



11 February 2026

## Redgrave Parish Council Letter of Objection

### Planning Application DC/26/00308: Land South of Churchway, Redgrave - OBJECTION

Redgrave Parish Council objects to the above planning application on the grounds of clear failures to comply with the statutory Development Plan and the genuinely plan-led approach required by section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraphs 12 and 15 of the National Planning Policy Framework (NPPF). This objection does not oppose residential development in principle on this site. Rather, it relates to the circumstances in which the site was allocated through the Redgrave Neighbourhood Plan (the RNP) and the way the current proposal departs fundamentally from the assumptions, conditions and mitigation measures upon which that allocation was found acceptable at independent examination.

The site is allocated under Policy RED2 of the RNP (made July 2022). That allocation, and the associated amendment to the Redgrave settlement boundary, were expressly justified at examination on the basis that development would deliver specific, place-based mitigation measures to address the loss of recreational open space and secure clear, demonstrable and locally accessible benefit to the wider Redgrave community. The allocation was therefore conditional, not unconditional, and was predicated on the continuation of the lawful baseline conditions that existed at the time of plan preparation and examination, together with the delivery of the mitigation measures set out in Policy RED2.

At the time the RNP was prepared and examined, the adjacent Recreation Ground functioned in practice as village-wide public open space and community infrastructure. It provided general and established community access to children's play facilities, informal recreation, sporting use, a car park, and the Activities Centre, which fulfilled the role of a community facility. These uses were visible, long-standing, uncontested and formed part of the lawful planning baseline relied upon during plan-making and examination. Since plan adoption, the applicant has taken discretionary management actions to withdraw public access to that land, operate it as a private members' football club, remove playground equipment and bar access to associated facilities. These actions have materially altered the baseline conditions that underpinned the allocation.

The Planning Statement and Design & Access Statement seek to rely on circumstances created by the applicant since plan adoption to justify non-compliance with Policy RED2. In doing so, the application advances a set of internally inconsistent propositions: that the lawful baseline conditions relied upon at plan-making stage never existed by reference to the wording of the original lease; that the Recreation Ground is not available or in use as open space; that a surplus of open space nevertheless remains; and that the mitigation measures specified in Policy RED2 are now incapable of delivery and should be substituted by non-specific off-site or financial measures. The first of these propositions is inconsistent with the factual and lawful planning baseline recorded in and relied upon by the made RNP; the second and fourth arise directly from discretionary management actions taken by the applicant after examination; and the third depends upon counting land which the applicant

simultaneously asserts is unavailable for community use. Taken together, these positions are logically incompatible and do not accord with the Development Plan.

This approach is fundamentally contrary to the plan-led system. Planning policy does not permit an applicant to undermine the factual and policy foundations upon which a site allocation was made and then benefit from the consequences of that undermining. Nor does it support development proposals that seek to rely on circumstances or impacts that have arisen since plan adoption to circumvent policy requirements. The substitution of unspecified financial contributions, off-site provision or reinterpretation of policy requirements cannot replicate the place-based, community-accessible mitigation that was integral to the acceptability of the allocation.

Paragraph 7.30 of the RNP is central to this assessment. It sets out the policy reasoning that informed the identification and allocation of the Churchway site, including explicit reliance on NPPF paragraphs 92 and 93 and the expectation that community facilities and recreational land would be protected, enhanced and retained for community benefit. Those principles were given effect through Policy RED2, which depends upon the continued availability of adjacent land and facilities to secure the mitigation required by the allocation. That land and those facilities are no longer available in the form assumed at the time of plan examination and adoption. Consequently, the planning balance upon which the allocation and associated settlement boundary change were justified has been materially altered.

In addition to the fundamental failure to comply with Policy RED2, the proposal also fails independently to comply with other key policies of the RNP. The proposed housing mix does not comply with Policy RED3. While there is no requirement for affordable housing on a development of this scale, Policy RED3 requires that housing type and mix be demonstrably informed by local housing needs evidence. The Redgrave Housing Needs Survey identifies a strong need for smaller dwellings, homes suitable for couples, first-time buyers and older residents, and very limited support for large family housing. The inclusion of a four-bedroom open market dwelling is not supported by that evidence, and the overall mix is weighted towards larger homes in a manner that reinforces existing imbalances in the parish housing stock. Paragraph 7.30 confirms that housing mix formed part of the original allocation logic, and the proposal fails to align with those assumptions.

The proposal also fails to comply with Policy RED16 on drainage and flood risk. The submitted drainage strategy does not demonstrate, at application stage, a comprehensive SuDS-led approach, fails to show that lower than greenfield runoff rates would be achieved, and does not demonstrate how wider amenity, recreational or biodiversity benefits would be delivered, as expressly required by the policy. These matters are inappropriately deferred to condition and have not been shown to be policy compliant.

The Parish Council further notes that the applicant has not meaningfully engaged with the local community or the Parish Council in the preparation of the application or in the development of alternative mitigation proposals following the withdrawal of public access to the Recreation Ground. While not a statutory requirement, this absence of engagement is material to the deliverability of the required mitigation in a case where the Development Plan expressly requires locally specific, community-wide mitigation. The absence of agreed, deliverable alternatives is now relied upon as justification for treating those mitigation requirements as incapable of delivery, further undermining the credibility of the proposal.

## **Determinative Planning Failures**

For clarity, the Parish Council considers that the proposal fails on the following determinative planning grounds, each of which is independently sufficient to justify refusal:

1. **Failure to comply with Policy RED2 due to self-created loss of the lawful baseline**, undermining the mitigation and planning balance that justified the allocation and settlement boundary change (see Detailed Objections, paragraphs 3–6, 9, 12 and 14).
2. **Internal inconsistency and logical incompatibility within the application**, particularly in relation to the status, availability and counting of open space, which fatally undermines the credibility of the claimed policy compliance (see Detailed Objections paragraphs 3, 6 and 9).
3. **Material departure from the allocation rationale in paragraph 7.30 of the RNP**, such that the original justification for the allocation can no longer be relied upon (see Detailed Objections paragraphs 4, 7, 9 and 14).
4. **Independent failures to comply with Policies RED3 and RED16**, relating to housing mix and drainage, which were also integral to the allocation framework and must be demonstrated at application stage (see Detailed Objections paragraphs 7 and 8).

## **Overall Conclusion**

The planning proposal would result in an unmitigated net loss of parish-wide open space and community infrastructure in the absence of suitable, legally secured measures that:

- restore and secure meaningful community access to the Recreation Ground at a level materially equivalent to that which existed at the time of plan preparation and examination and which informed the allocation rationale set out in paragraph 7.30 and Policy RED2 of the RNP,
- replace the loss of publicly accessible recreational and community facilities, and
- provide suitable agreed alternative mitigation for loss of the recreational land allocated in the RNP for this development

In addition, the proposal fails to deliver a housing mix compliant with Policy RED3 and does not adequately provide a drainage strategy compliant with Policy RED16.

Overall, the proposal therefore fails to maintain the integrity, intent and soundness of the RNP.

For these reasons, Redgrave Parish Council considers that planning permission should not be granted unless and until the applicant has demonstrably addressed the policy non-compliance arising from its own actions, ensured that meaningful community access has been restored and secured on a long-term basis and secured a deliverable, long-term and policy-compliant package of mitigation, housing provision and drainage solutions consistent with the plan-led approach required by the Development Plan and the NPPF.

Full details of the objections are set out in the statement that follows.



## **Planning Application DC/26/00308: Land South of Churchway, Redgrave Detailed Objections by Redgrave Parish Council**

Redgrave Parish Council has considered the above application (including the Planning Statement and the Design & Access Statement and other supporting documentation) and wishes to object to the proposal as currently submitted.

This response does not object to residential development in principle on this allocated site. The objection relates to compliance with the statutory Development Plan and the proper application of a plan-led approach in light of material changes since the RNP was prepared and examined. In particular, the mitigations integral to RNP Policy RED2 are no longer deliverable in the form specified at plan-making stage and have not been adequately or acceptably replaced as submitted. In addition, the proposal fails to comply with Policy RED3 in respect of housing type and mix and RED16 in terms of drainage requirements.

### **1. Development Plan Context**

The RNP, made in July 2022, forms part of the statutory Development Plan. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 12 of the NPPF 2024, planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

The RNP Policy RED2 allocates land at Churchway for approximately eight dwellings. That allocation is expressly conditional upon the delivery of specific mitigation measures to address the loss of recreational open space and to secure wider community benefit.

The Redgrave settlement boundary was amended through the Neighbourhood Plan process specifically to accommodate this allocation. That amendment was endorsed by the independent examiner on the basis that the mitigation measures set out in Policy RED2 would be delivered. The acceptability of the allocation is therefore intrinsically linked to the delivery of those mitigation measures.

### **2. Policy RED2 – Integral Mitigation Requirements**

Policy RED2 requires mitigation for the loss of recreational open space through improvements to the remaining adjacent land, including:

- enhancement of the existing children's play area;
- enhanced or additional playing pitch provision;
- enhanced youth provision;
- establishment of a community orchard and wildflower meadow for wildlife and informal recreation; and
- retention of existing footpaths and rights of way.

These measures are integral to the policy, were tested through independent examination as secured through the Neighbourhood Plan examination process and formed a fundamental part of the planning balance that justified both the allocation and the associated settlement boundary change.

### **3. Lawful Baseline Conditions at Plan-Making Stage**

At the time the RNP was prepared and examined, the adjacent Recreation Ground was held under a long-term lease by the Redgrave Amenities Trust and functioned as village-wide recreational open space. At that time, it provided facilities accessible to the wider community, including children's play facilities, informal recreation, sporting provision, a car park, and an Activities Centre (also referred to interchangeably in the applicant's document as an Amenities Hut) which fulfilled much of the role of a village hall. All of this is recorded in the made RNP.

The Recreation Ground therefore operated in practice as community infrastructure. These uses were established, visible, longstanding and uncontested, and no planning enforcement action was taken to curtail them. The lawful planning baseline at the time of preparation and examination was therefore one of public access and community benefit, not exclusive or private use. In the absence of any evidence of planning control being exercised to restrict those uses, they formed part of the lawful planning baseline relied upon by the examiner when assessing Policy RED2.

The applicant's suggestion that the baseline should instead be defined narrowly by reference to the wording of a private lease (paragraph 5.6 third bullet of the Planning Statement) is misconceived. Planning decisions must assess the actual lawful use of land as it existed on the ground at the relevant time, rather than the internal terms of private property arrangements. The uncontested existence and operation of children's playground equipment, informal recreational use, and general and established community access formed part of the factual and lawful planning context relied upon during the Neighbourhood Plan examination process.

The original lease regulated the erection of buildings and structures and did not prohibit informal recreation, children's playground, or general public access. Nor did it require or justify the exclusion of the wider community. The subsequent fencing-off of the land, removal of the playground equipment, and reclassification of the site as a "*private members' football club*" therefore represent subsequent management actions taken by the applicant, rather than a continuation of any historic or lawful planning baseline.

Accordingly, the claim that the land was only ever available for restricted sporting use (as made at paragraph 5.6, third bullet of the Planning Statement) is inconsistent with the planning reality at plan-making stage. The application is predicated upon, and relies upon, the prior withdrawal of publicly accessible open space, which materially alters the baseline underpinning Policy RED2.

### **4. Undermining of Plan Assumptions in RNP**

Paragraph 7.30 of the RNP sets out the reasons why the Churchway site was identified and allocated. Several of those reasons were explicitly dependent upon the continued availability of the adjacent land and facilities as accessible community assets. These include the site's accessibility for the wider village, the provision of a new footpath linking the Activities Centre and car park to the rest of Redgrave, the existence of a surplus of open space capable of compensation, the improvement of existing recreational facilities, the designation of the remainder of the land as Local Green Space, and the continued operation of the Activities Centre as a protected community facility.

As a result of subsequent actions taken by the applicant, these assumptions can no longer be regarded as accurate. The Activities Centre and car park no longer function as accessible community infrastructure; the proposed pedestrian linkage no longer delivers a meaningful community benefit; open space relied upon to demonstrate surplus provision is no longer publicly accessible; and improvements to facilities that are no longer available to the community cannot deliver the benefits specified by the Plan.

Paragraph 7.30 of the RNP can therefore no longer be relied upon as an accurate reflection of the current planning circumstances. The allocation under Policy RED2 and the associated settlement boundary change were justified based on assumptions about community access and benefit that have since been displaced, materially altering the planning balance.

### **5. Material Change in Circumstances Since Plan Adoption**

Shortly before the RNP was made, and after examination, the long-term lease to the Redgrave Amenities Trust expired and was replaced by a new tenancy-at-will arrangement for exclusive use by the Redgrave Rangers Football Club and the Redgrave Amenities Trust.

Paragraph 4.33 of the Planning Statement confirms that activities formerly taking place in the Amenities Hut (also identified in the applicant's documentation as Activities Centre) ceased following the expiry of the earlier lease and that the land is now leased for use as a "*private members' sports field and recreation ground*". That description implicitly acknowledges a shift away from community-wide access and use. Any claim that this facility might still be available as a community asset is therefore refuted by the applicant's own statements above and the reality of the limited and highly controlled access to the facility on the ground at this time. It also undermines one of the reasons for the allocation of the site proposed for development at paragraph 7.30 of the RNP which stated that the "*Activities Centre can be identified as a Community Facility*"; this is evidently no longer the case.

As a result:

- public access to the site has now been prevented through fencing and "no entry" signage;
- children's playground and informal recreational use have been stopped, including removal of the playground equipment at the applicant's demand; and
- general access to associated community facilities, including the Activities Centre and car park, has been curtailed, barred and locked against general access and can no longer be considered community assets.

See images at the end of this detailed objection paper of the fencing, signage and barred and locked access to the site.

Although the Parish Council and residents have been refused sight of the lease, correspondence issued by the applicant on 14 August 2023 described the land as a "*private members' football club*", and paragraph 4.33 of the Planning Statement confirms this position. The exclusion of the wider Redgrave community has been justified on that basis.

**These actions represent a clear material change in circumstances from those that existed at the time Policy RED2 was prepared and examined.**

## **6. Consequences for Policy RED2 Mitigations**

As a direct consequence of the withdrawal of community access, the specific mitigation measures required by Policy RED2 can no longer be delivered in the manner specified at plan-making stage. Those mitigations were intended to be place-based, community-accessible and fundamental to the examiner's acceptance of the settlement boundary change.

By contrast, the Planning Statement relies almost entirely on unspecified financial contributions, off-site provision, and reinterpretation of policy requirements. This approach treats mitigation as fungible and remote, assumes the continued availability of community facilities that no longer exist, and materially weakens the planning balance underpinning Policy RED2. In its current form, the proposed development would result in an unmitigated net loss of parish-wide recreational provision.

## **7. Failure to Comply with Policy RED3 – Housing Type and Mix**

In addition to the fundamental failure to comply with Policy RED2, the proposal also fails to comply with Policy RED3 of the RNP, which requires residential development to deliver a broad range of housing types that respond to the latest local housing needs evidence and contribute to a mixed, balanced and inclusive community.

The Parish Council acknowledges that, given the small scale of the development, there is no policy requirement for the mandatory delivery of affordable housing. However, Policy RED3 does not operate solely through thresholds or quotas. It requires that the form, size and mix of housing be demonstrably derived from local housing needs evidence, irrespective of whether affordable housing is required as a matter of policy.

This requirement is not abstract. Paragraph 7.30 of the RNP sets out the reasons why the Churchway site was identified and allocated, including the expectation that development would deliver a form of housing that responds positively to local circumstances and contributes to a balanced community, in conjunction with the mitigation measures required under Policy RED2. The suitability of the site for allocation was therefore linked not only to mitigation of open space loss, but also to the nature and mix of housing to be delivered.

The Planning Statement asserts that the proposed housing mix reflects the Redgrave Housing Needs Survey 2024. This assertion is not supported by the evidence. The Housing Needs Survey, prepared by Community Action Suffolk for Redgrave Parish Council, identifies strong support for smaller dwellings, including small family homes (2–3 bedrooms), homes for couples (1–2 bedrooms), and housing suitable for older people. By contrast, support for large family homes (4 or more bedrooms) is very limited. The survey also confirms that Redgrave already has a disproportionately high number of 3- and 4-bedroom houses and that approximately 90% of households comprise only one or two people.

Of particular relevance, the only identified need for a 4-bedroom dwelling within the Housing Needs Survey relates to a single self-build 4-bedroom house. There is no identified need for a conventionally built 4-bedroom open market dwelling. The inclusion of a 4-bedroom house within the proposed development therefore does not arise from, and is not justified by, the housing needs evidence relied upon by Policy RED3 or the allocation rationale in paragraph 7.30.

The proposed development is heavily weighted towards larger market housing, with 75% of dwellings comprising 3- and 4-bedroom houses. No 1-bedroom dwellings are proposed, and the

scheme makes no provision for smaller or lower-cost market homes that would assist first-time buyers, couples or downsizers, notwithstanding that these groups are clearly identified within the Housing Needs Survey.

While two bungalows are proposed, the Planning Statement does not demonstrate that these are intended to meet the identified needs of older residents or those wishing to downsize, nor does it provide any assurance as to tenure, affordability or allocation. This limited provision is not shown to be proportionate or responsive to the needs identified in the Housing Needs Survey or to the housing objectives that underpinned the allocation of the site.

Accordingly, while the absence of affordable housing does not in itself constitute a policy breach for a development of this scale, the proposed housing mix fails to respond appropriately to the latest local housing needs evidence and fails to align with the housing-related assumptions and objectives set out in paragraph 7.30 of the RNP. The proposal therefore reinforces existing imbalances in the parish housing stock and is materially non-compliant with Policy RED3 of the RNP.

#### **8. Drainage and Flood Risk – Conflict with Policy RED16**

Policy RED16 of the RNP requires all new development, including minor development, to employ appropriate Sustainable Drainage Systems (SuDS) that mitigate flood risk on-site, avoid increasing flood risk elsewhere, seek to achieve lower than greenfield runoff rates, and deliver wider amenity, recreational and biodiversity benefits, including through the use of wetland and water features where appropriate.

The drainage strategy set out at paragraphs 3.18–3.20 of the Planning Statement does not demonstrate compliance with these requirements.

The proposed surface water strategy relies almost exclusively on permeable paving, soakaways and underground infiltration crate systems. While such measures may form part of a SuDS approach, they are predominantly engineered and subterranean in nature. The application does not demonstrate how the proposed drainage strategy would deliver the wider amenity, recreational or biodiversity benefits expressly required by Policy RED16. No above-ground or multifunctional SuDS features are proposed or illustrated, such as swales, basins, rain gardens, wetlands or other landscape-led drainage elements.

Furthermore, the Planning Statement does not demonstrate that surface water runoff would be restricted to lower than greenfield runoff rates, as required by Policy RED16. No greenfield runoff calculations, discharge rates, attenuation volumes, infiltration testing results or confirmation of long-term system performance are provided. In the absence of this information, it has not been demonstrated that the development would adequately mitigate its own drainage impacts or avoid increased flood risk elsewhere.

The reliance on planning conditions to confirm private plot drainage arrangements and other fundamental components of the surface water strategy is not justified given the site's allocation through the RNP and the express requirements of Policy RED16. Compliance with Policy RED16 is a core planning requirement and should be demonstrated at application stage, particularly for a site allocated through the Neighbourhood Plan process.

Regarding foul drainage, the Planning Statement confirms that an Anglia Water foul rising main crosses the northern extent of the site. However, no assessment is provided of network capacity, easement requirements, protection measures, or potential constraints on development arising from its presence. Nor is it demonstrated that the proposed development would integrate safely and effectively with the wider foul drainage network.

Taken as a whole, the submitted drainage information indicates only a basic means of managing surface water and does not demonstrate a comprehensive, SuDS-led approach consistent with Policy RED16. The proposal therefore fails to comply with Policy RED16 of the RNP.

### **9. Open Space Policy Conflict and Internal Inconsistencies**

The Planning Statement asserts that the proposals do not generate a need for open space and anticipates that any mitigation would be addressed through off-site facilities (paragraphs 4.41 and 5.6). This approach is fundamentally flawed and does not reflect either the factual baseline or the policy framework.

As a result of the applicant's actions in leasing the Recreation Ground for private members' use, the effective availability of open space within Redgrave has been substantially reduced. Under the Town and Country Planning Act 1990, open space is defined by its availability for public recreation. Land restricted to private membership cannot meet that definition and cannot be relied upon to demonstrate compliance with open space standards or to justify development that results in further loss.

The applicant's own statement at paragraph 5.6 of the Planning Statement that the Recreation Ground is "not in use as an open space or available to be used" confirms that it cannot lawfully or logically be relied upon to demonstrate a surplus of open space. The baseline conditions relied upon at plan-making stage — namely publicly accessible recreational land — no longer exist. It is therefore inconsistent to continue to count that land towards open space provision while simultaneously asserting that it is unavailable for use.

The Recreation Ground is designated as Open Space in the BMSDC Joint Local Plan. National planning policy, BMSDC Joint Local Plan Policy LP28, and Policy RT2 all require that the loss of existing open space be replaced by equivalent or better provision in terms of quantity, quality, and accessibility, in a suitable location. Reliance on unspecified off-site financial contributions does not meet these requirements and does not comply with the place-based mitigation expressly required by Policy RED2 of the RNP.

The Planning Statement repeatedly claims that Redgrave benefits from a surplus of open space, based primarily on the inclusion of the Recreation Ground within MSDC open space calculations. However, it then asserts, at paragraph 5.6, that "notwithstanding the fact that the site is not in use as an open space or available to be used, there is a significant surplus of recreational open space." This position is internally inconsistent and logically unsound. Open space that is not publicly accessible cannot be relied upon to demonstrate surplus provision, and its exclusion would materially alter the conclusions relied upon by the applicant.

Paragraph 4.6(c) of the Planning Statement further claims that the development provides alternative sports and recreational provision whose benefits outweigh the loss of current or former use. No such alternative provision is clearly identified, secured, or evidenced within the application, and no

planning mechanism is proposed to ensure its delivery. As submitted, the proposal therefore results in a net loss of publicly accessible recreational provision, contrary to national policy, the Joint Local Plan, and the RNP.

### **10. Transport**

Paragraph 4.25 of the Planning Statement refers to compliance with Local Plan Policy LP29 (Safe, Sustainable and Active Transport). However, the sole evidence cited (paragraph 2.5) relies on the existence of bus services which ceased serving Redgrave in 2024. The assessment is therefore factually inaccurate and does not demonstrate policy compliance.

### **11. Design & Access Statement**

While the Design & Access Statement demonstrates some sensitivity to local character, it does not address the mitigation requirements of Policy RED2 and assumes continued access to facilities that have been withdrawn. The Planning Statement also relies on public transport services that ceased in 2024, undermining claims of compliance with Policy LP29, and provides no meaningful assessment of Policy RED5 relating to community facilities.

### **12. Requirement for Suitable Alternative Compensation**

The Parish Council recognises that the original RED2 mitigation measures are no longer deliverable due to the withdrawal of community access. This does not remove the requirement for mitigation; it heightens it.

Any alternative mitigation must:

- deliver equivalent or better benefit to the wider Redgrave community;
- replace the loss of recreational and community facilities previously available;
- be accessible for informal recreation;
- be located within or immediately adjacent to Redgrave; and
- be secured on a long-term basis consistent with the assumptions at plan-making stage through a legally binding planning obligation, meeting the tests of Regulation 122 of the Community Infrastructure Levy Regulations.

The unspecified but implied mitigation measures directed to restricted or private user groups, or delivered remotely without direct local benefit, cannot be regarded as policy compliant.

In separate negotiations with the applicant, The Redgrave Parish Council has made proposals for what it considers to be appropriate alternative mitigation measures. The applicant has rebutted these.

### **13. Conclusion**

This objection is grounded firmly in policy compliance and the plan-led approach required by section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 12 of the NPPF (2024). Policy RED2 was found sound and the settlement boundary was amended on the express basis that development at Churchway would deliver tangible, place-based mitigation providing clear and demonstrable benefit to the wider Redgrave community.

As a direct consequence changes to site management and access arrangements since plan adoption (the withdrawal of public access to the adjacent Recreation Ground and its subsequent operation as a private members' facility), the mitigation measures underpinning Policy RED2 are no longer capable

of delivery in the form specified. In addition, the proposal fails independently to comply with Policy RED3 in respect of housing type and mix.

In the absence of suitable alternative compensation that provides equivalent or better community-accessible recreational and social benefit, a policy-compliant housing mix, and a drainage strategy consistent with the requirements of the RNP, the proposal would, as submitted, result in an unmitigated net loss of parish-wide open space and community infrastructure and would fail to deliver the balanced and inclusive community specified by the RNP.

Planning permission should therefore not be granted unless and until legally secured alternative mitigation measures, housing provision and drainage solutions are put in place that fully address the planning harm arising and maintain the integrity, intent and soundness of the RNP.

#### **14. Required Remedial Actions to Restore Plan-Led Compliance**

For the avoidance of doubt, the Parish Council does not seek to re-open the principle of residential development on this site. That principle was established through the allocation of the land under Policy RED2 of the RNP. However, that allocation was expressly conditional and was found acceptable at independent examination only because it was predicated on specific assumptions and mitigation measures that formed an integral part of the planning balance.

In particular, the allocation under Policy RED2 was justified on the basis of the continued availability to the wider Redgrave community of the lawful baseline conditions that existed across the whole of the Recreation Ground at the time the RNP was prepared and examined, together with the delivery of specific, place-based mitigation measures that relied upon those conditions. Those assumptions are expressly recorded in paragraph 7.30 of the RNP, which identifies the availability and community accessibility of the Recreation Ground and associated facilities as a central component of the justification for allocating the site.

Since plan adoption, the applicant has taken actions which have materially altered those baseline conditions by withdrawing public access to the Recreation Ground, operating it as a private members' facility, and preventing its continued use as publicly accessible recreational open space and community infrastructure. The applicant now seeks to rely on those self-created circumstances to justify non-compliance with the policy requirements that enabled the site's allocation, while simultaneously asserting that:

- a surplus of open space still exists;
- the lawful baseline conditions relied upon at plan-making stage never existed; and
- the mitigation measures specified in Policy RED2 are incapable of delivery as a direct result of the applicant's own actions.

Taken together, these positions are internally inconsistent and do not accord with the Development Plan. The planning system does not permit an applicant to benefit from a site allocation while undermining the factual and policy foundations upon which that allocation was made. Nor does it support development proposals that seek to rely on circumstances or impacts that have been artificially or deliberately created since plan adoption to circumvent policy requirements. This approach is contrary to the genuinely plan-led decision-making required by paragraphs 12 and 15 of the NPPF.

The Parish Council does not contend that the applicant is required, as a matter of law, to reverse lawful land management decisions. However, where such decisions have materially altered the circumstances upon which a site allocation was justified, the applicant cannot reasonably expect to retain the benefit of that allocation without addressing the resulting policy non-compliance. Policy compliance is a prerequisite to the grant of planning permission and cannot be set aside through post-hoc reinterpretation of policy or reliance on generic, remote or unspecified mitigation. Accordingly, before planning permission could properly be granted, the applicant would need to take clear, enforceable and demonstrable steps to remedy the policy non-compliance that has arisen as a direct result of its own actions. As a minimum, this must include the restoration and long-term securing of meaningful community access to the Recreation Ground and associated facilities at a level that is materially equivalent to that which existed at the time the RNP was prepared and examined.

For planning purposes, restoration of community access is a necessary component of maintaining the planning balance upon which the allocation was found acceptable. It cannot be substituted by financial contributions, off-site provision or restricted access arrangements. The allocation under Policy RED2 was predicated on the continued availability of the Recreation Ground as publicly accessible recreational open space and community infrastructure. Any mitigation package that fails to reinstate that baseline condition would, by definition, leave the community materially worse off than at plan-making stage and would therefore fail to maintain the planning balance upon which the allocation was found acceptable.

Only once meaningful community access has been restored and secured on a long-term basis consistent with the assumptions at plan-making stage would it be open to the Local Planning Authority to consider whether additional or supplementary mitigation measures are required to ensure full compliance with Policy RED2. Any such measures must:

- deliver clear and demonstrable benefit to the wider Redgrave community;
- be accessible for informal recreation;
- be located within or immediately adjacent to Redgrave; and
- be secured through a legally binding planning obligation that meets the tests of Regulation 122 of the Community Infrastructure Levy Regulations.

In addition, any remedial package would need to be accompanied by:

- a revised housing mix that demonstrably complies with Policy RED3 and aligns with the housing-related assumptions underpinning the allocation set out in paragraph 7.30 of the RNP; and
- a comprehensive, SuDS-led drainage strategy that fully complies with Policy RED16 and is demonstrated at application stage rather than deferred to condition.

### **15. Engagement, Deliverability and Decision-Making Integrity**

The Parish Council also notes that the applicant has not meaningfully engaged with the local community, the Parish Council or relevant community stakeholders in the preparation of the application or in the development of alternative mitigation proposals following the withdrawal of public access to the Recreation Ground.

While there is no statutory requirement for community engagement beyond minimum consultation requirements, the absence of meaningful dialogue is material in this case because the mitigation measures required by Policy RED2 were expressly intended to deliver locally specific, community-

wide benefits. The identification and delivery of genuinely equivalent alternative mitigation would reasonably be expected to involve engagement with those affected and with those bodies responsible for community infrastructure.

Instead, mitigation proposals have been advanced unilaterally, without agreement as to scope, location or form, and the absence of agreed alternatives is now relied upon as justification for treating the mitigation requirements as incapable of delivery. This approach reinforces the conclusion that the proposal does not represent a genuine attempt to comply with the Development Plan or to address the planning harms arising from the altered baseline conditions.

The Parish Council does not seek to prescribe the precise form of alternative mitigation measures through this objection. However, given the circumstances of this case, it considers that the Local Planning Authority should not determine the application favourably unless it is satisfied, based on clear and robust evidence, that:

- the applicant has meaningfully engaged with the Parish Council and the wider community;
- meaningful community access has been restored and secured on a long-term basis and
- a deliverable package of mitigation measures has been agreed that fully and demonstrably complies with Policies RED2, RED3 and RED16 of the RNP.

In the absence of such engagement and agreement, the Local Planning Authority cannot reasonably conclude that the proposal represents a genuine, deliverable or policy-compliant response to the allocation framework established through the Neighbourhood Plan.

#### **Officer Recommendation**

Given that the allocation of the site under Policy RED2 was expressly justified on the basis of specific mitigation measures and baseline conditions that no longer exist as a result of actions taken by the applicant, officers should not recommend approval unless satisfied that those baseline conditions have been restored or that legally secured alternative mitigation delivering equivalent or better community benefit has been agreed and demonstrated. In the absence of such evidence, the proposal would fail to comply with the Development Plan and with the plan-led approach required by section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraphs 12 and 15 of the NPPF.

A Spouncer, Parish Clerk

**On behalf of Redgrave Parish Council**  
**(clerk@redgrave-pc.gov.uk)**

Images below:

1. Barred and locked access to the Site.
2. Fencing and signage.



Image 1: Barred and locked access to the Site.



Image 2: Fencing and signage.