



## Kettleburgh Parish Council

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8<sup>th</sup> August 2021

Dear Natalie

### **Town and Country Planning Act 1990 –Consultation resubmission: DC/21/0757/FUL**

**Construction of 16no. new dwellings including 5no. affordable homes, with new shared vehicular access, driveways, cart lodges and garages  
Land North Of The Street, Kettleburgh, Woodbridge IP13 7JP**

I write for and on behalf of Kettleburgh Parish Council, which cannot overstate its disappointment with this hardly changed application.

Council met on 2<sup>nd</sup> August and agreed to **strongly object** to this resubmission.

As there is no positive new information provided, Council's previous substantive comments and requests for imposition of conditions submitted on 29/03/21 (attached below for information) remain its position. On behalf of village residents it is implacably opposed to the current cheap 'off the peg new estate' design.

The only points made earlier by the Council addressed by this new consultation are the removal of one dangerously positioned house and a slightly better footway.

The design now features different housing types that will make overlooking of existing properties even worse. It would continue to result in a carbuncle on the face of an ancient country village.

Regarding the absence of adequate drainage provision, both in terms of the onsite provision and abdication of responsibility for collateral flooding damage, the responsible bodies continue to object. Parking, safety, wildlife and landscaping provisions remain unaddressed or inadequate.

Council continues to recognise the presumption of development on the site and remains content to support a less dominating, properly assessed and documented design that would be in keeping with the village scene - as required by planning policies. It expects East Suffolk Council to apply the precedent of earlier planning decisions on roof height, which it expects will mean that new houses will need to be reduced in height and/or cut in to the landscape. Extensive landscaping and planting will be needed to prevent overlooking.



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Council questions the value of developing at substantial public expense planning policies aimed at preserving the character of rural villages, only to ignore them and allow development on rising land of the type recently seen at Easton and envisaged again here. East Suffolk Council is therefore requested not to entertain the current design further, and to require a new design in keeping with the existing village. Council requests that, as a minimum, before further documents are submitted for consultation:

- A Chartered Member of the Landscape institute must be engaged and the massing of any development in relation to the topography demonstrated;
- An integrated landscape and site plan including wildlife and arboricultural issues must be presented; and
- The issues of drainage, landslip, crime prevention, parking and overlooking must be properly addressed and solutions documented.

Yours sincerely,

*Sonia E Frost*

Clerk to Kettleburgh Parish Council

For ease of reference, the Council's response to the original consultation follows immediately on the next page:



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29<sup>th</sup> March 2021

Dear Natalie,

### **Town and Country Planning Act 1990 – Consultation Return: DC/21/0757/FUL**

**Construction of 17no. new dwellings including 5no. affordable homes, with new shared vehicular access, driveways, cartlodes and garages on Land North Of The Street, Kettleburgh, Woodbridge, Suffolk, IP13 7JP**

I write for and on behalf of Kettleburgh Parish Council.

The Council is aware that there is a presumption of development on this site under Local Policy SCLP 12.53, but on behalf of the village residents is determined to ensure that development is properly provided for in terms of infrastructure facilities, is safe, and is in accordance with the size, location and character of the village. Further to this last point, this Council continues to dispute Kettleburgh's designation in the settlement hierarchy as 'Small Village', having in 2018 made a compelling case to be designated as 'Countryside'.

Council **Objects Strongly** to the above planning application in its current form, which if approved would result in an inappropriate, dominating development sloping above a countryside village.

#### **Due Process**

The time for consideration needs to be extended because:

- the applicant did not properly take advantage of the Pre-planning advisory process leading to an ill-considered application; and
- there has been no community engagement - local residents had not been notified by letter or posted notices up to the 26<sup>th</sup>.



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## Quality of Application

It is common that schemes that require detailed integration into the wider landscape are developed in consultation with a Chartered Member of the Landscape Institute (CMLI). We believe that the applicant has an obligation to engage with a CMLI at stage 2 RIBA for this scale of development. Had they appointed a qualified consultant for this application, they would have identified the multiple conflicts associated with the current site plan, the lack of detail provided in the submission, incorrect flood risk determination and risk of landslip.

Assuming that a CMLI is engaged for revision to the application, we would expect to see as a minimum, a coordinated site plan that resolves the complex site engineering including drainage levels and retaining walls, traffic, parking and fire access, ecology, PROW, and SuDS. It would also provide, through properly prepared plans, site sections and visuals, an accurate three dimensional design of the site, particularly its massing in relation to the topography.

This would support an accurate assessment of the impact of the ridge line elevation through the village to ensure the preservation of the quality and character of the village as required by Local Plan policy SCLP 12.53, particularly important if the Planning Department is intending to forego for this development its requirements to date on rooflines in The Street.

Council requests that any future proposals for this site or resubmission of this application in any form be accompanied by a detailed Landscape Statement undertaken by a CMLI integrated with the assessments required by other stakeholders such as the Suffolk Wildlife Trust.

## Comments

Council makes the following comments based on material planning considerations following consultation with village residents:

1. **Loss of visual amenity. Layout and density of building.** The proposal does not comply with SCLP 5.2 "Housing Development in Small Villages", which states "such development will be permitted within defined Settlement Boundaries .... where it is a small group of dwellings of a scale appropriate to the size, location and character of the village". There seems little purpose in SP15 defining the Deben valley as a particularly significant landscape with villages of distinctive historical and architectural value if permission is then to be given for a modern mini-estate sloping above such a village.

The fundamental design does not comply with conditions set out in the Planning Inspector's Report (PIR) further to Suffolk Coastal Local Plan M88 a) "Development will be expected to comply with the following criteria: a) Provision of terraced and semi-detached homes fronting The Street to follow the line of existing buildings;....d) Design, layout and landscaping to respond to the site's location in the river valley;"



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The Plans do not comply with SCLP 12.53. The application is for 17 dwellings whereas SCLP 12.53 envisages up to 16. It also exceeds the commonly expected housing density of 21 dwellings per hectare, despite having extended its scope to using the whole field. The proposed dwellings represent an increase of 15% of dwellings in the whole parish. As a result the design is cramped and envisages unworkable internal and external vehicular access and drainage/sewerage provision.

The plans do not comply with SCLP 5.7 Infill and Garden Development, which requires that: “1) Scale, design and materials would not result in harm to the street, the scene or character of the area; and 2) The Proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site.” This is a significant failing that alone warrants a full review of the design, housing density and style of housing mix.

In any case, although from the plans it might seem that the scheme meets the definition of infill, on the ground it does not. The houses to either side are set in the traditional manner of Suffolk valley bottom ribbon-development in a single row with only some buildings set back behind further from the road.

Further to the PIR, although we cannot yet retrieve evidence, we believe that planning conditions constraining building heights to the existing roofline have been imposed on previous developments along The Street. Precedent therefore seems to exist to restrict building heights in order to preserve the existing roofline and character of the Village.

The new development is a congested ‘mini new estate’ that would dominate the village appearance with a set of modern ‘box’ homes inconsistent with the existing character of The Street. The view from the SE would be largely of rear elevations, sheds, waste bins and fences.

Council recommends that planners physically view from the approach road from Hacheston the Hopkins development in Easton, built despite all local opposition. It is compelling evidence that modern houses on a new-estate type plan should not be built on rises in the Suffolk rolling clay lands.

Council suggests the present proposal be amended to reduce density on a plan involving a row of houses fronting The Street with parking to their rear, with perhaps a lesser number set behind but still facing The Street, as is often the case in villages. The attenuation basin could perhaps be avoided by a better long-term approach to drainage in partnership with the relevant authorities.



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2. **Drainage and Water Systems.** The application currently fails to take account of significant drainage and sewerage issues, some of which are well documented. For example PIR MM88 (g and (i. Existing facilities are operating 'on the edge' – Anglian Water has already been sanctioned by the Environment Agency. The application looks solely at drainage of the development site, not the collateral impacts from its construction.

The applicant answers NO to 3 key questions to which the answers are YES:

- a. “Is your proposal within 20m of a watercourse?” YES. The whole SE boundary of the site parallels a long established watercourse recognised as such by the Environment Agency at an average of 16m distance (measured).
- b. “Is the site within an area at risk from flooding?” YES. While the site itself may not be at risk, properties 'downstream' are. The above-referenced report states “All flooded properties are shown to be at surface water flood risk for the 1 in 30 (3.33%) rainfall event on Environment Agency Risk of Flooding from Surface Water Mapping”. Such events are increasingly common and expected to become even more so, which can be expected to place the area into a higher category.
- c. “Will the proposal increase flood risk elsewhere?” YES. Water quantity and flow off the proposed hard surfacing at a steep angle will be fast and substantial. As evidenced by the applicant's report by G H Bullard, the land fails the infiltration test and the proposed mitigation using a Sustainable Drainage System (SuDS) has not satisfied SCC (Flooding), which has already submitted a holding objection. Council believes current design envisaging SuDS/attenuation pond and using existing culvert and piping is evidently inadequate.

The main sewage drain is a 100mm pipe that runs down The Street and is managed by Anglian Water (AW). Many of the homes in Kettleburgh as a whole discharge rainwater into this drain as a result of legacy rainwater drainage systems that would not meet current standards. Heavy persistent rain (particularly from flooded gardens into open gullies) causes the sewage drain and the associated pumping station (at the junction of The Street and Low Road) to be overwhelmed. This results in surface effluent from manholes on the road at that junction, fouling of licensed premises serving food and backing-up of toilets in affected dwellings.

The AW Pre-Planning Report dated 19 May 2020 states “The foul drainage from this development is in the catchment of Framlingham Water Recycling Centre, which currently does not have capacity to treat the flows from your development site.” On current plans, overflow water from the development 'SuDS' system would not be manageable. It would be better if excess water that cannot be contained on site was at least sent separately from the development to the back-up watercourse (the river Deben) but better still if the developer with Anglian Water and Highways took the opportunity to upgrade the current facilities as a whole.



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In 2019, for the second time in recent years, 6 properties in The Street Kettleburgh suffered internal flooding. One family at Corner House on the junction with Low Road had to leave their home for 6 months for repairs to be effected. This event was severe enough to require a Flood and Water Management Act 2010 Report. This Council formed a working group and engaged with SCC. Their Report Nos FW2019-1605, 2004 and 2246 refer.

There must be clarity about the adequacy of the proposed system, which Council believes is not truly a SuDS system, about how and by whom it will be managed and paid for, and how that will be sustained into the long-term, such as by permanent covenants on the dwellings.

If there are no upgrades, significant questions of legal liability will arise in the event of flooding events.

**4. Road Access, Parking and Safety.** The photographs of the view W and E along The Street provided by the applicant are misleading in the way that they extend the perspective. Refer to the photographs provided by SCC Highways for a true to life view. Travelling NE, from the T-junction with Low Road, it is a gentle left curve that sharpens just past the site such that it is not possible to see oncoming traffic until the last moment. This is made worse as cars are parked on the road outside the existing homes as they have no other parking space. This issue would be exacerbated by parking necessarily generated by the development.

The applicant has not made provision for safety splays at egress points and how they may be constructed given the constraints of the land. To provide enough visibility, a lot of hedgerow would need to be lost.

Their statement regarding parking is also misleading, with an apparent expectation that most of the houses fronting The Street will park on the roadside. Beyond that, single spaces are an unrealistic allocation for modern living where there are often two cars. Then there is little or no capacity on the site for visitors' vehicles which are presumably also expected to park on The Street, where there is no capacity for it.

The intended egress from Plot 11, directly onto a blind corner will be unacceptably dangerous. Council requests that the plans must as a minimum be altered to remove the two houses on that corner of the development, which will provide scope for more parking on site and a less dense development. Significant traffic calming will need to be introduced to afford safety to pedestrians and road users.

The application does not meaningfully address how pedestrians would safely access this development, the more important as this type of development would be expected to generate an increase in the number of younger families with children.



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The Street is a country lane, unchanged for decades, that, along most of its length and in particular along the SE edge of the site, has no footpath. This may have been acceptable in historic times but a modern development must consider the need for footways, including accessing the amenities cited in the application. If the hedge were removed, a path could be laid on the development side of the current hedge, but at the cost of wildlife habitat and what point a discontinuous section of path?

**5. Overlooking, loss of privacy and fear of crime.** The applicant's assertion regarding absence of overlooking is misleading. The elevated position of the dwellings to the SW of the site will mean a significant loss of privacy to 'Fieldings', the adjacent dwelling. Please refer to the photographs provided by the occupant in his submission, which definitively show unacceptable overlooking even from the development's ground level. Second storey rear windows would provide a complete view of the existing occupant's garden, bedrooms and living room.

Should any of the bungalows be transformed into two storey dwellings, or dormer extensions, etc. be permitted, there would be a similar impact on the existing properties to the NE. There would therefore need to be restrictive covenants on the single storey properties in that area of the development.

The occupant of 'Fieldings' has also raised important safety issues regarding the applicant's failure to demonstrate how modified use of the Public Footpath between his property and the development site will be managed for safety and crime prevention. This issue must be addressed before planning consent is given.

**5. Noise, Light Pollution and Ecology.** Local Policy DM23 on Residential Amenity defines light spillage as pollution and makes clear that new noise can cause an unacceptable loss of amenity to existing residents. Light at night would also have an adverse effect on many of the wildlife species noted by residents.

The residents of 'Red Roofs' and 'Fieldings' have raised important evidence based information about the wildlife using the site beyond the submission of the Suffolk Wildlife Trust. Council requests that Planning reviews this carefully as colonies of great crested newts and slow worms in particular are important and the developer must not be allowed to skimp on replacement/improved hedge, tree and sand habitat.

The Street, Kettleburgh is consistently quiet currently, and situated in a night-time dark valley. A development of this size is already contrary to the aims of SCLP 10.3, but if approved nonetheless, a planning condition must be set that there be no street lighting or other bright light spillage at night.





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**6. Community Facilities.** Although the development meets the policy aims of affordable housing – which is welcomed – please note well that the presumption of “local housing needs” is not always appropriate. When a local shared ownership home was recently made available, there were no local applicants after exhaustive search. The home was allocated to a family from Ipswich.

Kettleburgh has few amenities for young people other than an infrequent bus service, a small play area at the Village Green and a Village Hall. The local schools at Easton and Framlingham at all age levels are at maximum capacity. There is no local pre-school facility.

**7. Topography.** The area to the NE of the site, to the rear of ‘Red Roofs’, is a former sand quarry with several areas of historic excavation as shown by the Groundsure Site Report provided by the developer, which shows a development as only possibly feasible. The full extent now hidden by vegetation is shown by the historic OS Mapping.

The ex-sand quarry face directly beyond the development’s NE boundary is particularly steep. Given the creation of substantial foundations and hard surfacing the development will significantly change the flow of surface and sub-surface water during and after heavy rain events. There is already evidence that increased water flows are making the sandbanks unstable. We understand anecdotally that the developer is considering piling and retaining walls, but this is expensive work.

Sand in the soil structure will come to the surface, get into filters and pumps and cause blockages, so it also poses significant problems for drainage.

All this will need to be taken into account in the revised design. The presence of sand and steep slopes drives the need for a full survey and potentially an indemnity for the property owners impacted before the application is permitted.

### Conclusions

Council has described how the proposals could be modified to be less ambitious and dominating, safer, and in line with current housing on The Street. If SCC is minded to permit the application, despite the serious concerns raised by this Council, and the Water and Highways Authorities, it asks that consideration be given to the following planning conditions:

1. Inclusion of a footpath along the front of the site, inside the hedge-line, and better staging of the Village Sign, to integrate with wider safety improvements to The Street.
2. Permanent traffic calming measures be established before work on the site commences to provide pedestrians and road-users protection before, during and after construction.
3. Forbidding egress directly onto The Street from the NE corner.



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4. If and when a suitable drainage system is approved, that the responsibility and accountability for its long-term maintenance and performance is clearly established.
5. Covenants on building modifications in the NE sector.
6. Provision of a detailed Landscape Statement/coordinated site plan that resolves the complex site engineering, undertaken by a CMLI, and integrated with the assessments required by other stakeholders such as the Suffolk Wildlife Trust.
7. That there may be no street lighting or other bright light leakage at night.
8. The need for a full ground survey and potentially an indemnity for the property owners potentially impacted by ground-slip.
9. Applicant must demonstrate satisfactorily how modified use of the Public Footpath between his development site and the existing property will be managed for safety and crime prevention.

The Council trusts that this response is helpful and that it will contribute on the journey to a suitable development in due course.

*Sonia E Frost*

Sonia Frost  
Clerk to Kettleburgh Parish Council