

Mid Suffolk District Council



Mendlesham Neighbourhood Plan 2018 - 2037

Modification Submission Draft Consultation Responses

In June 2021, Mendlesham Parish Council (the 'qualifying body') submitted their modification draft Neighbourhood Development Plan to Mid Suffolk District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

The consultation period ran from Monday 12 July until 4:00pm on Friday 17 September 2021. The consultation period included a two-week extension following publication of the revised National Planning Policy Framework on 20 July 2021.

Twelve organisations / individuals submitted written representations. All are listed below, and copies of their representation are attached.

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(1) SUFFOLK COUNTY COUNCIL

Date: 08 September 2021
Enquiries to: Georgia Teague
Tel: [REDACTED]
Email: [REDACTED]
neighbourhoodplanning@suffolk.gov.uk



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

Dear Mr Hobbs & Mr Bryant,

Submission Consultation version of the Mendlesham Neighbourhood Plan

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Mendlesham Neighbourhood Plan.

SCC welcome the changes made to the plan in response to comments made at the Reg. 14 pre-submission consultation stage.

As this is the submission draft of the Plan the County Council response will focus on matters related to the Basic Conditions the plan needs to meet to proceed to referendum. These are set out in paragraph 8(2) Schedule 4B to the Town and Country Planning Act. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Where amendments to the plan are suggested added text will be in *italics* and deleted text will be in ~~strikethrough~~.

Transport

During the Reg14 consultation, SCC suggested that the plan could include support for community facilities and housing developments to include features that encourage sustainable transport for short trips to local destinations, such as safe walking routes and secure cycle parking spaces.

The NPPF states in paragraph 106 part d) that planning policies should 'provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking', and in paragraph 112 part a) that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas'

Therefore, the following wording is recommended to be included in Policy MP1 Housing:

“Proposals for new developments should consider sustainable and active modes of travel as a priority, such as walking and cycling, through interconnected and safe walking routes, and secure cycle storage.”

The following wording is recommended to be included in Policy MP4 Business:

“Proposals to develop small business hubs within the parish will be supported where they do not compromise the rural setting or adversely affect neighbour amenity. Hubs should connect to existing walking and cycling infrastructure and should include cycle storage in order to enable sustainable and active transport options”

SCC believes these amendments are needed to ensure that the plan meets basic conditions a) and b).

General

We do not believe that this plan is affected by any of the changes made to the updated version of the NPPF.

If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Georgia Teague
Planning Officer
Growth, Highways, and Infrastructure

(2) MID SUFFOLK DISTRICT COUNCIL

Our Ref: Mendlesham NP R16 Mods Consultation

Date: Friday 17 September 2021

FAO: Janet Cheesley (Independent Examiner)

Dear Janet

Comments from Mid Suffolk District Council on the submission draft Modified Mendlesham Neighbourhood Plan 2018 - 2037

This letter sets out the final thoughts and comments from Mid Suffolk District Council on this emerging Plan.

Mendlesham were amongst the first parishes in Mid Suffolk to embark on the neighbourhood planning process. Theirs was also the first such plan to be formally adopted by this Council in March 2017, and they are the first parish to initiate a review process. After a faltering start, including waiting for regulatory guidance to be updated to explain the modification process, we have finally been able to consult on this submission draft modified Mendlesham Neighbourhood Plan (the MNP).

Since the modification announcement, we have seen various iterations of the MNP. Our dialogue with the Parish Council / NP Working Group has always been constructive and they have responded positively at each stage. The updated references within the MNP to the emerging Babergh & Mid Suffolk Joint Local Plan (JLP) are particularly welcomed. As a consequence of the timing of its publication, on 20 July 2021, we note that references made to the NPPF will need updating.

The main focus of the modifications are, of course, the inclusion of housing site allocations. Regulation 17e(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires us to issue a statement setting out whether or not we consider that the modifications proposed are so significant or substantial as to change the nature of the plan, and to give our reasons why we are of that opinion. We do consider that the modifications are significant enough to change the nature of the plan and we are preparing a Regulation 17 Statement to that effect. We will make this available separately.

For now, our thoughts and comments are set out below. Some are minor, others detailed. Where we suggest changes, we have tried to retain as much of the original policy wording as possible.

Table - Page 35

We suggest changing the table to make it easier to draw comparisons between this and the table on pages 403 - 404 of the [SHELAA \(Oct 2020\)](#), where we list the 86 dwellings that form part of the minimum housing requirement for the MNP area:

- In the second row, change the title to read 'Outstanding Commitments at 1 April 2018'



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www.babergh.gov.uk www.midsuffolk.gov.uk

- Move the Old Engine Meadow entry (M/4242/OUT) to sit with the other commitments;
- Retain the two other commitments as shown but with the following additions (red text):

EXISTING COMMITMENTS		
DC/18/03147/ <u>OUT</u>	Land South of Glebe Way	28
DC/19/05915/ <u>OUT</u>	<u>Land North East of</u> Chapel Road	20

- Finally, for the 'Land South of Glebe Way' entry under Site Allocations, it might be helpful to add in brackets '(the remainder of the site)' given that this is both part existing commitment (28 dwellings) and part allocation (47 dwellings) which, together, make up the approx. 75 dwellings referred to in the emerging JLP allocation ref # LA073.

Policy - MP1 [Housing]

Our previous comments on this policy are set out in the Consultation Statement (Supporting Document SD10). They included a request to make the policy easier to cross-reference. The changes suggested below are intended to make that task easier.

As now drafted, MP1 states that there is a '*preference for incremental growth of small developments of up to 20 dwellings, unless it could be demonstrated that a greater number of dwellings will deliver a significant and demonstrable benefit*'. We have mentioned previously that this might be counter-productive, given that it could, and has in part [i.e., Land NE of Chapel Road] led to further development coming forward across the north side of the village. That in turn may exacerbate traffic issues which are identified as a major concern (e.g., paras 3.33 to 3.37). Therefore, and implied by its absence below, removing this paragraph seems a sensible approach. If the Parish Council disagree, the paragraph could easily be reinstated.

With regard to the allocation at 'Land South of the Ropers Farm', we suggest the description matches the JLP LA073 allocation. We have also taken the opportunity to incorporate appropriate policy criteria from the JLP allocation policy into policy MP1 below.

Policy = MP1 [Housing]

This Plan provides for a minimum total of 161 new homes over the plan period 2018 to 2037.

Any significant increase over this figure will need to demonstrate clearly that the existing local services and infrastructure will be able to cope or, if not, then appropriate measures will be provided as part of the development proposals.

The identified growth will be met through:

- the implementation of planning permissions not completed at 1 April 2018;
- the site allocations made in this plan within the identified timeframes, unless the housing market dictates otherwise;
- small 'windfall' sites or infill plots within the identified settlement boundaries at Mendlesham Village and Mendlesham Green that come forward during the plan period but which are not identified here.

Cont./ ...

Proposals for development located outside of the identified settlement boundaries will only be permitted where they are in accordance with National and District level policies (including relevant policies in this Plan).

Across all development proposal, support will be given for the delivery of 2 and 3 bedroomed homes that can be adapted to meet the needs of an ageing population without excluding the needs of younger buyers and families.

Any proposal(s) for new development at or adjoining a gateway access to the village should allow for buildings to be set back from the highway and provide suitable native hedging and planting schemes on all visible edges to blend the development into the adjoining countryside.

Site allocations identified for future development in years 2018 – 2022

1) Land North West of Mason Court [known as Old Engine Meadow]: 18 dwellings [Site 11]

- This site will be supported for housing development provided it is combined with the site allocation below (Land to the West of Mason Court).
- As an edge of village settlement and gateway site from Cotton Road, the development will require appropriate landscaping and screening along its boundaries.
- Existing mature trees and hedging along the western, northern and eastern boundaries should be retained and enhanced to protect the rural approach and view to the village from Chapel Road.
- Vehicle access to this site from Ducksen Road will not be allowed because of insufficient space and pedestrian risk.
- The provision of a pathway and cycle track via Ducksen Road will be supported.
- The recommendations set out in the SFRA Part 2 should be factored into any forthcoming reserved matters application.

2) Land West of Mason Court, adjacent to Horsefair Close. 10 affordable dwellings [Site 11]

- This site will be supported for development provided it is combined with the site allocation on Land North West of Mason Court [known as Old Engine Meadow]
- The existing mature trees and hedging along the western boundary should be protected and enhanced.
- The recommendations set out in the SFRA Part 2 should be factored into any forthcoming reserved matters application.

Site allocation identified for future development in years 2022 – 2037

3) Land South of Glebe Way (and South of the Ropers Farm Estate): Approximately 75 dwellings (including an agreed percentage of affordable housing). [Site 2/13]

Note: This whole site is the only one possessing the unique ability to protect the historic heart of Mendlesham Village by diverting a significant amount of existing and future local traffic away from the Conservation Area.

- This site will be supported for phased development commencing earliest 2022, unless the housing market dictates otherwise;
- A Heritage Impact Assessment should be provided;
- Sufficient green space and screening will be provided to protect and enhance the setting of Elms Farm (Grade 2*) to the west of the site;

- The River Dove along the east of the site is in Flood Zone 3. To enhance and protect the rural environment and view from Oak Farm Lane it will be provided with a protective buffer zone appropriately planted with native species along the whole stretch of the river on site;
- Landscaping will be installed on the eastern edge of the site to ensure that it blends in with the surrounding landscape;
- The existing rural footpath along the north of the site will be retained and a wide buffer zone created and maintained to protect the rural amenity of the residents of Glebe Way. Linkages providing a connection to the existing network will also be encouraged;
- The affordable housing should be distributed around the site so that it is not concentrated in one block and it should be designed so that it is tenure blind;
- All new dwellings on this site must have direct access to both Old Station Road and Church Road;
- The recommendations set out in the SFRA Part 2 should be factored into any forthcoming reserved matters application.
- Contributions towards education, healthcare, and additional household waste recycling provision will be sought.

Notes:

- We have deleted the word '*smaller*' when referring to 2 and 3 bedroom homes otherwise this could be read as 'we want 2- and 3-beds, and we want them to be small'. We think that the point that this NP wants to make is that the parish want to see more homes that are suitable for smaller households and/or provide opportunities for downsizing etc.
- We have included a reference to '*the housing market dictating otherwise*' at the end of the phased criterion because it has previously been recognised in other NP examinations that it is more usual for the market to dictate when a site(s) should come forward. By adding the additional text, it would allow for the earlier release of these site if there is a strategic need.

Policy - MP2 [Access to Affordable Housing]

This policy has not been amended but we have taken this opportunity to review it and have identified some internal inconsistencies within the text and with District Council policy for allocating affordable homes. Those issues are:

- The District Council's Local Connection Criteria relate to a connection to the District, not to the Parish. The drafting of the policy, therefore, creates an inconsistency between the first and last paragraphs of the policy being linked to a District connection, and the remainder of the policy relating to a Parish Connection.
- A District connection approach enables Mid Suffolk residents to access properties in other parts of Mid Suffolk, if more local properties aren't available. i.e., other parishes taking a parish connection approach is to the disadvantage of Mendlesham residents, so we do not support parishes seeking to restrict access through neighbourhood plans in this way. It also makes the allocation of housing less efficient.
- Affordable housing secured through the planning system is justified, primarily, on District needs and so needs to be allocated accordingly.

If the Parish wishes to secure/deliver additional affordable housing for Mendlesham residents on a parish-connection basis, focused on parish needs, a Community Land Trust or Rural Exception Site should be explored (as is noted elsewhere in the Plan).

To address these newly identified issues, we propose the following changes:

- Amend the first paragraph to read: “Normally any affordable housing within the parish will be made available to people who can demonstrate local connections (such as family origin or current residency) in accordance with Mid Suffolk District Council’s Local Connection Criteria.”
- Delete the second and third paragraphs (including the bulleted criteria) and replace these with:
Development of affordable housing on Rural Exception Sites, as defined through District and National policy, will be supported where it:
 - (i) meets a proven need,
 - (ii) remains affordable in perpetuity,
 - (iii) is for people that have a registered housing need on the Councils Choice Based Letting Scheme or any subsequent scheme because they are unable to buy or rent properties in the village at open-market prices; and
 - (iv) is offered in accordance with the local connection criteria set within the deed of nomination attached to the s106 legal agreement. In the first instance, this means to people with a demonstrated local connection to the parish. Where there is no parish need, a property should then be offered to those with a demonstrated need for affordable housing in neighbouring parishes.

Policy – MP3 [Provision of Affordable Housing]

There is much to be supported in this policy. For clarity, our only recommendation is that the first paragraph be amended to read as follows:

“All major residential development shall be expected to provide affordable housing on site in accordance with District policy. The mix of affordable homes shall be determined with regard to District and Parish needs and be provided in small groups or clusters distributed throughout the site.”

Paragraph 5.9 and Policy - MP5 [Historic Environment]

In Policy MP5:

- In the fifth paragraph, the words ‘conservation area’ should have initial capitals [Nb: the same applies further on at para. 5.19]
- in the last paragraph, we suggest replacing the word ‘position’ with ‘context’
- in the last paragraph / last sentence, the words ‘visual assessment’ should have initial capitals.

Para 5.9 refers to both non-designated heritage assets [NdHAs] and the local list held by the local planning authority. The text is largely carried over from the adopted MNP (2017). Since then, we have seen a number of NPs now identify NdHAs, with appropriate justification.

Given that there is no ‘local list’ for Mendlesham* and, contrary to what had been suggested in the original submission draft NP (Nov’ 2016) - meaning that the Parish Council had intended to develop a local list of NdHAs - the reference to this in the last sentence of para 5.9 and in the second paragraph of Policy MP5 now seems inappropriate.

* See: <https://www.midsuffolk.gov.uk/planning/heritage/local-listing/>

Parking Standards (page 48)

This section of the Plan appears after Policy MP6 but includes, at paragraph 5.21, text that reads as a policy requirement. We suggest this section be moved to appear before Policy MP6 and that para' 5.21 (re-worded to read: '*Parking design and provision should be in accordance with the latest 'Suffolk Guidance for Parking' standards.*') be moved to now appear as new criterion within MP6.

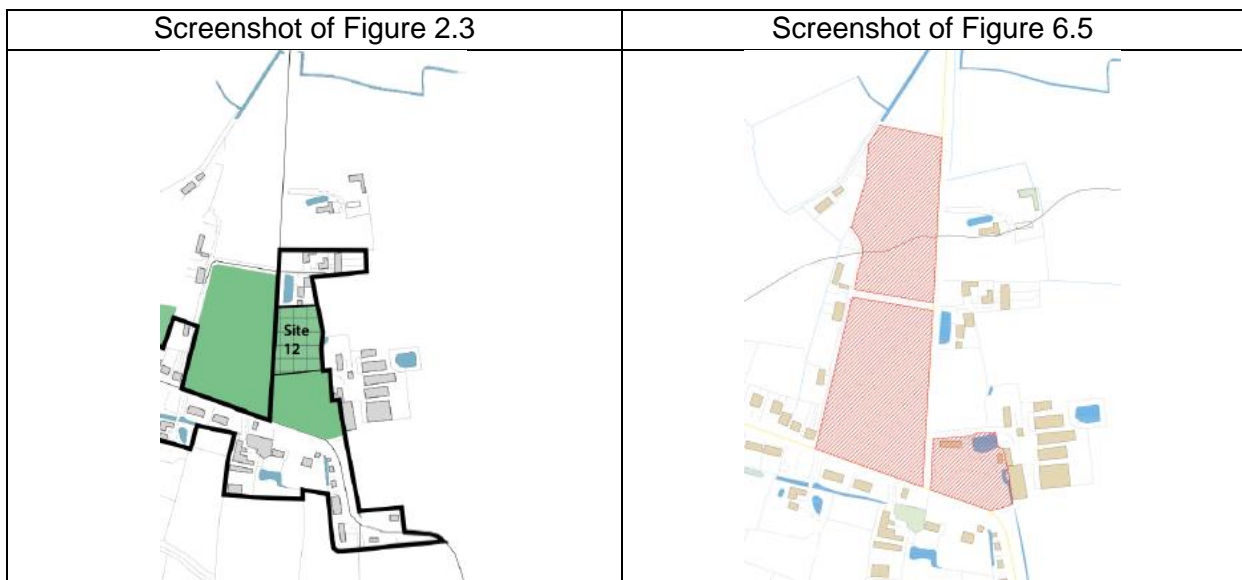
[Nb: Existing paragraph 5.22 will need to be re-numbered accordingly]

Policy - MP9 [Local Green Spaces]

We make two main observations here. These were first driven by internal discussions on whether it is appropriate or not to allocate a site as both a Local Green Space [LGS] and as an exception site for, in this instance, a Community Land Trust scheme. It now appears that those discussions have been somewhat redundant, but not for the reasons given by the Steering Group [see SD10, pages 48 – 50]. Also, having read our comments below, the Steering Group may wish to respond by proposing some further modifications of their own.

1. We suggest the first paragraph in Policy MP9 be amended to read: 'The following Local Green Spaces are designated in this Plan. Their locations are identified on the maps in Figures 6.1 to 6.6 and 6.8 to 6.10.'

As currently worded, the policy directs us to Figures 2.2 and 2.3. The green shaded areas in these are, according to the key, 'Community Assets' and/or 'Current Visual/Important Open Spaces' BUT in some but not all cases, they are not all LGS's. The examples below - which is also relevant to our other comment below - compares Figure 2.3 with Figure 6.5:



In Fig. 2.3, note in particular that the area marked as 'Site 12' is not identified in Fig 6.5 as a LGS and that, in the latter, the LGS designation extends much further north along the west side of what eventually becomes Old Station Road.

The other discrepancies we have noted are (1) that the LGS shown on Figures 6.8 to 6.10 are not shown on Figure 2.2 and, (2) the [ex] Baptist Chapel LGS shown on Fig 6.6 is not shown on Figure 2.3. For all of these, there might be a simple explanation.

2. Turning now to the text in paragraph 6.4 and the rest of Policy MP9. Our reading of para 6.4 is that the potential CLT site [Site 12, Fig. 2.3] is intrinsically linked with its allocation as a LGS and, that it is for that reason that Policy MP9 specially includes the footnote to explain that it is proposed to use some of the Mendlesham Green Allotment site for a 10 Community Land Trust scheme and, that this development would be dealt with as an exception site.

Out specific points are that:

- Site 12 [Land directly adj. to Cedars, Mendlesham Green] is not within a designated LGS. Any inclusion of references to exceptional circumstance within Policy MP9 are therefore misleading.
- that some degree of care needs to be taken when using the words '*exception*' and '*affordable housing*' in the same context. An affordable housing scheme on a 'rural exception site' has a totally different meaning.

Therefore, our recommendation is that Policy MP9 simply begin with the words provided above, and that this be followed by the bulleted list, minus the "***" annotation and the footnote.

It would still be useful for the MNP to include a short section of text setting out the Parish Council aspirations to deliver a CLT scheme for the benefit local residents but there may be a better place for this. We suggest that after Policy MP3 would be the most sensible place for this.

We also note that Site 12 is included within the Mendlesham Green Settlement Boundary as shown on Figure 2.3. We take this opportunity to remind the Parish Council that, in such a circumstance, this site cannot come forward as a 'rural exception site'.

Paragraph 9.1

We see this as a minor modification. The Mendlesham NP (v3.3) was formally 'made' (adopted) by Mid Suffolk District Council on 23 March 2017 and not in April 2017 as stated.

* * * *

We trust that our comments and suggested modifications are helpful, and that they will be given due consideration by the Steering Group. If any need further explanation, then please do not hesitate to contact us.

Yours sincerely

Robert Hobbs
Corporate Manager – Strategic Planning
Babergh & Mid Suffolk District Councils – Working Together

In the first instance, please contact: Paul Bryant, N'hood Planning Officer, BMSDDC
T: 01449 724771 / 07860 829547 / E: communityplanning@babberghmidsuffolk.gov.uk

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(3) NATURAL ENGLAND

E from: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Rec'd: 19 August 2021
Subject: **R16 Modification Draft Mendlesham N'hood Plan (Mid Suffolk)**

Dear Mr Bryant

Mendlesham Neighbourhood Plan – Regulation 16 consultation

Thank you for your consultation on the above dated 8 July 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this Regulation 16 of the Neighbourhood Plan.

For any further consultations on your plan, please contact:
consultations@naturalengland.org.uk.

Yours sincerely
Dawn Kinrade
Consultations Team

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(4) SUFFOLK WILDLIFE TRUST



Suffolk Wildlife Trust

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suffolkwildlifetrust.org



Sharon Jones
Parish Clerk
Mendlesham Parish Council
Honeysuckle Hockey Hill
Wetheringsett
IP14 5PL

13th September 2021

Dear Sharon,

RE: modification draft Mendlesham Neighbourhood Plan

Thank you for sending us details of this application, we have the following comments:

We have previously commented on the Draft Mendlesham Neighbourhood Plan, dated 12th April 2021, and we are pleased to see that Policy MP8 now references biodiversity net gain and biodiversity networks. Whilst we are pleased to see biodiversity net gain mentioned in Policy MP8 we recommend strengthening the language in line with the NPPF (2021) to state clearly that development proposals must provide a net gain in biodiversity.

We would like to reiterate our previous comments that as stated within the National Planning Policy Framework (NPPF) (2021) (section 179), development should seek to safeguard ecological networks and conserve protected species, as well Priority Habitats and Priority Species. We recommend that Policy MP8 needs strengthening or a new policy needs creating, with specific reference to protecting and enhancing ecological networks as well as protected species, Priority Habitats and Priority Species as listed within The Natural Environment and Rural Communities (NERC) Act 2006. The wording of Policy MP8 should be in line with the NPPF (2021), therefore reference to biodiversity networks should be changed to ecological networks, to avoid ambiguity which may weaken the effectiveness of this document to protect local wildlife.

We would also like to reiterate our previous recommendation that Mendlesham Neighbourhood Plan should be expanded to encompass landscape scale ecological networks, which should be mapped to ensure that they are more resilient to development pressures. For example, any habitats associated with the River Dove and the River Gipping, as well as any ponds within the parish.

Mendlesham Parish is rich in wildlife with several protected and Priority Species recorded within the villages and wider countryside, including hedgehog, great crested newt, water vole and swift as well as farmland birds including as skylark and yellowhammer. The presence and importance of these species should be highlighted within the plan text as well measures to protect and enhance habitats for these species. For example, the inclusion of hedgehog permeable fencing and swift nest bricks in housing developments and a requirement that developments should retain existing hedgerows.

Please do not hesitate to contact us should you require anything further.

Yours sincerely

Ellen Shailes
Ecology and Planning Adviser

(5) HISTORIC ENGLAND





Historic England

Paul Bryant
Babergh & Mid Suffolk District Councils

By e-mail to:
communityplanning@babermidsuffolk.gov.uk

Our ref: PL00740742
Your ref: n/a
Date: 30/07/2021

Direct Dial: 
Mobile: 

Dear Paul Bryant,

Ref: Mendlesham Neighbourhood Plan Consultation, Regulation 16

Thank you for inviting Historic England to comment on the above consultation.

We welcome the production of this neighbourhood plan, but do not currently have capacity to provide detailed comments. We would refer you to our detailed guidance on successfully incorporating historic environment considerations into your plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

For further advice regarding the historic environment and how to integrate it into your neighbourhood plan, we recommend that you consult your local planning authority conservation officer, and if appropriate [your local Historic Environment Record](#).

There is also helpful guidance on a number of topics related to the production of neighbourhood plans and their evidence base available on Locality's website: <https://neighbourhoodplanning.org/>, which you may find useful.

To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



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(6) HIGHWAYS ENGLAND

E from: Planning EE <PlanningEE@highwaysengland.co.uk>
Rec'd: [13 July 2021]
Subject: R16 Modification Draft Mendlesham N'hood Plan (Mid Suffolk) Consultation Response

Dear Sir / Madam

Thank you for your correspondence on the above Neighbourhood Development Plan.

We have reviewed the details and information provided. The area and location that is covered by this Neighbourhood Plan is quite remote from the Strategic Road Network (SRN). Any traffic generation from any future development is unlikely to have any adverse effect upon the SRN, Highways England would offer **No comment**

Kind Regards

Jarod Harrison, Senior Administrator

Spatial Planning | Operations (east) Highways England

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

Email: planningEE@highwaysengland.co.uk

Web: <http://www.highways.gov.uk>

For any planning related matters please email PlanningEE@highwaysengland.co.uk

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(7) WATER MANAGEMENT ALLIANCE

E from: Planning planning@wlma.org.uk
Rec'd: 20 July 2021
cc: *Mendlesham Parish Council*
Subject: RE: Mendlesham Neighbourhood Plan Reg 16 Consultation

Our Ref: 21_04857_P

Good afternoon,

Thank you for consulting with us on Mendlesham Neighbourhood Plan Reg 16 Consultation. I can confirm that the parish of Mendlesham is not within the Board's Internal Drainage District or the watershed catchment, therefore we have no comments to make.

The regulator for ordinary watercourses within the area covered by the Neighbourhood Plan is Suffolk County Council in its role as the Lead Local Flood Authority, and the Environment Agency is responsible for Main Rivers.

On behalf of Waveney, Lower Yare & Lothingland Internal Drainage Board.

Yours faithfully,

Ella



Ella Thorpe BSc (Hons.), MSc, GradCIWEM
Sustainable Development Officer
Water Management Alliance

Registered office: Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH

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WMA members: [Broads Drainage Board](#), [East Suffolk Drainage Board](#), [King's Lynn Drainage Board](#), [Norfolk Rivers Drainage Board](#), [South Holland Drainage Board](#), [Waveney, Lower Yare and Lothingland IDB](#) in association with [Pevensey and Cuckmere Water Level Management Board](#)

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avisonyoung.co.uk

Our Ref: MV/ 15B901605



31 August 2021

Babergh and Mid Suffolk District Councils
communityplanning@baberghmidsuffolk.gov.uk
via email only

Dear Sir / Madam

**Mendelsham Neighbourhood Plan Regulation 16 Consultation
July - September 2021
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Proposed development sites crossed or in close proximity to National Grid assets:

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please also see attached information outlining guidance on development close to National Grid infrastructure.



Distribution Networks

Information regarding the electricity distribution network is available at the website below:
www.energynetworks.org.uk

Information regarding the gas distribution network is available by contacting:
plantprotection@cadentgas.com

Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

Matt Verlander MRTPI

Director

0191 269 0094

matt.verlander@avisonyoung.com

For and on behalf of Avison Young

Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their *'Guidelines when working near National Grid Electricity Transmission assets'*, which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's *'Guidelines when working near National Grid Gas assets'* can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

Avison Young (UK) Limited registered in England and Wales number 6382509.
Registered office, 3 Brindleyplace, Birmingham B1 2JB. Regulated by RICS



- National Grid's Plant Protection team: plantprotection@nationalgrid.com

Cadent Plant Protection Team

Block 1

Brick Kiln Street

Hinckley

LE10 0NA

0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>

(9) MARINE MANAGEMENT ORGANISATION

E from: Corinna Dietz (Marine Planner East | MMO)
Rec'd: 17 Sept 2021
Subject: RE: Mendlesham NP Consultation

Dear Spatial Planning Policy Team,

I am writing to confirm whether you have received our MMO standard response for this consultation. A copy of the standard response is attached.

No further comment is required from the MMO regarding the modifications on the Draft Mendlesham Neighbourhood Plan 2018 – 2037 and its policies, the main modifications do not suggest any overlap and therefore no anticipated impacts on the marine plans.

Where applicable, we advise that you consider any relevant policies within the [East Marine Plan Documents](#) in regard to areas within the plan that may impact the marine environment. We recommend the inclusion of the East Marine Plans when discussing any themes with coastal or marine elements.

When reviewing the East Marine Plans to inform decisions that may affect the marine environment, please take a whole-plan approach by considering all marine plan policies together, rather than in isolation.

Many thanks for the opportunity to comment,

Corinna Dietz

Corinna Dietz | Marine Planner East | Marine Management Organisation

✉ Crosskill House | Mill Lane | Beverley | HU17 9JB

📧 corinna.dietz@marinemanagement.org.uk | ☎ 020 3025 2090 | 📱 [REDACTED]

Our MMO Values: Together we are **Accountable**, **Innovative**, **Engaging** and **Inclusive**

[Website](#) [Blog](#) [Twitter](#) [Facebook](#) [LinkedIn](#) [YouTube](#)



Consultation response - PLEASE READ

Thank you for including the Marine Management Organisation (MMO) in your recent consultation submission. The MMO will review your document and respond to you directly should a bespoke response be required. If you do not receive a bespoke response from us within your deadline, please consider the following information as the MMO's formal response.

Kind regards,

The Marine Management Organisation

Marine Management Organisation Functions

The MMO is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are: marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing grants.

Marine Planning and Local Plan development

Under delegation from the Secretary of State for Environment, Food and Rural Affairs (the marine planning authority), the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the Mean High Water Springs (MHWS) mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of MHWS, there will be an overlap with terrestrial plans, which generally extend to the Mean Low Water Springs (MLWS) mark. To work together in this overlap, the Department of Environment, Food and Rural Affairs (Defra) created the [Coastal Concordat](#). This is a framework enabling decision-makers to co-ordinate processes for coastal development consents. It is designed to streamline the process where multiple consents are required from numerous decision-makers, thereby saving time and resources. Defra encourage coastal authorities to sign up as it provides a road map to simplify the process of consenting a development, which may require both a terrestrial planning consent and a marine licence. Furthermore, marine plans inform and guide decision-makers on development in marine and coastal areas.

Under Section 58(3) of [Marine and Coastal Access Act \(MCAA\) 2009](#) all public authorities making decisions capable of affecting the UK marine area (but which are not for authorisation or enforcement) must have regard to the relevant marine plan and the UK [Marine Policy Statement](#). This includes local authorities developing planning documents for areas with a coastal influence. We advise that all marine plan objectives and policies are taken into consideration by local planning authorities when plan-making. It is important to note that individual marine plan policies do not work in isolation, and decision-makers should consider a whole-plan approach. Local authorities may also wish to refer to our [online guidance](#) and the [Planning Advisory Service: soundness self-assessment checklist](#). We have also produced a [guidance note](#) aimed at local authorities who wish to consider how local plans could have regard to marine plans. For any other information please contact your local marine planning officer. You can find their details on our [gov.uk page](#).

See [this map on our website to locate](#) the marine plan areas in England. For further information on how to apply the marine plans and the subsequent policies, please visit our [Explore Marine Plans](#) online digital service.

The adoption of the [North East, North West, South East, and South West Marine Plans](#) in 2021 follows the adoption of the [East Marine Plans](#) in 2014 and the [South Marine Plans](#) in 2018. All marine plans for English waters are a material consideration for public authorities with decision-making functions and provide a framework for integrated plan-led management.

Marine Licensing and consultation requests below MHWS

Activities taking place below MHWS (which includes the tidal influence/limit of any river or estuary) may require a [marine licence](#) in accordance with the MCAA. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object. Activities between MHWS and MLWS may also require a local authority planning permission. Such permissions would need to be in accordance with the relevant marine plan under section 58(1) of the MCAA. Local authorities may wish to refer to our [marine licensing guide for local planning authorities](#) for more detailed information. We have produced a [guidance note](#) (worked example) on the decision-making process under S58(1) of MCAA, which decision-makers may find useful. The licensing team can be contacted at: marine.consents@marinemangement.org.uk.

Consultation requests for development above MHWS

If you are requesting a consultee response from the MMO on a planning application, which your authority considers will affect the UK marine area, please consider the following points:

- The UK Marine Policy Statement and relevant marine plan are material considerations for decision-making, but Local Plans may be a more relevant consideration in certain circumstances. This is because a marine plan is not a 'development plan' under the [Planning and Compulsory Purchase Act 2004](#). Local planning authorities will wish to consider this when determining whether a planning application above MHWS should be referred to the MMO for a consultee response.
- It is for the relevant decision-maker to ensure s58 of MCAA has been considered as part of the decision-making process. If a public authority takes a decision under s58(1) of MCAA that is not in accordance with a marine plan, then the authority must state its reasons under s58(2) of the same Act.
- If the MMO does not respond to specific consultation requests then please use the above guidance to assist in making a determination on any planning application.

Minerals and Waste Local Plans and Local Aggregate Assessments

If you are consulting on a minerals and waste local plan or local aggregate assessment, the MMO recommends reference to marine aggregates, and to the documents below, to be included:

- The [Marine Policy Statement \(MPS\)](#), Section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK's) construction industry.
- The [National Planning Policy Framework \(NPPF\)](#), which sets out policies for national (England) construction mineral supply.
- [The minerals planning practice guidance](#) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- [The national and regional guidelines for aggregates provision in England 2005-2020](#) predict likely aggregate demand over this period, including marine supply.

The minerals planning practice guidance requires local mineral planning authorities to prepare Local Aggregate Assessments. These assessments must consider the opportunities and constraints of all mineral supplies into their planning regions – including marine sources. This means that even land-locked counties may have to consider the role that marine-sourced supplies (delivered by rail or river) have – particularly where land-based resources are becoming increasingly constrained.

If you wish to contact the MMO regarding our response, please email us at consultations@marinemanagement.org.uk or telephone us on 0208 0265 325.

[Ends]

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(10) BOYER obo VISTRY GROUP (re Brockford Road)

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Jenny Pike
Job Title (if applicable):	Principal Planner
Organisation / Company (if applicable):	Boyer
Address:	15 De Grey Square De Grey Road Colchester Essex
Postcode:	CO4 9YQ
Tel No:	01206 769018
E-mail:	jennypike@boyerplanning.co.uk

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Vistry Group
Address:	C/o Agent
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	See attached Statement	Policy No.	See attached Statement
---------------	------------------------	------------	------------------------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one box)

Support		Oppose	
Support with modifications	X	Have comments	

Please give details of your reasons for support / opposition, or make other comments here:

Please see the accompanying statement prepared by Boyer Planning on behalf of Vistry Group relating to land north of Brockford Road, Mendlesham.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please see the accompanying statement prepared by Boyer Planning on behalf of Vistry Group relating to land north of Brockford Road, Mendlesham.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

The land north of Brockford Road has been wrongly assessed within the supporting studies that have informed the draft modified MNDP, which ultimately lead to the Site being discounted for future development for principally landscape and heritage reasons.

Land north of Brockford Road should be included as an allocation within the modified MNDP for the mid to later part of the plan period. The land presents an available, suitable and sustainable location that could deliver approximately 200 homes, including affordable housing. This will support the vitality of Mendlesham and the connected nearby rural settlements. Vistry Group also has an interest in land to the north of the Site, known as Winding Field which could be utilised as part of the proposals.

The provision of a larger development will enable a wealth of benefits to be provided to the local community, which are not achievable from other smaller scale developments. This approach will also ensure that the local community maintain control over where future development is located and will ensure that a range of housing to meet local need including smaller adaptable units and affordable homes are provided.

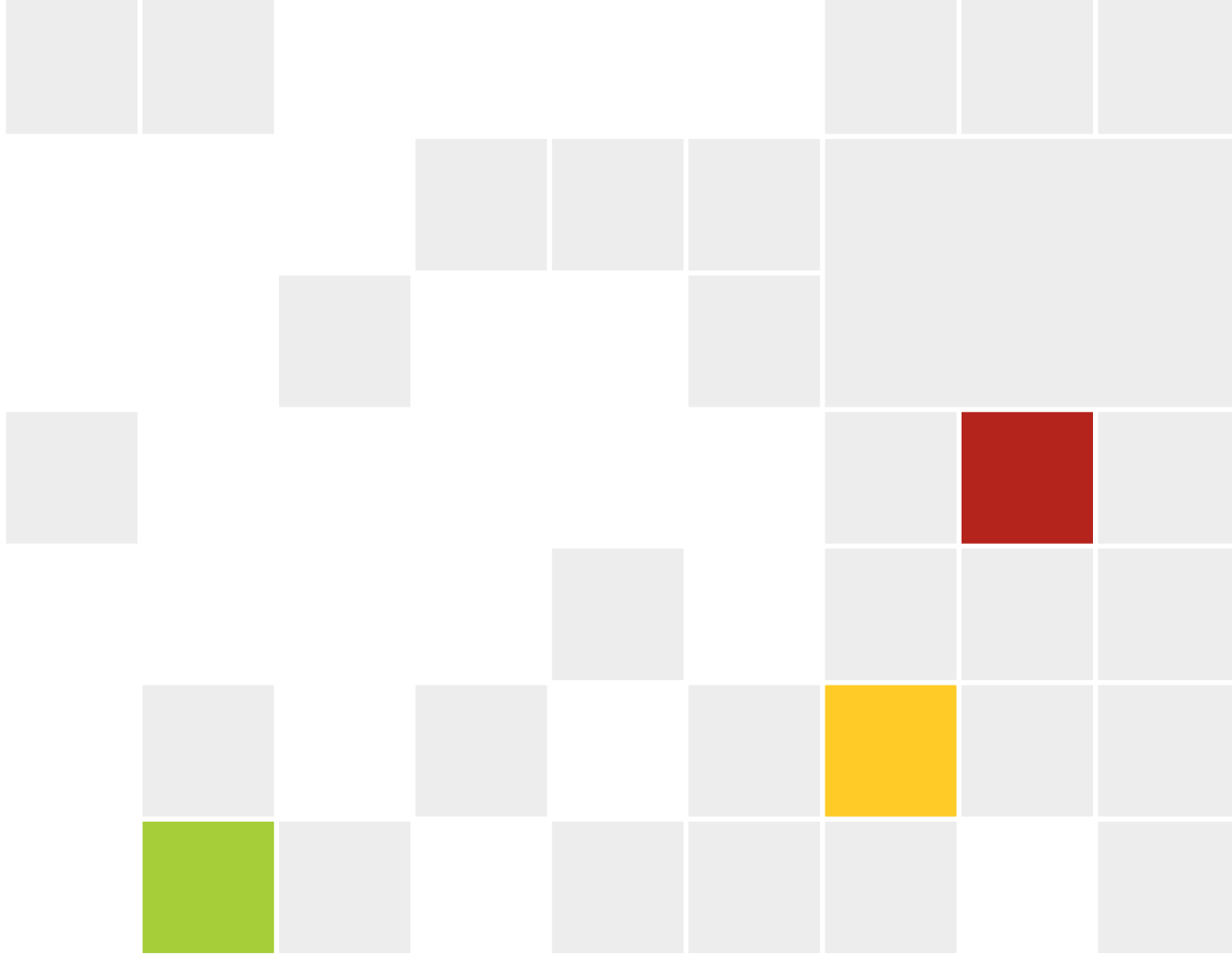
The modified MNDP does not contribute to the achievement of sustainable development and in places is not in accordance with the development plan or NPPF (2021) and therefore fails to meet the Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

If applicable, publication of the Independent Examiner's Final Report	✓
The 'making' (adoption) of the Modified Mendlesham NDP by Mid Suffolk District Council	✓

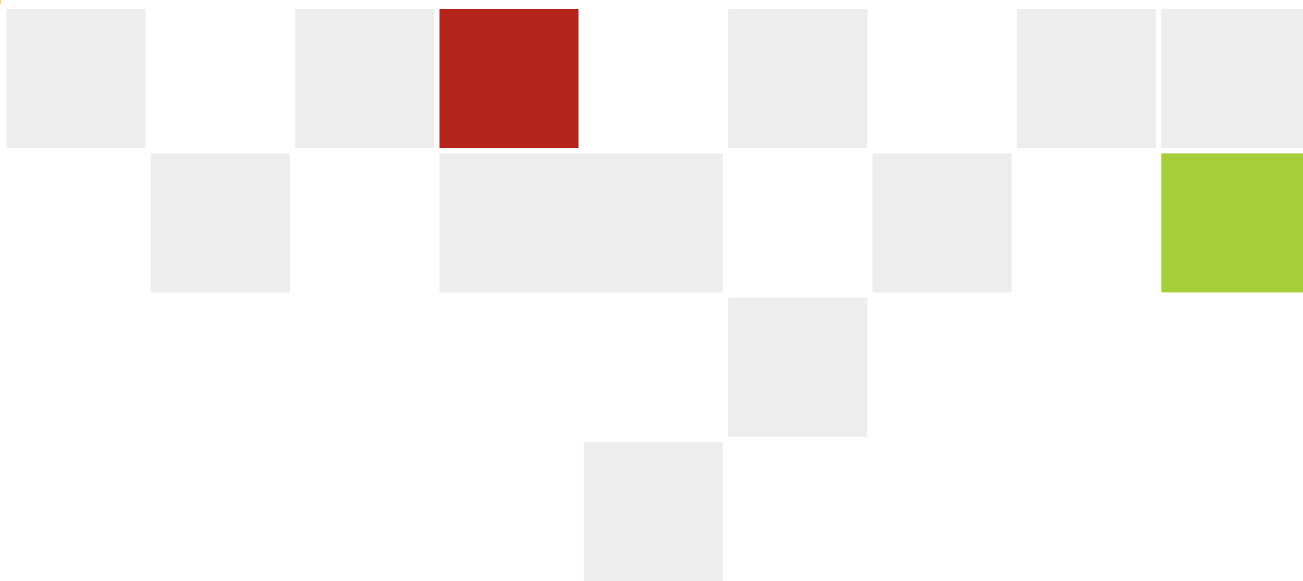
Signed: 	Dated: 16/09/2021
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Land North of Brockford Road, Mendlesham

Representations to Mendlesham Neighbourhood Development

Plan Submission Modification Draft (May 2021)



Boyer

Report Control

Project:	Land North of Brockford Road, Mendlesham
Client:	Vistry Group
Reference:	19.6042
File Origin:	
Primary Author	Jenny Pike
Checked By:	Libby Hindle

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
V1	13/09/2021	DRAFT	LH
V2	15/09/2021	DRAFT	Client
V3	16/09/2021	FINAL	

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APPENDIX

Appendix One – Vision Document

Appendix Two – Winding Field Site Location plan

1. INTRODUCTION

- 1.1 These representations are submitted by Boyer on behalf of Vistry Group (trading as Vistry Homes Ltd) in response to consultation on the Mendlesham Neighbourhood Development Plan (MNDP) 2018-2037 Submission Modification Draft (May 2021) under Regulation 16 of the Neighbourhood Planning Regulations.
- 1.2 These representations make specific reference to land north of Brockford Road, Mendlesham ('the Site'), as illustrated in the Vision Document at Appendix One.
- 1.3 Vistry Group (formerly Linden Homes, Bovis Homes and Galliford Try Partnerships), have been promoting the Site for a number of years through the Babergh and Mid Suffolk District Council (BMSDC) Draft Joint Local Plan ('the Draft JLP'). Most recently, representations were submitted to the Draft JLP Pre-Submission (Regulation 19) consultation in December 2020. The Draft JLP was formally submitted to the Secretary of State for Housing, Communities and Local Government for independent examination (Regulation 22) on 31st March 2021. Initial hearing sessions for the examination commenced in June 2021 and are due to reconvene in September 2021 following postponement.
- 1.4 Representations were submitted on behalf of Vistry Group in relation to the Site to MNDP Modification Draft Regulation 14 consultation in April 2021.
- 1.5 Since the previous representations to the Neighbourhood Plan, Vistry now also have an interest in 2.4 ha of additional land to the north of the Site (known as Winding Field), which will be available to include as part of future development proposals. A plan of the additional land is provided in Appendix Two. The ability to utilise the additional land as required can also be considered as part of these representations.
- 1.6 The current Mendlesham Neighbourhood Development Plan was 'made' in March 2017 and the Plan covers the period to 2031. Modifications to the MNDP are proposed to align the MNDP with the emerging Draft JLP and respond to changed requirements since the MNDP was adopted. This includes, inter alia, an increase in the plan period to 2037, an increase in the total minimum number of dwellings required to be delivered in Mendlesham through the Plan period to 161 dwellings, and the inclusion of site allocations. Vistry Group support the production of a modified MNDP as it positively enables the local community to guide the development and growth of their local area. It is our intention that the comments provided in these representations are informative and helpful to the further refinement and progression of the modified MNDP.
- 1.7 Once made, the modified MNDP will form part of the Mid Suffolk Development Plan and will be fundamental in shaping the future of Mendlesham. The modified MNDP should support the delivery of strategic policies contained in the Draft JLP, and should guide and direct development that is outside of these strategic policies.

- 1.8 From our review, the general principles of the modified MNDP appear to be sound, and the context of the policies and objectives appear to be locally based. In principle, the Plan would fulfil its role effectively as the 'local' element of the 'Development Plan'. However, for the reasons set out within these representations, the modified MNDP should also consider the inclusion of additional, and larger, sites for allocation to ensure that substantial community benefits can also be delivered from future development in the village rather than becoming susceptible to a range of small speculative developments that are limited in their ability to deliver public benefits.
- 1.9 When considered against the necessary Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011), it is our view that, as currently drafted, the modified MNDP is not in conformity with National Planning Policy and would not contribute to the achievement of sustainable development, and a such would fail to meet the necessary Basic Conditions. The Basic Conditions relevant to the making of a neighbourhood plan are:
- Condition a: having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - Condition d: the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - Condition e: the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - Condition f: the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
 - Condition g: prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for neighbourhood plan.
- 1.10 The modified MNDP has been reviewed in both its own context and in relation to the Site. Section 2 of these representations provide details of the Site and its ability to be developed for a high quality landscape and heritage led development offering significant community benefits. Section 3 considers the relevant supporting documents to the modified MNDP and Section 4 provides our response to the proposed modifications to the MNDP. Summary and conclusions are drawn in Section 5.

2. LAND NORTH OF BROCKFORD ROAD, MENDLESHAM

- 2.1 Vistry Group is actively promoting the land north of Brockford Road, Mendlesham for the delivery of a high-quality, landscape-led residential development.
- 2.2 The Site is located on the eastern edge of Mendlesham and comprises approximately 16 hectares (39 acres) of greenfield land made up of two arable fields. The Site is well related to the built up area of the village and adjoins the defined settlement boundary to the west.
- 2.3 Planning permission was granted in October 2020 for residential development comprising 20 dwellings at land north-east of Chapel Road on the north-west site boundary (ref. DC/19/05915). Since the submission of representations to the Regulation 14 consultation, Vistry Group has purchased this land to the north west of the Site, which is known as 'Chapel Field'. Separate representations have been made for the Chapel Field site.
- 2.4 The Site is privately owned and not currently accessible to the community other than the existing Public Right of Way (PROW) between the Church and Mendlesham Manor. The entire north and east site boundaries, as well as part of the north-west boundary, are delineated by existing PROW's.
- 2.5 The Conservation Area and associated historic core of Mendlesham are located to the west of the Site. A Vision Document prepared by Boyer (see Appendix One) demonstrates how the Site can be developed taking a landscape and context led approach that is considerate of the impact upon the wider countryside, Mendlesham Conservation Area and nearby heritage assets, in particular the Grade I Listed Church of St Mary and two Grade II Listed Buildings at Mendlesham Manor. There are no known constraints that would preclude development of the Site subject to a suitable design in landscape and heritage terms.
- 2.6 The Site presents an excellent opportunity to create a well-designed, attractive and sustainable new neighbourhood that is well-connected to the existing settlement and would contribute to the local development needs of Mid Suffolk District and the Mendlesham Core Village. The scale of the proposed scheme means that it could provide a wealth of benefits to the local community that smaller developments are not able to provide and which will support the vitality of Mendlesham and connected nearby rural settlements.
- 2.7 Vistry Group welcome the opportunity to engage positively with Mendlesham Parish Council, in order to support modifications to the Neighbourhood Plan and to discuss how the Site would form a suitable site allocation. It is felt that a scheme can be designed that will be embraced by and benefit the community and that will form an integral part of the village.

Babergh and Mid Suffolk JLP Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 2.8 The Site is included in BMSDC's SHELAA (2020) under reference SS0884 as discounted (SHELAA Appendix E) for the following reason:

“Site has poor connectivity to the existing settlement and is not consistent with the settlement pattern”.

- 2.9 Vistry Group do not agree with this assessment and there is no evidence that a full and proper assessment of the Site was undertaken by BMSDC.
- 2.10 The Site is well related to the existing settlement, in terms of both existing and planned development and adjoins the settlement boundary to the west. We can find no evidence as to why BMSDC considers the Site to have poor connectivity as no justification is provided in the SHELAA or other evidence base documents. However, there are existing clear linkages with the existing settlement, including the footpath that leads from the Church to Mendlesham Manor.
- 2.11 The assessment that the Site has poor connectivity to the existing settlement and would be inconsistent with the settlement pattern is at odds with the recent approval of development nearby at Chapel Field, which is noted within the draft MNDP as a committed development (MSDC reference DC/19/05915). Vistry Group recently purchased the Chapel Field site and are committed to the delivery of a high quality and sustainable development. The location of the Site and the relationship with Chapel Field provides clear opportunities for connectivity with the existing settlement and we consider it to be the role of development proposals to demonstrate how this connectivity can be effectively achieved.

Vision

- 2.12 Vistry Group’s vision for the Site is as follows:

“To deliver an attractive and sustainable new neighbourhood that the existing and future residents of Mendlesham will be proud of and in which people will aspire to live. The new development will be complemented with a network of attractive green spaces framed by high quality homes”.

- 2.13 The Vision Document sets out the considerations that have informed the evolution of a Concept Masterplan. The document illustrates the opportunity for considerate, context responsive development within Mendlesham and demonstrates how the design principles have been informed by input from technical consultants including landscape, heritage and transport, to provide a realistic and sustainable vision for the development of the Site.
- 2.14 The Site is well related to the existing built environment of the village, which characterises much of the western boundary. Inspired by the landscape and heritage context, physical characteristics of the Site, and its relationship with the village, development will be focussed in the northern part of the Site and present a natural extension to the village that would be integrated into the surroundings with appropriate landscaping. Significant open space would be provided for public use and benefit, to ensure the existing open countryside approach to the village is retained in perpetuity for the enjoyment of the existing and new community.

- 2.15 The allocation of the Site for development would have a number of positive benefits, including the provision of much needed housing. Further details regarding the Site are set out below.

Land Ownership and Deliverability

- 2.16 The Site is solely in Vistry Group's control. It is considered that this significantly de-risks the deliverability of the Site as there are no third parties involved in promotion of the Site. Vistry Group also own the land to the north-west 'Chapel Field' which has planning permission for 20 dwellings.

Landscape

- 2.17 The Site is located within the countryside and therefore it is important for proposals to be sensitive to the landscape. A landscape-led approach has been taken to developing the concept masterplan and has been informed by an initial landscape and visual assessment of the land.
- 2.18 Development would seek to reinstate old field boundaries through the use of green links, which in turn breaks up the Site into discreet areas. Within these areas, the potential developable areas are primarily contained to the north of the Site, broken up by key areas of open space, and retaining and protecting views to and from the Church. Communal green space is proposed at the heart of the development, and a community orchard would provide a green link to the communal green space. A circular green route around the north and west site boundaries would create a soft interface between proposed development and the wider countryside.
- 2.19 New footpath links would be created, providing connections from the existing settlement to the existing PROW's in the surrounding countryside. This will improve accessibility to the local footpath network for existing and future residents.

Heritage

- 2.20 The Site is adjacent to the Mendlesham Conservation Area which includes the historic core of the village and the Grade I Listed Church of St Mary's, and extends eastwards to include Church Farmhouse and a moated site to the east of the Church. Mendlesham Manor is to the east of the Site and contains two Grade II Listed Buildings.
- 2.21 The Concept Masterplan has been informed by specialist heritage advice and has been designed to ensure no detrimental harm would be caused to the setting of these listed buildings, whilst protecting key views to and from the Church. The southern part of the Site would remain as open land, to take account of the important views to the Church and other important heritage assets.

Highways and Access

- 2.22 Existing access to the Site is from Brockford Road, the main route into Mendlesham from the east. The Vision Document demonstrates how the new access could be designed as a linear track, providing a picturesque drive into the development with a low key farmstead development acting as the gateway into the development providing frontage to Brockford Road.
- 2.23 Whilst it is not presented through the Vision Document, due to Vistry Group's recent acquisition of land to the west of the Site there would also be opportunities for further connectivity with the Chapel Field site (reference DC/19/05915), which benefits from planning permission for 20 dwellings.

Flooding and Drainage

- 2.24 The Site lies within Flood Zone 1 and there is no surface water flooding on site. Drainage and points of discharge for surface water drainage would be agreed with the Lead Local Flood Authority as part of detailed development design.

Community Benefits

- 2.25 Development of approximately 200 dwellings at the Site has the potential to provide a range of benefits to the local community, including:
- 35% affordable housing equating to 70 affordable homes for rent or affordable ownership;
 - A mix of housing to meet local needs in terms of both type and size, including smaller dwellings that are adaptable to M4(2) standards;
 - All homes, including affordable housing, to be built to a very high quality, to reflect local design and to incorporate energy efficiency measures';
 - New footpath links for community benefit with new public open spaces and walking routes for local residents to enjoy;:
 - Habitat and wildlife corridors, tree and hedge planting, providing biodiversity enhancement measures; and
 - Provision of financial contributions towards community infrastructure.

Proposed Mechanism for Delivery

Site Promotion

- 2.26 Vistry Group welcome the Parish Council's consideration of the potential to bring the Site forward for residential development as part of a site allocation for housing within the modified MNDP.
- 2.27 This approach will allow for full consideration of the delivery of infrastructure and housing, in line with the needs of the local community.

Engagement

- 2.28 Whilst previous requests for a meeting with the Parish Council to discuss the proposals have not been accepted, Vistry Group remain keen to proactively engage and work cooperatively with the Parish Council to support the proposed modifications to the Mendlesham Neighbourhood Plan, and to involve the community in the proposals for the Site.
- 2.29 Vistry Group is committed to keeping the Parish Council up to date with the proposals as they develop and hope that this can be undertaken collaboratively within the Parish Council and the wider community. As the proposals evolve, engagement will also take place with key stakeholders, and the local community, to obtain feedback to further inform the proposals for the Site.

3. SUPPORTING DOCUMENTS TO THE NEIGHBOURHOOD PLAN MODIFICATIONS

AECOM Site Assessment Report (March 2019)

- 3.1 AECOM undertook an independent and objective site appraisal intended to aid Mendlesham Parish Council in its site selection process in 2019.
- 3.2 The AECOM report formed part of the Regulation 14 consultation on modifications to the MNDP in February 2021. It is disappointing that there has been no update to the 2019 AECOM report following the representations that were made to the Regulation 14 consultation. Our comments on the report are reiterated below.
- 3.3 A 'traffic light' rating system is used in the report as an indicator of the suitability of a site for allocation. A 'red' rating indicates that the site is not appropriate for allocation.
- 3.4 Six sites were shortlisted as being potentially appropriate for housing allocation as long as identified constraints could be resolved or mitigated.
- 3.5 Land north of Brockford Road, Mendlesham is identified in the AECOM report as 'Site 8'. It scores a red rating and did not make the shortlist of sites. The assessment states that the Site is poorly related to the existing settlement pattern and is unsuitable for allocation due to significant constraints including:
 - The southern portion of the Site has been assessed as highly significant for heritage views and should be kept undeveloped (as per the Heritage and Settlement Sensitivity Assessment, 2018)
 - Development to the northern portion of the Site relies on access through the south, and development alone in the northern half would be too isolated from the existing built up area of Mendlesham.
- 3.6 The landscape and heritage sensitivities of the site are fully understood and the emerging proposals for the Site have evolved with input from both landscape and heritage consultants. As shown in the Vision Document at Appendix One, the southern part of the site would be kept undeveloped and would be retained as open space in perpetuity for the enjoyment of the existing and new community. It is demonstrated that a development could successfully be delivered which retains the open space to the south whilst providing a well-planned and sensitive housing development to the north.
- 3.7 The AECOM assessment assumes that if access is provided from Brockford Road, the southern portion of the Site will need to be developed in order for the northern portion of the Site to be suitable for development. However, as shown in the Vision Document and explained above, this is not the case and the southern part of the Site would be retained as open space.

- 3.8 In addition, Vistry Group's ownership of Chapel Field to the west of the Site presents the potential for linkages directly into the northern part of the Site, which would further address the access constraint raised by AECOM.
- 3.9 The AECOM assessment assumes an indicative development capacity figure of 237 dwellings for the Site (based upon a net Site area of 7.9 hectares at 30dph). However, Vistry Group consider that approximately 200 dwellings would be a more achievable quantum of development on the Site.
- 3.10 AECOM's assessment of the Site is considered and responded to within the table below. It is notable that the Site 8 photographs within the report only show views of the Site from the southern boundary. It is apparent from the assessment made that consideration of the Site for development has focussed on the southern portion of the Site being included within the developable area. However, Vistry Group acknowledge the sensitivities of the southern part of the Site and are instead committed to preserving this land as open space.

Key Consideration	AECOM Report Observations	Vistry Group Commentary
Landscape	<p>Medium sensitivity to development.</p> <p>Views to the Site fairly screened by mature treed and hedgerows on boundaries. However, views to the Site from Brockford Road are relatively open and development at the Site would be highly visible from properties in this area.</p> <p>Development would have an impact upon the character of the immediate surrounding area.</p>	<p>The assessment has been made based upon development of the entire Site, including the southern portion. However, it is anticipated that the southern portion of the Site would be retained as open space.</p>
Heritage	<p>Directly impact and / or mitigation not possible.</p> <p>Adjacent to Mendlesham Conservation Area.</p> <p>Listed Buildings on the west and east boundaries.</p>	<p>Heritage at the forefront of the design considerations and the southern part of the Site would be retained as open space. Views to the Church spire and the surrounding heritage assets have been fundamental to the development proposals for the Site and have influenced the Concept Masterplan.</p>

Key Consideration	AECOM Report Observations	Vistry Group Commentary
	The Heritage and Sensitivity Assessment (2018) states that 'the open land between the church and Mendlesham Manor to the east of the settlement is highly significant and should be preserved'. This refers to the northern boundary of the southern field. As a result, this part of the site cannot be developed on.	
Community Services and Facilities	It is stated that there is a lack of safe pedestrian access for some of the route to a number of services and facilities.	Footpaths and connectivity to the local footpath network will be improved as part of any future development, in relation to both new and existing footpaths.
Loss of Key Biodiversity Habitats	The Site is crop fields with limited potential for biodiversity value, except the hedgerows on the boundaries.	Any hedgerows would seek to be retained as part of any future development together with significant new landscaping and planting to ensure a net gain in biodiversity.
Public Right of Way	There are Public Right of Ways crossing the Site and on the boundaries. These would need rerouting in any planning application.	All existing Public Rights of Way would be retained and incorporated into the proposals and new connections would also be provided.

- 3.11 For the reasons provided above, Vistry Group do not consider that an accurate assessment of the Site has been made and its suitability for development and inclusion within the modified MNDP should be reconsidered.

Mendlesham: Heritage Assessment of Potential Growth Sites (January 2019)

- 3.12 The Heritage Assessment of Potential Growth Sites was undertaken by Essex County Council Place Services in January 2019 and considers the heritage impact of potential sites for inclusion within the Mendlesham Neighbourhood Plan. Land north of Brockford Road is identified as 'Site 8' and "*highly susceptible to development*". As such, the Site scores 'red'.

- 3.13 The assessment describes Site 8 as being *“located to the south-east of the historic core abutting the church yard and conservation area boundary. The church lies directly to the north of Site 8 and its setting will suffer harm if it was developed”*. The description provided regarding Site 8, appears to relate to the southern part of the Site, which has then been generalised to relate to the whole of the Site 8 area. However, the northern part of the Site is not considered to have the same heritage sensitivity and a further assessment should be made on this basis.
- 3.14 It is also notable that Site 9 includes the land to the north and north-west of the Site (abutting the north and north-west site boundaries) and scores ‘green’ for heritage impact. This includes the Chapel Field site, which with effective master planning the proposals for the land north of Brockford Road could essentially form an extension to. The part of the Site proposed for residential development would perhaps be better referred to as ‘land east of Chapel Field’.

Heritage and Settlement Sensitivity Assessment (January 2018)

- 3.15 The Heritage and Settlement Sensitivity Assessment was undertaken by Essex County Council Place Services in January 2018 and considers four key views within Mendlesham. View 1 relates to the view looking west from Mendlesham Manor towards the settlement and the assessment states in considering this view *“This not only emphasises the prominent position of the church and eastern edge of the settlement but also the highly significant relationship between Church and Hall”*.
- 3.16 The Assessment states that the land between the Church and the Manor is highly sensitive due to the historic inter-relationship between these two assets, which is still readily readable. The land *“remains open and provides not only views of the church but is also important in preserving the historic context of the settlement and its outlying farms. These were historically sited away from the settlement for practical and functional reasons, and are therefore susceptible to development which would enclose them within the settlement boundary”*.
- 3.17 The report recommends that the land between the church and Mendlesham manor *“is highly significant and should be preserved, the land to the west of the settlement forms the agricultural setting of several farmsteads and provides long views of the church. Development within this area should seek to preserve both”*.
- 3.18 Vistry Group fully understand and appreciate the sensitive nature of the land between the Church and Mendlesham Manor and the importance of maintaining the relationship between these historic assets. As has previously been mentioned, this part of the Site will be retained as open space and fundamental to any future development on the land is the preservation of the important heritage assets within the vicinity of the Site and their settings. The Concept Masterplan (shown in the Vision Document at Appendix One) has been shaped by specialist heritage input and this is a key consideration for the development of the Site.

SEA Scoping & Environmental Report (August 2020)

- 3.19 The preparation of the Strategic Environmental (SEA) Scoping & Environmental Report (August 2020) to support the proposed site allocations within the modified MNDP is welcomed. Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, as referenced at NPPG Paragraph 072 (Ref ID: 41-072-20190509), it is useful for demonstrating how the draft plan meets basic condition d (achievement of sustainable development).
- 3.20 Land north of Brockford Road is included within the SEA as Site MNDP8. The SEA objectives used to consider the Site are supported. However, in some instances, the assessments made alongside each of the objectives are not considered to be accurate in terms of the development proposed for the Site and should be reconsidered taking into consideration the information presented in these representations.
- 3.21 The table below reconsiders each of the SEA objectives where the Site has been rated as a minor or strong negative.

SEA Objective	SEA Report Commentary	Vistry Group Response
<p>3. To ensure good quality townscape / design that is compatible with local characteristics.</p> <p>(3.1) Settlement pattern / GIS Mapping</p>	<p>The Site is adjacent to the development boundary however would significantly extend the built form into the countryside north and east of Mendlesham. This leads to negative effects.</p>	<p>It is agreed that development of the Site will extend the built form of Mendlesham village to the east into the countryside. The impact to the north will be reduced once the development at Chapel Field has been brought forward and the Site will effectively form an extension to this. A significant buffer of open space and landscaping would be provided to the eastern and northern edges of the Site to aid the transition between built form and the countryside.</p>

SEA Objective	SEA Report Commentary	Vistry Group Response
<p>7. To promote and maximise the use of sustainable transport modes and to promote home working.</p> <p>(7.2) Proximity to PRoWs & Byways</p>	<p>A Public Right of Way crosses the Site east-west and is also present adjacent to the Site.</p>	<p>The PRoW's on and adjacent to the Site are considered a benefit and will be successfully incorporated into and enhanced through any future development on the Site.</p>
<p>11. To ensure the protection, enhancement and creation of features of landscape value throughout the Plan area, including views to, from and across the Plan area.</p> <p>(11.1) Loss of hedgerows / aerial mapping.</p> <p>(11.2) Loss of key views / Landscape and Visual Assessment of Mendlesham (LVAM) & Mid Suffolk Settlement Assessment (MSSA) (2018)</p>	<p>The proposal would lead to a loss of or change to field boundaries associated with the PRoW. The site is within Viewpoint 10 within the Landscape and Visual Assessment of Mendlesham. This assessment considers that the view has a high level of visual sensitivity. The site is also strongly within an area identified as a key view within the Mid-Suffolk Settlement Assessment; emphasising the prominent position of the church and eastern edge of the settlement and also the highly significant relationship between Church and Hall. This leads to the assessment of potential significant negative effects. The site would not significantly contribute to any diminishing of a strategic buffer between Mendlesham and neighbouring settlements however.</p>	<p>The Concept Masterplan proposes a footpath through the Site that restores a lost historic field boundary set within a north-south running green link. Rather than losing field boundaries future development would actually seek to restore boundaries that have previously been lost.</p> <p>It is agreed that the visual sensitivity of the Site must be carefully considered and for parts of the Site the visual sensitivity is high. Landscape and Visual work undertaken by CSA Environmental to inform the Concept Masterplan gave full consideration to visual sensitivity and key views in developing the proposals for the Site and the southern portion of the Site will remain as open space to satisfactorily address this.</p>

SEA Objective	SEA Report Commentary	Vistry Group Response
		<p>It is also of note that the high level Landscape and Visual Assessment of Mendlesham (November 2017) appears to have been prepared by Mendlesham Parish Council. It is therefore not clear whether this was undertaken by professional qualified in undertaking landscape and visual assessments.</p>
<p>12. To protect, and where possible, enhance designated and non-designated heritage assets and their settings both above and below ground.</p> <p>(12.1) Impact on historic environment / Place Services historic building & environmental specialists.</p>	<p>This area is highly susceptible to development with the result of considerable harm being caused to the setting of the conservation area, Grade I Church and moated site (Mendlesham: Heritage Assessment of Potential Growth sites; Place Services, 2019). For this reason, potential significant negative effects are highlighted.</p>	<p>Vistry Group fully understand and appreciate the sensitive nature of the land between the Church and Mendlesham Manor. This part of the Site will be retained as open space and fundamental to any future development on the land is the preservation of the important heritage assets within the vicinity of the Site and their settings. Development will be focussed in the northern part of the Site where there are not the same heritage constraints.</p>

- 3.22 Having carefully considered how each of the SEA Objectives perform for Site MNDP8, it is considered that an appropriate and sensitive development of the Site is achievable without having a negative impact.
- 3.23 Whilst the preparation of the SEA Scoping and Environmental Report is welcomed in order for it to be demonstrated how the draft modified MNDP meets basic condition d, the SEA Report is not considered to fulfil its purpose and does not provide robust evidence on how the MNDP guides development to sustainable solutions as an inaccurate assessment of sites has been made.

4. MENDLESHAM NEIGHBOURHOOD PLAN MODIFICATIONS DRAFT

Vision and Objectives

- 4.1 The vision and objectives for the modified MNDP, which echo principles set out in national planning policy through the NPPF, are generally supported.
- 4.2 The vision for Mendlesham in 2037 is set out at Paragraph 1.17 of the modified MNDP. There is considered to be an element of conflict between the following elements of the vision:
- *“New homes will have been built but they will be blended into the edge of the village with careful landscaping”* and
 - *“All of our local farmland will still be fully utilised”.*
- 4.3 It is agreed that available farmland should be fully utilised. However, to facilitate expansion of the village and the vision for new homes to be built at the edge of the village, this may require the loss of some local farmyard and the vision should be appropriately worded in this regard.
- 4.4 The vision includes a desire for a number of enhancements to community / recreation facilities within Mendlesham and the following are of particular note:
- *“The school will be bigger and the Community Centre will be a busy social hub for all residents, not just the sports players”;*
 - *“A wider range of sports (including cricket and tennis) will be available locally”;*
 - *“The network of paths in and around the village will be well used and well maintained”;*
and
 - *“The Health Centre will be offering a wider range of community facilities (possibly dentistry and podiatry)”.*
- 4.5 The aspirations set out in the vision are supported. However, this will be difficult to achieve through piecemeal delivery of a number of small development sites and a heavy reliance on windfall development. In our view, the only way this can be successfully achieved is through the delivery of larger scale development, such as land north of Brockford Road, that would be able to successfully deliver and sustain these benefits to the village more effectively than small scale sites.

Housing

- 4.6 Chapter 3 of the modified MNDP relates to housing.

- 4.7 It is recognised, as set out at Paragraph 3.21 of the modified MNDP, that residents have expressed a preference for development in Mendlesham to comprise of a number of small sites around Mendlesham village, of circa 10-20 dwellings, rather than having “*just one large estate*”. Whilst the views of local residents are acknowledged, , as advocated within the NPPF (paragraph 73) a larger development could help to meet identified needs in a sustainable way, with greater provision for a range of dwelling sizes and types supported by infrastructure and facilities. The inclusion of land north of Brockford Road as an allocation in the modified MNDP provides an opportunity for a high quality development with a greater range of housing and numerous community benefits. This would provide Mendlesham Parish Council with the control to help shape future development within the village, rather than being subject to speculative developments.
- 4.8 The inclusion of a well-planned larger development at land north of Brockford Road would ensure a sustainable development strategy in accordance with basic condition d.

Policy MP1 [Housing]

- 4.9 Draft JLP Strategic Policy SP04 ‘Housing Spatial Distribution’ states:
- “In order to assist with delivery of the overall district housing need requirements, designated Neighbourhood Plan areas will be expected to plan to deliver the minimum housing requirements set out in Table 4. Neighbourhood Plan documents can seek to exceed these requirements, should the unique characteristics and planning context of the designated area enable so”.*
- 4.10 Paragraph 29 of the NPPF states “*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*”.
- 4.11 Table 4 of the Draft JLP identifies the minimum total homes required for Mendlesham is 161 and Policy MP1 of the modified MNDP aligns with this. It is supported that 161 homes should be the **minimum** figure.
- 4.12 BMSDC submitted its Draft JLP to the Secretary of State for examination on 31st March 2021. BMSDC’s Consultation Statement (March 2021) indicates that representations were submitted to the Regulation 19 Draft JLP consultation stating a potential need to increase the housing requirement for the District. A number of reasons are given for this including a possible requirement to meet unmet need from Ipswich Borough Council under the duty to cooperate. This may therefore necessitate further housing sites being identified within the Draft JLP either as allocations or as reserve / contingency sites.
- 4.13 Whilst it is positive that the modified MNDP seeks to align with strategic policy within the Draft JLP by supporting a minimum total of 161 new homes, there are reservations in relation to the approach that has been taken.

- 4.14 Three sites are allocated, totalling 103 dwellings. Of these allocations, planning permission has already been granted for 56 units (28 dwellings at Mason Court (M/4242/16/OUT) and 28 of the dwellings at Glebe Way (DC/18/03147). Together with the commitment at Chapel Road for 20 dwellings (DC/19/05915) which is thought to be included within the 161, the modified MNDP is heavily reliant upon existing commitments, and that all new development will come forward in the early part of the plan period. It is important for the modified MNDP to plan positively for new housing over the whole plan period.
- 4.15 There is also a high reliance on windfall development which totals 38 dwellings over the plan period (2 dwellings per year). This amounts to 27% of the total housing number (161). Paragraph 71 of the NPPF states that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply and the allowance should be realistic. To our knowledge, there is no compelling evidence for the high reliance on windfall sites proposed.
- 4.16 It is important to note that whilst any dwellings brought forward as windfall development will be CIL liable (unless exemptions apply) the small scale nature of any development is likely to mean that no provision will need to be made for affordable housing.
- 4.17 In terms of housing needs, Policy MP1 specifically states that support will be given to smaller 2 and 3 bedroom homes that are adaptable. Smaller speculative developments are unlikely to fulfil this demand which will result in a housing stock that does not meet the requirements of Mendlesham. The best way to achieve the required housing mix will be through a larger comprehensive development that can provide for a range of dwelling types and sizes.
- 4.18 Paragraph 5 of Policy MP1 states that “*residents have a preference for incremental growth of small developments of 20 dwellings or less unless it can be demonstrated that a greater number will deliver a significant and demonstrable benefit*”. Larger developments can increase the sustainability of a wider settlement through the provision of additional services and facilities, or through enhancing existing services and facilities. In particular, new development that is well related to the existing settlement such a land north of Brockford Road, can also have a positive impact upon the long term viability of a place through indirect spending from future occupiers. For the reasons set out within Chapter 2 of this Statement, there are significant and demonstrable benefits to land north of Brockford Road, Mendlesham being included as an allocation within the modified MNDP.
- 4.19 Taking all the above into consideration, whilst the modified MNDP does make provision for the 161 homes specified in the Draft JLP, in light of the heavy reliance on existing commitments and windfall development, the modified MNDP should consider a further allocation to ensure the continuous delivery and supply of homes across the plan period and to ensure the MNDP meets the Government’s objective of significantly boosting the supply of homes at paragraph 60 of the NPPF. Currently, the housing strategy set out within modified MNDP Policy MP1 does not meet the requirements of basic conditions a or d through the heavy reliance on windfall and lack of control over the location of future development. The inclusion of a larger development site such as the land north of Brockford Road would ensure the basic conditions are met.

Policy MP3 [Provision of Affordable Housing]

- 4.20 Policy MP3 of the modified MNDP states “*On open market housing developments of more than 10 dwellings a proportion (emphasis added) of dwellings shall be provided as affordable dwellings to address evidence of housing need*”.
- 4.21 Policy MP3 of the made MNDP specifies the proportion as ‘up to 35%’ and it is unclear why this has been removed in the modified MNDP. Both the adopted Local Plan (2006) and the Draft JLP set the threshold at 35%. In order to ensure the modified MNDP meets basic condition e, Policy MP3 should be reworded to retain the wording in the made MNDP as follows:

“On open market housing developments of more than 10 dwellings, a proportion of dwellings up to 35% shall be provided as affordable dwellings to address evidence of housing need...”

Policy MP6 [Building Design]

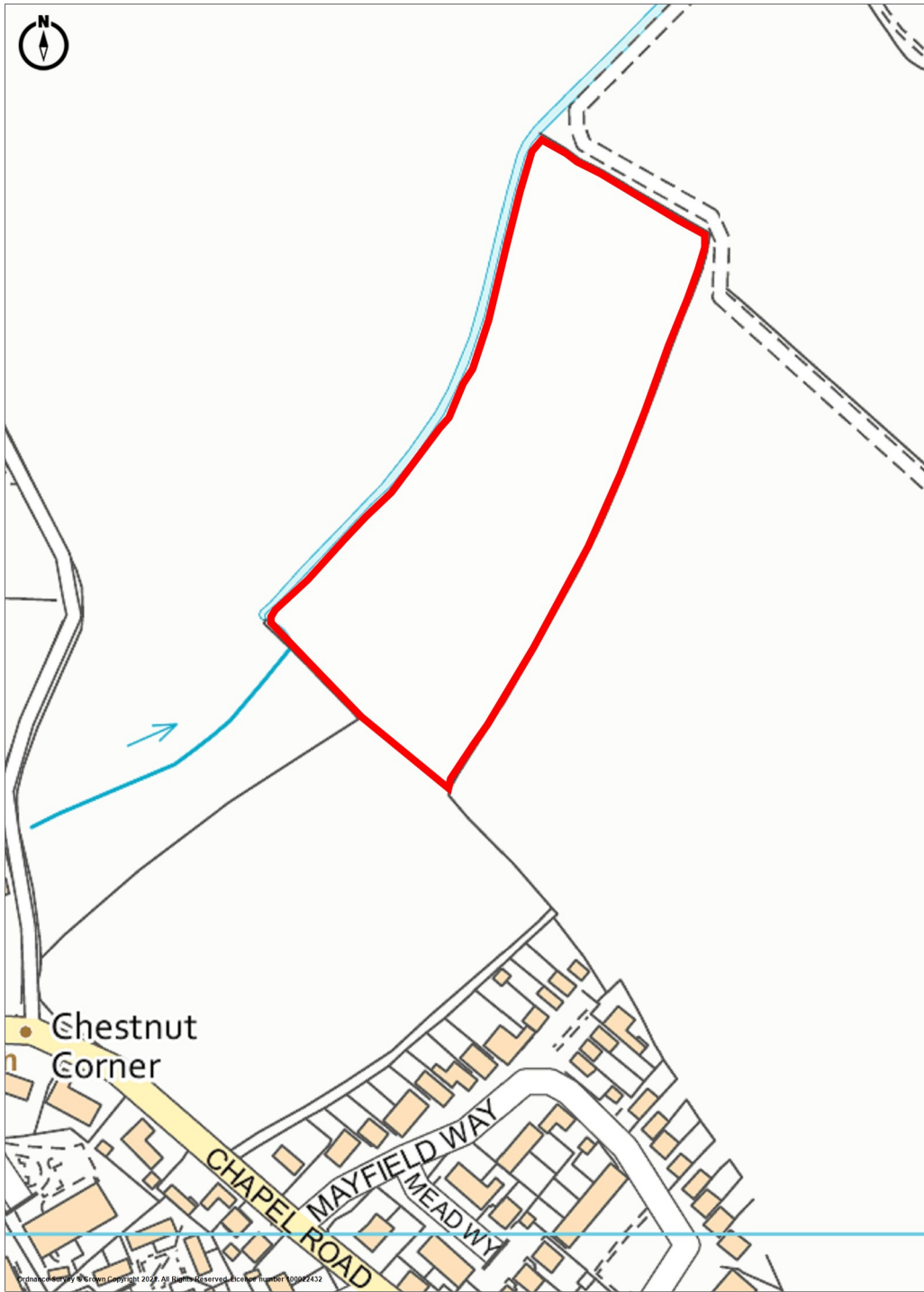
- 4.22 Policy MP6 aims to encourage new development to respect and fit in with the built form and character of Mendlesham and basic high level criteria are set out within the policy that should be adhered to.
- 4.23 Design is at the forefront to the 2021 revisions to the NPPF. Paragraph 127 of the NPPF requires plans to set out a clear design vision and expectations. It is stated that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.
- 4.24 At present, Policy MP6 is very basic. Reference is made to a Suffolk Design Code but this will not provide guidance on the special qualities of Mendlesham. Whilst there is no requirement for the neighbourhood planning group to prepare a design code, Policy MP6 does not appear to recognise the importance of good design, as set out within the NPPF. Policy MP6 is not currently considered to meet the requirements of basic condition a, and further thought should be given to the wording of this policy in the context of the 2021 NPPF.

5. SUMMARY AND CONCLUSION

- 5.1 These representations are submitted by Vistry Group in relation to the Regulation 16 consultation on modifications to the Mendlesham Neighbourhood Development Plan.
- 5.2 The modified MNDP does not contribute to the achievement of sustainable development and in places is not in accordance with the development plan or NPPF (2021) and therefore fails to meet the Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).
- 5.3 Whilst the modified MNDP seeks to allocate 161 dwellings over the period 2018-2037 in line with strategic policy contained within the Draft JLP, this should be treated as the **minimum** figure. There is a heavy reliance on committed sites and windfall development and it is anticipated that the allocations will be brought forward within the early part of the plan period. No contingency site is suggested within the modified MNDP and should any site fail to come forward the village would be left open to speculative development.
- 5.4 Land north of Brockford Road should be included as an allocation within the modified MNDP for the mid to later part of the plan period. The land presents an available, suitable and sustainable location that could deliver approximately 200 homes, including affordable housing. This will support the vitality of Mendlesham and the connected nearby rural settlements. Vistry Group also has an interest in land to the north of the Site, known as Winding Field which could be utilised as part of the proposals.
- 5.5 The provision of a larger development will enable a wealth of benefits to be provided to the local community, which are not achievable from other smaller scale developments. This approach will also ensure that the local community maintain control over where future development is located and will ensure that a range of housing to meet local need including smaller adaptable units and affordable homes are provided.
- 5.6 The land north of Brockford Road has been wrongly assessed within the supporting studies that have informed the draft modified MNDP, which ultimately lead to the Site being discounted for future development for principally landscape and heritage reasons. Input from landscape and heritage specialists has been fundamental to the development of Vistry Group's Concept Masterplan for the Site, as presented in the Vision Document at Appendix One. The southern portion of the Site will be retained as open space in order to maintain key landscape views as well as the historic inter relationship between the Grade I Listed Church of St Mary's and Grade II Listed Mendlesham Manor. The Vision Document at Appendix One demonstrates how the Site is a suitable location for development that can be delivered in a sustainable manner.

APPENDIX ONE – VISION DOCUMENT

APPENDIX TWO – WINDING FIELD SITE LOCATION PLAN



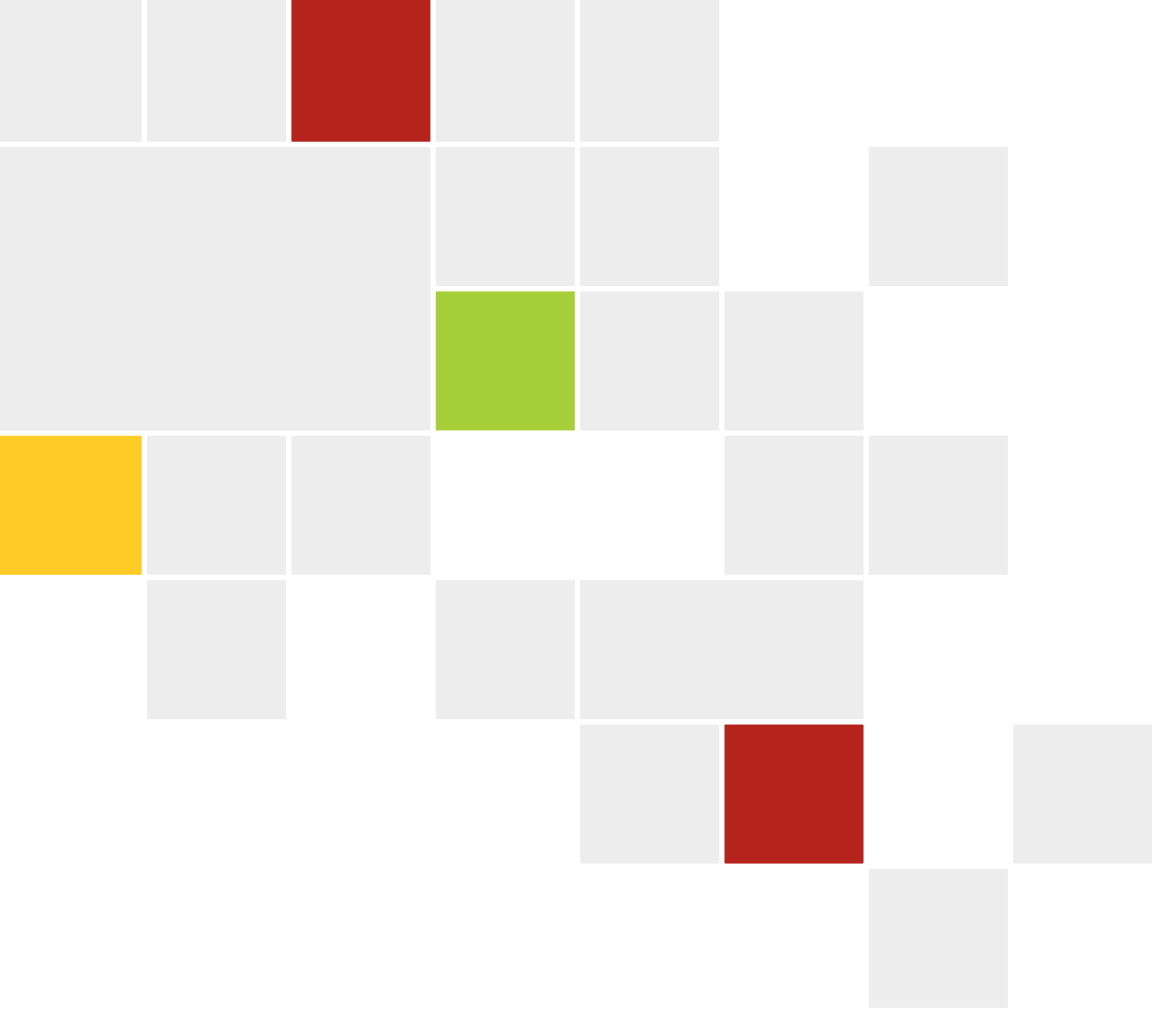
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Vistry Group



DREW SMITH

LAND NORTH OF BROCKFORD ROAD **MENDLESHAM**

VISION FOR A CONTEXT RESPONSIVE DEVELOPMENT

December 2020

PREFACE

Formed in January 2020, Vistry Group is a 5-star housebuilder, bringing together the award-winning, established developers - Bovis Homes, Linden Homes and Galliford Try Partnerships.

With a heritage that can be traced back to 1885, we are modern, forward-thinking and focused on delivering high quality new homes and sustainable developments that support a healthy and active lifestyle for our customers. Our vision is to be proud of every home we build and to ensure they are built by people who care.

The land north of Brockford Road presents an exciting opportunity to create a residential development around a network of green spaces that will integrate the new and existing communities. This will be a place which will provide much needed high quality family homes, and affordable housing in a landscape led setting where people would want to live; a new neighbourhood which will contribute to wider infrastructure and community needs, provide publicly accessible open space, circular health trails, a community orchard, integrate with existing public footpaths, provide biodiversity corridors, green lanes, tree planting and much needed local homes for local needs.

SITE
MENDLESHAM

Vistry Homes
Date: December 2020
Prepared by Boyer
Project code: 20.2033
Written by NB
Checked by AB

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1.0 THE OPPORTUNITY

Vistry Group is pleased to present this Vision Document to support a high quality landscape led development to the east of Mendlesham ('the site'). We believe this site presents an excellent opportunity to create a well-designed, sustainable new neighbourhood for Mendlesham which will help deliver new homes and infrastructure with the added potential to create new public open spaces and recreation routes for Mendlesham.

The site has a historic association with the village between the Church of St Mary and Mendlesham Manor. Today it is privately owned under the control of Vistry but dissected by a PROW (Public Rights of Way) which emerges from the adjacent Conservation Area. The privately owned land will be opened up to the community and provide significant open space which will be available for public use and benefit. This will ensure the existing open countryside approach, or 'green gateway' to the village is retained in perpetuity for the enjoyment of the existing and new community.

In this Vision Document we set out our concept proposals for this site which have been informed by our initial technical assessments. The proposals are underpinned by landscape and context led principles that will guide the design evolution and most importantly help to integrate the site with its surrounding through a high quality context responsive design. Vistry Group will deliver a range of much needed new homes, including affordable housing, for the local community in a landscape led framework designed in close consideration to the wider countryside and setting of the existing village.

We would encourage the Council to consider the characteristics of the site and the evidence supporting the development. In doing this, it is clear that the site is available, suitable and deliverable and will help meet the housing needs of both Mendlesham and the District as a whole.





2.0 WIDER CONTEXT

The site is located on the eastern edge of Mendlesham between the settlement boundary along Chapel Road-Church Road and Mendlesham Manor to the east. The village lies within the administrative boundary of Mid Suffolk District.

Mendlesham is an English village situated approximately 1.5km west of the A140 Norwich Road to Ipswich. Mendlesham lies in mid Suffolk, approximately 10km north east of Stowmarket and 9.6km east of Bury St Edmunds. Stowmarket Train Station is served by a rail service operated by Greater Anglia. The site is bound by Brockford Road to the south that links Mendlesham to the adjoining village of Brockford Street to the northeast on the A140 Norwich Road.

Mendlesham sits on slightly higher ground between two tributaries of the River Dove that flows north-eastwards via Eye to join the river Waveney at the Norfolk border. The plan below shows the location of the site within the wider regional context, with a particular focus on links to major conurbations.



Stowmarket Station



Mendlesham Primary School



Church of St. Mary, Mendlesham



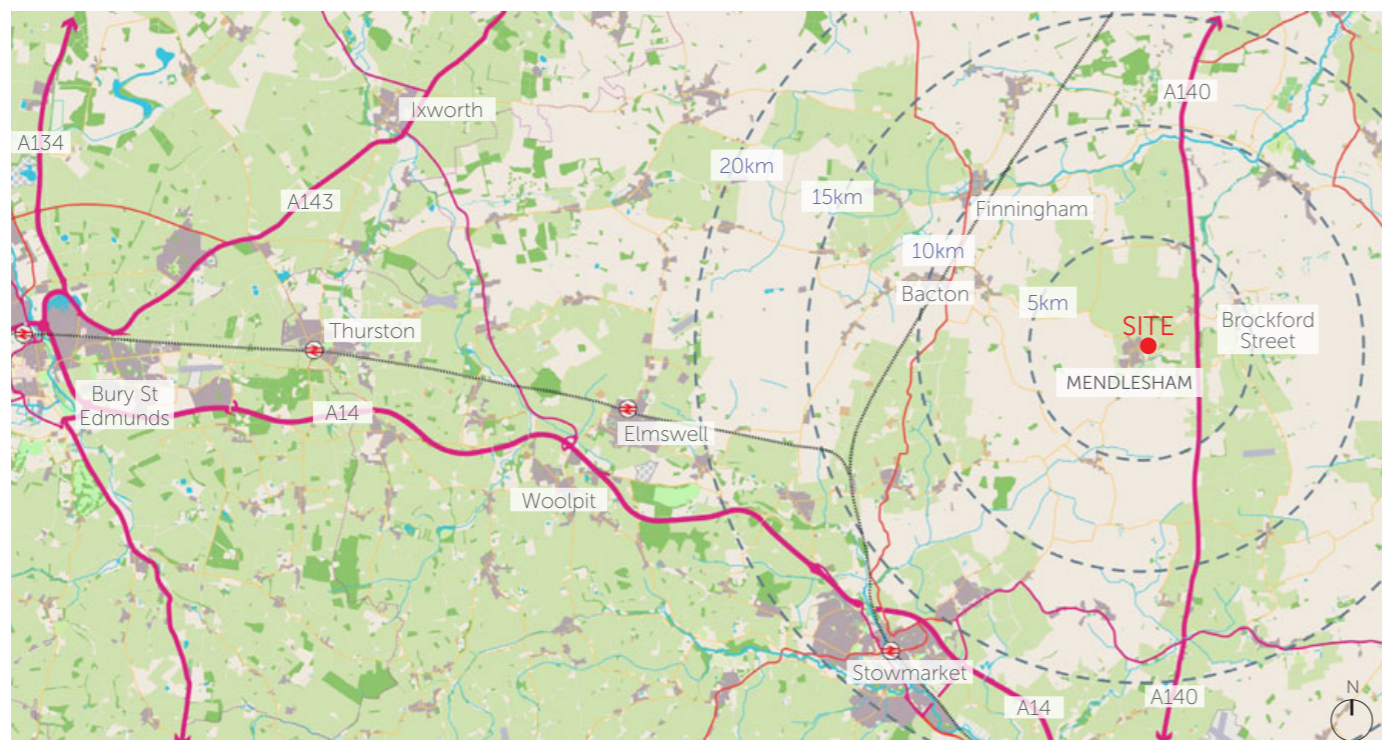
The Kings Head



Local shops



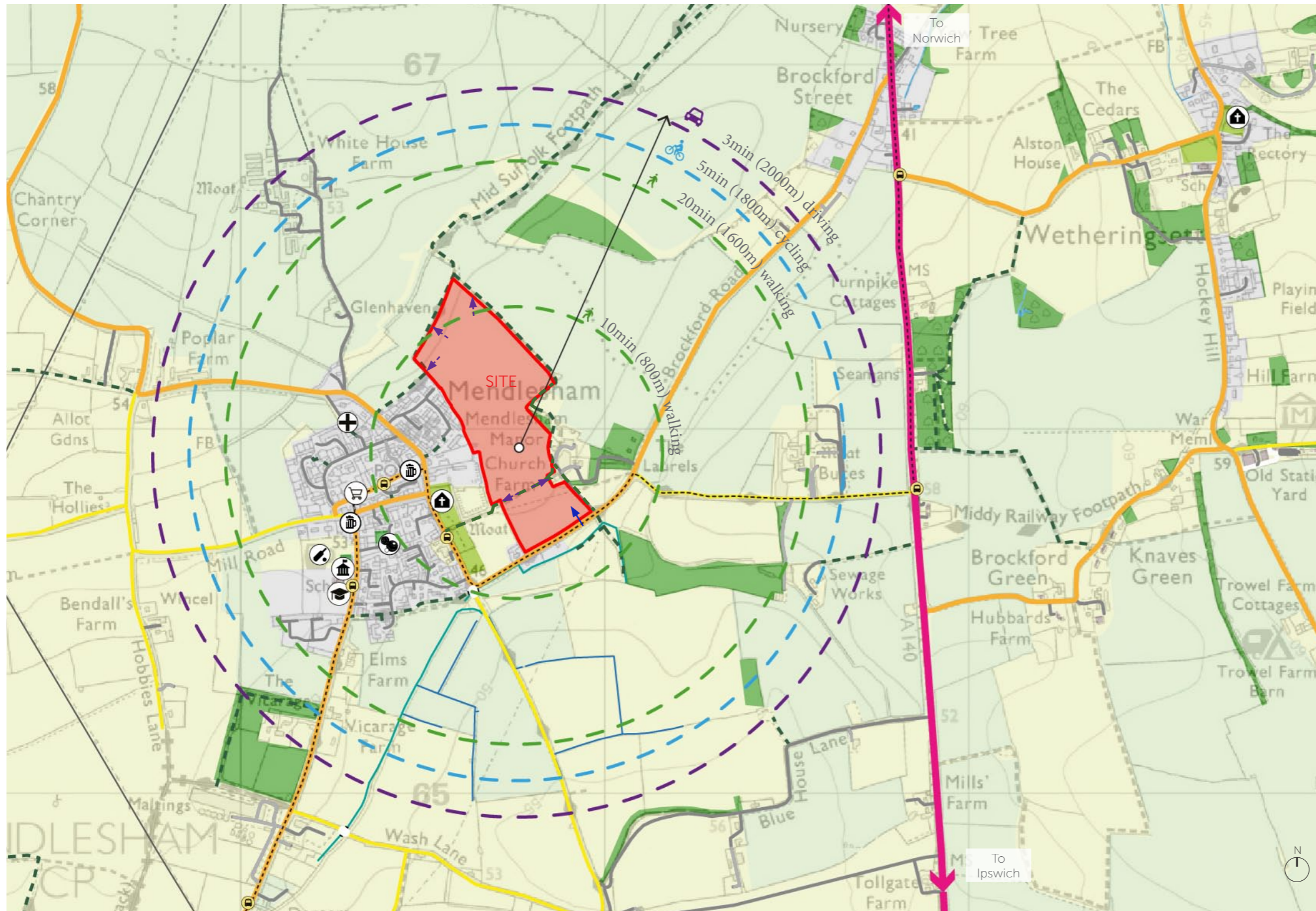
Local bus service connecting to Stowmarket



Site Location in the wider regional context



3.0 CONNECTIVITY



The plan sets out the public transport connections, education, healthcare, employment, retail and leisure facilities close to the site, demonstrating the connectivity of the site and its potential to support a new sustainable residential neighbourhood.

Key

- Site area
- Primary road
- Secondary road
- - - PRoW - Footpath
- - - Bus route
- Bus Stop
- () 10min/20min walking distance
- () 5 min cycling distance
- () 3 min drive catchment
- School
- Shop/ convenience store
- Community Centre
- Church
- Restaurants/Pubs
- Post office
- Surgery and pharmacy
- Playing fields
- Bowling greens
- - - Potential pedestrian connection to site and beyond
- Proposed vehicular access to site



4.0 SITE APPRAISAL

The site comprises two arable fields divided by a hedgerow. The site sits at an approximate height of 54m AOD. A shallow ridge runs north eastwards between two shallow valleys which follow Brockford Road to the south and the Mid Suffolk Footpath to the north.

From Brockford Road the site is open and there are views over the trees towards the spire of the Grade I listed Church of St Mary. A block of three semi-detached properties on Brockford Road adjoin the south west corner of the site. To the east, the site adjoins Mendlesham Manor, a Grade II listed Elizabethan Manor House with an oak framed barn to the north west of the Manor. To the west, the site adjoins residential properties on Mayfield Way, approved development along Chapel Road, the Grade II listed Church Farm House and three small pastoral paddocks including a Moat. To the north east, beyond the hedgerow, the site adjoins open countryside.

A study of historic maps shows that over the years there has been substantial loss of field boundaries in the northern part of the site. The surviving surrounding landscape is gently rolling and is dissected by public rights of way.



Site location plan



Grade II listed Church Farmhouse



Church Road looking north



Manor Lodge, Brockford Road



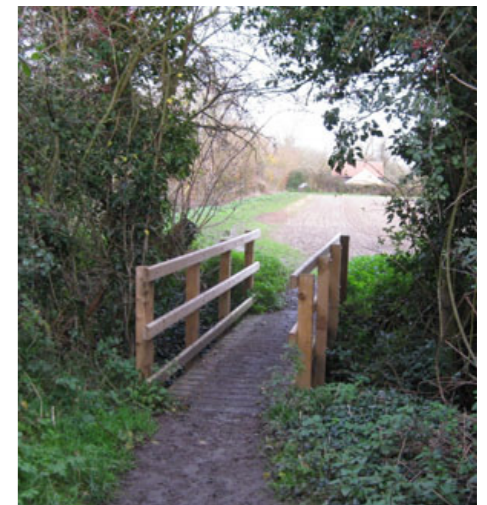
Grade II listed Mendlesham Manor



Church of St Mary



Public footpath through churchyard to site





5.0 LANDSCAPE CONTEXT



Landscape characteristics plan

Mendlesham is not covered by any Site of Special Scientific Interest, Local Nature Reserves or Special Protection Areas. The site lies immediately east of a visually important open space (MSDC). In the wider context, the site is part of the Plateau Claylands Landscape Character Type. In the immediate context, it is immediately east of the Mendlesham Conservation Area.

Views from the site are gained from public rights of way on the boundaries. There are views to the Church and there are some views to the wider surrounding landscape from elevated areas. Mayfield Way is visually prominent in views from the northern part of the site.

Views towards the site are predominantly near distance views from public rights of way. There are open views to the southern parcel from Brockford Road. Views from the east are predominantly screened by vegetation. There are views from the west from Mayfield Way.

Views from the wider countryside are from the north and from Oak Farm Lane to the south. Views from the west are screened by the existing village. There is a strong visual connection to the church whilst Mendlesham Manor is largely screened by the surrounding vegetation. There are distinct view lines from the Manor which are shown above.



View looking west towards Church from Brockford Road



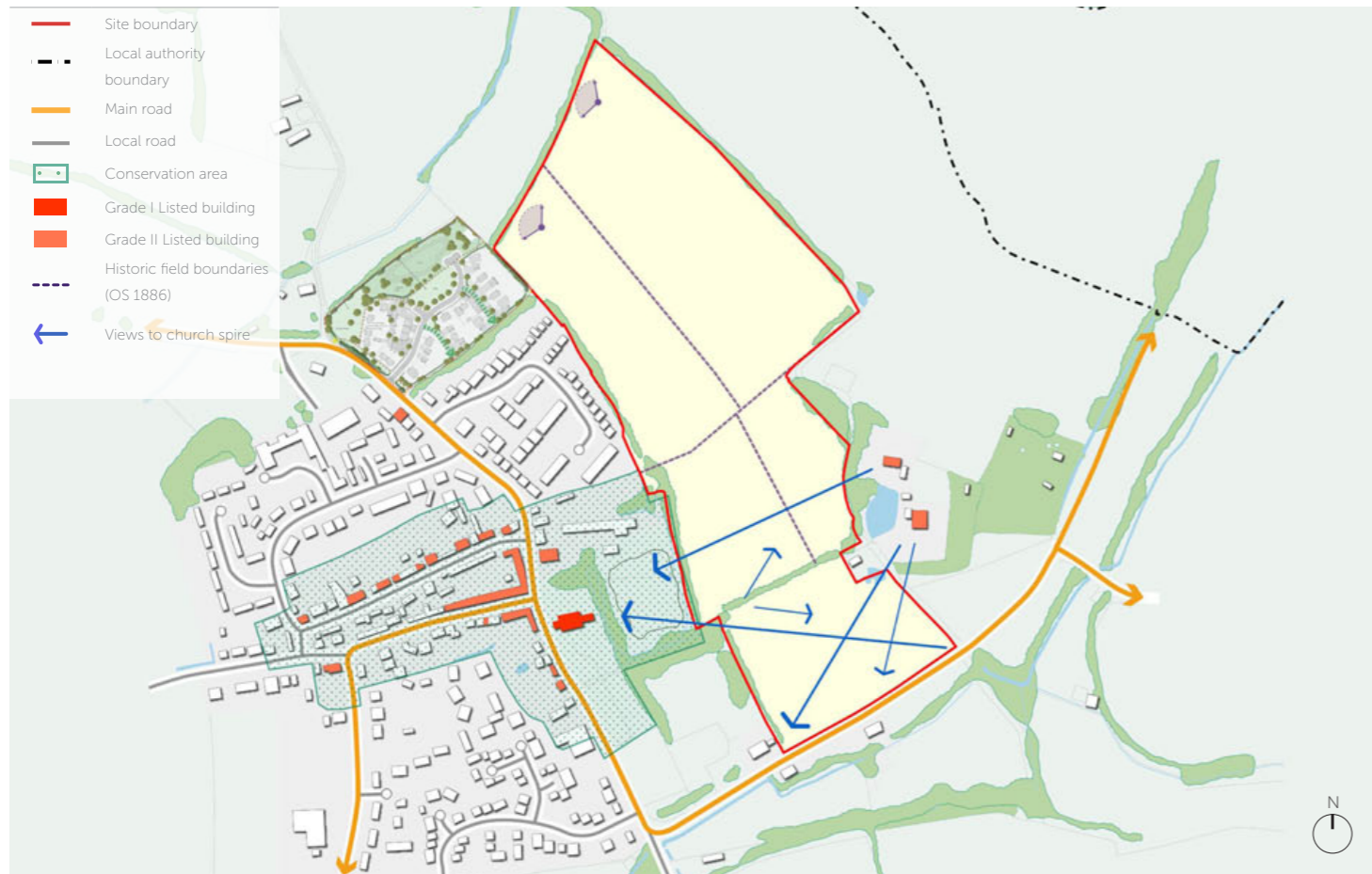
View from Mayfield Way looking north east towards the site



View looking south towards site from the Mid Suffolk Path



6.0 HERITAGE CONTEXT



Heritage characteristics plan

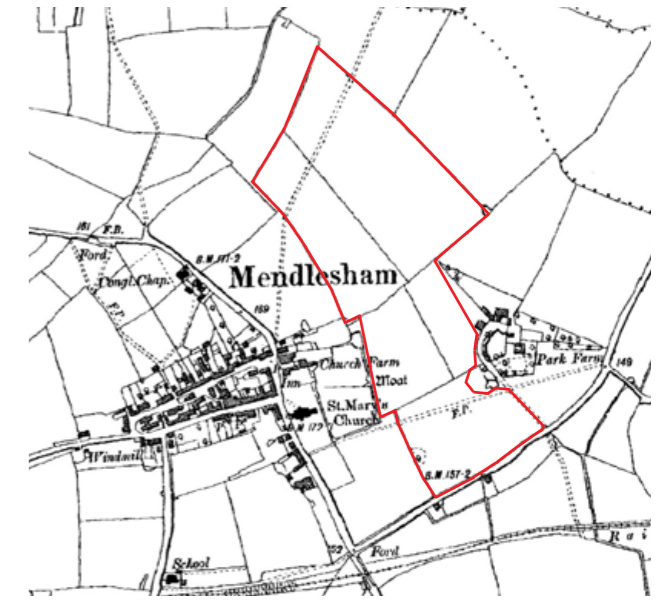
The site is adjacent to the Mendlesham Conservation Area which includes the historic core of the village and extends eastwards to include Church Farmhouse and a moated site to the east of the church. There are a number of Grade II listed buildings in the vicinity of the site.

The village is a well preserved late medieval settlement with a linear core and market place and to the east a clear church and hall complex (Mendlesham Manor). The village expanded in the 20th century, first to the north in the 1950s to mid-1970s but later from the mid-1980s to 2000 housing was also constructed to the south.

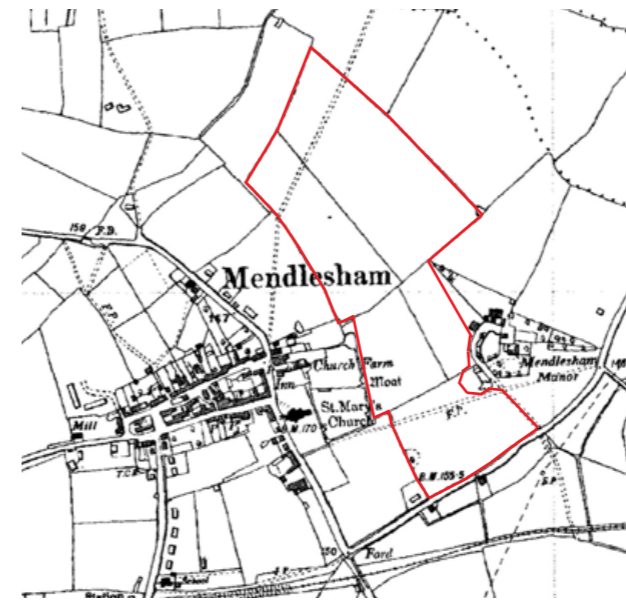
The built form is set in close proximity to the road frontage. The older buildings are predominantly domestic in scale and mostly timber-framed and plastered. Roof materials are of plain tiles or pantiles. The local red brick features on chimney stacks and plinths. A number of unlisted Victorian cottages are also red brick. "Suffolk White" brick is also present on a number of cottages. Flint occurs only on the church and associated outbuildings.



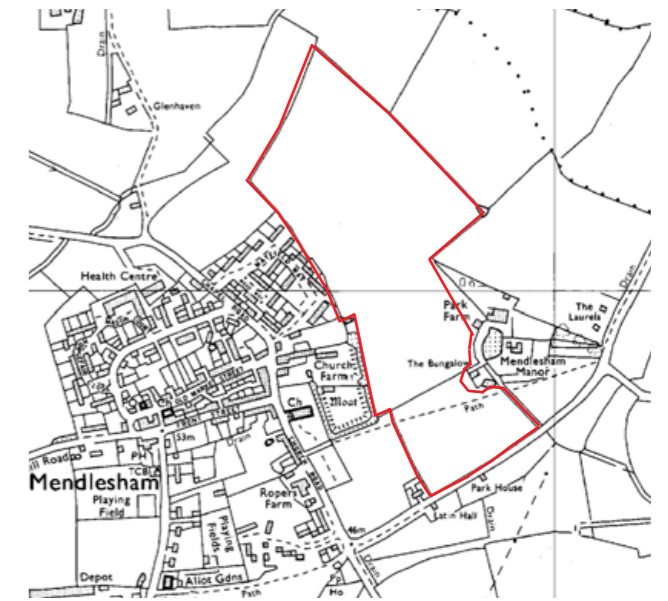
1891 Historic map



1905 Historic map

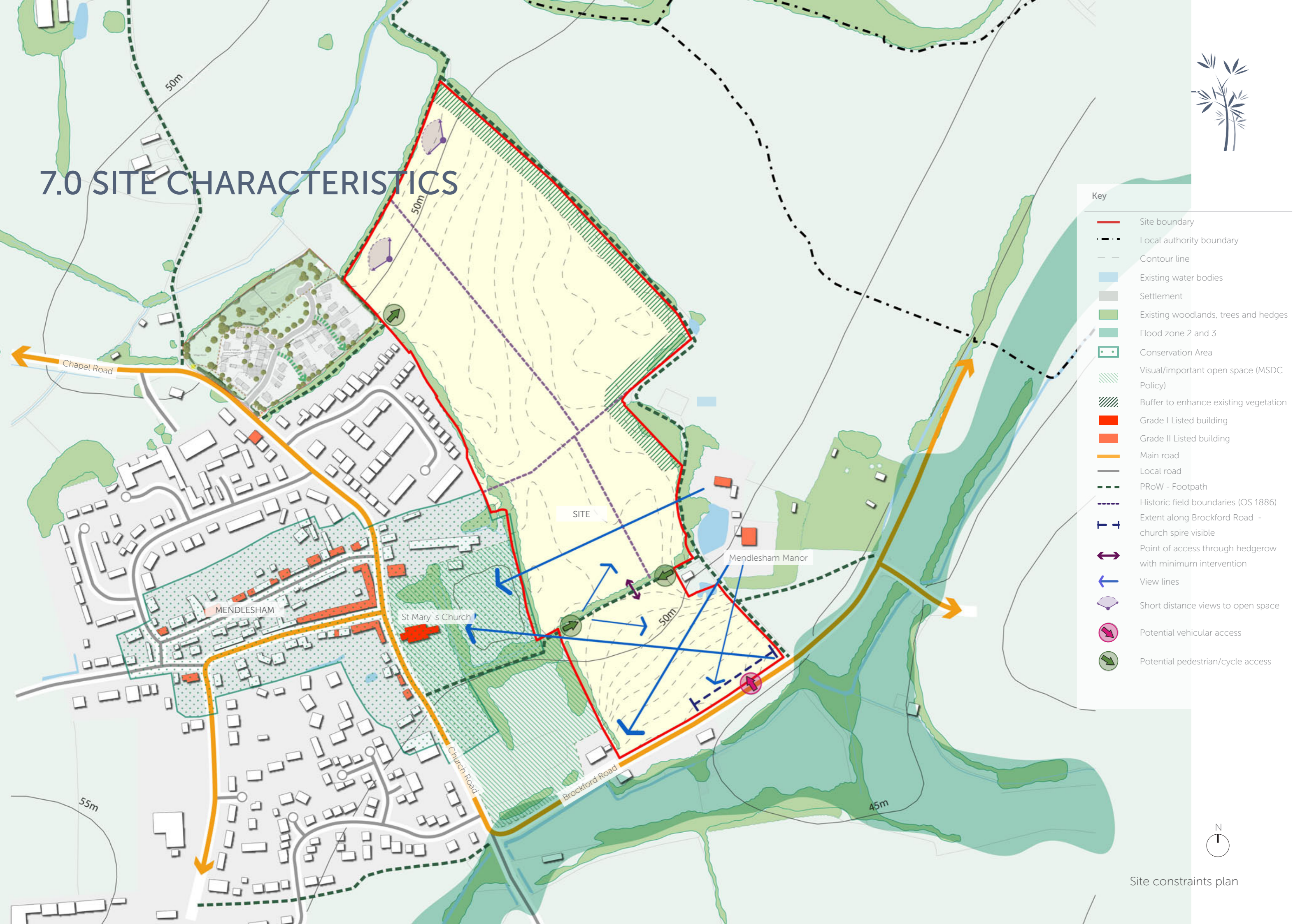


1952 Historic map



1985 Historic map

7.0 SITE CHARACTERISTICS



Key	
	Site boundary
	Local authority boundary
	Contour line
	Existing water bodies
	Settlement
	Existing woodlands, trees and hedges
	Flood zone 2 and 3
	Conservation Area
	Visual/important open space (MSDC Policy)
	Buffer to enhance existing vegetation
	Grade I Listed building
	Grade II Listed building
	Main road
	Local road
	PRoW - Footpath
	Historic field boundaries (OS 1886)
	Extent along Brockford Road - church spire visible
	Point of access through hedgerow with minimum intervention
	View lines
	Short distance views to open space
	Potential vehicular access
	Potential pedestrian/cycle access



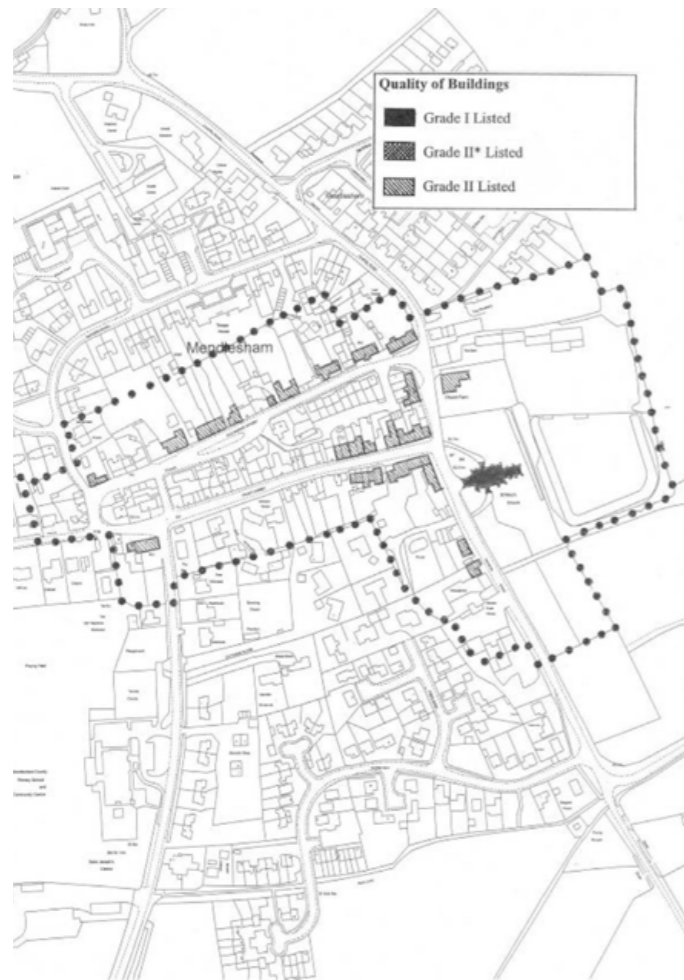
Site constraints plan



8.0 UNDERSTANDING SPATIAL VERNACULAR TO INFORM PROPOSALS

With the understanding of the setting and unique characteristics which surround the site at the eastern edge of Mendlesham, existing spatial layout patterns of the village have been analysed to create and evolve a context responsive design.

In producing this study, considerations outlined in the Mendlesham Conservation Area Appraisal have been incorporated. This study will act as a toolkit, inform design proposals and shape a high quality place that is informed by the local grain and uniqueness of Mendlesham in its original form and as the village has grown. The study shows an understanding of morphological growth of Mendlesham, assessment of layout and form along with spatial and landscape patterns that frame the buildings in the background or foreground. These principles will be used to inform how the masterplan evolves following engagement with local stakeholders.



Mendlesham Conservation Area, Conservation Area Appraisal

The historic maps have shown that the village has a linear structure with Old Market Street very much forming the central space of the village. The buildings on the north side are very urban, sitting tight on the back of pavement edge, whilst those on the south side are more varied and at times fragmented set back behind a small green.

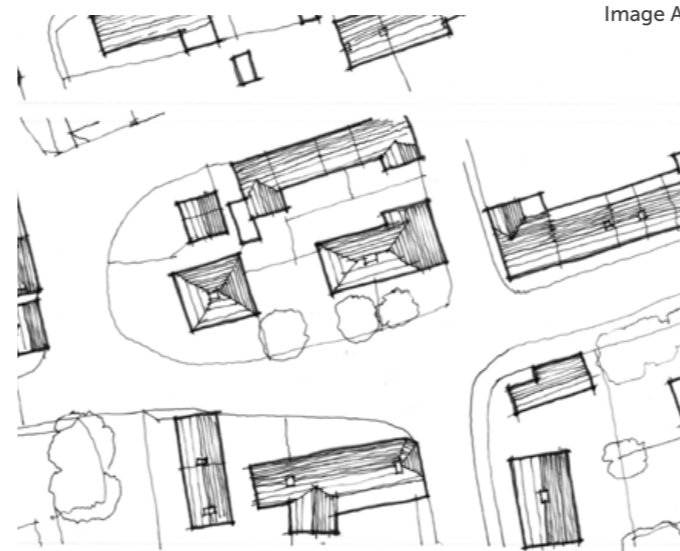


Image A

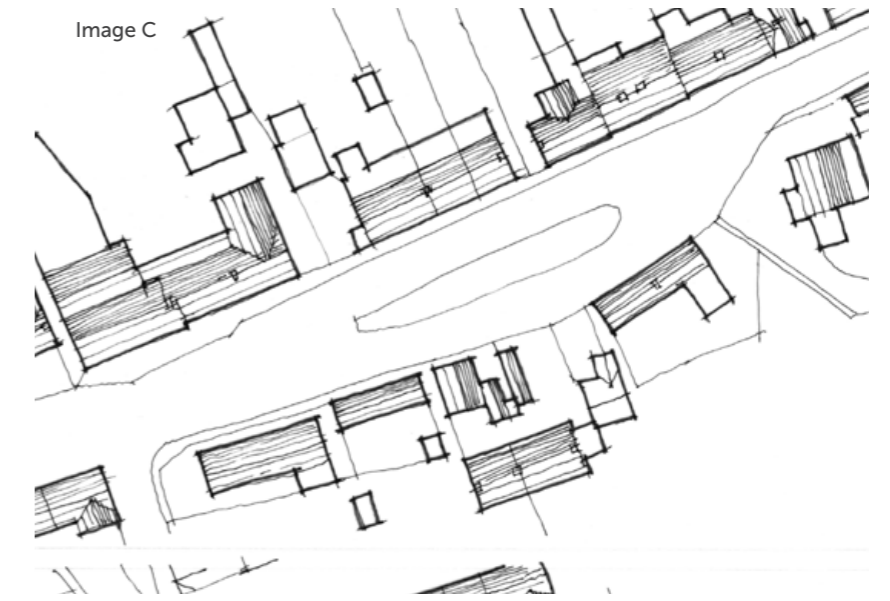


Image C



Variation in built form and enclosure as settlement evolved over the years at Boxford



Image B

Mendlesham's historic development has mostly been one plot deep along the roads and lanes that meet there. Over the years, a number of small estates have been built filling in areas which formed the backland of existing properties. The site presents a similar scenario without intruding into the historic fabric. The effectively radial system of roads is unique to Mendlesham and is augmented by a multitude of footpaths out into the countryside. Images above show some layout patterns;

Image A shows dwellings placed around multiple road and lane junctions. Houses address the linear aspects and others terminate views with most dwellings built at the back edge of pavements and a terrace with short front gardens (Old Station Road). **Image B** above shows ribbon urban grain with modest traditional structure built directly onto one side of the lane overlooking an area of open space (Church Lane). **Image C** shows an example of tight road frontage, with tight building line against the back edge of pavement with occasional dwelling facades built behind hedges and narrow front gardens (Old Market Street).



Image D



Road frontages built close to back edge of pavements with the occasional dwelling facades built behind hedges and narrow front gardens (Old Market Street)

Image E



Ribbon urban grain with modest traditional structures built directly onto one side of the lane, overlooking an area of open space (Church Road)

The key theme and inference gathered from the spatial vernacular study is 'variety' in street typology and layout. Even within a limited number of streets, Mendlesham includes lanes with high enclosure where plots are built onto edge of pavements, generally attached to each other with varying form and silhouette. In contrast the village also includes more open streets with lower degree of enclosure and plots set behind front gardens or overlooking green spaces. It is this hybrid street character that the proposals will seek to incorporate and shape further.



Image F



Image G



Image F (left) - Example of continuous ribbon development of traditional forms fronting either side of the road (Front Street)

Image G (above) - Dwelling facades built behind hedges and narrow front gardens. Gables built directly onto the road and lanes (Old Station Road)



9.0 VISION

Vistry Group will deliver an attractive and sustainable new neighbourhood that the existing and future residents of Mendlesham will be proud of and in which people will aspire to live. The new development will provide improvements to highways and community infrastructure and will be complemented with a network of green spaces including a new village green that will be accessible to the existing and new communities, framed by high quality new homes. In order to deliver the vision, the proposed scheme will adhere to the following principles:

Safeguarding the green gateway to Mendlesham

The privately owned land will be opened up to the community and provide significant open space which will be available for public use and benefit. This will ensure the existing open countryside approach, or 'green gateway' to the village is retained in perpetuity for the enjoyment of the existing and new community.

A balanced, vibrant neighbourhood

A thriving new neighbourhood will be created which will deliver a variety of new homes to meet local needs, from those seeking to access the housing market, family and affordable homes along with housing options for the elderly.

A high-quality place

The new neighbourhood will provide a strong identity, but one which respects the local context and feels like it is an integral part of the village. It will incorporate well designed new homes which reflect local building styles and materials. Houses will be set within a green infrastructure network which helps to create an attractive place by retaining and enhancing existing landscaping and incorporating a variety of green spaces. These will provide opportunities for recreation and biodiversity enhancement as well as helping to provide a transition to the countryside to the wider countryside.

A sustainable accessible neighbourhood

The new neighbourhood would be located with good connectivity to Mendlesham, nearby villages and Stowmarket, making it accessible by a range of sustainable transport options. The land will be opened up to the community and provide significant open space available for public use and benefit. The proposals would provide opportunities for improvements to the existing network of footpaths and provide a wide variety of natural walking and cycling routes including leisure and fitness trails, dog walking routes and boardwalks to appreciate nature and landscape. A permeable and legible network of well designed streets will be incorporated within the scheme providing an attractive neighbourhood where residents can walk along landscaped or tree lined paths which connect to the wider footpath network and onto the nearby village. Existing pedestrian and cycle linkages within and outside the site can be enhanced to integrate the new community with the rest of the village and wider network and encourage residents and workers to access the site by means other than private vehicles.



BEAUTIFUL NEW HOMES



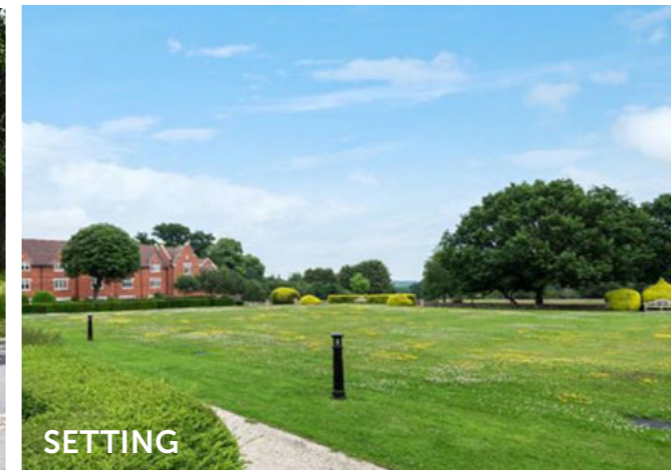
TREE PLANTING



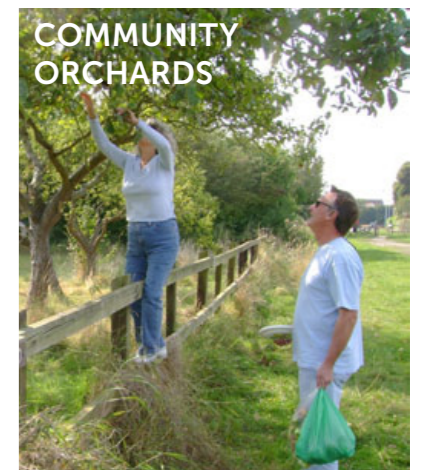
PUBLIC OPEN SPACE



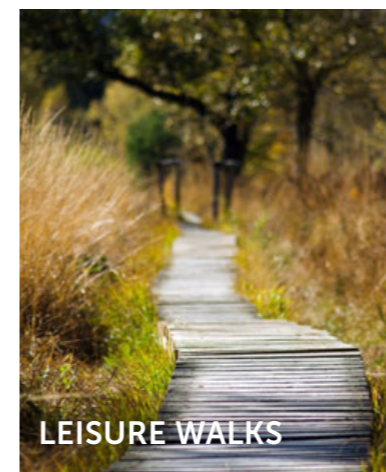
APPROACH DRIVE



SETTING



COMMUNITY ORCHARDS



LEISURE WALKS



ACCESSIBLE SPACES



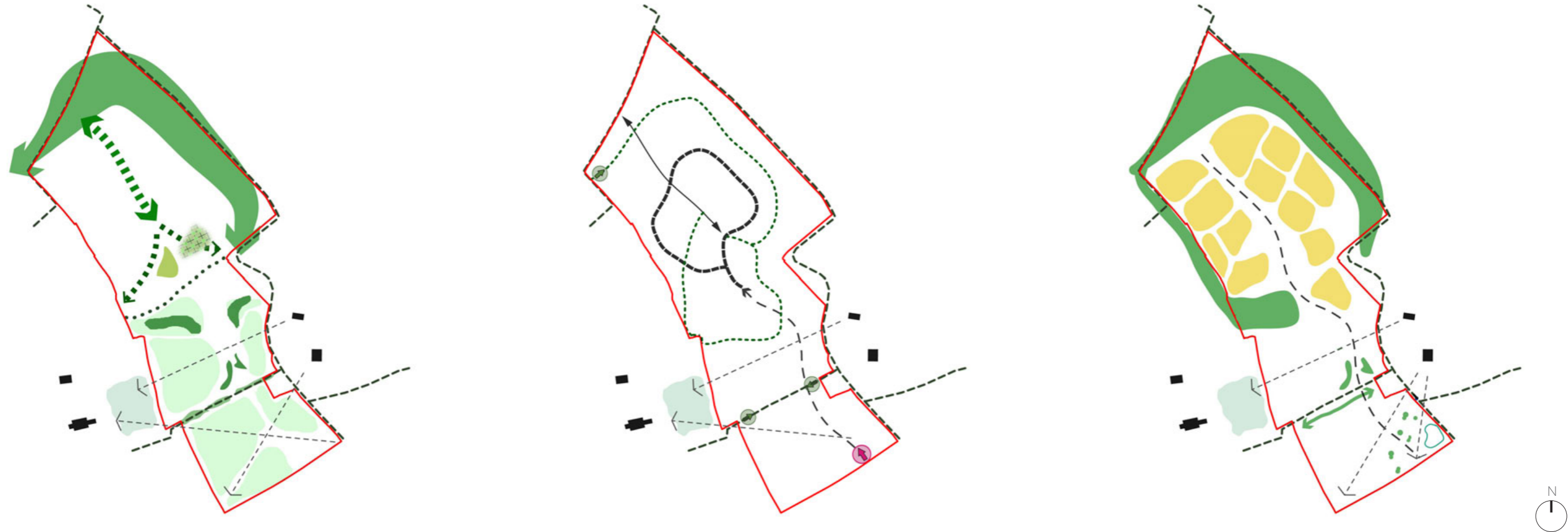
NATURAL PLAY





10.0 DESIGN PRINCIPLES

A layering of the following evolving design principles has framed the concept masterplan and we would like to work collaboratively with the local community to shape and evolve these further.



PRINCIPLE 1 - A LANDSCAPE LED SETTING

- The development would retain and strengthen the existing landscape assets around the site boundary. Green links would be also be created along the northern and western boundary. Existing land to the south will be retained as open space in perpetuity. The proposals would include a hierarchy of open spaces alongside the retained assets, which would include -
- Wildflower/grassed meadows to the south integrating the setting and relationship between the Church and Manor.
- Significant green link on the northern and western boundary to create a soft interface of settlement edge with wider countryside.
- A green as the heart including an area of naturalistic play and connected to community orchards.
- North south green corridor incorporating new footpath along the lost historic field boundary.
- Multi-functional buffers and drainage creating habitats and improving bio-diversity value.

PRINCIPLE 2 - PERMEABLE NETWORK OF ROUTES

- Vehicular access to the site is proposed off Brockford Road following technical highways assessment. This would enable a safe access and would be designed sensitively with traffic calming across the southern part of the site.
- There would be opportunities to provide pedestrian and cycle links to integrate the development with the village and retain/improve the existing public footpaths running through and along the site boundary. New footpaths will be provided.
- A network of routes and streets will be integrated within the proposals to promote a permeable and legible development. Streets will be designed as places and aimed to promote walking and cycling. The design of streets will vary in character from tree lined green streets to more enclosed routes.
- A circular trail would be incorporated within the design proposals. This would vary in character and range from more formal footpaths along streets to softer no-dig routes along the proposed green corridors.

PRINCIPLE 3 - CONTEXT RESPONSIVE


- The proposals have been informed by the analysis work carried out on the spatial layout patterns of the local vernacular. This has been incorporated and will create variation in streetscene, enclosure and set back.
- The variation will range from tree lined open streets to more enclosed streets.
- Development character will range from rural farmstead block to the south, suburban picturesque character to the west as an extension of Mayfield Way with a softer rural character to the east and north.
- Green corridors will be complemented with architecture that will unify the spatial experience.
- The combination of pinchpoints and opened up views lined by trees or landscape in the foreground will reflect the spatial form of the existing village and shape into a context responsive proposal integrating the proposed with the existing village.



11.0 CONCEPT PROPOSAL



KEY

- 1 Low key farmstead acting as gateway into proposed development from Brockford Road
- 2 Linear track designed as a picturesque drive into the development; narrowing of street width at places and becoming the main street through proposed development
- 3 Existing public rights of way retained and integrated within proposals
- 4 Proposed new footpaths/cycleways connecting development to the village and existing public rights of way
- 5 Proposed communal green space as the heart of the new development
- 6 Proposed community orchard creating a green link
- 7 Proposed footpath restoring lost historic field boundary set within in a north-south running green link
- 8 Circular green route creating a soft interface of proposed eastern settlement edge of Mendlesham with wider countryside
- 9 Existing land left as open space
- 10 Low lying areas of the site for SUDs/ attenuation basins and multi-functional green and blue infrastructure corridor
-  Key buildings for way finding

LAND USE	Hectares	Acres
Gross site area	15.82	39.09
Residential development area including roads	6.73	16.63
Open space provision	9.09	22.47
Average density (dph/dpa)	23-30 DpH	9.5-12 DpA
Estimated number of new homes	150 - 200	
Community Orchard	0.12	0.29
Amenity/natural green space [including a village green and establishing a green gateway to the village in perpetuity]	8.01	19.79
Parks & recreation	0.48	1.19
Play space (child&youth)	0.48	1.19
Overall open space required	1.15	2.85
Overall open space provided	9.09	22.47

WORKING WITH YOU

Mendlesham as a village offers the best of both worlds. With its sustainable location, excellent connectivity and unique setting, this is an ideal location to create a context responsive and beautiful development. Vistry Group has a track record of delivering similar places.

The existing and emerging Development Plan for Mid Suffolk recognise that as a Core Village, Mendlesham is capable of accommodating sustainable growth. The site has an edge of settlement character, is in single private ownership and under the control of Vistry. It is available, viable and deliverable. The proposals provide the opportunity to create a landscape led and high quality development that will shape a sensitively designed green gateway entrance to the east of Mendlesham, opening up the land for community recreation use. The proposals will make significant contributions to existing community needs and infrastructure and create a context responsive beautiful setting to the east of this Suffolk village.

Vistry Group would welcome the opportunity to engage with stakeholders, Mendlesham Parish Council and the community of Mendlesham to collaborate and shape the emerging proposals for the site.



Development benefits



Produced by

Boyer

RIBA 

Chartered Practice



(11) BOYER obo VISTRY GROUP (Chapel Road)

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Libby Hindle
Job Title (if applicable):	Associate Director
Organisation / Company (if applicable):	Boyer
Address:	15 De Grey Square De Grey Road Colchester Essex
Postcode:	CO4 9YQ
Tel No:	01206 769018
E-mail:	libbyhindle@boyerplanning.co.uk

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Vistry Group
Address:	c/o Agent
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	See attached Statement	Policy No.	See attached Statement
---------------	------------------------	------------	------------------------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one box)

Support		Oppose	
Support with modifications	X	Have comments	

Please give details of your reasons for support / opposition, or make other comments here:

Please see the accompanying statement prepared by Boyer on behalf of Vistry Group relating to land north east of Chapel Road, Mendlesham.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please see the accompanying statement prepared by Boyer on behalf of Vistry Group relating to land north east of Chapel Road, Mendlesham.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

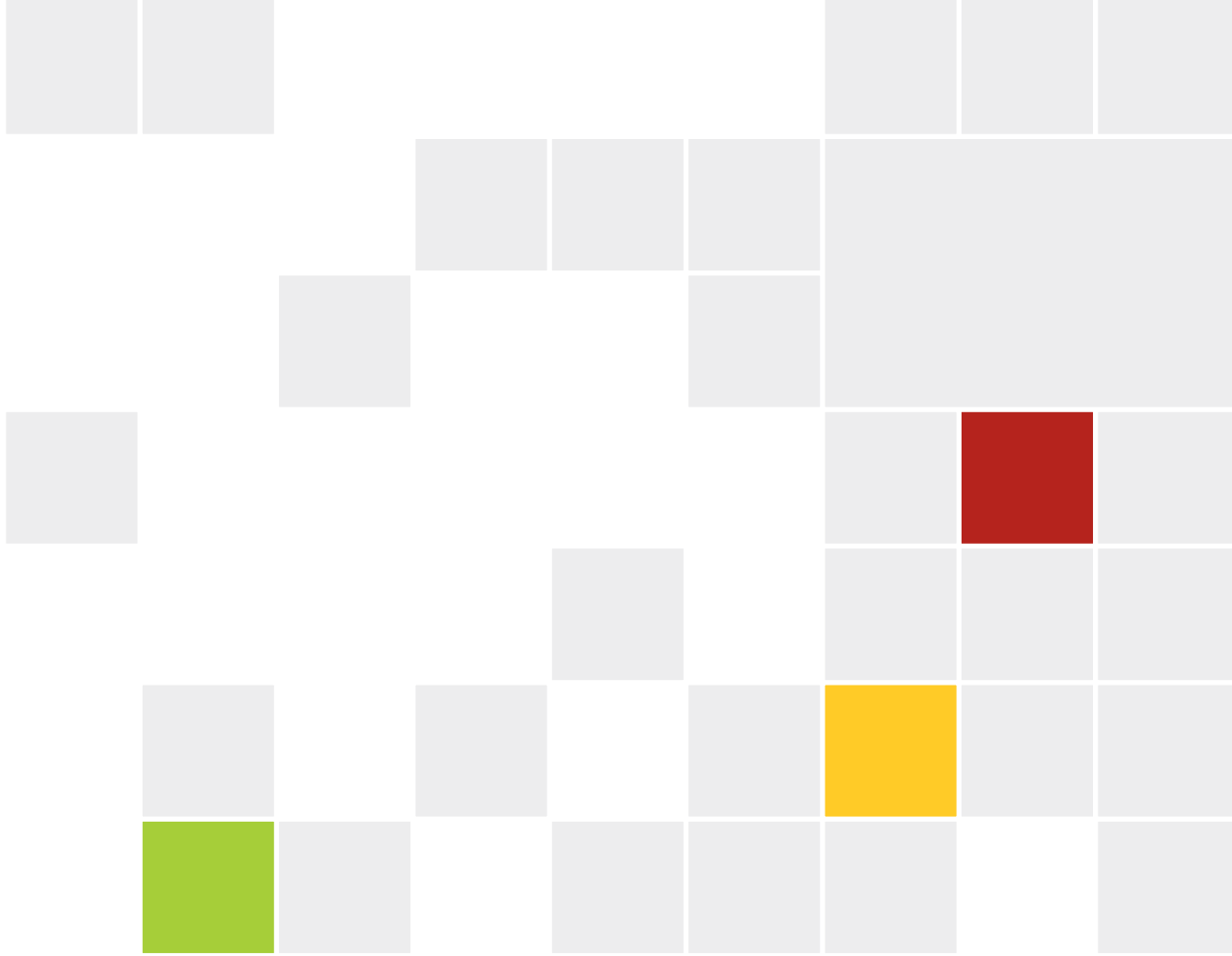
Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...
N/A
<i>(Continue on separate sheet if necessary)</i>

Please indicate (tick) whether you wish to be notified of:

If applicable, publication of the Independent Examiner's Final Report	√
The 'making' (adoption) of the Modified Mendlesham NDP by Mid Suffolk District Council	√

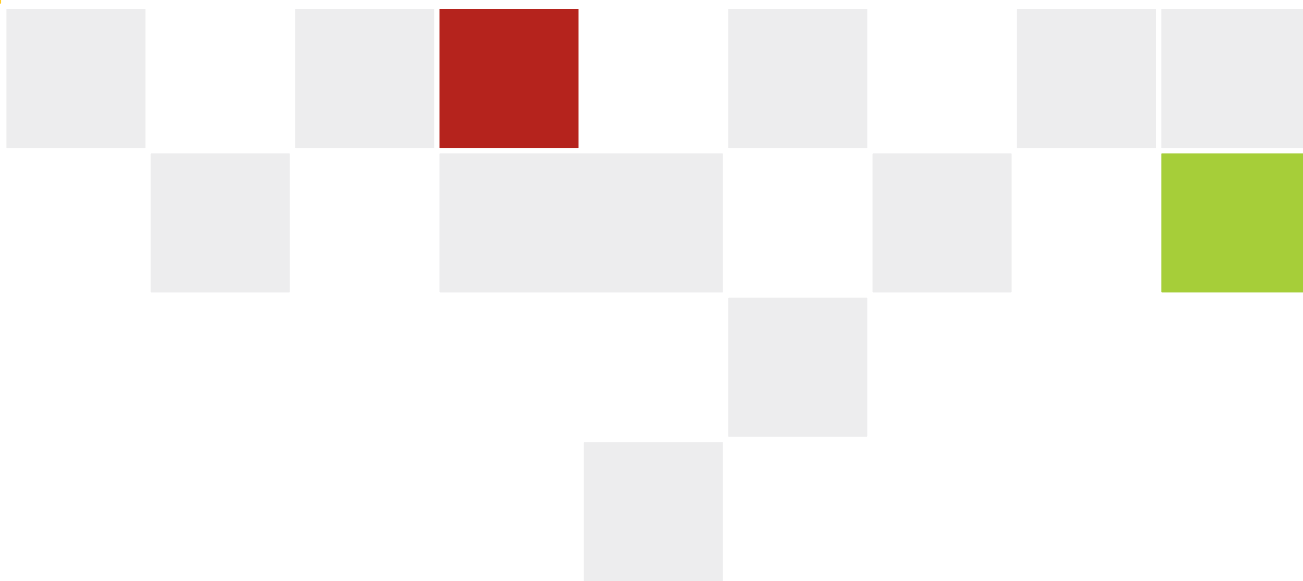
Signed: <i>L Hindle</i>	Dated: <i>16.09.2021</i>
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Land North- East of Chapel Road, Mendlesham

Representations to Mendlesham Neighbourhood Development

Plan Submission Modification Draft (May 2021)



Boyer

Report Control

Project:	Land north-east of Chapel Road, Mendlesham
Client:	Vistry Group
Reference:	19.6042
File Origin:	
Primary Author	Jenny Pike / Libby Hindle
Checked By:	Libby Hindle

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
V1	16/09/2021	DRAFT	JP
V2	16/09/2021	FINAL	LH

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2. Land north-east of Chapel Road, Mendlesham	5
3. Supporting Documents to the Neighbourhood Plan Modifications	8
4. Mendlesham Neighbourhood Plan Modifications Draft	10
5. Summary and Conclusion	14

APPENDIX

Appendix One – Site Location Plan

1. INTRODUCTION

- 1.1 These representations are submitted by Boyer on behalf of Vistry Group (trading as Vistry Homes Ltd) in response to consultation on the Mendlesham Neighbourhood Development Plan (MNDP) 2018-2037 Submission Modification Draft (May 2021) under Regulation 16 of the Neighbourhood Planning Regulations.
- 1.2 These representations make specific reference to land north-east of Chapel Road, Mendlesham, otherwise known as Chapel Field ('the Site'), as illustrated on the Site Location Plan at Appendix One.
- 1.3 Vistry Group recently acquired the Site, which has the benefit of extant outline planning permission (access included) for the erection of 20no. dwellings and creation of vehicular access (reference DC/19/05915).
- 1.4 The current MNDP was 'made' in March 2017 and the Plan covers the period to 2031. Modifications to the MNDP are proposed to align the MNDP with the emerging Draft JLP and respond to changed requirements since the MNDP was adopted. This includes, inter alia, an increase in the plan period to 2037, an increase in the total minimum number of dwellings required to be delivered in Mendlesham through the Plan period to 161 dwellings, and the inclusion of site allocations. Vistry Group support the production of a modified MNDP as it positively enables the local community to guide the development and growth of their local area. It is our intention that the comments provided in these representations are informative and helpful to the further refinement and progression of the modified MNDP.
- 1.5 Once made, the modified MNDP will form part of the Mid Suffolk Development Plan and will be fundamental in shaping the future of Mendlesham. The modified MNDP should support the delivery of strategic policies contained in the Draft JLP, and should guide and direct development that is outside of these strategic policies.
- 1.6 From our review, the general principles of the modified MNDP appear to be sound, and the context of the policies and objectives appear to be locally based. In principle, the Plan would fulfil its' role effectively as the 'local' element of the 'Development Plan'. However, for the reasons set out within these representations, the modified MNDP should consider the inclusion of larger scale developments. This will help to ensure that local housing need is met and community benefits are also delivered from future development in the village, rather than relying on small scale developments, or becoming subject to speculative schemes that are limited in their ability to deliver public benefits.
- 1.7 When considered against the necessary Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011), it is our view that, as currently drafted, the modified MNDP is not in conformity with National Planning Policy and would not contribute to the achievement of sustainable development, and a such would fail to meet the necessary Basic Conditions. The Basic Conditions relevant to the making of a neighbourhood plan are:

- Condition a: having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- Condition d: the making of the neighbourhood plan contributes to the achievement of sustainable development;
- Condition e: the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- Condition f: the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- Condition g: prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for neighbourhood plan.

1.8 The modified MNDP has been reviewed in both its own context and in relation to the Site. Section 2 of these representations provide details of the Site. Section 3 considers the relevant supporting documents to the modified MNDP and Section 4 provides our response to the proposed modifications to the MNDP. Summary and conclusions are drawn in Section 5.

2. LAND NORTH-EAST OF CHAPEL ROAD, MENDLESHAM

- 2.1 Vistry Group has recently acquired the land north-east of Chapel Road, Mendlesham, known as 'Chapel Field'. Outline planning permission (access included) was granted in October 2020 for residential development of the Site, comprising 20 dwellings and creation of vehicular access (ref. DC/19/05915). Vistry Group are committed to bringing forward the delivery of a high-quality residential development at the Site.
- 2.2 The Site is located on the eastern edge of Mendlesham and extends to approximately 2.3 hectares of greenfield land, which currently comprises an arable field. The Site adjoins the defined settlement boundary of Mendlesham and is well related to the village, which is identified as a 'Key Service Centre' in the Core Strategy 2008. The emerging Babergh and Mid Suffolk Joint Local Plan proposes that Mendlesham is a location where new housing development is sustainable and seeks to define it as a 'Core Village', which is a classification given to larger, sustainable villages.
- 2.3 The Site is located approximately 155 metres north of the Mendlesham Conservation Area. Other nearby heritage assets include the Grade II listed Calves Pightle, which is located on the opposite side of Chapel Road. There are no known designations on or close to the Site that would preclude development.
- 2.4 As recognised through the approved outline planning permission, and the acknowledgement of the Site as a 'committed site' within the draft modified MNDP, the Site presents an excellent opportunity to create a sustainable development, well-connected to the existing settlement and that would contribute to the local development needs of Mid Suffolk District and the Mendlesham Core Village.
- 2.5 Vistry Group welcome the opportunity to engage positively with Mendlesham Parish Council, in order to support modifications to the neighbourhood plan. In addition, Vistry Group are keen to engage with the Parish Council and local community as the detailed proposals for the Site evolve, so that they are able to inform and embrace how the Site will be brought forward.

Babergh and Mid Suffolk JLP Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 2.6 Following two rounds of 'call for sites' processes in 2014 and 2016, and sites submitted through consultation stages on the Joint Local Plan, the Councils undertook an assessment of these sites, to identify those considered suitable with either deliverable or developable potential for development.

- 2.7 The Site is included in BMSDC's SHELAA (2020) under reference SS0083 as a 'Potential Site' (SHELAA Appendix B) for the delivery of 50 dwellings. The summary assessment of the Site notes that the Site is in single ownership, and that there are no legal restrictions on the land and no known abnormal costs which would affect viability. Vistry Group can confirm that this all remains to be the case.
- 2.8 The summary also estimated that the site would deliver of 10 - 15 dwellings per annum, which could come forward in 0-5 years. Vistry Group are committed to the delivery of the Site in the early part of the Plan period, and would advocate that in line with the SHELAA assessment, a higher yield could be achieved on the site to ensure efficient use of land and effective contribution to housing need within the Parish and the wider housing market area.

Deliverability and Further Development Potential

- 2.9 As noted above, the Site is solely in Vistry Group's control, which significantly de-risks the deliverability of the Site as there are no third parties involved in promotion of the Site.
- 2.10 Land to the north of Brockford Road, which adjoins the Site to the east, is also within Vistry Group's control and has been promoted through the emerging draft JLP and draft modified MNDP. There is, therefore, potential for a comprehensive approach to be considered for wider future development. Together, the sites present an excellent opportunity to create a well-designed, attractive and sustainable new neighbourhood that is well-connected to the existing settlement and would contribute to the local development needs of Mid Suffolk District and the Mendlesham Core Village. The potential scale of the development that would be achieved across the sites, means that it could provide a wealth of benefits to the local community that smaller developments are not able to provide, and which will support the vitality of Mendlesham and connected nearby rural settlements.
- 2.11 Proposals presented through separate submissions to the MNDP consultation in relation to the development of land north of Brockford Road have been inspired by the landscape and heritage context, physical characteristics of the Site, and its relationship with the village. Development would be focussed in the northern part of the site, close to Chapel Field, and present a natural extension to the village that would be integrated into the surroundings with appropriate landscaping. Significant open space would be provided for public use and benefit, to ensure the existing open countryside approach to the village along Brockford Road is retained in perpetuity for the enjoyment of the existing and new community.

Engagement

- 2.12 Vistry Group welcome the opportunity to proactively engage and work cooperatively with the Parish Council to support the proposed modifications to the MNDP, and to involve the community in the forthcoming detailed proposals for the Site.

2.13 Vistry Group hope that the progression of the detailed proposals for the Site can be undertaken collaboratively within the Parish Council and the wider community. As the proposals evolve, Vistry Group will be pleased to engage with key stakeholders, and the local community, to obtain feedback to inform the detailed designs.

3. SUPPORTING DOCUMENTS TO THE NEIGHBOURHOOD PLAN MODIFICATIONS

AECOM Site Assessment Report (March 2019)

- 3.1 AECOM undertook an independent and objective site appraisal intended to aid Mendlesham Parish Council in its site selection process in 2019.
- 3.2 A 'traffic light' rating system is used in the report as an indicator of the suitability of a site for allocation. A 'red' rating indicates that the site is not appropriate for allocation.
- 3.3 Six sites were shortlisted as being potentially appropriate for housing allocation as long as identified constraints could be resolved or mitigated.
- 3.4 Land at Chapel Field is identified in the AECOM report as 'Site 3' with a dwelling capacity taken from the SHELAA of 50 dwellings. It scores a green – amber rating and comprises one of the shortlisted sites which is potentially suitable for development.
- 3.5 The AECOM Site Assessment states that the Site is suitably located on the border of the existing settlement boundary and therefore development would provide a natural extension to the village. The report recommends part development of the Site, limiting the site area to the area adjacent to the existing settlement (the western aspect of the Site), avoiding development extending further into the open countryside.
- 3.6 It is also identified that part of the Site is located within Flood Zone 3 and that this should be taken into consideration in future development of the Site and the incorporation of suitable mitigation.
- 3.7 The findings of the AECOM report in relation to Site 3 are largely supported and it is agreed that this is a suitable location for residential development adjacent to the existing settlement boundary. Future development of the Site can be achieved whilst appropriately taking into consideration and mitigating any flood risk to the northern part of the Site. This is demonstrated through the planning permission that has already been granted for part of the Site.
- 3.8 However, the conclusions drawn for Site 3 are not fully supported. Whilst the Flood Risk constraints are acknowledged and will be taken into consideration in any future development, development of the eastern part of Site 3 should not be restricted in a heritage or landscape context. The Essex County Council Place Services report 'Mendlesham: Heritage Assessment of Potential Growth Sites (January 2019) uses the same site boundary as the AECOM Site Assessment report and provides the land north-east of Chapel Road with a green rating. It is concluded that whilst development of the Site will create urban expansion into the historic rural landscape, there will be no impact upon the historic core. This conclusion is supported.

SEA Scoping & Environmental Report (August 2020)

- 3.9 The preparation of the Strategic Environmental (SEA) Scoping & Environmental Report (August 2020) to support the proposed site allocations within the modified MNDP is welcomed. Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, as referenced at NPPG Paragraph 072 (Ref ID: 41-072-20190509), it is useful for demonstrating how the draft plan meets basic condition d (achievement of sustainable development).
- 3.10 Land north-east of Chapel Road is included within the SEA under three site options. The entire site is referred to as site MNDP3a and a reduced site area encompassing just the land to the north of the existing settlement is referred to as site MNDP 3b/3c.
- 3.11 The SEA conclusions for sites MNDP3b and MNDP3c seem generally positive. The main concerns raised around site MNDP3a relate to the high flood risk to the northern part of the Site and the extension of the settlement further into the countryside to the north. It is concluded that all of the site options would have 'no effect' on the historic core. Based upon the site assessments made, the conclusion of the SEA to reject the land north east of Chapel Road based upon impact on the character of immediate rural areas is ambiguous and not supported. It is considered that an appropriate and sensitive development of the Site is achievable without having a negative impact.
- 3.12 Whilst the preparation of the SEA Scoping and Environmental Report is welcomed in order for it to be demonstrated how the draft modified MNDP meets basic condition d, the SEA Report is not considered to fulfil its purpose and does not provide robust evidence on how the MNDP guides development to sustainable solutions as an inaccurate assessment and conclusion of sites has been made.

4. MENDLESHAM NEIGHBOURHOOD PLAN MODIFICATIONS DRAFT

Vision and Objectives

- 4.1 The vision and objectives for the modified MNDP, which echo principles set out in national planning policy through the NPPF, are generally supported.
- 4.2 The vision for Mendlesham in 2037 is set out at Paragraph 1.17 of the modified MNDP. There is considered to be an element of conflict between the following elements of the vision:
- *“New homes will have been built but they will be blended into the edge of the village with careful landscaping”* and
 - *“All of our local farmland will still be fully utilised”.*
- 4.3 It is agreed that available farmland should be fully utilised. However, to facilitate expansion of the village and the vision for new homes to be built at the edge of the village, this may require the loss of some local farm land and the vision should be appropriately worded in this regard.
- 4.4 The vision includes a desire for a number of enhancements to community / recreation facilities within Mendlesham and the following are of particular note:
- *“The school will be bigger and the Community Centre will be a busy social hub for all residents, not just the sports players”;*
 - *“A wider range of sports (including cricket and tennis) will be available locally”;*
 - *“The network of paths in and around the village will be well used and well maintained”;*
and
 - *“The Health Centre will be offering a wider range of community facilities (possibly dentistry and podiatry)”.*
- 4.5 The aspirations set out in the vision are supported. However, this will be difficult to achieve through piecemeal delivery of a number of small development sites and a heavy reliance on windfall development. In our view, this could be achieved through the delivery of larger scale development, which could be accommodated on the Site as reflected in the BMSDC SHLEAA (2020), and moreover through comprehensive approaches to development, for which there is the potential if the Site were to be considered in conjunction with adjoining land north of Brockford Road.

Housing

- 4.6 Chapter 3 of the modified MNDP relates to housing.

- 4.7 It is recognised, as set out at Paragraph 3.21 of the modified MNDP, that residents have expressed a preference for development in Mendlesham to comprise of a number of small sites around Mendlesham village, of circa 10-20 dwellings, rather than having “*just one large estate*”. The outline planning consent granted for the Site in October 2020 (ref. DC/19/05915) reflects this preference. Whilst the views of local residents are acknowledged, as advocated within the NPPF (paragraph 73) larger developments would help to meet identified needs in a sustainable way, with greater provision for a range of dwelling sizes and types, supported by infrastructure and facilities.
- 4.8 The inclusion of a well-planned larger development at land north-east of Chapel Road would ensure a sustainable development strategy in accordance with basic condition d.

Policy MP1 [Housing]

- 4.9 Draft JLP Strategic Policy SP04 ‘Housing Spatial Distribution’ states:
- “In order to assist with delivery of the overall district housing need requirements, designated Neighbourhood Plan areas will be expected to plan to deliver the minimum housing requirements set out in Table 4. Neighbourhood Plan documents can seek to exceed these requirements, should the unique characteristics and planning context of the designated area enable so”.*
- 4.10 Paragraph 29 of the NPPF states “*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*”.
- 4.11 Table 4 of the Draft JLP identifies the minimum total homes required for Mendlesham is 161 and Policy MP1 of the modified MNDP aligns with this. It is supported that 161 homes should be the **minimum** figure.
- 4.12 BMSDC submitted its Draft JLP to the Secretary of State for examination on 31st March 2021. BMSDC’s Consultation Statement (March 2021) indicates that representations were submitted to the Regulation 19 Draft JLP consultation stating a potential need to increase the housing requirement for the District. A number of reasons are given for this including a possible requirement to meet unmet need from Ipswich Borough Council under the duty to cooperate. This may therefore necessitate further housing sites being identified within the Draft JLP either as allocations or as reserve / contingency sites.
- 4.13 Whilst it is positive that the modified MNDP seeks to align with strategic policy within the Draft JLP by supporting a minimum total of 161 new homes, there are reservations in relation to the approach that has been taken.

- 4.14 Three sites are allocated, totalling 103 dwellings. Of these allocations, planning permission has already been granted for 56 units, comprising 28 dwellings at Mason Court (Ref. M/4242/16/OUT) and 28 of the dwellings at Glebe Way (Ref. DC/18/03147). Together with the commitment at Chapel Field for 20 dwellings (Ref. DC/19/05915) which is thought to be included within the 161, the modified MNDP is heavily reliant upon existing commitments, and that all new development will come forward in the early part of the plan period. It is important for the modified MNDP to plan positively for new housing over the whole plan period.
- 4.15 Whilst the inclusion of Chapel Field as a committed site within the MNDP is supported, it is acknowledged that the Site was included in the Regulation 14 Neighbourhood Plan Version 4.7 (January 2021) as development 'Site 3' as shown in Figure 2.2 'Mendlesham Village Development Sites' (this did not include the part of the site jutting out to the east). Paragraph 3.41 of the Version 4.7 Neighbourhood Plan clarified that the Site was included for development within Phase 2 (2022 – 2036) for 20 dwellings. However, Site 3 has been removed from the Submission MNDP (May 2021) and we are not aware of any new evidence to justify this decision. It is therefore unclear why Site 3 has been removed from the Submission Draft Modified MNDP. Site 3 should be reinstated into the MNDP to include a dwelling capacity of 50 dwellings to ensure the effective use of land in line with the NPPF.
- 4.16 There is also a high reliance on windfall development which totals 38 dwellings over the plan period (2 dwellings per year). This amounts to 27% of the total housing number (161). Paragraph 71 of the NPPF states that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply and the allowance should be realistic. To our knowledge, there is no compelling evidence for the high reliance on windfall sites proposed.
- 4.17 It is important to note that whilst any dwellings brought forward as windfall development will be CIL liable (unless exemptions apply) the small scale nature of any development is likely to mean that no provision will need to be made for affordable housing.
- 4.18 In terms of housing needs, Policy MP1 specifically states that support will be given to smaller 2 and 3 bedroom homes that are adaptable. Smaller speculative developments are unlikely to fulfil this demand which will result in a housing stock that does not meet the requirements of Mendlesham. The best way to achieve the required housing mix will be through a larger sites and comprehensive developments that can provide for a range of dwelling types and sizes.
- 4.19 Paragraph 5 of Policy MP1 states that *"residents have a preference for incremental growth of small developments of 20 dwellings or less unless it can be demonstrated that a greater number will deliver a significant and demonstrable benefit"*. Larger developments can increase the sustainability of a wider settlement through the provision of additional services and facilities, or through enhancing existing services and facilities. In particular, new development that is well related to the existing settlement such a land to the north-east of Chapel Road, and land north of Brockford Road, can also have a positive impact upon the long term viability of a place through indirect spending from future occupiers. For the reasons

set out within Chapter 2 of this Statement, there are significant and demonstrable benefits to a larger scale of developments being considered.

- 4.20 Taking all the above into consideration, whilst the modified MNDP does make provision for the 161 homes specified in the Draft JLP, in light of the heavy reliance on existing commitments and windfall development, the housing strategy set out within modified MNDP Policy MP1 does not meet the requirements of basic conditions a or d.

Policy MP3 [Provision of Affordable Housing]

- 4.21 Policy MP3 of the modified MNDP states *“On open market housing developments of more than 10 dwellings a proportion (emphasis added) of dwellings shall be provided as affordable dwellings to address evidence of housing need”*.
- 4.22 Policy MP3 of the made MNDP specifies the proportion as ‘up to 35%’ and it is unclear why this has been removed in the modified MNDP. Both the adopted Local Plan (2006) and the Draft JLP set the threshold at 35%. In order to ensure the modified MNDP meets basic condition e, Policy MP3 should be reworded to retain the wording in the made MNDP as follows:

“On open market housing developments of more than 10 dwellings, a proportion of dwellings up to 35% shall be provided as affordable dwellings to address evidence of housing need...”

Policy MP6 [Building Design]

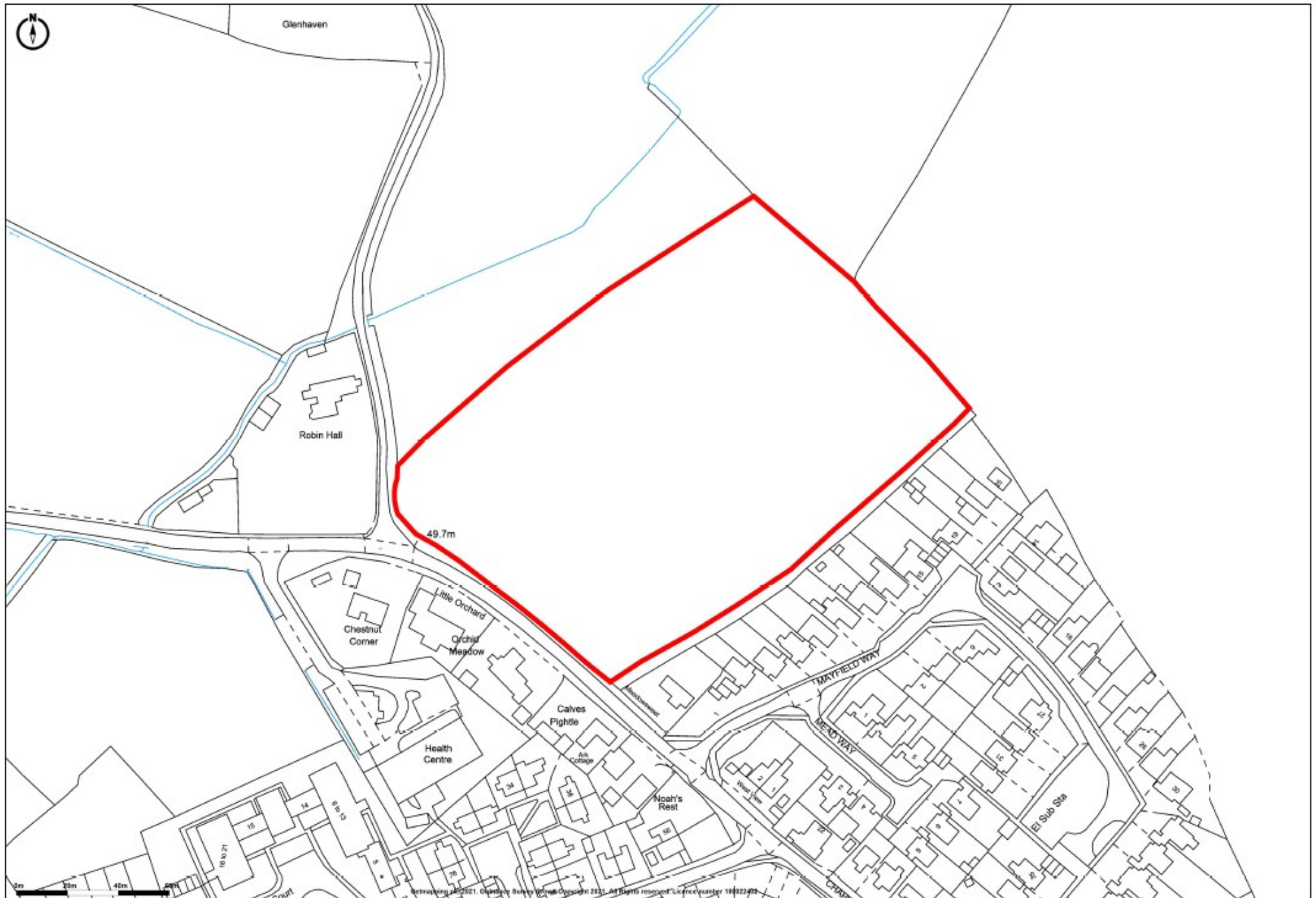
- 4.23 Policy MP6 aims to encourage new development to respect and fit in with the built form and character of Mendlesham and basic high level criteria are set out within the policy that should be adhered to.
- 4.24 Design is at the forefront to the 2021 revisions to the NPPF. Paragraph 127 of the NPPF requires plans to set out a clear design vision and expectations. It is stated that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.
- 4.25 At present, Policy MP6 is very basic. Reference is made to a Suffolk Design Code but this will not provide guidance on the special qualities of Mendlesham. Whilst there is no requirement for the neighbourhood planning group to prepare a design code, Policy MP6 does not appear to recognise the importance of good design, as set out within the NPPF. Policy MP6 is not currently considered to meet the requirements of basic condition a, and further thought should be given to the wording of this policy in the context of the 2021 NPPF.

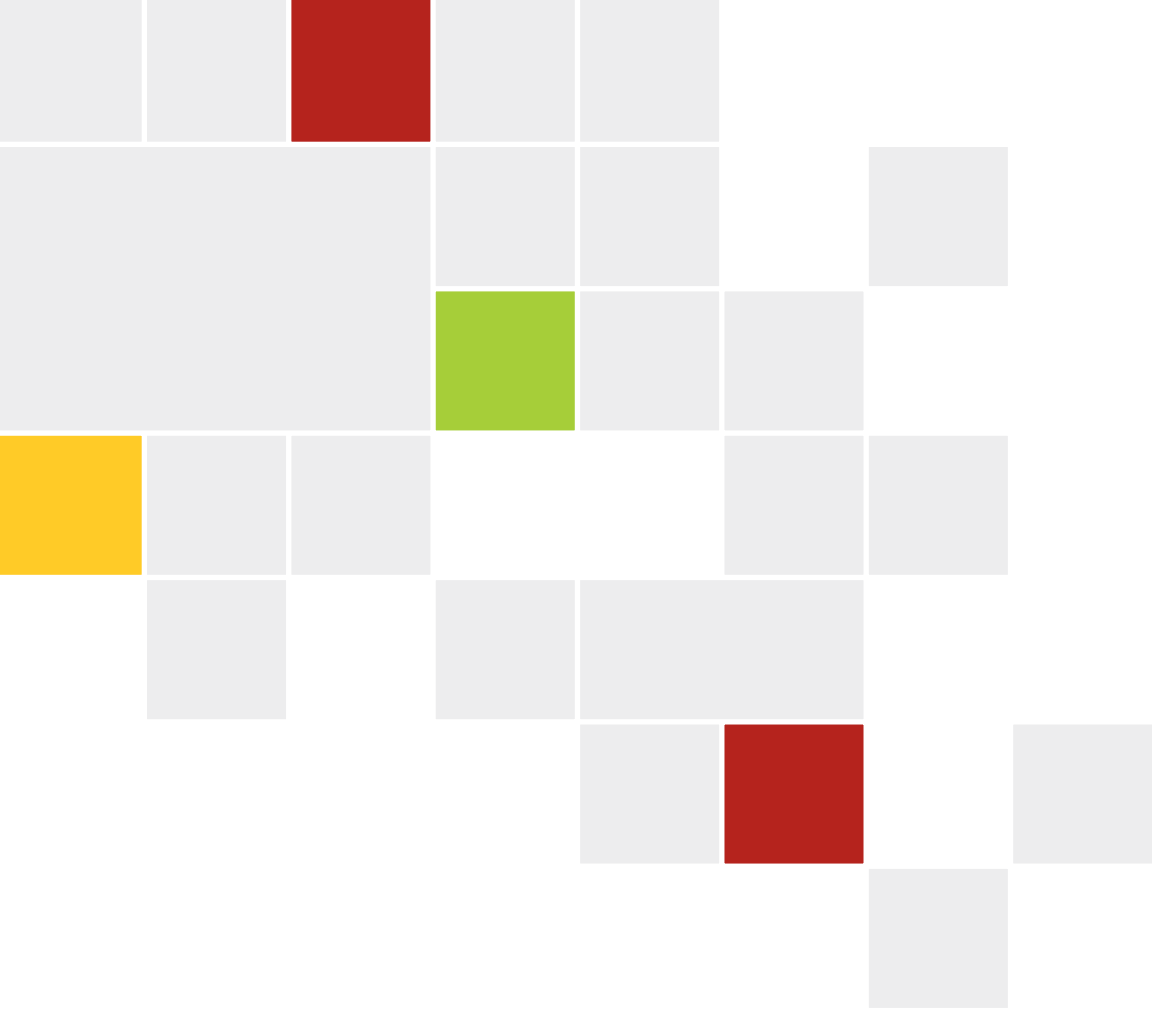
5. SUMMARY AND CONCLUSION

- 5.1 These representations are submitted by Vistry Group in relation to the Regulation 16 consultation on modifications to the Mendlesham Neighbourhood Development Plan.
- 5.2 The representations relate to land north east of Chapel Road, Mendlesham (known as Chapel Field) for which outline planning permission was granted in October 2020 for 20 dwellings and vehicular access (ref. DC/19/05915). The Site is included within the overall Mendlesham housing requirement as a committed site for 20 dwellings and this is supported.
- 5.3 Whilst the modified MNDP seeks to allocate 161 dwellings over the period 2018-2037 in line with strategic policy contained within the Draft JLP, this should be treated as the **minimum** figure. There is a heavy reliance on committed sites and windfall development and it is anticipated that the allocations will be brought forward within the early part of the plan period. No contingency sites are suggested within the modified MNDP and should any site fail to come forward the village would be left open to speculative development. Chapel Field should be included as an allocation for 50 dwellings.
- 5.4 The provision of larger developments will enable a wealth of benefits to be provided to the local community, which are not achievable from other smaller scale developments. This approach will also ensure that the local community maintain control over where future development is located and will ensure that a range of housing to meet local need including smaller adaptable units and affordable homes are provided.
- 5.5 In its current form, the modified MNDP does not overall contribute to the achievement of sustainable development and in places is not in accordance with the development plan or NPPF (2021) and therefore fails to meet the Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

APPENDIX ONE – SITE LOCATION PLAN

Land north east of Chapel Road, Mendlesham





Boyer

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(12) M SCOTT PROPERTIES LTD

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Miss Victoria Cutmore
Job Title (if applicable):	Planning Manager
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Address:	Suite 5 Oyster House Severalls Lane Colchester Essex
Postcode:	CO4 9PD
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E-mail:	victoria@mscott.co.uk

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	MP1
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one box)

Support		Oppose	<input checked="" type="checkbox"/>
Support with modifications		Have comments	

Please give details of your reasons for support / opposition, or make other comments here:

Please see comments in the attached document.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please see comments in the attached document.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...
N/a.
<i>(Continue on separate sheet if necessary)</i>

Please indicate (tick) whether you wish to be notified of:

If applicable, publication of the Independent Examiner's Final Report	✓
The 'making' (adoption) of the Modified Mendlesham NDP by Mid Suffolk District Council	✓

Signed: < [Redacted Signature] >	Dated: 17 September 2021
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Parish Of Mendlesham Neighbourhood Development Plan 2018-2037

Regulation 16 Consultation
M Scott Properties Ltd Representations
September 2021

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Introduction

1. These representations have been prepared by M Scott Properties Ltd (Scott Properties) in response to the Regulation 16 Consultation on the Parish of Mendlesham Neighbourhood Development Plan 2018-2037 Submission Modification Draft (May 2021) (the 'NDP').
2. Scott Properties is promoting the land north of Mill Road and south of Chapel Road, Mendlesham (AECOM Site Reference 1 and SHLAA Site Reference SS0063), which was identified within the Draft Babergh and Mid Suffolk Joint Local Plan in 2017 as a potential area for development within Mendlesham.
3. Whilst Scott Properties supports the review of the NDP, including the proposed extension to the Plan period, we do not consider that the proposed allocation of the land adjacent to Old Station Road and Oak Farm Road represents the most suitable site for allocation within the settlement, particularly based on the comments received through the consultation with local residents in 2017, and the NDP's own evidence base. Whilst we appreciate that the site is proposed for allocation within Policy LA073 of the draft Babergh and Mid Suffolk Joint Local Plan (the 'JLP'), the proposed site allocations within the JLP have not yet been examined at EiP and therefore there is no certainty of this site remaining an allocation beyond this stage. As such, the site allocations within the NDP should be informed by the evidence base prepared to support the review of the NDP, independently of the proposed allocations within the JLP.
4. Further, the NDP seeks to rely upon windfall development to deliver 38 new dwellings across the Plan period. Whilst the housing supply table on page 35 of the NDP shows anticipated supply exceeding the housing requirement for Mendlesham as set out in the JLP, we question the inclusion of a windfall allowance, particularly as this represents double counting with a windfall allowance made within the JLP which has been factored into the housing requirement figures for Neighbourhood Plan Areas.
5. As such, we do not consider that the NDP contributes to the achievement of sustainable development, contrary to the Basic Conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.

Policy – MP1 [Housing]

6. With regards to the proposed allocation of the land adjacent to Old Station Road and Oak Farm (Site SS0065), we do not consider that the NDP's evidence supports the allocation of this site. The Consultation with local residents document (SD23) lists the positive feedback received from residents regarding this site, with the comments received summarised in Appendix 1. The site was perceived as most suitable for allocation in relation to traffic, with document SD23 noting 31 positive responses received on this. The majority of these responses include reference to the site providing a link road to alleviate traffic in the centre of the village, creating an alternative route to the A140 and A14. Much of the support received for the site within these comments was dependent upon the site providing this link road.
7. The conditional support for the site on this basis is acknowledged in Policy – MP1 [Housing], which states:

“This whole site (Site 2/13 - Fig. 2.2) is the only one possessing the unique ability to protect the historic heart of Mendlesham Village by diverting a significant amount of existing and future local traffic away from the Conservation Area. Most of the support of this site is because of its dual access to Old Station Road and Church Road which provide an opportunity for local traffic to avoid the village conservation area. All new dwellings on this site must have direct access to both Old Station Road and Church Road.”

8. We question the deliverability of the site in respect of this policy requirement, which we also note is not a policy requirement of the site’s proposed allocation in the JLP. Firstly, the site does not directly abut Church Lane, therefore we question how direct access into this would be possible. Secondly, there are only two potential options to deliver such a link road which would provide indirect access to Church Road, and we also question the deliverability of both. These comprise Glebe Way to the north of the site, or Oak Farm Lane to the east of the site, both of which connect into Church Road.
9. The site as identified in Figure 2.2 of the NDP does not abut Oak Farm Lane to the east, therefore we question how any link road could be delivered within the extent of the area proposed for allocation. Whilst we are unclear as to whether any land within the same ownership does provide direct connection into the lane, the NDP evidence base does not provide the necessary confirmation that a link onto Oak Farm Lane could be provided. The AECOM Site Assessment notes in Table 4.1: Site Assessment summary that:

“There is also potential to create access to the northeastern portion of the site off Oak Farm Lane/Church Road, if it can be confirmed that the existing access is owned by the same landowner. Any development of this site would need careful consideration of access.”
10. Whilst the area in the north-east corner of the site to which the refers contains an existing access from Oak Farm Lane and is within the same ownership, it is not included within the proposed allocation area. Further, the suitability and availability of this parcel of land has not been assessed or established through the NDP evidence base, therefore there is no evidence to support this being capable of providing a safe and suitable access into Oak Farm Lane, to facilitate the required link road. Expansion of this area would require third party land ownership. There is an unregistered area of land to the east of the site which abuts Oak Farm Lane, although again this area is not proposed for allocation, nor has it been confirmed as a possibility to provide a link road.
11. Due to the current standard of Oak Farm Lane, this would need to be widened and upgraded to achieve suitable access from the site, which we do not consider would be viable for an allocation of this size. Further, we would also question whether this would be deliverable in light of the intervening land ownerships which may be required to facilitate this, particularly the presence of the pumping station adjacent to the existing track into the site from Oak Farm Lane, also within third party ownership, which appears to restrict the potential for this to be widened to facilitate vehicular access into the site.
12. On the basis that connection into Oak Farm Lane has not been demonstrated to be deliverable, nor has any land which could potentially facilitate this been included in the proposed allocation area, we question how the policy will be deliverable, and therefore how it contributes to the achievement of sustainable development, as required by the Basic Conditions.

13. Glebe Way represents the only alternative to deliver a link road within the site between Old Station Road and Church Road, albeit again, unable to provide direct access into Church Road as required in Policy MP1. The planning permission in the north of the site (reference DC/18/03147) does not propose a connection into Glebe Way, which we note does not directly abut the site itself, with intervening land in third party ownership between the road itself and the site.
14. The Mendlesham Neighbourhood Plan Site Assessment (March 2019) prepared by AECOM (SD24) incorrectly comments in Table 4.1: Site Assessment Summary Table that the planning application proposes access from Old Station Road and Glebe Way. Whilst vehicular access into Glebe Way was originally proposed as part of the planning application, the application area and Indicative Layout Plan were revised in March 2019, removing the formerly proposed connection into Glebe Way. This is noted in the Officer's Delegated Report in respect of the planning application, at paragraph 2.1. There is also reference to a second significant change, in response to negotiations with the Parish Council, which resulted in the proposed access being moved further away from the existing dwellings on the Glebe Way estate.
15. Also of relevance in respect of the proposed connection into Glebe Way are Mendlesham Parish Council's comments on this application of 12th September 2018. Firstly, the comments in respect of the access proposed via the Glebe Way estate are as follows:
- "The access proposed via the Glebe Way estate has caused much concern and is not considered suitable or acceptable for either construction traffic or future resident traffic. The road is not wide enough and would be an accident risk for children either playing or walking to school. Access for emergency services is also questioned with increasing traffic and cars parked on the highway. The residential amenity for those living in Glebe Way will be negatively affected and the highway damaged from construction works. There is an extremely strong public and parish council view that traffic from these developments should not be via Glebe Way."*
16. The Parish Council then comment as follows:
- "The land covered by this application, could provide some sort of "relief" road enabling access out of the village for both residents of further development on this site and other residents which would ease the traffic issue for the Mendlesham Conservation area. We do appreciate that economically and even for planning purposes for a rural parish, this will not be of motorway/trunk road specification, but this is an ideal opportunity to consolidate, plan and expand our road infrastructure which is a must if Mendlesham village is going to grow further in a sustainable way."*
17. In the absence of any evidence to demonstrate that a link road is achievable via Oak Farm Lane, combined with the extremely strong public and parish view that the traffic from development of the site should not be routed via Glebe Way, we question what other opportunity exists for the site to deliver a link road. This is further compounded by a planning consent on the northern area of the site, which proposes an access via Old Station Road only.
18. If the policy requirement in Policy - M1 – [Housing] is not deliverable, as we suspect to be the case, this undermines the reasons for the site's proposed allocation on the basis that it is the

public's preferred site for development, and its unique ability to divert a significant amount of traffic away from the Conservation Area. In the absence of this, the NDP's own evidence base does not support the site as the preferred location for residential development. Whilst we acknowledge the site's proposed allocation within the JLP, we would reiterate that this has yet to be examined through EiP and may be removed as an allocation.

19. PPG¹ is clear that proportionate, robust evidence should support the choices made and the approach taken within a Neighbourhood Plan. It also confirms that Plans should be prepared positively, in a way that is aspirational but deliverable². The proposed allocation of the land adjacent to Old Station Road and Oak Farm (Site SS0065) does not conform to PPG, given it is not deliverable, nor is it supported by the NDP's evidence base. As such, the proposed allocation should be removed.

NDP Evidence Base

20. With regards to the site selection process undertaken as part of the NDP process, Table 4.1: Site Assessment Summary Table within the AECOM Site Assessment (SD24) provides an assessment and a RAG score in respect of each site considered for inclusion. The land adjacent to Old Station Road and Oak Farm (referred to as 'Land South of Glebe Way', site ref 2/13 in the AECOM Site Assessment) received an overall 'Amber' RAG score, with the AECOM site assessment noting that the eastern part of the site lies within Flood Zone 3, as well as highlighting the impact upon the listed building to the west of the site. The assessment recommends a reduced site area of c. 1.54ha including land unaffected by flood risk, however, the proposed allocation includes the entirety of the site.
21. We dispute that 30dph is an appropriate density for this site, as used within the site assessment, given the planning permission on the northern area of the site (DC/18/03147) achieved a density of approximately 12.2 dwellings per hectare³, less than half of the indicative density applied by AECOM. The Officer's Delegated Report in respect of this planning application confirms the developable area of the site as 1.4ha, giving a net density of 20dph, still considerably lower than the AECOM density.
22. The proposed allocation of the site overlooks the conclusions of the AECOM site assessment. We therefore question what evidence supports the site's allocation within the NDP, on the basis that the public support is dependent upon a link road which appears undeliverable, and this was not the most suitable site for development identified in the AECOM site assessment.
23. The land north of Mill Road and south of Chapel Road (Site ref 1 in the AECOM assessment and SS0063 in the SHELAA) is the only site which does not already benefit from planning consent to have received a 'Green' RAG score in Table 4.1: Site Assessment Summary Table. The assessment notes the site's Grade 3 agricultural land classification as a constraint to be carefully considered. However, despite the other sites included within the assessment in agricultural use also being designated as Grade 3, this is not consistently recognised as a constraint. The

¹ Paragraph: 040 Reference ID: 41-040-20160211.

² Paragraph: 005 Reference ID: 41-005-20190509.

³ The site area of the northern area land south of Glebe Way with permission (DC/18/03147) has been calculated as approximately 2.3ha in total, as no such figure is confirmed within the application documents or Officer's Delegated Report of August 2020.

Officer's Delegated Report in respect of the proposed residential development in the north of the land south of Glebe Way (proposed for allocation) confirms at paragraph 6.12 that the site is Grade 3 agricultural land. However, this is not noted in the assessment of this parcel as a constraint.

24. The AECOM Site Assessment does confirm, however, that the land north of Mill Road and south of Chapel Road (Site ref 1) is not limited to any significant infrastructure constraints, noting the suitability of Chapel Road for an access and recognising that the site is well-located for village services.
25. The assessment further states that it is a large site and would have a significant impact on the character of the village, recommending a reduced area for allocation on the land to the south of Glebe Way. The land adjacent to Old Station Road and Oak Farm (site ref 2/13 in the AECOM Assessment) is not dissimilar in size to the land north of Mill Road and south of Chapel Road (approximately 1.4ha smaller), and we question what evidence supports the conclusions that a site of 6.7ha would have a significant impact on the character of the village but a site of 5.3ha would not, particularly when part of the site could have been considered as an alternative. The assumed density of 30dph used within the AECOM Site Assessment, which as stated above is considered inappropriate for the settlement, artificially increases the perceived impact upon the village through an unrealistic assumption as to the site's capacity for development.
26. With regards to flood risk as set out in the Mendlesham Parish Council Level 2 Strategic Flood Risk Assessment (January 2020) (SD72) (the 'SFRA') produced by JBA Consulting, we are unclear why only some sites deemed suitable within the AECOM site assessment were assessed in full as part of this. Paragraph 4.1.2 of the SFRA notes that four sites, including the land north of Mill Road and south of Chapel Road (site ref 1) were rejected on non-flood risk-related planning grounds.
27. Appendix A contains the Site Screening Assessment. Despite only 2-3% of the site being at risk of fluvial flooding (compared to up to 20% of the site to the south of Glebe Way proposed for allocation), this was rejected on the grounds of poor pedestrian connectivity, being a large site having a significant impact on the village, traffic impact having a negative impact on the village core and medium impact on the heritage character of the area.
28. We question the validity of the planning grounds that led to the site being rejected for further consideration for allocation within the NDP. Firstly, with regards to pedestrian connectivity, we would highlight that the land north of Mill Road and south of Chapel Road (site ref 1) is no further from the village centre than the site to the south of Glebe Way proposed for allocation.
29. Secondly, we question where the medium impact upon the heritage character assessment was ascertained from. The Heritage Assessment of Potential Growth Sites (SD30) assesses the land north of Mill Road and south of Chapel Road (site ref 2 in the Heritage Assessment) as 'Green/Amber' in the RAG scoring in respect of heritage sensitivity. There is no mention of the site having a medium impact on the heritage character of the area, therefore the conclusions within the Site Screening Assessment are inaccurate and unsupported.
30. In contrast, the land to the south of Glebe Way, proposed for allocation (confusingly site refs 5 and 13 in this assessment) receives an 'Amber' score in the Heritage Sensitivity Assessment.

Despite the greater assessed impact, the planning considerations in the Site Screening Assessment downplay the assessment and the heritage impacts of the site, noting a “*potential impact on a Grade II* listed building*” which does not reflect the site’s assessment within the Heritage Assessment.

31. A further reason for rejection of the land north of Mill Road and south of Chapel Road (site ref 1) specified within the Site Screening Assessment is traffic impact having a negative impact on the village core. No such traffic impacts are listed in respect of the land south of Glebe Way, proposed for allocation, which is surprising considering the Traffic Report (SD25) confirms that northbound traffic on Old Station Road (the only potential vehicular access route into the site as allocated) is the second busiest in terms of traffic volume. Given the site cannot demonstrate deliverability of the required ‘link road’, its allocation will have the same impact upon the village core as the other sites assessed, using the same route to access the A140 and increasing the volume of traffic on the second busiest route of all those surveyed in the Traffic Report.
32. It has not been demonstrated that the evidence base has been taken into consideration as part of the site allocation process, with regards to flood risk, heritage impacts, or traffic impacts, further undermining the site as the most suitable location for development within Mendlesham.
33. The Summary and conclusions section of the Mendlesham Parish Council Level 2 Strategic Flood Risk Assessment (SFRA) states:

“The Mendlesham SFRA and Sequential Test has been produced to provide part of the evidence base to support the selection of development sites within the revised Mendlesham Neighbourhood Development Plan.”
34. We do not consider this to be accurate, given it did not assess all of the sites considered suitable within the AECOM Site Assessment, and ruled out a number of sites from the assessment due to other planning grounds unrelated to flood risk. Notwithstanding our comments above which question the accuracy and consistency of the conclusions reached in rejecting sites for allocation, we consider the evidence base, including the SFRA should have considered each site deemed suitable within the AECOM Site Assessment, in order to demonstrate a thorough and robust site selection process, which we do not consider has been demonstrated.
35. In addition to our concerns as to the robustness of the site selection process and the evidence that exists support the allocation of the land to the south of Glebe Way, we also question the ability for the NDP to rely upon windfall development in meeting the minimum housing requirement as proposed within the JLP, as suggested in the Windfall Developments Report (SD29).
36. Table 04 – Minimum housing requirements for the Neighbourhood Plan Areas within the JLP confirms that 161 homes in total are required within Mendlesham during the lifetime of the Plan (to 2036). As at 1 April 2018, the JLP identifies outstanding planning permissions for 86 dwellings. Paragraph 09.12 of the JLP confirms that if any such permissions expire during the lifetime of the Plan, the corresponding number of dwellings will need to be identified to meet the total requirement.

37. We do not consider it appropriate for the NDP to include a windfall allowance and submit that this represents double counting. The JLP includes a windfall allowance across the JLP period towards meeting the identified housing requirement, calculated with reference to the two Districts. This forms a separate part of the expected housing supply within Babergh and Mid Suffolk Districts across the JLP period, and is separate from the housing requirement for Mendlesham and other settlements. An allowance in the NDP for windfall development could not therefore be counted as part of the housing required for Mendlesham within the JLP.
38. Whilst we appreciate the NDP will be assessed against the policies within the adopted local development plan as opposed to the policies within the emerging JLP, up-to-date housing need evidence is relevant in determining whether a Neighbourhood Plan contributes to the achievement of sustainable development⁴. Including a windfall allowance as part of the anticipated housing supply from the NDP that is already taken into consideration in calculating the housing requirement figures in the JLP does not contribute to sustainable development, particularly when we consider that the anticipated supply may be overstated.
39. The JLP sets out a housing requirement for 161 within Mendlesham over the Plan period. Paragraph 09.12 of the JLP confirms that if any of the existing planning permissions expire during the lifetime of the Plan, the corresponding number of dwellings will need to be identified to meet the total housing requirement. The existing commitments and expected supply of housing is set out in paragraph 3.59 of the NDP. In addition to the existing commitment for 27 homes on the land south of Glebe Way, 47 additional homes are proposed for allocation on the remaining area of the site. A further 38 dwellings are also estimated to come forward through windfall development, equating to 85 homes in addition to the existing completions and commitments.
40. Whilst we support the identification of a housing supply which exceeds the identified requirement in the event of non-delivery, we have concerns as to sources of the expected housing delivery. Notwithstanding our concerns that the windfall development should not be included as part of this, we do not consider that the land south of Glebe Way represents the most suitable site to deliver the housing requirement within the Parish, not least due to a lack of evidence in respect of its suitability for allocation.
41. Further, we have estimated the site area under permission DC/18/03147 on land south of Glebe Way to be c. 2.3ha in total, as the actual figure is not confirmed within the planning application documents or the Officer's Delegated Report. Based on the total site area allocated of 5.3ha, as confirmed within the AECOM Site Assessment, this would leave a remainder of c. 3ha to be developed. Applying the approximate density achieved on the consented scheme of c.12.2dph, this would achieve a total of 37 dwellings, which falls short of the expectation for 47 dwellings from this site.
42. Paragraph 3.40 of the NDP includes the land to the East of Mendlesham Road at Mendlesham Green with the anticipated housing supply, expected to deliver up to 10 affordable or rented dwellings. It is unclear whether this site received a 'Red' RAG score within the AECOM Site Assessment, which states:

⁴ Paragraph: 009 Reference ID: 41-009-20190509.

“There is no evidence the site is available, therefore it cannot be allocated in the neighbourhood plan. There are also constraints to development including the presence of mature trees and priority habitats at the site, the loss of agricultural land and potential impact upon the nearby Grade II listed building.”

43. The site does not benefit from an allocation within the NDP, therefore there is no certainty that this will come forward during the Plan period, particularly when the site assessment conclusions are considered. We would also question whether there is a proven unmet need for affordable housing within Mendlesham which would enable the site to come forward. Whilst the Housing Needs Survey (SD02) does not appear a robust basis to establish an affordable housing need, no other evidence exists which demonstrates a need for an exception site. It is not considered therefore that the 10 dwellings on this site should be included within the anticipated supply, further diminishing the NDP’s ability to meet the identified housing requirement.
44. The land north of Mill Road and south of Chapel Road, Mendlesham (AECOM Site Reference 1 and SHLAA Site Reference SS0063) has been assessed more positively than the site proposed for allocation within the NDP evidence base and could deliver the housing requirement in full. This would then reduce the likelihood of a requirement to review the NDP in the future, to ensure the identified housing target of 161 homes is met within the Plan period.

Conclusions

45. Scott Properties supports the review of the NDP, as well as the increase in duration to align this with the JLP. We do not consider, however, that the NDP evidence base supports the proposed allocation on land South of Glebe Way/ land adjacent to Old Station Road and Oak Farm, or the ability of the NDP to meet the housing requirement set out in the JLP.
46. Contrary to PPG, the choice to allocate the site is not supported by proportionate and robust evidence, nor is the site deliverable in accordance with the requirements within Policy MP1, which is acknowledged is the reason the site was supported locally and underpinned the decision to allocate the site within the NDP. Without the delivery of the link road, the site’s inclusion in the NDP is unsupported based on the NDP evidence base as well as by the local community. It is also unlikely to deliver the expected number of dwellings, based on the density achieved on the area in the north of the site. As such, it should be removed from the NDP and a more suitable site included to meet the identified housing requirement.
47. The land to the north of Mill Road and south of Chapel Road is comparatively unconstrained, yet was subject to an inconsistent assessment and consideration as part of the site selection process compared to the land South of Glebe Way/ land adjacent to Old Station Road and Oak Farm. It would also be capable of delivering a significant proportion of the housing requirement, without the need to review the NDP should any of the sites included within the anticipated supply not deliver as expected.
48. The inclusion of a windfall allowance within the housing supply, as well as an exception site, unsupported by any evidence of an unmet affordable housing need, undermines the NDP’s ability to meet the housing requirement identified in the JLP, therefore does not contribute to the achievement of sustainable development, contrary to the Basic Conditions.