the committee report that “plainly the two approaches represent materially different schemes”.
- 2.3. It should be noted that in relation to the reserved matters application at Chilton Woods (ref. DC/22/02336) this similarly did not advertise the amount of affordable housing to be secured at the outline stage (ref. B/15/01718) and under Phase 1 (ref. DC/21/02764) this secured 42.5% affordable housing, more than the minimum requirement in the Section 106. This demonstrating flexibility to amend the affordable housing offer under reserved matters and the Section 106 which contradicts the position taken by officers at para 2.4 of the committee report. Relevant extracts from the Chilton Woods committee report ref. DC/22/02336 is provided within **Appendix 1**.
- 2.4. Critically, there is a known shortage of affordable housing as confirmed by the Council’s own 2019 Strategic Housing Market Assessment (SHMA) which indicates that in Babergh there is a need for 110 new affordable homes per annum. A brief overview of this shortage in terms of completions against delivery targets is provided within **Appendix 2**.
- 2.5. The applicant thus submits HOTs as agreed with Legal & General [overleaf] in which terms are agreed with Legal & General Affordable Homes Limited to develop out the 100% Affordable Housing scheme. 36% (60 units) will be Affordable Rent with Rents capped at below local LHA levels and 64% (106 units) will be Shared Ownership homes with First Tranche Sales capped at affordability levels shown by recent housing needs surveys to be affordable to the local demographic incomes. This is a substantial public benefit.

3. Level of harm to the significance of the designated heritage assets and weight owed to public benefits

Addendum Submission

LPA REF. DC/20/01094 -

LAND ON THE NORTH SIDE OF CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE,
CHILTON, SUFFOLK

- 3.1. In relation to this matter, the applicant asserts that:
 - 3.2. The degree of harm stated in the Roy M Lewis heritage report is inconclusive and discussions around a 'considerable degree of harm' is imprecise and with inadequate explanation given. As such the applicant has sought further heritage advice prepared by Dr Jonathan Edis responding to this which is provided in **Appendix 3**. We also refer to HCUK's conclusion of no harm, taken from the HIA in February 2021.
 - 3.3. If a lower level of harm (low to medium less than substantial harm to the heritage assets) is accepted, and as reinforced by the Council's Heritage and Design Officer on there being, it is considered that this **would** be greatly outweighed by the significant public benefits of the scheme as applied by the heritage balance set out in Paragraph 202 of the NPPF. It is the view of the applicant that officers have not ascribed sufficient weight to these benefits. The applicant's own assessment of weight owed to public benefits is provided in **Appendix 4**.
 - 3.4. Lastly, the revisions submitted in March 2021 notably include the omission of a total of 24no. units from the north-east corner of the Site and it is considered that the substantial changes to the eastern part of the Site, including buffer, within the revised proposals are more than sufficient to overcome the "low to medium level of less than substantial harm" to the settings of both heritage assets at Church of St Mary and Chilton Hall. A copy of the site layout plan as revised is provided in **Appendix 5**.
- 4. Clear demonstration of the non-viability of employment development on the site as per limb ii) of Policy EM24**
- 4.1. The applicant has submitted robust evidence from Fenn Wright (October 2019 and February 2021) in relation to the site being inherently unsuitable and not viable for B class uses and this complies with limb ii) of Policy EM24 which clearly states the alternative to marketing is the demonstration of non-viability of development and that the policy is for either limb i) or ii) to be met rather than both. Please see **Appendix 6** for these reports.
 - 4.2. In addition, via the provision of a new care home (60 units), 55 full-time equivalent jobs (fully compliant with paragraph 122 of the NPPF 2021) will be generated which is a significant improvement beyond the existing site condition which is undeveloped.
 - 4.3. Due regard has not been given to the deallocation of the site from employment uses under the emerging Joint Local Plan ('JLP'), this is still a material consideration and holds more weight than officers are stating. Ultimately the site does not have an existing employment use developed on it, and the JLP is now seeking to remove the employment designation which demonstrates a lack of interest from occupiers both historically and in the future. The de-allocation presented on the proposals map is provided in **Appendix 7**.
 - 4.4. The scheme will provide significant economic benefits to the local area. These comprise the creation of 55 FTE jobs by the proposed care home use, in addition to an approx. £8 million investment in construction and the creation of an average of 30 FTE jobs during the estimated construction period of 1.5 years. This does not include the significant social value of the proposed care home, which is estimated at £8.4 million over the lifetime of the development.

Addendum Submission

LPA REF. DC/20/01094 -

**LAND ON THE NORTH SIDE OF CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE,
CHILTON, SUFFOLK**

5. List of Appendices

Appendix 1 – The Chilton Woods committee report ref. DC/22/02336 – relevant extracts

Appendix 2 – Babergh Affordable Housing delivery/ completions snapshot

Appendix 3 – Heritage report prepared by Dr Jonathan Edis dated 26 November 2022

Appendix 4 – Applicant weighting exercise in relation to public benefits

Appendix 5 – Revised site layout plan (March 2021)

Appendix 6 – Fenn Wright Employment information (October 2019 and February 2021)

Appendix 7 – Employment deallocation proposed under the emerging JLP