

Framlingham Road development



Laxfield Parish Council Extraordinary Meeting

Purpose:

- To discuss and agree the next steps for Laxfield Parish Council to take on behalf of Laxfield residents in relation to this application.

Agenda:

- Brief presentation to set the scene:
 - What has happened so far?
 - What options might the Parish Council pursue on behalf of residents?
- Open forum for public comments
- Parish Council discuss and agree a way forward based on residents' comments



KEY:

-  Proposed Road
-  Parking and Private Driveways
-  Residential Development
-  Garages
-  Trees & vegetation to be removed
-  Existing trees retained
-  Existing hedging to be retained
-  Proposed native species hedging
-  Large species tree planting
-  Smaller species tree planting

HOUSE SCHEDULE:

House type	Quantity
2 bed	12 No.
3 bed	31 No.
4 bed	17 No.
5 bed	6 No.
TOTAL	66 No.

NOTE:

Total development area: 2.6ha
 Total open space area: 1.6ha
 Community car park area: 0.1ha
 Total site area: 4.2ha

Total units: 66 units
 Development density: 25dph (net)
 (66 units / 2.6ha)

This indicative masterplan demonstrates that a development of at least 66 dwellings can be readily accommodated on this site. A good provision for open space is included and the scheme is responsive and sensitive to the village edge location.

At a slightly higher density of 30dph a development of 78 may be achievable.

Date	Rev	Rev/Author/Checked By
24.01.19	*	Mill Road path connection/NC/CM

NIGEL COWLIN
 Landscape Planning & Design
 Lower Gable
 White Cotte
 Colchester
 CO3 2QF
 01787 220457
 www.nigelcowlin.co.uk

Client:
New Hall Properties (Eastern) Ltd

Project:
**FRAMLINGHAM ROAD
 LAXFIELD**

Drawing title:
INDICATIVE MASTERPLAN

Scale:	1:1000 @ A2	Drawn by:	NC
Date:	10 January 2019	Chkd by:	CM
Drawing number:	NC18.424-P201	Revision:	a



An aerial photograph of a rural landscape. In the foreground, there are large green fields with some tracks or paths. A road runs through the middle ground. In the background, there is a small village with several houses and trees. The sky is clear and blue.

The story so far

- Two objections from the Parish Council
- 108 objections received overall
- Parish Council requested that the Secretary of State ‘called in’ the application
- Letter to the Secretary of State ignored by the District Council
- Planning Committee approved the development on 5th February

Revised proposals

- NB: THE LAYOUT SUBMITTED IS EXACTLY THE SAME
- **This permission is for access only – all other matters are reserved**
- Planning conditions:
 - Main road crossing: details of crossing to be agreed
 - Layout to be in general accord with the indicative plan
 - Electric charging for all dwellings
 - To seek details of charging provision for parking area
 - Sustainability measures to be agreed



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What does this text say?

“ Total units: 66 units

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An aerial photograph of a residential area, showing houses, roads, and green spaces. The image is overlaid with a semi-transparent green filter. The text is positioned in the upper left quadrant of the image.

What can the Parish Council do?

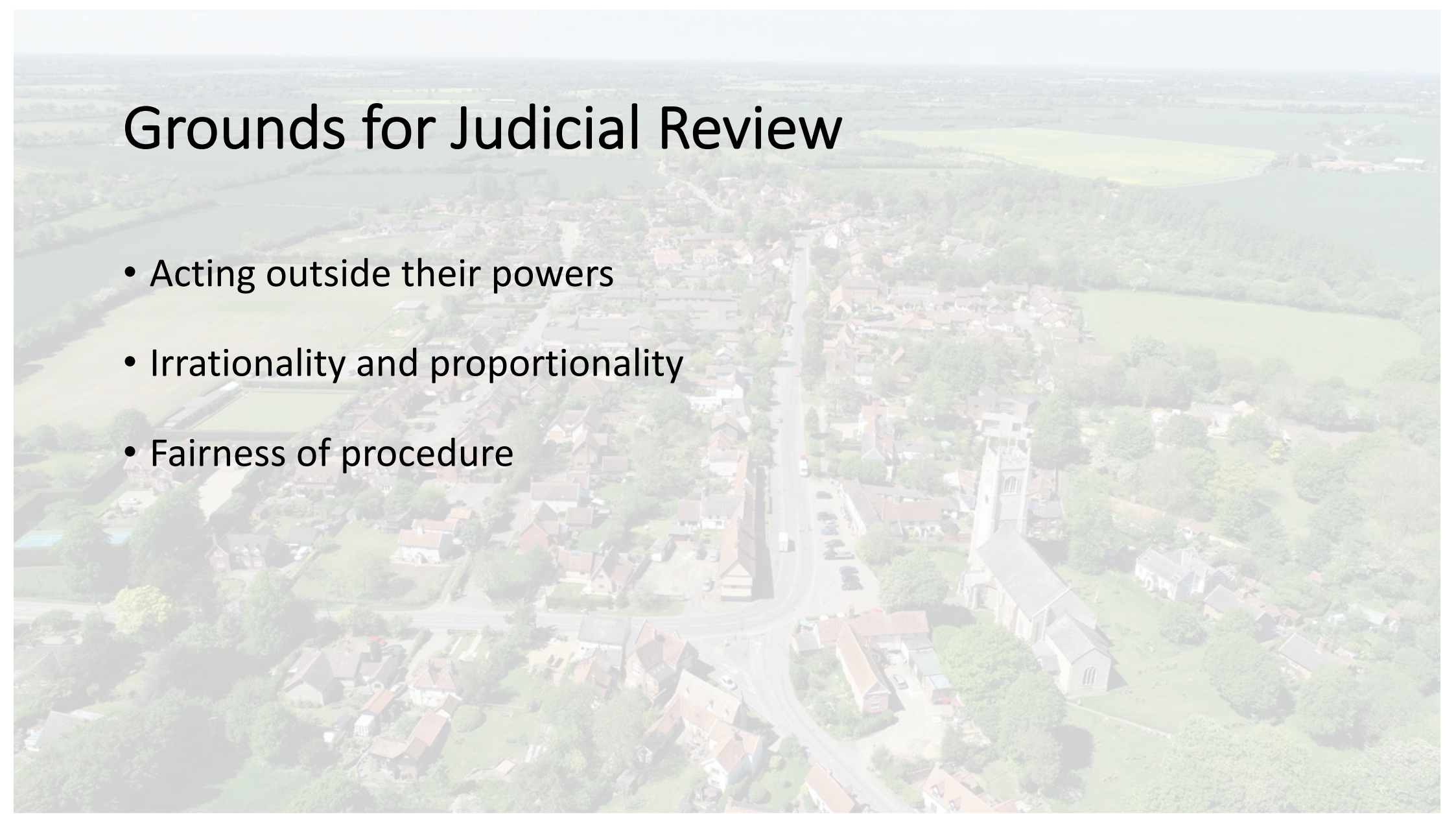
- **Option 1:** Do nothing to fight the development – but work with the developer (whoever that may be) as far as we can to try to improve the scheme
- **Option 2:** Request a Judicial Review of the decision

Judicial Review

- Potentially expensive – loser pays costs
- Can only consider whether the decision was legally right or wrong: if successful, the District Council would have to go back and make a lawful decision
- Can only be requested on certain grounds
- Can only proceed if the court gives permission

Grounds for Judicial Review

- Acting outside their powers
- Irrationality and proportionality
- Fairness of procedure



Where are we now?

- Environmental Law Foundation asked to give an initial opinion on whether we might have a reasonable case – **if Parish residents wish us to pursue this option**
- The purpose of tonight's meeting is to decide how we should proceed



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DRAFT MINUTES

LAXFIELD PARISH COUNCIL EXTRAORDINARY MEETING **Thursday 20 February 2020 at 7 30 pm in Laxfield Village Hall**

OPEN FORUM

Approximately forty members of the public attended the meeting.

S Innes gave a presentation outlining the situation so far regarding the outline planning permission recently granted to application DC/19/02312 - 49 houses on south side of Framlingham Road (full presentation available on website for reference).

The following is a summary of points made and questions raised by members of the public:

- Is there any precedent from other villages we can look at to challenge the decision? E.g. Recent Woodbridge and Fressingfield decisions.
- How much would a judicial review cost? This was not known but as reference, Framlingham had spent approximately 25k on their judicial review and lost the case; the losing party has to pay costs.
- Would the Parish Council contribute to the costs of a judicial review?
- If the Neighbourhood Plan had been fully implemented, would the decision have been different?
- A representative at the meeting and a written comment from All Saints Schools Trust stated that the Trust did not comment on planning applications. However, it was confirmed that the Primary School currently had a capacity for 119 children and was full. The capacity however could easily be expanded to take 140 children and potentially more with building work. This current number included a large proportion of children living outside of Laxfield and the school is only sustainable at all because it is partnered with Stradbroke Primary and shares a Headteacher. Stradbroke Primary currently has 98 pupils and a capacity for 140. A large proportion of the children currently at the school are from outside the village. In addition, Stradbroke High has a capacity of 435 and currently has around 300 children making it one of the smallest high schools in the country. It was commented that all schools in the Trust are struggling with demographic issues resulting in an ageing population and high numbers of people retiring to the area. Birth rates are dropping and making schools less sustainable. If small village schools are to be retained, houses need to be built, particularly small and cheaper homes that families can afford.
- The need for more car parking for the school was emphasised. More children would be welcomed as would more car parking
- Why wasn't the NP emphasis on incremental, organic development not taken into account at the Planning Committee?

MINUTES

Present: D Alchin, M Gleave, S Innes, D Martindale, G Oughton, A Peachey, G Salter, L Sharman

1. Apologies and approval of absences

A Clarke

2. Declarations of interest

None

- 3. Following the approval of planning application DC/19/02312 – outline planning permission for 49 houses on the South side of Framlingham Road – by MSDC, the purpose of this Extraordinary meeting is to discuss and agree the next steps for Laxfield Parish Council to take on behalf of Laxfield residents in relation to this application.**

Discussion took place regarding the above following the issues raised during the Open Forum. It was agreed to await the advice already sought from the Environmental Law Foundation about whether it should be considered to take the matter forward to a Judicial Review. The Parish Council would then feedback to residents and decide on a way forward. Proposed A Peachey, seconded G Salter, AIF.

It was also agreed that D Alchin should contact Woodbridge Parish Council and any other Parish Council facing or have faced a similar situation, ascertain the actions taken and feed back to the next Parish Council Meeting.

- 4. Meeting closed at 8 12 pm**

If you would like to attend a parish council meeting, please come along. Alternatively, if you would like to raise a matter of concern please do not hesitate to contact the parish clerk or a member of the council.

Karen Gregory (Parish Clerk)

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