

## SUMMARY OF MAIN CONCERNS RAISED

1. There has been no demonstration that ED is complying with the Historic England criteria for enabling development in that:-
  - i) it should be the last resort in terms of funding
  - ii) full planning applications should be applied for, not outline.

We are well aware of the policy guidance that ED is a funding source of last resort and are confident that this can be demonstrated to the local authority's satisfaction as part of the supporting statement submitted with any formal application. It should be noted that the guidance also says "*While normally a last resort, it is an established and useful planning tool by which a community may be able to secure the long-term future of a place of heritage significance, and sometimes other public benefits, provided it is satisfied that the balance of public advantage lies in doing so.*" This issue is therefore a matter of planning balance, to be applied to each application on a case-by-case basis.

The Funding Group (set up in August 2016) has been exploring alternative funding sources for some time with a range of activities including:

- Collating a list of charities and individuals
- Approaching charities who are known to give to environmental causes
- Discussing an application with the Heritage Lottery Landscape Fund
- Potential CIL payments being discussed with SCDC in November
- Letters to all householders asking for support will be sent in November/December
- All businesses in the estuary will be approached for support in various ways, some have already offered sponsorship on events
- Gift Aid payments on donations other from a charity
- Crowd funding using the 7 minute film
- Events to include anyone in the area interested in preserving the estuary i.e. charity bike ride (September) and pub quiz (in November)
- Will be preparing future events for next year

Nevertheless, ED remains an attractive option because Landowners are giving land free in all current cases and some are also donating cash sums. Landowners are mostly land rich and cash poor and enabling development is the only way they could assist the generation of the £5m proceeds. Land given away is a permanent loss to future income of that farm. Landowners also are bearing the costs and risks associated with the IDB loan which has been needed to provide funding for early works. Without this, works would not have started until after funds have been raised. Some of the ED sites could get planning permission anyway so, in some cases, full value is being given to The Trust.

In terms of whether applications, when they are made, are for outline or full permission, this will be decided on a case-by-case basis and in line with advice received from the local planning authority.

## **2. There should be no development in the AONB**

Designation of land as an area of outstanding natural beauty protects the land to conserve and enhance its natural beauty. Although there is no absolute prohibition against development in an AONB the local planning authority must have regard to the need to conserve and enhance that beauty when considering any particular applications for Enabling Development. The Enabling Development criteria are set out in Appendix 10 of the Estuary Plan and these will also inform the local authority's decision. Access to developments will be important depending on locations and the design need to fit into the setting. All applications will include details of the impact of the development and how it will be mitigated and the relevant planning authority will impose conditions and/or obligations to secure this protection as appropriate. By definition, enabling development is considered on its own merits and is often inconsistent with designations such as AONB and local plan policies. The decision on whether or not to approve any particular application is for the local authority, who will consider each one on their own merits and weigh the issues such as its impact on the AONB against the benefits to be secured.

## **3. How were sites and architects chosen? Will the AOEP name the architects they have appointed**

Site selection in all cases is based on a combination of availability and suitability (subject to future formal assessment by the relevant planning authority). Following interviews with 6 interested firms, the Partnership commissioned Charles Curry Hyde ([www.curryhyde.co.uk](http://www.curryhyde.co.uk)) and Phil Branton ([www.wkparchitects.co.uk](http://www.wkparchitects.co.uk)) (see minutes and newsletters already published). They were selected partly on the basis of their excellent reputation in design, energy saving and public engagement experience. Both architects attended the meeting with Sudbourne Parish Council on 23<sup>rd</sup> May 2017.

## **4. ED approved development could be a precedent for further open market development.**

SCDC has accepted the use of ED for the funding of flood defences before, which creates a very limited precedent for ED in a very specific context. However, because Enabling Development sites are by definition "exceptional", it is unlikely that an approval for ED would create a general precedent for other, non ED, applications.

## **5. How will the agreed planning permissions be fixed to prevent developers buying them and applying for new planning that are not agreed by the community?**

It is likely that any permission granted will be restricted through the use of planning conditions and obligations; both mechanisms through which restrictions on the use of land can be secured so that they run with the land. The need for and content of such restrictions is a material planning consideration that can be taken into account by the local authority in the determination of an application. In addition covenants can be imposed by the landowner which will go with the land and be an obligation on the purchaser and future owners.

## **6. Proposals currently advanced have the effect of enabling wealthy individuals to secure substantial private benefits.**

We have tried very hard to provide a range of options by providing a number of semi-detached houses of more modest size as well as medium sized houses in Sudbourne and Tunstall, along with single properties. Nevertheless the primary purpose of this exercise is fundraising and a single property in approx 1 acre of land will raise considerably more funds than a number of small houses on one plot of land. In addition we have to bear in mind that there has already been concern

expressed that 80-140 houses (as originally specified in the Estuary Plan) were potentially to be built, spoiling the AONB. The funds raised will of course benefit the whole community by helping to protect the estuary from flood risk. Each site will be openly marketed and sold for the best price available.

#### **7. Donations from farmers are only small amounts of land**

Most farmers are 'asset rich' in terms of landholdings but 'cash poor'. While some will – and have – donated money, land donations are often a better way to secure an in kind benefit rather than none at all. In some cases although the landholding is small it is valuable because it could be suitable for development - this is true of sites at Chillesford, Sudbourne, and Tunstall, for instance. It is important to remember that while the local farming community will benefit from the ED proposed, so will the community as a whole including the hundreds of households protected by the estuary defences. Protecting this land from future flood risk will also protect future revenues to the community as a whole, including businesses, tourism and leisure activities.

#### **8. The AOEP should apply for funding from CIL, which would reduce the need for Enabling Development.**

The AOEP had already raised this with SCDC and will be applying for CIL support - This will form part of the public sector £2m funding target.

However the CIL fund is currently is less than £1M, and though it will increase, our proposals will compete with at least a dozen+ other areas of infrastructure investment to share in the same fund. It is unlikely to a substantial sum for flood defence in the Alde-Ore initially, especially as we are just one of several estuary and coastal community partnerships in Suffolk.

#### **9. Will £12M be enough – concern that costs are estimated**

Recent experience at Snape and Aldeburgh, since the original plan was written, has confirmed our current estimated costs. Engineering works are now more accurately understood and budgeted. Environmental mitigation costs have had an unexpected and major impact. We are much more confident that £12m is a good estimate of the capital costs and is confirmed in the recent modelling report of the whole estuary.

### **AMENDMENTS TO THE ESTUARY PLAN**

The prioritization of flood cells in the Estuary plan has been updated – the most recent of which was in the meeting on 20<sup>th</sup> September Minute 5

**It was agreed that**

- i) Iken flood cell 5 was to be 2<sup>nd</sup> Priority after Snape flood cells 6 and 7**
- ii) The Partnership formally agreed that the current estimate for upgrading the river walls was £12 million (rather than earlier estimates of £7-10 million quoted in the Estuary Plan which did not have total scheme costs and mitigation included.)**

**The number of houses in the Estuary Plan at present stated as 80-140 will be amended during the meeting on 7<sup>th</sup> December (as will be discussed at the Open Forum in Tunstall on 10<sup>th</sup> November)**

**2<sup>nd</sup> November 2017**