

Statement of Common / Uncommon Ground.


Between Mid Suffolk District Council and Pegasus Group on behalf of Christchurch Land & Estates (Elmswell South) Ltd.

Land off School Road, Elmswell, Suffolk

Date: 12th June 2025 | Pegasus Ref: P22-1167_O4

Application Ref: DC/23/05651 |

Author: Katharine Ellinsfield

Signed:	 Signed:
Name: Kim Howell CMLI	Name: Richard Brown
On behalf of: Mid Suffolk District Council	On behalf of: the appellant, Christchurch Land & Estates (Elmswell South) Ltd.
Date: 19/08/2025	Date: 19/08/2025



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1. Introduction

- 1.1. This Statement of Common Ground (SOCG) has been prepared jointly between Katharine Ellinsfield of Pegasus Group on behalf of the Appellant, and Kim Howell of Place Services on behalf of Mid Suffolk District Council.

Reasons for refusal

- 1.2. The application was considered at Committee on 28th August 2024, with the officer's report recommending refusal. The Committee subsequently determined to refuse the application.
- 1.3. The decision notice was issued on 30th October 2024, with the application refused with six reasons for refusal. Those which relate to matters of landscape and visual impact are reasons for refusal number 4, which is set out as follows:

4. The proposed development would lead to an irreparable loss of the countryside landscape to the edge of Elmswell. This area creates the entrance to the village itself through the transition from a rural area to an urban area and views of the Church of St. John from the rural area and over the landscape itself are identified within policy ELM2 of the Elmswell Neighbourhood Plan and is also noted to be high quality agricultural land (Grade 2) and adequate justification for its loss is not provided. The impact on the landscape is considered to be harmful with adverse impacts noted with regards to the onsite landscape and to a limited extent on the district level landscape. This is contrary to policies LP15, LP17 and LP24 of the Babergh and Mid Suffolk Joint Local Plan, policy ELM2 of the Elmswell Neighbourhood Plan and paragraph 84 of the NPPF."

The Appeal Site

- 1.4. The Appeal Site consists of 11.5 hectares (Ha) of land situated on the western edge of Elmswell. It occupies a single agricultural field currently under arable cultivation, together with a strip of rough ground and vegetation in the northern-most extents.
- 1.5. To the east and south, the Appeal Site is partially defined by the existing settlement boundary of Elmswell, comprising School Lane and Parnell Lane to the east, and St John's Church and associated almshouses along Church Road to the south. To the north the Appeal Site adjoins an embankment to the Bury St Edmunds to Ipswich railway line which passes east-west. The western boundary is defined by a ditch to the adjoining arable farmland.
- 1.6. A public right of way (PRoW) crosses the north of the Appeal Site east-west (Definitive ref. FP14) between the arable land and strip of rough ground. There is no other public use or access to the Site.
- 1.7. Vegetation within and along the boundaries of the Appeal Site is limited and comprises an avenue of trees along Purcell Lane to the north-east boundary, and woodland cover extending into the north-west corner of the Site along and abutting the railway embankment. There are two single mature specimen oaks; one along the eastern boundary with School Road and another along the ditch towards the south-western corner of the Site. Where the southern boundary adjoins St John's churchyard, the boundary is relatively well vegetated, including established trees.

- 1.8. The Proposed Development comprises an outline application, with all matters reserved except for access, for the development of a care home of up to 66-beds together with 40 assisted living dwellings, associated vehicular and pedestrian accesses and links, infrastructure, incidental open space, landscaping, community orchard and growing space, community bee hives and a publicly accessible meadow.

2. Matters Agreed

- 2.1. The following matters pertaining to Landscape Character and Visual Amenity are agreed upon by the signatory parties. Impact on heritage assets will be addressed in a separate statement of common ground.
- 2.2. The planning application was supported by a Landscape and Visual Impact Assessment (LVIA) produced by Pegasus Group, November 2023.
- 2.3. It is agreed that the LVIA which accompanied the application has been written in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) 3rd Edition (2013).
- 2.4. It is agreed that the appeal site and surrounding area does not comprise a valued landscape for the purposes of paragraph 180 (a) of the NPPF.
- 2.5. There are several listed buildings in the vicinity of the Site, including St John's Church and Almshouses to the south and Elmswell Hall to the north.
- 2.6. It is agreed that the site does not lie within any formal designations of relevance to landscape and visual matters.
- 2.7. The Appeal Site partially adjoins the existing settlement boundary of Elmswell along its eastern and southern boundaries. Built form is therefore an existing feature in the landscape local to the Site.
- 2.8. The Appeal Site comprises a single agricultural field parcel, defined by a ditch to the west, transport infrastructure to the north, east and partially to the south (rail and road), and a fence to the churchyard and Almshouses to the remainder of the south. There are some established trees extending onto the Appeal Site's northern boundary from the west along the railway embankment. Vegetation elsewhere comprises an avenue of smaller trees along Parnell Lane and two isolated specimens on the east and west boundaries.
- 2.9. No loss of vegetation would arise as a consequence of the Proposed Development.
- 2.10. The Illustrative Landscape Masterplan (Figure 8, LVIA, November 2023) provides for new woodland planting, hedgerow and shrub planting.
- 2.11. The Site and the majority of its surrounding context are defined as being within the 'Ancient Plateau Claylands' LCT as defined by the Suffolk Landscape Character Assessment (2011) and the 'Ancient Plateau Claylands' LT within the Joint Babergh and Mid Suffolk District Council Landscape Guidance (2015).
- 2.12. The geographic extent of the landscape and visual effects would be limited overall.
- 2.13. The judged effects on the landscape character as reported in the LVIA are generally agreed.
- 2.14. The viewpoints and photomontage locations set out below are representative of views towards the Appeal Site and its local context for the purposes of visual impact assessment, as identified in LVIA Figure 5 (ZTV, Photograph Viewpoint Locations and PRoW) and at LVIA Appendix C (Verified Views):

Representative Viewpoints
Viewpoint 1. from Parnell Lane looking south-west from the north-east boundary of the Site
Viewpoint 2. from definitive PRoW 'Elmswell 14' at short distance to the west of the Site, looking south-east
Viewpoint 3. from definitive PRoW 'Elmswell 14' at mid-distance to the west of the Site, looking south-east
Viewpoint 4. looking north from near St John's Church and almshouses immediately south of the Site
Viewpoint 5. looking north-east from Church Lane
Viewpoint 6. from Heath Road at Junction 47 (Woolpit Interchange) of the A14, looking north-east
Viewpoint 7. looking north-northeast from unnamed lane near 'The Meade' on north of Drinkstone
Viewpoint 8. looking east from definitive PRoW 'Tostock 1' near Tostock
Viewpoint 9. looking south from definitive PRoW 'Norton 7' to the north-west of Elmswell Hall
Viewpoint 10. looking south-west from definitive PRoW 'Elmswell 1' west of Green Farm and Willow Farm
Viewpoint 11. looking south-west from Definitive PRoW 'Elmswell 3' just west of Ashfield Road
Viewpoint 12. looking south from definitive PRoW 'Norton 35' to the east of The Grove (wood)
Viewpoint 13. looking south from definitive PRoW 'Norton 30' to the south of Norton Little Green
Viewpoint 14. looking north-west from public open space to the rear of School Road / Pightle Close
Verified View 01: from Church Lane east of the junction with A1088, looking east
Verified View 02: from the Church Road / A1088 roundabout (east of the A14 Junction 47)
Verified View 03: from the grounds of St John's Church, Elmswell
Verified View 04: from definitive public footpath FP14 to the west of the Appeal Site

2.15. For the purposes of this Inquiry the following policies within the adopted 'Babergh and Mid Suffolk Joint Local Plan Part 1 2018-2037' and the 'Elmswell Neighbourhood Plan 2022-2037' are considered to be the most appropriate policies in the context of which to consider landscape and visual matters:

- Policy SPO9: Enhancement and Management of the Environment
- Policy LP15: Environmental Protection and Conservation
- Policy LP17: Landscape



- Policy LP24: Design and Residential Amenity
- ELM2: Protection of Important Views
- Relevant paragraphs of the National Planning Policy Framework (2024)

3. Matters Not Agreed

- 3.1. The following matters are not agreed between the parties:
- 3.2. The precise level of the effects upon the landscape of the Site and its immediate context, and upon visual amenity.
- 3.3. Whether the Site constitutes a sensitive countryside location.
- 3.4. How the matter of openness of the landscape is interpreted relative to the Site.
- 3.5. Whether the proposed landscape scheme constitutes an adverse or beneficial effect in landscape and visual terms and whether if the principle of development is approved would be appropriate and sufficient to mitigate the impacts of the proposed development.
- 3.6. Whether the development can be suitably integrated into the landscape.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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