

THURSTON PARISH COUNCIL

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25th October 2017

**** BY EMAIL ****

To:

All Councillors of the Mid Suffolk Planning Referrals Committee
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

Dear Councillors,

RE: PROPOSED LARGE-SCALE DEVELOPMENTS AT THURSTON

We write to inform you of our concerns and elicit your support regarding the proposed large-scale development within Thurston.

Following the Planning Referrals Committee meeting held on the 12 July 2017, the Committee directed that further work be carried out regarding the implications of the numerous applications for Thurston. The Committee asked that officers report back, inter alia, on: Highways Matters and Solutions; and Railway Station Safety issues.

ACTION ITEMS ARISING FROM YOUR PLANNING REFERRALS MEETING

We are pleased that progress has been made regarding Highways matters but we believe there are critical areas that have not been addressed which are of crucial importance to the decision-making process. We intend to show that, should development of the scale seen be approved, the adverse impact of the developments would significantly and demonstrably outweigh the benefits of such growth unless further mitigations are forthcoming.

Railway Station Safety

The proposed increase in housing (currently over 800) will significantly increase the risk for passengers crossing the tracks to access the southern platform. Furthermore,

the expected increase in non-stopping freight trains 30+ each day per direction by 2030¹ passing through the station – will exacerbate the risks.

At a recent meeting with Network Rail (1 September 2017), at which all key stakeholders² were in attendance, attention was drawn to the email submitted by Network Rail³ in direct response, as a Statutory Consultee, to the impact that the development being considered would have on the railway station at Thurston (the key theme is repeated below for your consideration):

"Given the increase in risk and increased usage at the station, we believe the development will have a severe effect on safety unless mitigation measures are introduced and contributions are provided in order to fund the closure of the crossing.

The measures they proposed to allow for closure of the crossing are outlined in their feasibility report which involved a developer contribution of £1209.19/dwelling totalling £1 million overall. Network Rail stated that it would:

*"... recommend that no objection be raised **subject to** the applicants entering into a legal agreement which provides £1209.19 multiplied by the amount of dwellings which are permitted, to enable the closure of the level crossing."*

However, their proposal was rejected by officers who have not engaged further with Network Rail. Officers have indicated that they are only required to identify possible solutions based on a "balance of probability" of success. In other words, a 51% chance that any proposal would succeed, in their view, is good enough. This does not reflect our view and is unacceptable.

Whilst the meeting was called to discuss possible mitigations for this critical safety issue, it was concluded that no viable, affordable or practical solution could be found to improve safety and that further development would increase the risk to the extent that Network Rail would recommend closure of the rail crossing.

At the Planning Inspectorate Appeal Hearing held on 17 October 2017 regarding application 5010/16, it was suggested by the developer's representative that the issue of rail crossing safety could be resolved by installing automatic pedestrian gates. This statement demonstrates the lack of rigour being applied to finding a solution with parties preferring to assume a viable solution is available without having consulted key stakeholders. Regarding automatic gates Network Rail asserts⁴:

"The technology is not available to enable us to fit automatic lockable gates that are automatically linked into Red and Green lights.

¹ Under the Haughley Junction Project (Feasibility Report for Thurston Station Level Crossing dated 04.08.2015 Governance for Railway Investment Projects

² The Senior Planning Officer from Mid Suffolk District Council (MSDC); Case Officer from MSDC; Senior Infrastructure Officer from Suffolk County Council (SCC); Transport Policy and Development Manager from SCC; Parish Councillors and Members of the Thurston Neighbourhood Team

³ Dated 03 May 2017 - Khan Wasil on behalf of Town Planning SE - Network Rail

⁴ Email dated 20 Oct 2017 Daniel Fisk to Mrs V Waples

Also if we were to have lockable gates the crossing would need to be monitored, either by somebody on site or via CCTV. If this was via CCTV it would increase the workload on the signaller and would be very costly as it would need controls to enable the signaller to stop the trains.

Station barrow crossings are one of the most dangerous crossings on the network as people are always worried they will miss their train, whenever the lights turn red even the most risk adverse person is tempted to cross as they presume it is their train approaching.

I really do believe we need to remove this crossing before any more houses are built as any increase in use is not acceptable."

A manually gated scheme installed at Halesworth is being reviewed by Network Rail since it has not produced the necessary safety enhancements and would not provide a solution for Thurston.

Furthermore, each party is refusing to take ownership of, or address, the issue by stating that this is a problem for Network Rail to solve. Ultimately, this is a problem for the residents of Thurston and those who use the railway crossing – it is they who will bear the risk of severe injury or death. Should a serious accident occur, responsibility will lie squarely on the shoulders of those who sanctioned such development knowing full well that critical safety issues had been brought to their attention but they had consciously refused to act on that information.

Furthermore, officers are not looking at costing proposals preferring to assume that CIL funding will be available. The issue of CIL funding will be discussed later.

We contend that a practical, planned and funded solution be identified before approval is considered and ask that the Referral's Committee task officers to carry out this work.

If no improvements can be undertaken within the transport network the adverse impact of the developments would significantly outweigh the benefits and in accordance with Paragraph 32 of the NPPF. "Development should be prevented or refused on transport grounds as the residual cumulative impacts of development are severe".

Railway Station Parking

An associated issue relates to the dearth of parking at the Station which, from the outset, officers have failed to address. Currently, there are only 12 slots allocated which cannot cope with extant demand. Station parking overspill is already prevalent in roads close to the Station. The on-going building of 6 retail outlets and 97 apartments on the Granary site (opposite the Station entrance) will place further pressure on parking even before the proposed development within Thurston begins. Furthermore, large developments at Woolpit, Elmswell, Great Barton, Ixworth and Moreton Hall will inevitably result in an increase in rail commuter traffic from people not wishing to travel into Bury and who can park on Thurston's roads for free.

We can identify no land for parking close to the Station. The resultant overspill onto Thurston's roads has not, as far as we can tell, been factored into Highways work. Twenty-nine buses use the through routes into Thurston in the morning and the afternoon to transport students to and from Thurston Community College. A large

number of students walk these routes and other roads in Thurston twice daily, a considerable number to and from the station. Roads carry significant danger already. Significant harm will exist when adding additional parked vehicles to the mix. Unless a solution can be found, we do not consider this situation to be sustainable.

Highways Matters and Solutions

SCC letter⁵ to MSDC regarding the AECOM Highways Report clearly shows that the roads in and around Thurston, following mitigation measures being implemented, will be operating at capacity if all the developments go ahead. It states:

“Any future development in Thurston must, in the Highway Authorities opinion, address the following constraints;

- No further capacity can be provided at the A143 Bury Road / Thurston junction within the existing highway boundary for traffic traveling to /from the Thurston area.*
- The C692 / C693 Thurston Road (Fishwick Corner) cannot be improved further in terms of either road safety or capacity due to the highway boundary constraints.*
- Any significant future development is likely result in the C560 Beyton Road / C692 Thurston Road / U4920 Thedwastre Road (Pokeriage Corner) junction reaching its theoretical capacity. This work has not investigated the potential for mitigation but the site has similar highway boundary constraints as the other junctions.*
- The C291 Barton Road under the rail bridge is at capacity and without mitigation this may restrict future development in the area. Monitoring of traffic generated by the proposed developments will be important in assessing the actual compared to theoretical impact of the additional traffic.*

As Highways Authority Suffolk County Council recommends that future Local Plans recognise these constraints and that the planning process is used to seek opportunities to remove these.”

We recognise that this applies to future developments; however, it clearly demonstrates that the scale of development being considered will stretch Thurston’s infrastructure to the limit. The report does not consider the additional congestion highlighted above stemming from a lack of parking at the railway station.

LACK OF RIGOUR AND HENCE CONFIDENCE IN THE PROCESS

There are a number of issues outside the scope of your remit to officers that we believe have either been ignored by officers, and/or have not been subjected to a sufficiently rigorous analysis.

Agricultural Land Quality

At your meeting of 12 July, Mr Isbell attested that consultation with Natural England regarding the cumulative effects of the use of agricultural land had been carried out and that no issues had been raised. It now appears it is highly unlikely that this was the case. (See attached letter from Mr A Adams). Furthermore, Mr Isbell was wrong to base site-specific land quality assessments on developer or officer opinion. Of the 5

⁵ Steve Merry to Ben Elvin 13 Oct 2017.

sites, 2 had been appropriately surveyed and Mr Adams' assessment of the other 3 differed significantly from those of the case officer (see attachment). As a result, over 51 hectares of the Best and Most Versatile agricultural land will be lost should these developments go ahead. This is clearly contrary to planning policy (NPPF para 109 and 112) and has not been addressed by officers. We believe this is a critical omission.

The discrepancies in land quality assessment were drawn to officers' attention on numerous occasions and were ignored. Furthermore, Mr Adams asked that your Committee be apprised of these discrepancies - you were not.

Health Provision

Although MSDC officers have met on one occasion with representatives from the NHS West Suffolk Clinical Commissioning Group, an holistic understanding of the cumulative impact on Health provision - to both Thurston and the impact of the surrounding villages' expansions - has not, to our knowledge, been determined: nor has a workable solution been identified. Despite having no clear understanding of the scale of the Health provision requirement, the stock response is that this will be funded by CIL.

CIL

The funding solution for these issues (outside of S106) seems to be based around the provision of CIL monies. However, officers have stated that CIL is "not designed to fund everything" and there "is not enough money to go around". Simply assuming that CIL will be made available when there will be calls across the District on these limited funds is specious in the extreme. Funding to mitigate the problems caused by such large-scale development within Thurston will be critical to the success and sustainability of the expansion.

Schooling Provision

Provision of schooling across the age group range will be critical to the success of such large-scale development. We are pleased that progress regarding developer funding contribution and land allocation has been made and are keen to secure an opportunity to deliver the education provision Thurston will need.

We agree wholeheartedly with SCC's comments regarding Primary School provision that:

"...the highly preferred outcome is for those primary age pupils arising from existing and new homes within the community to be able to access a primary school place in Thurston. Only as a last resort will the County Council consider offering places to pupils at out of catchment schools but this is a far from ideal strategy and should only be considered for a very temporary period because there are several significant dis-benefits including negative impacts on education attainment, community cohesion, sustainability, and costs. It is for the District Council to weigh up these important matters in considering the planning balance when deciding whether to allow or refuse planning permission."

It goes on to say:

"Due to the current uncertainty over the scale, location, and distribution of housing growth in the Thurston locality..."

the most sustainable approach for primary school provision is unclear and

"...It is therefore suggested that consideration be given to imposing an appropriate planning condition restricting occupation of any dwellings once the capacity of the existing primary school with additional temporary classroom are full." We support this view since the alternatives would be unsustainable and unacceptable.

Regarding Play Space Provision. SCC states:

"Consideration will need to be given to adequate play space provision. A key document is the 'Play Matters: A Strategy for Suffolk', which sets out the vision for providing more open space where children and young people can play."

Again, a solution to this should be found at an appropriate stage in the planning process.

Neighbourhood Plan

MSDC's failure to provide a 5-year housing land supply has put developers in the driving seat with the local community having to live with the consequences of their failings. Significantly, the Council's inability to produce a Local Plan, despite repeated request over several years, linked to the many missed deadlines for publication, has had a severely detrimental delay on the production of Thurston's Neighbourhood Plan (NP), and hence the weighting afforded the emerging Plan.

Whilst the Thurston Neighbourhood Plan is not yet at post examination stage, it is clear and cannot be argued against, that there is a significant amount of consultative evidence of local support for the Draft Plan and Vision that it should be allowed to influence and shape development within the Thurston Parish. The Plan is expected to be completed in draft form by the end of the year. Paragraph 216 of the NPPF sets out the weight that may be given to emerging plans in decision-making. It is argued that where a Local Planning Authority (LPA) cannot demonstrate a 5-year supply of deliverable housing sites, decision makers may still give weight to emerging neighbourhood plans even though the policies contained therein should not be considered up-to-date.

The Parish Council maintains that the consultative work carried out to date on the Thurston Neighbourhood Plan has excited local people and generated a huge community interest which has encouraged the residents to engage with often difficult local issues. A large number of volunteer hours have been given to assist with the work so far carried out by the Thurston Neighbourhood Plan Team and there is a danger that this and other communities will become de-incentivised if such work is ridden roughshod over and not given proper consideration by either developers or the LPA.

The Parish Council maintains that, with reference to the NPPF and as stated in the context of the Framework and in particular the presumption in favour of sustainable development, there is a strong argument that these applications are premature and should be refused planning permission on the grounds that it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. It is felt that the developments being proposed are " so substantial, or its cumulative effect

would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning" (National Planning Practice Guidance, paragraph 014).

CONCLUSION

There are two main themes we ask that the Referrals Committee consider. The first is associated with the 5 large sites currently under review; and the second is Thurston's role in contributing to the overall housing land supply shortage and the need for more housing across the District.

1. Sites Currently Under Consideration.

Although, for reasons already cited, there is a presumption within the NPPF that planning permission should be granted, this should not be at any cost. Indeed, the NPPF (para 14) states that permission to develop should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh their benefits...". Also, Para 32 of the NPPF states: "Development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe." As detailed above, we believe there are a number of areas regarding transportation, land quality, funding, and safety that fall squarely within these definitions.

Specifically:

Officers have stated that their aim is to "neutralise harm" that might come about by any development; however, we are not confident that this is possible without further concerted stakeholder engagement, detailed work and specific funding being set against each proposed solution - if indeed solutions can be found. Furthermore, any solution must be safe (railway station and transport issues) and not fly in the face of the NPPF (Agricultural Land Quality grading). Failure to do so will result in the residents of Thurston living in a non-sustainable community with severe consequences for their well-being, safety and life style.

Should solutions not be found, or are determined to be too expensive or unfunded, then consideration should be given to limiting the development within Thurston to that which can be adequately sustained. Surely, growth of this proportion should be planned taking a "top down" perspective rather than being developer driven.

2. Thurston's Wider Role as Part of the District

We ask that prior to making a determination you are satisfied that officers have taken a strategic view of the development requirement across the District over the period covered by the new draft Local Plan and that their advice reflects the ability to schedule development across different sites and spread housing numbers over the period - thus limiting the "impact" suffered by individual villages. "Short-termism" seems to be the order of the day with any offer of land within Thurston being seen as an opportunity to claw-back the shortfall in housing land stock - a problem of Council's own making.

That said, we recognise the shortfall in land supply and for the need to increase the housing stock. Furthermore, Thurston residents accept the need for development within the village. However, Thurston, as one of 12 Key Service Centres, is shouldering a huge share of the District's long-term needs in one fell swoop. MSDC's Core Strategy Focused Review (CSFR) highlights that housing provision for the 20-year period to 2028 amounts to a total of 750 *across all 12 Key Service Centres*. More recently, calculations from the BMSDC Local Plan Consultation Document indicate that Thurston, in the worst-case scenario, would be expected to supply 400 dwellings over the full 15-year span of the Plan. Thurston is facing the prospect of some 849 dwellings plus the 97 apartments at the Granary and numerous in-fill sites already agreed. This can in no way be deemed an equitable share, by any measure!

We have not seen the last of the sites being offered for development within Thurston and a reassurance that officers will "design in mitigation" against this further expansion as part of their recommendation to you for this round of applications, is essential.

We look to the Referrals Committee to provide a wider consideration of the community impact of these issues and to support our residents in helping to develop Thurston in a safe and sustainable manner.

Yours faithfully,

Victoria S Waples

V S Waples, BA (Hons), CiLCA

Copies to:

Members of the Mid Suffolk Planning Referrals Committee:

Councillors Roy Barker; Gerard Brewster; Michael Burke; David Burn; John Field; Julie Flatman; Jessica Fleming; Kathie Guthrie; Lavinia Hadingham; Matthew Hicks; Barry Humphreys, MBE; Diana Kearsley; Anne Killett; Lesley Mayes; Sarah Mansel; Wendy Marchant; Dave Muller; Derek Osborne; Jane Storey; Keith Welham and David Whybrow

County Councillor Penny Otton

District Councillors Derrick Haley and Esther Jewson

Michael Aves