

## **Response of Saxmundham Town Council to the “South Saxmundham Garden Neighbourhood Masterplan Consultation” of Pigeon Investment Management Ltd**

*Response approved, 18 January 2021*

### **Introduction**

1. This Response by Saxmundham Town Council to the consultation exercise by Pigeon Investment Management Ltd was adopted at the Council’s meeting held on 18<sup>th</sup> January 2021. Though we are quite critical of several aspects of Pigeon’s proposals, as set out below, we express thanks to Pigeon’s staff for their courtesy in consultation to date.

2. The Town Council reaffirms its previous policy positions in relation to this matter, i.e. its Resolution and Policy Statement, both adopted at its meeting held on 14 December 2020, and appended to this Response. In addition, the Council appends and draws attention to the report on the results of the town household survey 2019, which sets out the views of the residents (almost 1,000) who responded. This covers, inter alia, residents’ views and priorities on Future Housing Developments (Part B), Community Facilities (Part C), and Environmental Issues for New Developments (Part D).

3. The Town Council played an active role in the lengthy process of public consultation, at each stage, leading up to the final adoption of the Suffolk Coastal Local Plan in September 2020, just four months ago. Whilst the Plan as adopted did not meet all of our points or wishes, the Council has expressed its commitment of principle

“(a) to cooperate with the developer(s) of the new neighbourhood in implementing the Local Plan in the best way, in accordance with the approved policy and on the policy site identified, and (b) to engage fully and constructively to ensure that it is both successful and well-designed in its own terms, and also contributes positively to the town’s economic, social and environmental life, and (c) to ensure that an appropriate contribution is made by the developer(s) in terms of new community facilities and infrastructure that will arise due to the (around 40%) increase in population that will ensue.”

4. However, as we have previously noted, the current proposals by Pigeon do not comply or accord in several key respects with the Local Plan. The site put forward now by Pigeon differs greatly from the Policy site, and includes a new area on the land west of the A12 as a “service area”, a site which under the Local Plan is defined as “countryside”. This new site is put forward for purposes that are not related to the Garden Neighbourhood and are not consistent with Garden Neighbourhood / Garden Community principles, and which – sited immediately opposite the main housing area - would have a negative impact on the Neighbourhood itself.

### **NPPF & the status of the Local Plan**

5. The government’s National Planning Policy Framework states, at paragraphs 12 and 13:

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

### **Pigeon's proposals in the Local Plan formation process**

6. Like our Town Council, Pigeon actively engaged in the Local Plan formation process, responding actively to the consultations. That was entirely within their (and our) rights. As with our Council's submissions, some of Pigeon's points were accepted and taken into account in the final version of the Local Plan, and some were not. That is how the Plan-making process works. But once a Plan is made, the public – and especially local communities - are entitled to rely upon it, and not see it effectively ignored and shredded by landowners, developers or public authorities. The Plan should be adhered to fully by all parties, unless there has been a truly material change in circumstances since the Plan was adopted. This is in essence a matter of democratic legitimacy and acceptance of the rule of law.

7. As part of the Plan-making process, Pigeon in 2019 put forward proposals for a site that differed in important respects from the Local Plan site allocation, and argued that the Garden Neighbourhood site proposed by the local planning authority (LPA) should be amended so as to coincide with land in a single ownership, i.e. that of Pigeon's client.

8. This involved more land to the west of the A12, additional to the employment site proposed by the LPA. Pigeon proposed<sup>1</sup> a new site allocation policy for the land to the immediate south of the employment land:

*"Draft Policy for New Service Area on the A12 at Saxmundham.*

Approximately 9 ha of land to the west of the A12 at Saxmundham, as shown on the Policies Map, is identified for a new service area including facilities compatible with the A12 transport corridor of around 5.6 ha. Development will be expected to accord with the following criteria:

- a) Provision of a petrol filling station and associated A1 retail unit for convenience provision;
- b) Provision of a hotel and A3, A4 and A5 uses;
- c) Provision of segregated lorry park including for overnight use;
- d) Provision of car parking spaces to serve visitors to the Suitable Alternative Natural Greenspace to the west of the A12.
- e) Provision of a single new access to the Site off the A12 to serve both this site and employment allocation to the north to be provided in conjunction with Site Allocation SCLP12.29;
- f) On site landscaping including provision of around 3.4ha Suitable Alternative Natural Green Space (SANG) to the south of the services area and new links to the existing Public Rights of Way to the west of the Site."

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<sup>1</sup> Matter Statement 1 Procedural/Legal Requirements Response on behalf of Pigeon Capital Management 2 Ltd and their Landowners, August 2019

9. In another submission for the public examination, Pigeon proposed to include within the Garden Neighbourhood Site Allocation “the A12 Service Area to the south of the employment allocation”. They also proposed an area to the south of the service area proposed site, for SANG purposes – also on the west side of the A12, and also within their client’s land ownership.

10. The Local Plan, finally adopted by the LPA on 23rd September 2020, does not include this policy or site allocation/land use put forward by Pigeon. The land west of the A12 to which it relates does not (as also proposed by Pigeons) fall within the settlement boundary, but forms part of “the countryside.”

11. Yet within less than 3 months of the adoption of the Local Plan, Pigeon began the process of public consultation on a proposal which in effect seeks, amongst other issues, to reinstate a site allocation and use policy that was not accepted or included in the Local Plan. No argument about a material change in circumstance has been, or indeed could plausibly, be put forward. The public are not told, as part of the present consultation, that this site is not within the Local Plan site.

12. Furthermore, the site allocation proposed by Pigeon for the Garden Neighbourhood included only a part (less than half) of the land to the east of the railway – a part that coincides with their client’s land-holding, and which now forms the main SANG/open space site. Pigeon had argued, in the Plan formation process, that the Garden Neighbourhood site should be defined to limit it to land within a single ownership. That was not accepted. Yet in effect, the current proposals for consultation simply ignore the part of the Plan-allocated site that is in different ownership.

### **Comparing the Pigeon site with the Local Plan site**

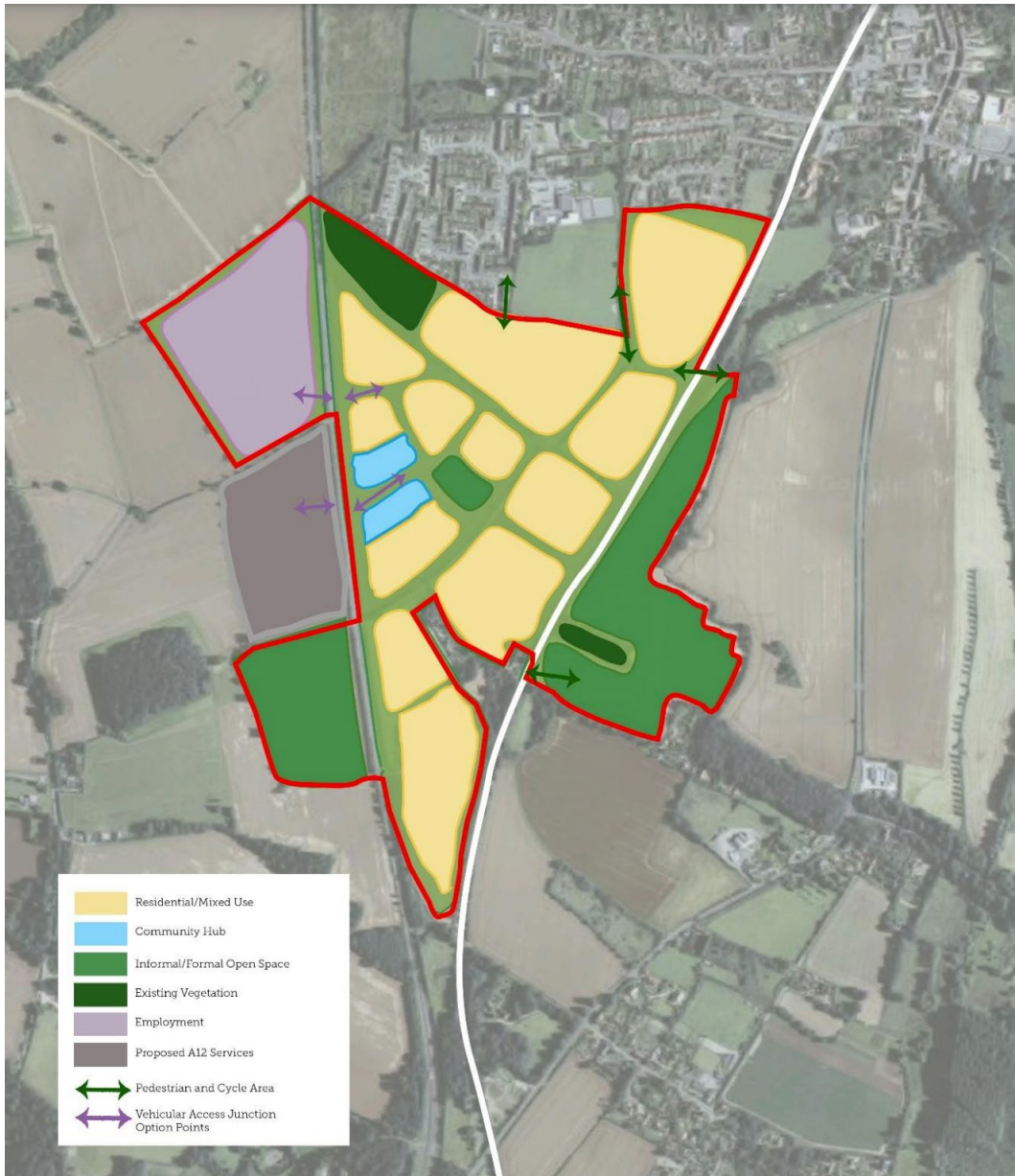
13. We show below (1) the Garden Neighbourhood and service station site put forward by Pigeon in the course of consultation on the Local Plan in 2019, which was not accepted; (2) the Garden Neighbourhood including service station site put forward by Pigeon in their consultation of December 2020, which is effectively the same site as the rejected 2019 site; (3) the actual Garden Neighbourhood Plan site, from the Policies Map of the Local Plan.

14. In a nutshell, the Local Plan site differs from that put forward by Pigeon in that it

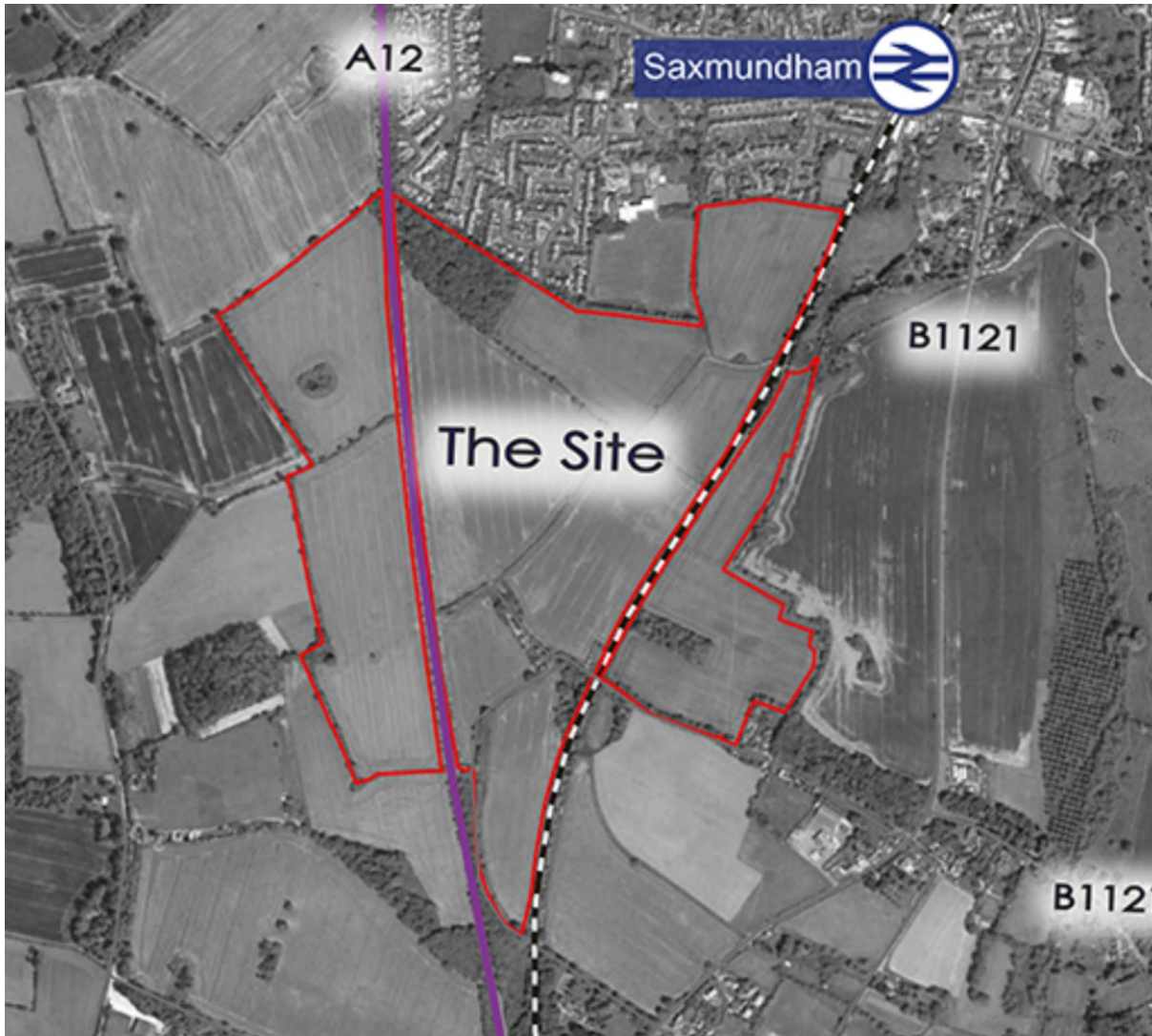
(1) includes only the employment land on the west of the A12, not the other two sites (service station; additional SANG or SUDS site to the south)

(2) Does not go as far south of Kiln Lane as Pigeon seek

(3) includes all of the land between rail and B1121, i.e. The Layers, while Pigeon propose a far more limited amount of land, in the area next to the railway.

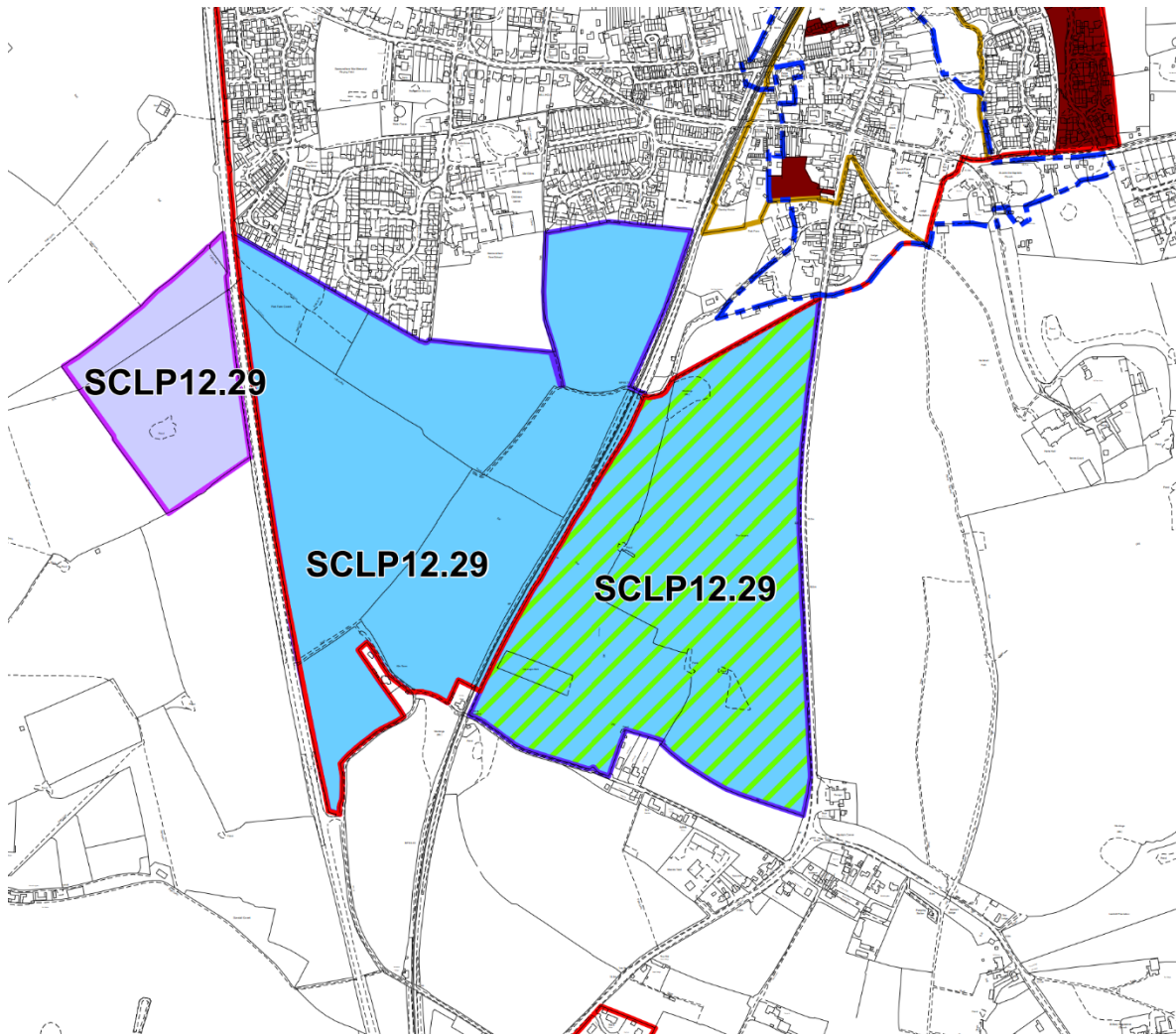


**(1) Pigeon's proposed Garden Neighbourhood site, 2019**



(2) Pigeon's proposed Garden Neighbourhood site for consultation, December 2020





**(3) The allocated Garden Neighbourhood site, as approved by the Local Planning Authority, September 2020**

### **The Local Plan Policy SCLP12.29**

15. The Local Plan policy opens thus:

“Approximately 67.8ha of land for a garden neighbourhood is identified to the south of Saxmundham, which includes land within the parish of Benhall, for an education led development, comprising primary school provision, community facilities, employment land and open space alongside a variety of residential development. This new development will be delivered through a masterplan approach brought forward through landowner collaboration and community engagement.

Critical to the success of this masterplan will be the integration of the new garden neighbourhood with the existing community of Benhall and Saxmundham, as well as taking into account the location of the site.”

16. The creation of the Garden Neighbourhood on the 67ha of land identified in the Plan has been confirmed as economically viable by the LPA’s consultants, and this has been accepted by Pigeon.

There is therefore no viability argument to change the site allocated under the Plan, e.g. by adding new commercial uses on a large plot of countryside land.

17. The site allocation in the Local Plan includes the whole of the land to the east of the railway across to the B1121, which is “identified for the provision of open space and Suitable Alternative Natural Greenspace (SANG), to be masterplanned and delivered as part of the garden neighbourhood.”

18. To the west of the A12, the Local Plan only includes the smaller area for employment uses. It excludes the sites previously proposed – but not accepted by the LPA – for service station and SANG.

19. To the south of the site between A12 and railway, the Local Plan only includes a small piece of land to the south of Kiln Lane. It does not include a larger plot put forward by Pigeon in 2019 but not included in the Local Plan allocated site, and now proposed once more by Pigeon, once more without publicly declaring that this is outside the allocated site.

### **Landowner collaboration?**

20. As part of their submission to the Local Plan examination, Pigeon also proposed an amendment to the Policy SCLP 12.29 to amend the reference to “a masterplan approach brought forward through landowner collaboration and community engagement” (our emphasis), to say “brought forward through community engagement” – i.e. to exclude the requirement of landowner collaboration.

21. Again, this was not accepted by the LPA. Yet to date we have seen no evidence of any attempt at landowner collaboration, as required by the policy. We consider that, if the Garden Neighbourhood is to be successful, it needs to include – in particular for SANG / open space purposes – land on the site of The Layers, which is not in Pigeon’s client’s ownership. If landowner collaboration proves not to be workable in practice, we believe that site assembly using compulsory purchase powers, for at least part of the area in question, will be essential.

22. We contend that all or a large part of The Layers is required as SANG/open space (see below), if the Local Plan’s policy requirements are to be properly met. This necessarily requires attempts to collaborate with other landowners and if need be to involve the District Council/LPA which has the necessary site assembly statutory powers.

23. As cited above, the Local Plan policy states:

“Critical to the success of this masterplan will be the integration of the new garden neighbourhood with the existing community of Benhall and Saxmundham”.

We believe that the proposals put forward by Pigeon at this stage fail this test completely. We return to this issue in more depth below.

### **Key principles for a successful Garden Neighbourhood**

24. In considering how to respond to this consultation, town councillors and members of our Neighbourhood Plan Steering Group have felt it right to articulate, at this early stage, some key principles for the development that we would wish to see adopted, in furtherance of the requirements of Policy SCLP 12.29 and to achieve a high quality development. We wish to propose the following at this stage:

1. Fully embrace the principles of a Garden Neighbourhood Development in accordance with the Local Plan and advice issued by the MHCLG. To create a 'place' with a distinctive character, growing from a strong green framework and a well thought out public realm.
2. Maximise integration with Saxmundham Town and ensure that that all new development, especially non-residential forms, augments and complements existing uses in the town.
3. Maximise and prioritise sustainable forms of movement, particularly walking and cycling whilst minimising reliance on the private car. To be achieved through sensitive layout design, putting health and wellbeing at the core of the design concept.
4. Maximise opportunities to blend with and aggregate the environmental credentials of the site with particular regard to the adjoining SANG and neighbouring countryside. Ensure that public open space is easily accessible and within short safe walking distance of all dwellings.
5. Adopt design and construction techniques which minimise the overall carbon footprint of the development.
6. Maximise opportunities to adopt sustainable forms of energy use and to embrace leading edge technology to reduce the ongoing carbon footprint arising from the development. Design should aim to maximise accessibility & reduce barriers to movement. External design to designated affordable housing should be homogenous to development as a whole.
7. Adopt construction, screening and other effective means to prevent noise nuisance, pollution and other adverse environmental impacts for residents and visitors, having regard to the location close to a major highway and railway.
8. Create an attractive and substantial area of SANG and public open space, in particular east of the railway, and to include The Layers, linking the built area of the Neighbourhood with the town's South Entrance, to create an attractive and sustainable connection.

25. We would invite Pigeon to accept and endorse these principles, and to continue engagement with ourselves, Benhall Parish Council and local communities in how they are to be realised.

### **Towards a shared draft Vision**

26. The draft Vision set out on Pigeon's consultation website falls short of what is needed in several respects, and does not include some of these principles, including connectivity to / integration with the town of Saxmundham. (It also, curiously, defines the new primary school and pre-school as part of the community hub, which they are not.)

27. Our Neighbourhood Plan Steering Group has (prior to adoption of the Local Plan) drawn up a draft Objective for the Garden Neighbourhood:

#### *South Saxmundham Garden Neighbourhood (if it proceeds as proposed)*

To create a cohesive, inclusive community neighbourhood, which

(a) is highly accessible to the main town and integrated within it, but which forms a 'special place' with its own strong identity, in terms e.g. of planning, layout, design and landscaping, and endowed with good local community facilities for all ages,



- (b) is master-planned with the full and genuine involvement of Saxmundham and Benhall parish councils and local communities, and properly reflecting their input,
- (c) does not extend, in its built environment, to the east of the railway line,
- (d) provides an improved overall environment and stronger support for biodiversity and natural habitats including trees, woodland and hedgerows
- (e) includes and is well connected and accessible to the open and green spaces, footpaths and cycle paths, 'green networks' and ecological advantages of the enhanced open area of The Layers and other land on the east of the railway line (e.g. to form a 'Country Park'), as well as to the town, and
- (f) provides a model 'smart' development in terms of technology, energy efficiency and environmental sustainability,
- (g) includes good accessible employment facilities,
- (h) meets, so far as practicable, the principles for garden city development as set out in the District Council's Local Plan.

28. Drawing on this draft objective, our key principles, and Pigeon's own first draft vision, we would offer to engage with Pigeon, in liaison with the local planning authority, and taking account of any other comments received, to seek to draw up a shared 'vision' or 'objective' for the Garden Neighbourhood which we can all 'own' and promote.

### **Integration of the Garden Neighbourhood with Benhall and Saxmundham.**

29. While the housing, school and community hub would abut the built areas of Saxmundham in the north of the new Neighbourhood, the proposals put forward thus far make almost no attempt to demonstrate how the Neighbourhood would connect to, let alone be "integrated" with the main town of Saxmundham.

30. The only way into and out of the site for motor vehicles is to the A12. This means that residents wishing to access the shops, services and facilities of Saxmundham by car need to make two right turns, via the roundabout on to the A12, then on a right turn (considered by many as dangerous) across south-bound traffic into Rendham Road. (The longer alternative is to turn left on to A12, then left on to the B1121 at Benhall, entering via South Entrance).

31. This makes it all the more crucial that attractive non-motoring modes of transport into town are provided. Here, there is a major problem. No route is proposed into Lincoln Avenue, for example, in the north west of the site. Is a cycle and pedestrian path there to be proposed, and if so, will it be provided from day 1?

32. There is currently a public footpath, in generally rather poor condition, and narrow, beside the SET Secondary School playing fields, on to the back of the Fromus Centre, before reaching a footpath T-junction, with the narrow west-east path leading from Fire Station to Mill Rise. Neither path is wide enough to provide a cycle path or good quality footpath for larger-scale usage, and the Mill Rise end of the footpath is steep. There is an earlier 'exit' on to Park avenue, but this still requires the footpath to be widened and much improved, which seems difficult in practice, and is not a good quality route to station and town.

33. Pigeon's consultation website states:

"An extensive network of new walking routes will be created, with new and upgraded footpaths improving connectivity around and through the site with links to the existing town."

But the only paths shown on the map there are (a) the footpath just referred to, and (b) the already much used footpath from the rail bridge down to South Entrance – which does not form any part of the land under their control, and with no proposal for improvement. There is no cycle path shown on the consultation site maps.

34. In short, there are no serious proposals at this stage of consultation on how to achieve the requisite integration and connectivity with the town. And no serious attention has yet been given to how to truly promote cyclist and pedestrian use, or indeed wheelchair and mobility vehicles. Without this, there is a high chance that the new development will fail to link in with the town.

### **Some proposals for connectivity with Saxmundham & Benhall**

#### *Connection to Saxmundham*

35. We believe it essential that as many as possible attractive non-motor through-ways from the Garden Neighbourhood to the town should be implemented. These must include a cycle way though from Lincoln Avenue; an upgrade of the footpaths alongside the school playing fields and into town; if possible, a new cycle route/footpath via the cemetery or beside the railway (west) to the station. And for a good quality connection to town centre and supermarkets, a new cycle path and enhanced footpath from the footbridge over the railway down into South Entrance. Traffic calming measures will also be needed for South Entrance, to improve cyclists' and pedestrians' safety.

#### *Connection to Benhall*

36. The Garden Neighbourhood, on the site allocated in the Local Plan, offers the opportunity to greatly improve the pedestrian but especially the cycle-way connections between Benhall village and Garden Neighbourhood, and Benhall through to Saxmundham. In particular, it would enable a circular cycle route available for the communities of Benhall, Garden Neighbourhood, and Saxmundham. This requires a cycle path along the inside of the hedge along the B1121 from Benhall to Saxmundham, a cycle path from South Entrance to the rail bridge and into the built Neighbourhood site, and cycle paths through the site to Kiln Lane. This would provide substantial health and practical benefits to all residents. It provides another reason why The Layers must be actively included in the 'greening' elements of the Garden Neighbourhood site.

### **Integration – creating a new public space in The Layers**

37. But integration with Saxmundham involves more than simple connectivity. It requires a design and management policy that achieves it. We are convinced that the cornerstone of the policy should involve creating a public open space and SANG element involving The Layers. This site connects most clearly the existing settlement with the new Neighbourhood, and should be an area of which all are proud, and where all can meet. It does not necessarily involve the whole of The Layers, but requires a substantial element, closest to South Entrance and the foot/cycle path to the rail bridge. It is land currently not in Pigeon's control, but without it, there will be no meaningful Garden Neighbourhood – just another housing estate, poorly connected to the town, adjoining a busy highway.

38. One idea for achieving the above, which we wish to share, is to establish a Heritage Country Park on this part of the Garden Neighbourhood site, with signs or symbols, events and activities recalling Saxmundham's past. Future management, conservation and ownership might potentially pass to the Town Council, or to a charitable trust. We would be willing to discuss the options.

### **SANG – an issue for residents of the town, not just for the new Garden Neighbourhood**

39. In the discussions around the amount and location of SANG, account needs to be taken not only of the needs of residents of the new Neighbourhood, but of residents of the town who are the current "users" of the public footpath network to the south. The footpaths from different parts of the town into the (currently) rural parts of the Garden Neighbourhood site, across to Kiln Lane, are well used by many residents including dog-owners. The public footpaths to the east of the A12 are the only ones available to the south of the town. This means that current residents use their long-valued access to a rural environment circular walk, which the current proposals in their modest scale do not replace.

40. Unless the SANG/open space with footpath areas are of sufficient size, it is certain that current users will resort more to the nearby sites of special protection or scientific interest, as they lose their current option.

### **Community facilities**

41. Saxmundham is particularly deficient in some key types of community facility. Since the creation of the new Neighbourhood is due to increase the town's population by around 2,000 or 40%, this deficiency will be experienced all the more acutely.

42. The proposed community hub, required under the policy, is to be welcomed. We have not had the chance in the time available (and in lockdown) to consult on potential details, but note the Local Plan policy statement that it could include convenience store, shops, meeting places, allotments, education facilities, care facilities and medical facilities. As to its location within the site, we cannot express a view until we understand the proposed layout of housing of different kinds, which is not yet shown. It may be that more than one hub point – for different purposes – is appropriate.

43. We can however point to the priorities for community facilities as expressed by a representative sample of almost 1,000 local residents in our household survey conducted in summer 2019. 98% of those responding to the issue (917) felt that additional facilities should be funded in whole or in part by the Garden Neighbourhood developers.

44. Asked about priorities, respondents were able to choose up to four from a list (or name an 'other'). The priorities voted were (in order):

Medical facilities; children's play areas; indoor sports centre; swimming pool;  
entertainment/performance centre; gym; cinema; allotments

(We know from responses elsewhere that, in addition to these community facilities, there is much support among residents for a family-friendly pub / restaurant at a suitable place in or close to the town).

### **Road access to A12 and related site layout issues**

45. It is presently challenging or even dangerous to try to cross the A12, so we have always supported proposals for safe crossing for cyclists and pedestrians of all ages – including those with disabilities – to access any new employment facilities and public footpath networks etc. While

noting the proposal for a new roundabout to form the only normal entrance to and from the Garden Neighbourhood site, it is not clear how safe the (presumably surface) crossing will be for pedestrians etc. The time given for crossing is crucial, to allow for slower movers.

46. The current consultation shows the roundabout placed opposite the site proposed by Pigeon for the service area, not the employment land. Given our firm view that this site does not accord with the Local Plan or the site allocated for the Garden Neighbourhood, we are unable to accept that this is the right starting-point for traffic design for the Neighbourhood. The roundabout should, in policy terms, be opposite the employment land within the policy allocation. This therefore requires a rethink of the proposed internal road layout.

47. Many residents consider that the current junction from the A12 into Saxmundham via Rendham Road is dangerous already, especially for those coming from the south, and the new Garden Neighbourhood site will add significantly to those making this turning, including traffic from the primary school. We believe the safety of this junction requires more consideration involving of course the County Council. We also feel that the volume of traffic coming into the town centre via this route to the Chantry Road traffic lights has been underestimated to date.

48. One issue of importance, which we would wish to discuss further, is access of public transport to the main built site. We would favour a regular service from the new housing development to and from the town centre, especially as much of the housing will be a considerable walk away from the town centre and supermarkets, and many residents may not have access to a car to do their larger shopping.

### **Types of new housing**

49. It is still premature for us to be able to express firm conclusions on all aspects of the types and designs of housing that should be built as part of the Garden Neighbourhood. As Town Council, we wish to emphasize the need for substantial affordable, and especially social, housing on the site. This should at very least reflect the LPA's minimum standards (and overall, at least one in three), as set out in the Local Plan Policy SCLP 5.10. We also need housing catering for different age groups and household sizes. Our 2019 Household Survey also provides some information on residents' views on various issues. There was strong support for housing that is "highly energy efficient", and for "landscaping of high visual and ecological quality". Respondents generally favoured a mix of "traditional Suffolk" and a significant but lesser number favoured "innovative" design within the mix.

### **Environmental issues for new developments**

50. Our household survey asked which "environmental factors" are important for them. Adequate off-street parking was deemed important by many, as were:

Good quality cycle and pedestrian access to the town; eco-efficient design and construction; nearby facilities to limit need for car use; recreational open space; local on-site recycling facilities; natural biodiverse open space nearby.

We would wish to add other items such as electric vehicle charging points, high speed internet, 'wilding' areas etc.