

Innocence Farm - Cross Boundary Parish Council Group

Representations on Final Draft Local Plan

Policy SCLP 12.35

The Cross Boundary Parish Council group comprises representatives from Trimley St. Martin, 7 Trimley St. Mary, Kirton & Falkenham, Levington & Stratton Hall and Bucklesham Parish Councils.

The Cross Boundary Parish Council's Groups representations on Policy SCLP12.35 are presented in four separate sections for ease of reference:

- 1. Usage of existing site allocations and permission**
- 2. The case for using Innocence Farm for port related facilities is not made**
- 3. Transport Model: HGV and Rail Links**
- 4. Mitigation of environmental Impact**

Section 1: Usage of Existing Site Allocations & Permissions

Unsound in Justification

Unsound in Effectiveness

Not Consistent with National Policy- NPPF

Illegal, not according to the Duty to Cooperate.

Summary

1.1 The Final Draft Local Plan ("the Local Plan") contains an analysis of the need for Innocence Farm to be converted to industrial use for the Port followed by a statement of Policy SCLP 12.35 (pages 295-301). Within this it refers to the 2018 Lichfields Port of Felixstowe Growth & Development Needs Study ("the 2018 Lichfields Study") in the evidence base, as the justification for Innocence Farm (Local Plan (§12.377). We argue that Policy SCLP12.35 is unsound in justification, in that its assessment of the need for Innocence Farm completely fails to take into account any existing land supply pipeline. We also argue that it is unsound in effectiveness and failing the duty to cooperate, in that it does not take into account any of the land allocated for the same purpose in neighbouring Districts, and which its evidence base defines as within suitable distance of Felixstowe Port.

1.2 Whilst the Local Plan uses the numerical analysis and requirements for port land within the 2018 Lichfields Study as evidence of a demand of 67 ha, it does not provide adequate analysis or justification for discounting the contribution the existing pipeline sites make to the accepted and identified 'central case' need set out in the 2018 Lichfields Study. It ignores the numerical analysis and evidence, within the same document, of existing site allocations and planning permissions, of over 67 ha of suitable land within 10 miles of the Port. In fact, just three of these sites alone (Port of Felixstowe Logistics Park 28 ha, Ransomes 26 ha, Clickett Hill 11.91 ha) meet 99% of the land needs defined by the Local Plan and the 2018 Lichfields Study. All these three sites have direct existing access for high volume HGV traffic to the A14, are all within 10 miles (port side of the Orwell Bridge), all have planning permission and are all yet to start construction. These are all highly advantageous alternatives to Innocence Farm.

1.3 Within the section of the Local Plan titled ‘Employment site allocations Land at Innocence Farm, Trimley St Martin (adjacent Kirton) ‘it states: ‘the employment allocation has been amended significantly to provide an area of land which is the equivalent of the central case for off-port land requirements as outlined in the Port of Felixstowe Growth and Development Needs Study’ (§12.377). This explicitly demonstrates that SCDC have gone straight from a lands-needs analysis to the allocation of new greenfield land, without any assessment of the suitability of allocated and approved sites, or brownfield sites. Such a cavalier approach clearly is Unsound, in that it is not Justified as an appropriate strategy, taking into account the reasonable alternatives.

1.4 Further, the Local Plan ignores the recommendation in the 2018 Lichfields Study that existing land allocated and given planning permission for warehousing and port related use in neighbouring Districts (total of 94 ha within 30 miles of the port) can be used to satisfy some of the land demand (2018 Lichfields Study, § 6.18), and in so doing SCDC fails to meet the duty of cooperation as set out in Paragraph 26 of the NPPF.

1.5 Adding this land with planning permission for port related use in adjacent Districts to the 73 ha identified within SCDC and 10 miles of the Port in the 2018 Lichfields Study, gives a total of 167 ha of existing land supply against a need of 67 ha, within the required 30 miles of the evidence base. It is clear from the evidence base that there is no justification for such a large amount of additional land as represented by Innocence Farm.

Unsoundness of the SHELAA

1.6 The SCDC own Strategic Housing and Economic Land Availability Assessment, December 2018 (“The SHELAA”) has the Suitability Conclusion for Innocence Farm as *“Lichfields conclusion: The site is assessed as suitable and is in an excellent location adjacent to the A14 with no overriding constraints. The site is available now for development and there is no evidence of costs to make the scheme unviable”* (page 537). This conclusion is taken from the earlier SHELAA assessment within the Lichfields, Ipswich Economic Area Employment Land Supply Assessment, March 2018 (“The Ipswich Area Assessment”), (pages 115,116).

1.7 It is worth comparing the differing scores of the SCDC SHELAA with that of the Lichfields Ipswich Area Assessment which it uses as input.

Suitability Test	Ipswich Area Assessment	SHELAA.
Transport & Roads	Green	Amber
Historical Environment	Green	Amber
Contamination	Not Known	Amber
Utilities Capacity	Not Known	Amber
Utilities Infrastructure	Not Known	Amber
Townscape	Not Known	Amber
Contributions Regeneration	Blank	Amber

Note that of all the suitability tests where the SCDC updates the Ipswich Area Assessment scores, SCDC downgrades all of them in the SHELAA. This being the case, quoting the Ipswich Area Assessment SHELAA conclusion without modification, is clearly an Unsound Justification. For SCDC to quote a conclusion as justification for suitability as a site, from an assessment which it itself has had to significantly correct consistently downwards, is a major misrepresentation.

1.8 The SCDC SHELAA assessment is based on the Lichfields Area Assessment. The Lichfields Area Assessment uses an Achievability Test of 'Overcoming Constraints', for which it states that '*Previous Engineering Assessment concludes site can be satisfactorily developed*'. We have requested this Engineering Assessment from SCDC and have been told that is not available and may be confidential. A public consultation cannot be effective if the evidence is unavailable or confidential, which would cause us to challenge the legality of the consultation on this issue.

Land Need

1.9 The Local Plan states that the need for off-port related employment land is justified by the 2018 Lichfields Study central case (Local Plan, page 296, §12.376). The 2018 Lichfields Study central case is for 66.9 ha for period 2014 to 2036 (2018 Lichfields Study, page 39, §4.22).

1.10 There are arguments that the 2018 Lichfields Study central case of Port need of 66.9 ha is a high end figure and is possibly excessive. The Claire Mills (Savills)/Sarah Mayhew analysis of the 2018 Lichfields Study central case is documented in Comment ID 3032 addressing the First Draft Local Plan. Their analysis questions the need for a 20% uplift to the 2018 Lichfields Study calculations as a safety margin, pointing out that this is at the discretion of SCDC, followed by an additional 15% uplift for ancillary services. When 15% is applied to 20%, this gives a total of 38% uplift on the need calculation. If, when allocating land, the figure of 66.9% were to be considered a minimum, this would be ignoring the 38% uplift already applied, and would become arguably unevidenced and unsound as the excessive margin would give rise to an excessive, and unjustified allocation that would result in planning blight.

1.11 The Claire Mills (Savills)/Sarah Mayhew analysis then argues a split of 70% within a 10 miles radius, 20% 20 mile radius and 10% 30 mile radius of the port. This would generate a requirement of 45 ha within 10 miles – effectively the Port side of the Orwell Bridge.

Use of Sites with Existing Permissions and Allocations to Meet Land Need

Sites identified by the Local Plan

1.12 The Local Plan is unsound in effectiveness due to the fact it ignores sites declared in its evidence base as being part of its employment land pipeline, with suitable locations, with existing allocations and with extant planning permission. For the sake of the following analysis of the existing sites pipeline, we use the Local Plan's own statement of need of port related land of 66.9 ha.

1.13 The Local Plan lists policies on existing employment areas (page 64, §4.2). The relevant policies the Local Plan identifies as suitable for B8 use and have direct existing access to the A14 corridor are Policy SCLP12.7: Port of Felixstowe and Policy SCLP12.21: Ransomes, Nacton Heath.

1.14 Site One – 28 ha "www.portoffelixstowe.co.uk/logistics-park/" Policy SCLP12.7: Port of Felixstowe, and the associated §12.106-12.116, fails to quantify the land available or reference the 28 ha Felixstowe Port Logistics Park granted B8 use planning permission for warehousing in 2015, SCDC planning ID DC/15/2576/FUL. Google Earth imagery makes clear that a significant portion of the land given planning permission is currently unused brownfield/wasteland. It is close to the new rail

terminal. Development has not started. The Port of Felixstowe advertises the site as 68 acres (28 ha) (www.portoffelixstowe.co.uk/logistics-park).

In relation to on-port land, such as this site, the Local Plan completely ignores the following statement that the 2018 Lichfields Study contains. *“However, in the context of future planning, the Council will need to work with the Port to ensure that best use is made of on-port land and facilities in the first instance.”* (§4.16). This would appear to contravene the ‘justified’ test for soundness as, whilst the site is allocated for employment purposes its full potential is not explained or explored, instead the new Innocence Farm allocation is put forward without adequate justification for its inclusion.

1.15 Site Two – 27 ha www.eadt.co.uk/news/orwell-crossing-logistics-park-near-ipswich-go-ahead-with-promise-of-1-500-jobs-to-help-felixstowe-port-1-5536144”

Policy SCLP12.21: Ransomes, Nacton Heath. Outline planning permission was granted in 2018 for “Class B8 Storage and Distribution and Ancillary Class B1 Office Uses including associated infrastructure, car and lorry parking” (SCDC planning ID DC/17/4257/OUT) with an area of 27 ha. Appendix A of the Local Plan states that it is dependent on planning determination, the same dependency as stated for Innocence Farm. This is misleading, since the former has been granted planning permission (Local Plan, §12.198), whilst the latter has not even had a planning application made. This site has existing direct access to the A14, on the Port side of the Orwell Bridge. This site represents a third of the land necessary to meet the identified need but the Local Plan allocation does not fully take account of its value in allocation terms or provide definitive evidence to justify why this site cannot be delivered within the lifetime of the planning permission of the Local Plan itself.

Sites in the evidence base but not declared in the Local Plan

1.16 The 2018 Lichfields Study identifies 73.02 ha available in existing sites in the A14 corridor (Table 5.1 and §5.5). Of this 63.06 ha already has planning permission, whilst the balance of 9.96 ha already has Local Plan Allocation (Table 5.2). Of the 73.02 ha, 67.12 ha is identified as including B8 use, suitable for port related use (Table 5.2). Paragraph 5.12 summarises the 2018 Lichfields Study view of existing sites *‘Overall, after taking account of employment type and location, the pipeline land supply that is theoretically considered to be available to help meet future demand for off-port land comprises just over 67 ha. This would be sufficient – in quantitative terms – to accommodate the low and central case growth scenarios presented in the previous section, while additional land would be required to meet the high growth case in full.’* The Local Plan ignores this evidence.

A full breakdown of the 73.02 existing pipeline was provided by email from SCDC (13/12/2018) and is replicated below.

Site	Size (Ha)	Source
Port of Felixstowe	1	Allocation
Land at Carr Road/Langer Road, Felixstowe	1.3	Allocation
Land at Haven Exchange, Felixstowe	2.42	Allocation
Land off Dock Road, The Docks, Felixstowe	20.85	Planning Permission
Land at Clickett Hill Road and South of Railway Line	11.91	Planning Permission
Part land north of Railway Line Nicholas Road Trimley	0.88	Planning Permission
Ransomes, Nacton Heath	26.58	Planning Permission

Martlesham Heath Hi-Tech Cluster, Martlesham	1.41	Allocation
Carlton Park, Main Road, Kelsale cum Carlton	3.25	Allocation
Brightwell Barns Waldringfield Road Brightwell	0.27	Planning Permission
Foxhall Stadium Foxhall Road Foxhall	0.66	Planning Permission
Sinks Gravel Pit Main Road Kesgrave Suffolk IP5 2PE	0.89	Planning Permission
Land south of Martinsyde Beardmore Park	0.96	Planning Permission
Kesgrave Quarry, Main Road, Kesgrave	0.36	Planning Permission
Land at Old Station Works, Main Road, Westerfield	0.28	Allocation
	73.02	

The two sites referred to previously are in bold. These are: (1) “Land off Dock Road, The Docks, Felixstowe 20.85 Planning Permission”, which has been confirmed by SCDC as the Felixstowe Port Logistics Park, and is advertised by the port as 68 acres (28 ha); (2) “Ransomes, Nacton Heath 26.58 Planning Permission”. The third site is also in bold in the table, see the following.

1.17 Site Three. www.uniserve.co.uk/felixstowe-site-steams-ahead/

For brevity, only one of the above sites, not declared in the Local Plan, is highlighted here. The 11.91 Ha ‘Land at Clickett Hill Road and South of Railway Line’ was granted planning permission in 2014/5 for a major warehouse, which has not been constructed (SCDC Planning ID DC/15/1047/DRC). The site is adjacent to the port perimeter, with immediate access to the A14. The existence of this unused site is not mentioned in the Local Plan.

1.18 In the case of Port related land, the Local Plan does not adhere to the 2018 NPPF requirements on brownfield sites. This could therefore be argued as illegal. Section 118 of the NPPF required that Planning policies and decisions should: ‘c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)’. The Local Plan’s lack of identification of unused brownfield and wasteland within the Port, originally intended for the ‘Logistics Park’, appears to contravene NPPF 118 c) and d). There are other brownfield sites and derelict buildings very close to the Port, including that of the old Routemaster Hotel and Anzani House office block, which are also ignored as sites to solve the Port’s land needs. This is even though they are believed to share the same landowner as the site of SCLP12.35. Again, this would appear to contravene NPPF 118 c) and d).

Summary of existing planning permissions

1.19 The three sites discussed above total 65.91 Ha (Port of Felixstowe Logistics Park 28 ha, Ransomes 26 ha, Clickett Hill 11.91 ha). They all have direct existing high volume HGV access to the A14. They all have received planning permission for warehousing and other port related use from SCDC and they all have yet to be constructed. (two permissions expired as far as we know - no evidence of commencement of works) The Strategic Environmental Assessment directive requires the evaluation of likely significant effects on the environment including health, of implementing the plan or programme and any reasonable alternatives-. These sites should have been considered and tested as potential alternative sites in the Local Plan, and if

discounted, an explanation provided within the Local Plan. That this has not been done would appear to be a failure of Justification, rendering the selection of Innocence Farm, as Policy SCLP 12.35, Unsound.

1.20 The 2018 Lichfields Study defines the port needs as 66.9 ha in the Local Plan period, including a total uplift of 38% margin and ancillary services (20% x 15%), within 30 miles of the port (§4.21, Table 4.2) . These three sites alone deliver 99% of that need, including uplift, within 10 miles.

Duty Of Cooperation – Suitable Pipeline Land Within Neighbouring Districts:

1.21 The 2018 Lichfields study identifies the positive contribution of neighbouring Districts. SCDC has ignored this in the Local Plan and has made no meaningful attempt to cooperate with other Districts in identifying land to satisfy need and has breached its duty.

1.22 The evidence base states that *“Beyond the immediate District of Suffolk Coastal, the opportunity remains for some demand to be met at strategic locations elsewhere across the Ipswich IEA; a number of logistics sites are currently being proposed in neighbouring local authorities such as Babergh and Mid Suffolk and whilst they do not offer the same proximity advantages to the Port, they may appeal to certain occupiers that are able to be more flexible in terms of locational requirements”* (2018 Lichfields Study, § 6.18). This evidence reflects the reality that sites in neighbouring Districts and within SCDC on the ‘other side’ of the Orwell Bridge are beneficial for next day logistics and other services, having the advantage of not being subject to disruption in supplying the UK when the stretch of the Orwell Bridge including the A14 is closed. This evidence is ignored by the Local Plan, which states that it uses the 2018 Lichfield report as its evidence of Port need.

1.23 There are a number of sites adjacent to the A14 in adjacent Districts of Suffolk, with high volume HGV access. These have all been allocated or given planning permission for port related and container use, some specifically justified on the basis of closeness to the port of Felixstowe. At least one of these sites has been purchased by its District (Babergh) for the purpose of port related use. *“Known as ‘Gateway 14’, the site is ideally situated to provide vital links to the Port of Felixstowe in the East”* (www.babergh.gov.uk/news/one-million-square-foot-of-new-business-space-for-stowmarket) The Local Plan fails to acknowledge any of these. Although the duty to cooperate may have been attempted with meetings and joint statements, no acknowledgement of these other sites has been made by SCDC in the Local Plan. The sites in the other Suffolk Districts meeting the 30 miles distance criteria have an aggregated area of 94 ha. No positive or practical attempt to co-operate with other Districts on this matter appears to have been made. **Adding this to the 73 ha identified within SCDC in the 2018 Lichfields Study, this gives a total of 167 ha of existing land supply against a need of 67 ha, within the required 30 miles.**

Warehousing and port related use sites in neighbouring Districts within 30 miles of the port.

Site	Size (Ha)	Road miles from port	District Council
Sproughton Enterprise Park	35	17	Babergh
Great Blakenham Logistics Park	16	20	Mid Suffolk
Gateway 14 (adjacent to Stowmarket East)	30	26	Mid Suffolk

Stowmarket East	13	26	Mid Suffolk
Total of 94 ha allocated and/or with planning permissions.			

SCLP12.35 is Incompatible with the Local Plan’s New Employment Development Policy

1.24 **SCLP12.35 is incompatible with SCLP4.2** which states that *‘Proposals for new employment development falling within use classes B1, B2 and B8 on land outside of Settlement Boundaries will be permitted where a need for additional employment development has been demonstrated or it can be demonstrated that there is no sequentially preferable land available adjacent to existing Employment Areas, within existing Employment Areas or within Settlement Boundaries’.*

Section 2: The case for using Innocence Farm for port related facilities is unsound and not made

2.1 Research suggests that it is not uncommon for local plans to include comparisons between a number of sites based on a scoring system. As an example, in the case of the Ashford Borough Council Local Plan hearing, the Inspector wrote in his report, “There have been regular complaints throughout the examination about the accuracy or consistency of the scoring undertaken for individual sites. Disputes about such findings are nevertheless to be expected. These are due to differences in planning opinion and do not undermine the Sustainability Analysis (SA) process undertaken. Furthermore, the SA itself is at pains to point out that allocations have not been made solely on the basis of those with the highest score. Rather this has been done with regard to the Ashford Local Plan’s general strategy whilst some restrictive criteria are given more weight than others. The SA allows a range of considerations affecting sites to be assessed in a coherent way but does not remove the need for the exercise of judgement by the Council.”

2.2 In the case of the SCDC Local Plan the point scores for sites including Innocence Farm are based on a scoring methodology that is of a very low level and not fit for purpose.

2.3 The Ashford report’s comment that there is room for the exercise of judgement by the Council surely applies to judgements that follow a sensible and professional application of a scoring system. In the case being considered the scoring system cannot be described as sound and robust, nor can it be described as sensibly and professionally applied.

2.4 Lichfields presented, in their report, an evaluation of 10 possible sites for port-related activities. Their methodology was a simplistic one in which six factors were identified as relevant and each was given a score in a range 0-5.

2.5 The system used resulted in Innocence Farm SCLP12.35, emerging as the most favoured location, not because of the facts of the case but rather because of the design of the scoring system. Some examples of the inherent problems in the Lichfield methodology are presented in a-h below.

- a. Six factors were identified for each site each then given a score in the range 0-5 making the maximum possible score for a site 30. The limitations of this simple approach are many but two stand out. Firstly, the assumption that the appropriate factors have been identified and secondly that each merits an equal weighting. The report presents no cogent arguments to support this methodology or recognise its limitations in this case. It is understandable that the consultant wishes to provide something quantitative but the resultant numbers from this method cannot be described as objective and helpful. They do not constitute a sound foundation for any decision, being in all respects poorly prepared.

- b. As an example of a missing factor there is the issue of proximity to the Port. This is presented elsewhere in the Report as a factor of major importance, yet it is not a factor used in the analysis. There may be an assumption by the analyst(s) that since all the sites 'scored' are between the Port and the Orwell Crossing differences in distance are irrelevant. Distance is a factor to be considered since it determines such issues as the source and location of moving vehicle pollution.
- c. The site selection criteria do not include any term related to the wide range of pollution that the use of the identified sites would cause. Atmospheric, particulate, noise and light pollution will occur at all the selected sites but not in equal measure. The absence of this issue of pollution in the site selection criteria is a serious omission particularly since it will be 24-hour pollution each and every day. Kirton and Falkenham Parish Council made a detailed submission on this issue during the Issues and Options consultation (Appendix A) and yet this factor is not included as cause for concern. This leads to the conclusion that an approach that is not consistent with National Policy is being considered.
- d. Page 549 of Final Sustainability Appraisal Report (December 2018) gives a neutral scoring to the "Improve the health" assessment of the health impact of the industrialisation of Innocence Farm. It then provides detail; impact-zero, timescale-not applicable, permanence-not applicable, comments-Indicator unlikely to be affected, which are clearly an unreasonable assessment of the impact of such industrialisation on the neighbourhood. The assessment is clearly extremely incorrect and Unsound as Not Justified.
- e. An example of a major issue with the Final Sustainability Appraisal Report is its assessment of 'compatibility with neighbouring uses' as 'green – No Issues Identified' (Page 537). The Parish Councils have, at all the previous consultation, highlighted concerns and evidence for the impact on neighbouring residences and the school, adjacent to the site. SCDC's own SHELAA marks air pollution as a red score. For SCDC to claim the Final Sustainability Appraisal Report is a valid assessment of the operations of shunting, idling and freight movements occasioned by 3,200 HGV vehicles per day is perverse and clearly Unsound in Justification.
- f. SCDC's own Strategic Housing and Economic Land Availability Assessment (December 2018) (p537) highlights major issues with Innocence Farm, which are not addressed in the Local Plan.
- g. The issue of whether a site offers a realistic solution to obtaining access to both east and westbound carriageways of the A14 seems not to have entered the scoring considerations.
- h. The great differences in infrastructure demands seem not to have any impact on the scoring except in relation to Christmasyards Wood.
- i. The scoring for site ownership and availability seems to command only 0 or 5. This can skew the scoring.
- j. The costs associated with developing the sites and of putting a suitable infrastructure in place are not considered in the analysis. There is no evidence of consideration being given to the assessment of associated costs in the sites analyses.

2.6 The points a to h taken together provide a clear indication that the parts of the Local Plan to which they relate can be considered **unsound and do not show positive preparation. Adequate justification** is not present, and **no justification is provided** in key areas. The **lack of clear and credible attention to National Policies** is absent in those parts relating to likely pollution matters.

2.7 The Local Plan identifies that Innocence Farm is within a Minerals Consultation Area and that development will be conditioned to take place in phases which allow for prior extraction of some or all of the economic resource. This identifies a risk that minerals are extracted in the first instance to avoid sterilisation of that minerals resource. This in turn could seriously affect deliverability of the Policy in the Plan period. This is a Soundness Risk of Effectiveness/Deliverability.

2.8 It is acknowledged in the Innocence Farm allocation that matters relating to flood risk, archaeology, minerals, ecological impacts and requirements under the Habitats Regulation Assessment legislation all are

currently unknown. This is aside from the environmental impacts the allocation would have on the village and inhabitants. This allocation itself is not well considered and consequently Unsound in its Justification.

2.9 Within SCDC's evidence base the Plan Viability Study, Aspinall Verdi, January 2019, tests the viability of the Local Plan. It concludes that the proposal for employment land, including Innocence Farm, is unviable. If unviable, the policy is undeliverable and unjustified.

Section 3: Transport Model HGV and Rail Links

Transport Model, HGVs & Rail Links

3.1 The transport analysis is considered unsound on all grounds. The representations in this section focus on the use which has been made of the supporting evidence contained within the Transport Modelling Report and demonstrate that the impact of policy SCLP12.35 on the transport infrastructure has not been realistically assessed. The number of HGV journeys which would be made to and from the site has been vastly under estimated, whereas the number of jobs has been vastly over estimated. The enormity of the infrastructure changes which would be required to enable vehicles to reach and leave the site from both the east and west, has barely been touched upon. No evidence has been provided from the Highways Agency and SCC Highways on the infrastructure necessary and on the deliverability of the highway infrastructure within a reasonable time scale. Similarly, the unrealistic suggestion that the Innocence Farm could link to a rail head is presented as a significant opportunity despite its non-viability. The Local Plan has not in any way progressed the viability of a rail connection, rendering any weight to this factor minimal.

Test of Soundness – Positively Prepared?

Failure to Meet the Area's Objectively Assessed Need

3.2 Under Policy SCLP4.2 "the council supports the delivery of new employment development to provide greater choice and economic opportunities across the District" but proposals brought forward must be credible and achievable. In this instance, the potential for Innocence Farm to provide new employment opportunities as described by Suffolk Coastal District Council is both exaggerated and contradictory. RUN 8, the preferred is solution, tested the (effects of) the inclusion of land at Innocence Farm with 3062 jobs. (Table 10 of the Transport Methodology Report: Preferred option explicitly modelled developments refers). However, in Appendix D, Scenario A the assertion is made that a total of 1081 jobs will be associated with the development at Innocence Farm.

3.3 It is totally unrealistic to postulate the number of 3062 jobs on the site especially as the landowner has indicated that one of the main aims of the development is to provide HGV parking for hauliers displaced from Felixstowe. There is no evidence to suggest that the development will provide new jobs in any significant numbers and consequently no evidence that it serves to meet the need for jobs in the area as a whole. We contend that the above tested scenarios are fundamentally unsound and unrealistic.

3.4 According to the HCA/OffPAT Employment Densities Guide 2015 the density for a national distribution centre is 95 square metres per job. From this one can calculate that for 3062 workers to be employed at this density would involve built warehouse space totalling 290,890 square metres (29 hectares).

3.5 Sections 3.4.47 – 3.4.50 of the Transport Modelling Results Report summarises the issues on this section of road and states that it is at or near full capacity and that much needs to be done. This section relates only to the position with the “preferred solution” in place. Should the “preferred solution” not be put in place, it is noted that RUNS 1 – 5 have not been reanalysed in the face of the feedback submitted. Moreover, with the “preferred solution” in place, the analysis indicates heavy congestion at and around the Innocence Farm junction (roads above 85% and some at 100% Volume/Capacity) – this is particularly concerning as the model only uses a low level assumption regarding OGV traffic volumes.

3.6. 3.6.8 states that the results of the Local Plan modelling show it is key that mitigation is provided to ease congestion on the A14 in the future. Without these improvements, congestion on the A14 will act as a constraint on the ability of all local authorities to be able to deliver the level of housing and job growth included within their respective Local Plans, depending on the scale and location of this growth. It follows that to pursue a development which offers very few new jobs, but will have a significant negative impact on the smooth running of the A14, will act to the detriment of the local economy.

Test of Soundness: - An Effective Plan?

Unsuitable Access Arrangements

3.7 The Transport Modelling Results Report – Volume 2: Suffolk Coastal and Ipswich Preferred Option shows that the whole of the A14, from Copdock to the dock spur roundabout at Felixstowe, is at or over capacity and will get worse unless large scale mitigation is undertaken, but no such mitigation is contemplated. It is therefore impossible to see how the creation of a large-scale development for port related use intended to attract 3,200 HGVs per day (landowner’s estimate) could be regarded as effective

3.8 Aside from using local roads, an option which was rejected at a very early stage, there are two possible approaches to dealing with the traffic flow. The first is an arrangement whereby traffic can only turn left into and out of Innocence Farm (junction 58a). The impact is that traffic will trombone between junctions 58 and 60 to get onto the right carriageway, unnecessarily increasing the traffic load on these over-capacity junctions, with no economic benefit. The second is to provide a bridge or a tunnel.

3.9 The SCDC Traffic Modelling and the landowner’s proposals assume a tunnel or bridge crossing of the A14 to connect the two area of land in the Innocence Farm proposal, and to enable access to both carriageways of the A14. This is Unsound. It is Not Effective because there is no evidence that it is deliverable in the plan period. In Appendix B of the Local Plan, SCDC identify this crossing as critical to the development, but they do not provide a cost estimate nor are they able to confirm that any stated funding sources - including the LEP, Suffolk County Council and Highways England – are prepared to contribute to the funding. It is therefore extremely disingenuous for SCDC to conclude that “there is no evidence of costs to make the scheme unviable” (page 537, Strategic Housing and Economic Land Availability Assessment, December 2018). In reality, the infrastructure works necessary to enable site traffic to access the westbound carriageway of the A14 are of such magnitude and potential expense that it is highly unlikely that the Innocence Farm development could be delivered over the Local Plan period.

3.10 The Local Plan fails to adequately reflect the “Critical” impact of the Highways elements of SCLP 12.35 from Risk, Mitigation, Contingency and Monitoring perspectives.

- a. The Local Plan (§1.59) outlines the Policy Delivery Framework (Appendix A), in which there is no specific mitigation or contingency planning associated with traffic related aspects for Policy SCLP12.35: Land at Innocence Farm.

- b. The Local Plan Infrastructure Delivery Framework (Appendix B) categorises infrastructure related to SCLP12.35 as Critical, however the Timescale/Progress criterion fails to identify this as a prerequisite to any site development at Innocence Farm.
- c. The LP Monitoring Framework (Appendix C) fails to recognise any monitoring requirements related to the previously noted Critical infrastructure requirements.
- d. Strategic Housing and Economic Land Availability Assessment, Suitability Assessment (page 537) for “706 Innocence Farm”, states the Access to the Site criterion as “Amber”, whereas this should be categorised as “Red” if the correct relationship with the infrastructure related to SCLP12.35 (Critical) is to be correctly maintained.

3.11 The Plan has not identified the considerable costs associated with the “Preferred” solution, whereas these are available for other sites. Strategic Housing and Economic Land Availability Assessment, Suitability Assessment (page 537) for “706 Innocence Farm” states, “there is no evidence of costs to make the scheme unviable”. It also states that “ideally access would be via an all movements junction”. These two statements are in conflict, as such infrastructure investment would not be inconsiderable. What is particularly concerning is that the LP highlights the need for land on both sides of the A14 to achieve access to both carriageways. However it pointedly avoids mentioning the bridge or tunnel that has been proposed which is a prerequisite for access from the site to both carriageways. SCDC have ample access to cost estimates of infrastructure via the County Council and Highways, yet none are presented for this site – these are all listed as ‘Unknown’ in the LP Infrastructure Delivery Framework. This is in comparison to many other sites in the LP Infrastructure Delivery Framework, where cost estimates are provided. To then claim that such unknowns allow a conclusion that there is no evidence of costs to make the scheme unviable is, at best disingenuous. Additionally, Local Plan Transport Modelling For Babergh & Mid Suffolk, Ipswich And Suffolk Coastal Methodology Report – Jan 19 (§2.4 – Future Highway Schemes) states “It is assumed the highway schemes in Table 1 will be in place by 2036 and have therefore been included within all forecast scenarios”. As it does not list the “Critical” road infrastructure requirements for Innocence Farm, one might conclude it not to have been included in all forecast scenarios, and certainly not planned for.

3.12 The SHELAA has the Suitability Conclusion for Innocence Farm as follows: *“Lichfields conclusion: The site is assessed as suitable and is in an excellent location adjacent to the A14 with no overriding constraints. The site is available now for development and there is no evidence of costs to make the scheme unviable”* (page 537). This conclusion is taken from the earlier SHELAA assessment within the Lichfields, Ipswich Economic Area Employment Land Supply Assessment, March 2018. However, whilst the latter gives a ‘green’ score to ‘Transport & Roads’, the SHELAA gives an ‘amber’ mark, recognising the issues. This being the case, quoting the Lichfield’s SHELAA conclusion without modification is clearly an Unsound Justification. Further, as has been shown, the magnitude of the transport and road issues should be considered a major red issue.

Test of Soundness - A Justified Plan?

Error in Traffic Flow Summation

3.13 The proposal fails this test in that it is not based on proportionate evidence. The Transport Methodology Report, Appendix D (Ref: 12.35) illustrates the number of trips by car which the development is expected to generate, with morning arrivals shown as 376. Final Suffolk County Transport Model (SCTM) Zone trips are estimated at 933. These figures appear to be entirely inconsistent with the assertion in Scenario A that a total of 1,081 jobs will be associated with the development of Innocence Farm, and even more inconsistent with the Scenario B explicitly modelled developments which refers to 3,062 jobs.

3.14 Of particularly great concern is that the figures for OGVs included in Appendix D suggest AM two way trips at 86 and PM two way trips at 84. This is a tiny fraction of the landowner’s own assessment which is that

the site would be attended by around 3,200 HGVs per day. There is an urgent need for these estimates to be reworked on a more realistic basis, using estimates of HGV movements which reflect the use to which the land will be put and the intention to use a significant area of the land as a lorry park.

Test of Soundness D - Consistency with National Policy

Failure to deliver sustainable development

3.15 As demonstrated below, the impact of the proposed Innocence Farm development on traffic on rural roads runs contrary to the environmental objective of sustainable development and, as such, it is not consistent with national policy.

3.16 Plans for the Upper Orwell Crossing (TUOC) have been abandoned. In paragraph 3.4.45 of the Transport Modelling Results it is reported that, in the absence of TUOC, an increase in traffic along the arterial Bucklesham and Foxhall Roads is likely to occur. Both roads, in particular Bucklesham Road, are essentially rural roads and are totally unsuitable for accommodating significant increases in commercial traffic without very substantial levels of investment, which would not only destroy the rural character of these roads but also necessitate the demolition of many residential properties to accommodate the associated road widening. The report also states that backing up on the A14 would be likely at both the Bucklesham Road junction and the Trimleys/A14 interchange with a V/C level over capacity.

3.17 There is also a presumption that traffic would reach the site via Foxhall Road and Brightwell Road onto the Bucklesham Road.

Rail Links

3.18 In the absence of an underpass or bridge, the effect of preferring Innocence Farm over other sites would be environmentally catastrophic and cost prohibitive. The cost of providing a railhead would in itself be huge. By way of comparison, note that the cost of works currently underway in connection with an entirely separate project to provide a 1.4 km passing loop on the Felixstowe Branch Line exceed £60 million. The creation of a railhead could be expected to involve similar costs.

3.19 The additional cost of bridging the A14 or providing an underpass is not explored in the LP, but without it, from Innocence Farm, a vehicle would have to travel easterly to the dock spur roundabout, a distance estimated at 4 miles, then return in a westerly direction for a further estimated 4 miles to a railhead. This would be additional road miles and a complete contradiction to the environmental objectives of the government; it would also nullify any time and cost benefits of rail over road.

3.20 If freight or empty containers destined for storage at Innocence Farm arrived at a proposed railhead adjacent to Innocence Farm on the south side of the A14 it would also incur significant additional miles at an unjustifiable financial and environmental cost by having to go east to the dock spur roundabout, then west on the A14 to Seven Hills roundabout, then east on the A14 to the Innocence Lane slip road between junction 58 and 59 - an estimated distance of 15 miles. Unless a slip road from proposed railhead were to give westbound access to the A14, the impact of this, on roads both rural and trunk, together with congestion at two already over capacity roundabouts is highly unacceptable to Highways.

3.21 The Local Plan misleadingly suggests that rail network infrastructure is an "opportunity" for SCLP 12.35, whereas its non-viability is a major drawback of this site compared with other site options. Neither SCLP 12.35, nor the surrounding narrative nor the indicative masterplan propose any solution or indication that access to rail could be provided. In this respect, it is a highly impractical location (to the NE of the A14,

with the railway sited SE of the A14), especially in comparison with other sites considered within the LP, which have stronger accessibility claims to the rail network.

4. Mitigation of Environmental Impact

4.1 The site represents an over-allocation beyond the identified need for the Plan period which is demonstrably untested and potentially has significant environmental implications that could materially affect the ability of the site to come forward in any event. It is therefore Unsound in both Justification and Effectiveness

4.2 Although one would not expect a full environmental impact assessment to have been undertaken at this stage, failure to address some fundamental environmental issues at even the most basic level represents a serious flaw in this plan. Policy SCLP12.35 includes the following sentence: *“Any development which would result in significant adverse effects which could not be appropriately mitigated will not be permitted.”* There is a very real risk that this plan is not deliverable for environmental reasons.

4.3 Robust evidence addressing the impact of noise, light, chemical and particulate pollution has not been brought forward and yet without this one cannot be clear how these issues are going to be addressed. As things stand, mention is made of the provision of landscaping and buffers as though these would provide full protection against ALL sources of pollution.

4.4 The proposal is for 24 hour operation on this site (para 12.379 refers). It is impossible to see this as positively prepared or consistent with national policy when matters such as the impact of round the clock lighting have not begun to be addressed and there is no indication how far the provision of landscaping and buffers will go to significantly reduce the impact on nearby residents and wildlife.

4.5 Studies have shown that the issue of light pollution and its effect on natural sleep patterns for humans has a detrimental effect on health and well-being. The problems are equally serious for wildlife as evidenced by a study of the Robin (and other songbirds) which sings throughout the night. *The effects of light pollution on biological rhythms of birds: an integrated, mechanistic perspective* DM Dominoni; *Journal of Ornithology* 156 (1), 409-418

4.6 Studies have shown that noise pollution has a detrimental effect on health and well-being. At present noise from the Port of Felixstowe can be heard in the Trimley/Kirton area, so there is little evidence that landscaping and buffers will reduce the impact of noise on residents living nearby or indeed those living at a greater distance. The potential is for an intolerable impact, quite at odds with sustainable development. (*World Health Organisation - Burden of disease from environmental noise*)

4.7 As the Local Plan stands at the moment it fails to demonstrate that Innocence Farm could be delivered while ensuring full compliance with air quality standards.

4.8 *Evidence must consist of*

- effects of pollutants and resultant particulate fall off that may be cumulative over time due to heavy metals derived from motor vehicles exerting an influence mainly through changes in soil chemistry. Uptake of metals is largely via the roots of plants with only minor amounts being taken up from deposition onto plants surfaces.

-vehicle pollution has been demonstrated to affect vegetation, plant-insect interactions and soil fauna in both field and lab based studies. Impacts have been found to occur up to 200m from roads with the greatest impacts likely to occur in the first 50m to 100m.

- impact of residents living close to the site. Studies have indicated the implications of a variety of health issues relating to *air pollution*

4.9 The Final Sustainability Analysis scores 'To maintain and where possible improve air quality' as red, and highlights the likely increase in emissions. This will occur both accessing and within site and affect the adjacent residences and school. This is not taken into account when selecting Innocence Farm when compared to more suitable sites, which have existing and better access to the A14, and better access to rail, which are more isolated from residences and schools.

4.10 The impact of diesel fumes has received a great deal of attention recently. Living in areas affected by diesel pollution will have a major impact on human health, particularly in the case of children and the elderly. Five studies are listed below by way of example. It seems highly likely that the air quality issues, if investigated, would in themselves render this policy undeliverable. It follows that initial testing should have been carried out in advance .

- a. **Cancer risk.** Cancer UK has estimated that pollution accounts for 3,500 cases of lung cancer each year (The Times, 12 August 2017).
- b. **Heart disease.** A study by Queen Mary University of London and Oxford University has shown that particles emitted by diesel engines have been linked with unusual cardiac growth (The Times, 27 April 2017 and 29 May 2017).
- c. **Dementia Risk.** "The evidence from experimental work suggests that ultra-fine particles from engines do get taken up through the lungs, circulate in the body and produce inflammation," "That has been implicated in a variety of diseases and it now appears we have evidence that would suggest a similar link for dementia." (The Times, "Busy roads put millions at higher risk of dementia", 5 January 2017 citing Calderón-Garcidueñas, Lilian et al., "Living close to heavy traffic roads, air pollution, and dementia", The Lancet, January 2017).
- d. **Coughing and wheezing.** Diesel fumes contain chemicals that directly stimulate the nerves responsible for the coughing and wheezing reflex according to a study by Imperial College, London (The Times, 1 May 2017).
- e. **Sleep.** High levels of air pollution significantly affect the ability to sleep (The Times, 22 May 2017)
- f. **Impact on Child Health: *air pollution (NHS report published by Royal, College of Physicians and Royal College of Paediatrics and Child Health)***

4.11 The proposed logistics facility reaches the edge of Trimley St. Martin and is very close to its school. The enormous quantity of traffic, in particular of slow moving vehicles within the facility, would emit considerable quantities of carbon monoxide, nitrogen dioxide, PM10 and other pollutants into the ambient air of the school and nearby. SCDC's and SCC's responsibilities are recognised in the website, but their responsibilities for pollution go far beyond what is stated.

4.12 The DEFRA report ("*Draft plans to improve air quality in the UK, tackling nitrogen dioxide in our towns and cities, UK overview document*", DEFRA, September 2015) addressing EC Directive 2008/50/EC and the 2010 Air Quality Standard Regulations (2010/1001) require the drawing up of plans which limit the levels of such pollutants. A new plan was published by DEFRA in July 2017 which emphasised the responsibilities of local authorities in reducing exposure to pollutants.

4.13 To permit development which led to an increase in pollutant levels in close proximity to rural villages and a primary school would be both irresponsible and contrary to central government policy. It might also invite legal challenge from those concerned with limiting vehicle exhaust emissions and potentially expose the District and County Councils to damages actions by those whose health is adversely affected by the development.

4.14 Nothing in the local plan or in the evidence base provides any rationale or justification for the severe deleterious environmental impact of SCLP12.35. with the result that it is not compliant with Policy SCLP10.3: Environmental Quality.

4.15 Appendix B provides that significant access and footway improvements and improvements to the wider network at Innocence Lane are critical to the development i.e. that they must be put in place for the development to go ahead. Funding sources for this work are identified as the developer, Suffolk County Council and Highways England, but the vague terminology, and the failure to hazard an estimate of the cost of the works, mean that there can be no real idea of the extent of the improvements which fall under that 'critical' classification and no real idea of whether the County Council or Highways England would be prepared to contribute to the costs.

4.16 If the critical classification does not encompass an arrangement to provide a bridge or underpass to enable site traffic to reach routes to both the east and the west, then the increase in volume of traffic using Seven Hills junction plus the additional mileage required for vehicles to reach the site will have a significant impact on congestion and *air pollution* along this corridor. A plan which increases traffic by forcing unnecessary journeys in this way is not consistent with national policy.

4.17 It is also worth noting that should the infrastructure of road/rail network not be in place *before any site operation takes place* and the dual carriageway closed (for whatever reason) this in turn will increase the volume of traffic passing through the villages of Trimley St Martin and Trimley St Mary and beyond, and expose those villages to an unacceptable level of *noise and air pollution*

4.18 In terms of its environmental impact, the proposals for the development of Innocence Farm can be seen not to be based on proportionate evidence in relation to air quality, unlikely to be capable of being delivered within legal air quality limits and failing to minimise waste and pollution in line with the environmental element of the definition of sustainable development contained within the NPPF. The implications of the proposals for the natural environment and biodiversity appear to be entirely at odds with the effective implementation of policy SCLP10.1.

4.19 Finally, from an archaeological perspective, note that the Final Sustainability Analysis scores 'To conserve and where appropriate enhance areas and assets of historical and archaeological importance' as positive/green (page 550). This ignores SCDC's own SHELAA which scores 'Historic Environment' as amber and states that 'SCC Archaeological Survey has identified the site as of potential high archaeological value'. Given the ground works that are proposed, the inevitable foundations for buildings and the substantially thick roadways for HGV use, the destruction of any archaeology is inevitable, yet SCDC make the Unsound assessment of green/positive in the Sustainability Analysis.

What is needed in order to make the Local Plan compliant?

Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound: You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and cover all the evidence and supporting information necessary to support/justify the representation.

SCLP12.35 should be deleted.

1. Sections 12.371 to 12.291 should be replaced with the rationale, based on three sites discussed above, total 65.91 Ha (Port of Felixstowe Logistics Park 28 ha, Ransomes 26 ha, Clickett Hill 11.91 ha). They all

have direct existing high volume HGV access to the A14. They all have received planning permission for warehousing and other port related use from SCDC and they all have yet to be constructed. The 2018 Lichfields Study defines the port needs as 66.9 ha in the Local Plan period, including a total uplift of 38% margin and ancillary services (20% x 15%), within 30 miles of the port (§4.21, Table 4.2) . These three sites alone deliver 99% of that need, including uplift, within 10 miles. The use of sites in other Districts, with planning permission for port related uses, should also be accepted in these sections, for use by those operations who require sites within 30 miles of the port and/or wish not to be isolated from the rest of the UK when there are issues with the Orwell Bridge.

Comment to both Policies SCLP2.1 and SCLP4.2, and Paragraph 3.11

Jobs Forecast

The Local Plan is unsound because it is not justifiable, in that it references out of date East of England Forecasting Model figures.

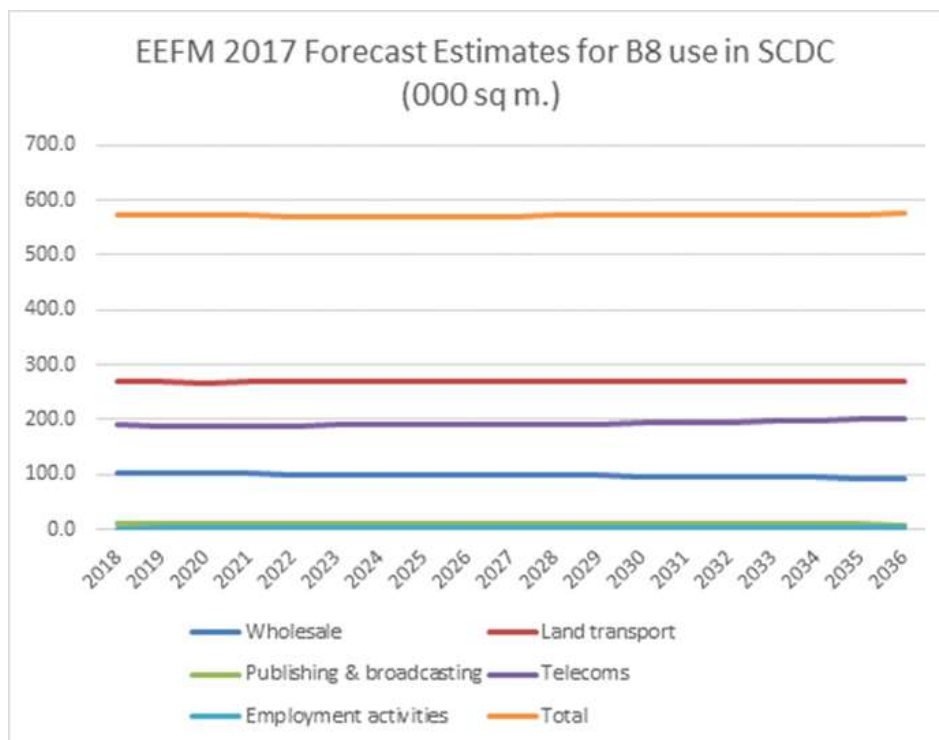
The latest EEFM forecasts (2017) are significantly lower than those used in the Local Plan.

The Local Plan references the August 2016 East of England Forecasting Model (EEFM) as its source for employment jobs growth of 6,500, with the total jobs in 2036 forecast as 68,450 (Local Plan, §3.17). SCDC have not updated this data which is carried over from the 2017 Issues & Options document although previously advised to do so by Kirton & Falkenham Parish Council. EEFM 2017 has been available for some time (cambridgeshireinsight.org.uk/eefm/). The EEFM has revised the 2036 forecast to 67,350. Therefore the Local Plan is using out of date information, in that it uses a figure of 1,100 jobs higher than the current EEFM data.

Land Forecasts

The Local Plan is not sound on ground that it is not justifiable in that whilst it uses East of England Forecast Model figures for employment jobs, it then completely ignores the EEFM figures on employment land forecasts.

The following chart is the forecast for B8 used from EEFM 2017. As can be seen, forecast growth is negligible, which is utterly at odds with the SCDC forecast.



It should also be noted that, where in 3.11 the Local Plan states an intent to 'Provision of land to deliver significantly more than the baseline requirement of 13ha', the additional 69 ha proposed in SCLP12.35 amounts to a 530% overprovision, or, assuming that policy is not the sole source of employment land, a 630% over provision of its own 13 ha figure.

What is needed in order to make the Local Plan compliant?

SCLP 2.1 (page 482) and SCLP4.2 (page 483) use as source data the 2016 EEFM. These policies should be updated with the latest data, and the Local Plan employment land needs analysis should be updated based on current EEFM data. The Local Plan uses EEFM jobs data but, with no justification, ignores EEFM Land Use data.

Comment to Section 4.10-4.15

Unsound as Not Justified

Please note that the full impact of the unsoundness of this Section is addressed in our comments on SCLP12.35. This is a copy of that part of our comments on SCLP12.35 which relate to Local Plan sections 4.10-4.15.

Sites identified by the Local Plan

1. The Local Plan is unsound in effectiveness due to its ignoring sites declared in its evidence base as being suitable employment land pipeline, with suitable locations, with existing allocation and planning permission. For the sake of the following analysis of the existing sites pipeline, we use the Local Plan's own statement of need of port related land of 66.9 ha.

2. The Local Plan lists policies on existing employment areas (page 64, §4.2). The relevant policies the Local Plan identifies as suitable for B8 use and have direct existing access to the A14 corridor are Policy SCLP12.7: Port of Felixstowe and Policy SCLP12.21: Ransomes, Nacton Heath.

3. Site One – 28 ha “www.portoffelixstowe.co.uk/logistics-park/” Policy SCLP12.7: Port of Felixstowe, and the associated §12.106-12.116, fails to quantify the land available or reference the 28 ha Felixstowe Port Logistics Park granted B8 use planning permission for warehousing in 2015, SCDC planning ID DC/15/2576/FUL. Google Earth imagery makes clear that a significant portion of the land given planning permission is currently unused brownfield/wasteland. It is close to the new rail terminal. Development has not started. The Port of Felixstowe advertises the site as 68 acres (28 ha) (www.portoffelixstowe.co.uk/logistics-park/).

In relation to on-port land, such as this site, the Local Plan completely ignores the following statement that the 2018 Lichfields Study contains. “However, in the context of future planning, the Council will need to work with the Port to ensure that best use is made of on-port land and facilities in the first instance.” (§4.16). This would appear to contravene the ‘justified’ test for soundness as, whilst the site is allocated for employment purposes its full potential is not explained or explored, instead the new Innocence Farm allocation is put forward without adequate justification for its inclusion.

4. Site Two – 27 ha www.eadt.co.uk/news/orwell-crossing-logistics-park-near-ipswich-go-ahead-with-promise-of-1-500-jobs-to-help-felixstowe-port-1-5536144 Policy SCLP12.21: Ransomes, Nacton Heath. Outline planning permission was granted in 2018 for “Class B8 Storage and Distribution and Ancillary Class B1 Office Uses including associated infrastructure, car and lorry parking” (SCDC planning ID DC/17/4257/OUT) with an area of 27 ha. Appendix A of the Local Plan states that it is dependent on planning determination, the same dependency as stated for Innocence Farm. This is misleading, since the former has been granted planning permission (Local Plan, §12.198), whilst the latter has not even had a planning application made. This site has existing direct access to the A14, on the Port side of the Orwell Bridge. This site represents a third of the land necessary to meet the identified need but the Local Plan allocation does not fully take account of its value in allocation terms or provide definitive evidence to justify why this site cannot be delivered within the lifetime of the planning permission of the Local Plan itself.

Sites in the evidence base but not declared in the Local Plan

5. The 2018 Lichfields Study identifies 73.02 ha available in existing sites in the A14 corridor (Table 5.1 and §5.5). Of this 63.06 ha already has planning permission, whilst the balance of 9.96 ha already has Local Plan Allocation (Table 5.2). Of the 73.02 ha, 67.12 ha is identified as including B8 use, suitable for port related use (Table 5.2). Paragraph 5.12 summarises the 2018 Lichfields Study view of existing sites *‘Overall, after taking account of employment type and location, the pipeline land supply that is theoretically considered to be available to help meet future demand for off-port land comprises just over 67 ha. This would be sufficient – in quantitative terms – to accommodate the low and central case growth scenarios presented in the previous section, while additional land would be required to meet the high growth case in full.’* The Local Plan ignores this evidence.

A full breakdown of the 73.02 existing pipeline was provided by email from SCDC (13/12/2018) and is replicated below.

Site	Size (Ha)	Source
Port of Felixstowe	1	Allocation
Land at Carr Road/Langer Road, Felixstowe	1.3	Allocation
Land at Haven Exchange, Felixstowe	2.42	Allocation
Land off Dock Road, The Docks, Felixstowe	20.85	Planning Permission
Land at Clickett Hill Road and South of Railway Line Nicholas Road Trimley St Mary Suffolk	11.91	Planning Permission
Part land north of Railway Line Nicholas Road Trimley	0.88	Planning Permission
Ransomes, Nacton Heath	26.58	Planning Permission
Martlesham Heath Hi-Tech Cluster, Martlesham	1.41	Allocation
Carlton Park, Main Road, Kelsale cum Carlton	3.25	Allocation
Brightwell Barns Waldringfield Road Brightwell	0.27	Planning Permission
Foxhall Stadium Foxhall Road Foxhall	0.66	Planning Permission
Sinks Gravel Pit Main Road Kesgrave Suffolk IP5 2PE	0.89	Planning Permission
Land south of Martinsyde Beardmore Park	0.96	Planning Permission
Kesgrave Quarry, Main Road, Kesgrave	0.36	Planning Permission
Land at Old Station Works, Main Road, Westerfield	0.28	Allocation
	73.02	

The two sites referred to previously are in bold. These are: (1) “Land off Dock Road, The Docks, Felixstowe 20.85 Planning Permission”, which has been confirmed by SCDC as the Felixstowe Port Logistics Park, and is advertised by the port as 68 acres (28 ha); (2) “Ransomes, Nacton Heath 26.58 Planning Permission”. The third site is also in bold in the table, see the following.

5. Site Three. www.uniserve.co.uk/felixstowe-site-steams-ahead/

For brevity, only one of the above sites, not declared in the Local Plan, is highlighted here. The 11.91 Ha 'Land at Clickett Hill Road and South of Railway Line' was granted planning permission in 2014/5 for a major warehouse, which has not been constructed (SCDC Planning ID DC/15/1047/DRC). The site is adjacent to the port perimeter, with immediate access to the A14. The existence of this unused site is not mentioned in the Local Plan.

6. In the case of Port related land, the Local Plan does not adhere to the 2018 NPPF requirements on brownfield sites. This could therefore be argued as illegal. Section 118 of the NPPF required that Planning policies and decisions should: '*c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)*'. The Local Plan's lack of identification of unused brownfield and wasteland within the Port, originally intended for the 'Logistics Park', appears to contravene NPPF 118 c) and d). There are other brownfield sites and derelict buildings very close to the Port, including that of the old Routemaster Hotel and Anzani House office block, which are also ignored as sites to solve the Port's land needs. This is even though they are believed to share the same landowner as the site of SCLP12.35. Again, this would appear to contravene NPPF 118 c) and d).

Summary of existing planning permissions

1.32 The three sites discussed above total 65.91 Ha (Port of Felixstowe Logistics Park 28 ha, Ransomes 26 ha, Clickett Hill 11.91 ha). They all have direct existing high volume HGV access to the A14. They all have received planning permission for warehousing and other port related use from SCDC and they all have yet to be constructed. The Strategic Environmental Assessment directive requires the evaluation of likely significant effects on the environment including health, of implementing the plan or programme and any reasonable alternatives. These sites should have been considered and tested as potential alternative sites in the Local Plan, and if discounted, an explanation provided within the Local Plan. That this has not been done would appear to be a failure of Justification, rendering the selection of Innocence Farm, as Policy SCLP 12.35, Unsound.

1.33 The 2018 Lichfields Study defines the port needs as 66.9 ha in the Local Plan period, including a total uplift of 38% margin and ancillary services (20% x 15%), within 30 miles of the port (§4.21, Table 4.2). These three sites alone deliver 99% of that need, including uplift, within 10 miles. SCLP12.35 is incompatible with SCLP4.2 which states that '*Proposals for new employment development falling within use classes B1, B2 and B8 on land outside of Settlement Boundaries will be permitted where a need for additional employment development has been demonstrated or it can be demonstrated that there is no sequentially preferable land available adjacent to existing Employment Areas, within existing Employment Areas or within Settlement Boundaries*'.

Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound: You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and cover all the evidence and supporting information necessary to support/justify the representation.

Either this section 4.2, or sections 12.371 to 12.291 should be replaced with the rationale, based on the above, of using the sites three sites discussed above total 65.91 Ha (Port of Felixstowe Logistics Park 28 ha, Ransomes 26 ha, Clickett Hill 11.91 ha). They all have direct existing high volume HGV access to the A14. They all have received planning permission for warehousing and other port related use from SCDC and they all have yet to be constructed. The 2018 Lichfields Study defines the port needs as 66.9 ha in the Local Plan period, including a total uplift of 38% margin and ancillary services (20% x 15%), within 30 miles of the port (§4.21, Table 4.2) . These three sites alone deliver 99% of that need, including uplift, within 10 miles.

Comment to Sections 1.40-1.43

Unsound in Effectiveness

Please note that the full impact of the unsoundness of this Section is addressed in our comments on SCLP12.35. This is a copy of that part of our comments on SCLP12.35 which relate to sections Local Plan 1.40-1.43.

Whilst SCDC has a series of meeting minutes recording the discussions on Duty of Cooperation and a Statement of Common Ground, in the case of site allocation for the Port related land, it is clear that this has been a meaningless gesture with no actual benefit achieved.

The 2018 Lichfields study identifies the positive contribution of neighbouring Districts. SCDC has ignored this is the Local Plan and has made no meaningful attempt to cooperate with other Districts in identifying land to satisfy need and has breached its duty.

The evidence base states that *“Beyond the immediate District of Suffolk Coastal, the opportunity remains for some demand to be met at strategic locations elsewhere across the Ipswich IEA; a number of logistics sites are currently being proposed in neighbouring local authorities such as Babergh and Mid Suffolk and whilst they do not offer the same proximity advantages to the Port, they may appeal to certain occupiers that are able to be more flexible in terms of locational requirements”* (2018 Lichfields Study, § 6.18). This evidence reflects the reality that sites in neighbouring Districts and within SCDC on the ‘other side’ of the Orwell Bridge are beneficial for next day logistics and other services, having the advantage of not being subject to disruption in supplying the UK when the stretch of the Orwell Bridge including the A14 is closed. This evidence is ignored by the Local Plan, which states that it uses the 2018 Lichfield report as its evidence of Port need.

There are a number of sites adjacent to the A14 in adjacent Districts of Suffolk, with high volume HGV access. These have all been allocated or given planning permission for port related and container use, some specifically justified on the basis of closeness to the port of Felixstowe. At least one of these sites has been purchased by its District (Babergh) for the purpose of port related use. *“Known as ‘Gateway 14’, the site is ideally situated to provide vital links to the Port of Felixstowe in the East”* (www.babergh.gov.uk/news/one-million-square-feet-of-new-business-space-for-stowmarket) The Local Plan fails to acknowledge any of these. Although the duty to cooperate may have been attempted with meetings and joint statements, no acknowledgement of these other sites has been made by SCDC in the Local Plan. The sites in the other Suffolk Districts meeting the 30 miles distance criteria have an aggregated area of 94 ha. **Adding this to the 73 ha identified within SCDC in the 2018 Lichfields Study, this gives a total of 167 ha of existing land supply against a need of 67 ha, within the required 30 miles.**

Warehousing and port related use sites in neighbouring Districts within 30 miles of the port.

Site	Size (Ha)	Road miles from port	District Council
Sproughton Enterprise Park	35	17	Babergh
Great Blakenham Logistics Park	16	20	Mid Suffolk
Gateway 14 (adjacent to Stowmarket East)	30	26	Mid Suffolk
Stowmarket East	13	26	Mid Suffolk
Total of 94 ha allocated and/or with planning permissions.			

SCLP12.35 is incompatible with SCLP4.2 which states that ‘Proposals for new employment development falling within use classes B1, B2 and B8 on land outside of Settlement Boundaries will be permitted where a need for additional employment development has been demonstrated or it can be demonstrated that there is no sequentially preferable land available adjacent to existing Employment Areas, within existing Employment Areas or within Settlement Boundaries’.

Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound: You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and cover all the evidence and supporting information necessary to support/justify the representation.

This should be re-written to explicitly include these sites. There is no evidence why one or more of these should not be incorporated into the solution for the land needs for off-port use. This would provide a contribution of land beyond the evidenced needs of the port.

Comments on Appendix A

Please note that the full impact of the unsoundness of this Appendix is addressed in our comments on SCLP12.35. This is a copy of that part of our comments on SCLP12.35 which relate to Appendix A

Transport Model, HGVs & Rail Links

1. The transport analysis is considered unsound on all grounds. The representations in this section focus on the use which has been made of the supporting evidence contained within the Transport Modelling Report and demonstrate that the impact of policy SCLP12.35 on the transport infrastructure has not been realistically assessed. The number of HGV journeys which would be made to and from the site has been vastly under estimated, whereas the number of jobs has been vastly over estimated. The enormity of the infrastructure changes which would be required to enable vehicles to reach and leave the site from both the east and west, has barely been touched upon. No evidence has been provided from Highways Agency and SCC Highways on the infrastructure necessary and deliverability of the highway infrastructure within a reasonable time scale. Similarly, the unrealistic suggestion that the Innocence Farm could link to a rail head is presented as a significant opportunity despite its non-viability. The Local Plan has not in any way progressed the viability of a rail connection, rendering any weight to this factor minimal.

Test of Soundness – Positively Prepared?

Failure to Meet the Area’s Objectively Assessed Need

2 Under Policy SCLP4.2 “the council supports the delivery of new employment development to provide greater choice and economic opportunities across the District” but proposals brought forward must be credible and achievable. In this instance, the potential for Innocence Farm to provide new employment opportunities as described by Suffolk Coastal District Council is both exaggerated and contradictory. RUN 8, the preferred solution, tested the (effects of) the inclusion of land at Innocence Farm with 3062 jobs. (Table 10 of the Transport Methodology Report: Preferred option explicitly modelled developments refers). However, in Appendix D, Scenario A the assertion is made that a total of 1081 jobs will be associated with the development at Innocence Farm.

3 It is totally unrealistic to postulate the number of 3062 jobs on the site especially as the landowner has indicated that one of the main aims of the development is to provide HGV parking for hauliers displaced from Felixstowe. There is no evidence to suggest that the development will provide new jobs in any significant numbers and consequently no evidence that it serves to meet the need for jobs in the area as a whole. We contend that the above tested scenarios are fundamentally unsound and unrealistic.

4 According to the HCA/OffPAT Employment Densities Guide 2015 the density for a national distribution centre is 95 square metres per job. From this one can calculate that for 3062 workers to be employed at this density would involve built warehouse space totalling 290,890 square metres (29 hectares).

5 Sections 3.4.47 – 3.4.50 of the Transport Modelling Results Report summarises the issues on this section of road and states that it is at or near full capacity and that much needs to be done. This section relates only to the position with the “preferred solution” in place. Should the “preferred solution” not be put in place, it is noted that RUNS 1 – 5 have not been reanalysed in the face of the feedback submitted.

Moreover, with the “preferred solution” in place, the analysis indicates heavy congestion at and around the Innocence Farm junction (roads above 85% and some at 100% Volume/Capacity) – this is particularly concerning as the model only uses a low level assumption regarding OGV traffic volumes.

6. 3.6.8 states that the results of the Local Plan modelling show it is key that mitigation is provided to ease congestion on the A14 in the future. Without these improvements, congestion on the A14 will act as a constraint on the ability of all local authorities to be able to deliver the level of housing and job growth included within their respective Local Plans, depending on the scale and location of this growth. It follows that to pursue a development which offers very few new jobs, but will have a significant negative impact on the smooth running of the A14, will act to the detriment of the local economy.

Test of Soundness: - An Effective Plan?

Unsuitable Access Arrangements

7 The Transport Modelling Results Report – Volume 2: Suffolk Coastal and Ipswich Preferred Option shows that the whole of the A14, from Copdock to the dock spur roundabout at Felixstowe, is at or over capacity and will get worse unless large scale mitigation is undertaken, but no such mitigation is contemplated. It is therefore impossible to see how the creation of a large-scale development for port related use intended to attract 3,200 HGVs per day (landowner’s estimate) could be regarded as effective

8 Aside from using local roads, an option which was rejected at a very early stage, there are two possible approaches to dealing with the traffic flow. The first is an arrangement whereby traffic can only turn left into and out of Innocence Farm (junction 58a). The impact is that traffic will trombone between junctions 58 and 60 to get onto the right carriageway, unnecessarily increasing the traffic load on these over-capacity junctions, with no economic benefit. The second is to provide a bridge or a tunnel.

9 The SCDC Traffic Modelling and the landowner’s proposals assume a tunnel or bridge crossing of the A14 to connect the two area of land in the Innocence Farm proposal, and to enable access to both carriageways of the A14. This is Unsound. It is Not Effective due to there being no evidence that it is deliverable in the plan period. In Appendix B of the Local Plan, SCDC identify this crossing as critical to the development, but they do not provide a cost estimate nor are they able to confirm that any stated funding sources - including the LEP, Suffolk County Council and Highways England – are prepared to contribute to the funding. It is therefore extremely disingenuous for SCDC to conclude that “there is no evidence of costs to make the scheme unviable” (page 537, Strategic Housing and Economic Land Availability Assessment, December 2018). In reality, the infrastructure works necessary to enable site traffic to access the westbound carriageway of the A14 are of such magnitude and potential expense that it is highly unlikely that the Innocence Farm could be delivered over the Local Plan period.

10 The Local Plan fails to adequately reflect the “Critical” impact of the Highways elements of SCLP 12.35 from Risk, Mitigation, Contingency and Monitoring perspectives.

- a. The Local Plan (§1.59) outlines the Policy Delivery Framework (Appendix A of the LP), in which there is no specific mitigation or contingency planning associated with traffic related aspects for Policy SCLP12.35: Land at Innocence Farm.
- b. The Local Plan Infrastructure Delivery Framework (Appendix B of the LP) categorises infrastructure related to SCLP12.35 as Critical, however the Timescale/Progress criterion fails to identify this as a prerequisite to any site development at Innocence Farm.
- c. The LP Monitoring Framework (Appendix C of the LP) fails to recognise any monitoring requirements related to the previously noted Critical infrastructure requirements.

- d. Strategic Housing and Economic Land Availability Assessment, Suitability Assessment (page 537) for “706 Innocence Farm”, states the Access to the Site criterion as “Amber”, whereas this should be categorised as “Red” if the correct relationship with the infrastructure related to SCLP12.35 (Critical) is to be correctly maintained.

11 The Plan has not identified the considerable costs associated with the “Preferred” solution, whereas these are available for other sites. Strategic Housing and Economic Land Availability Assessment, Suitability Assessment (page 537) for “706 Innocence Farm” states, “there is no evidence of costs to make the scheme unviable”. It also states that “ideally access would be via an all movements junction”. These two statements are in conflict, as such infrastructure investment would not be inconsiderable. What is particularly concerning is that the LP highlights the need for land on both sides of the A14 to achieve access to both carriageways. However it pointedly avoids mentioning the bridge or tunnel that has been proposed which is a prerequisite for access from the site to both carriageways. SCDC have ample access to cost estimates of infrastructure via the County Council and Highways, yet none are presented for this site – these are all listed as ‘Unknown’ in the LP Infrastructure Delivery Framework. This is in comparison to many other sites in the LP Infrastructure Delivery Framework, where cost estimates are provided. To then claim that such unknowns allow a conclusion that there is no evidence of costs to make the scheme unviable is, at best disingenuous. Additionally, Local Plan Transport Modelling For Babergh & Mid Suffolk, Ipswich And Suffolk Coastal Methodology Report – Jan 19 (§2.4 – Future Highway Schemes) states “It is assumed the highway schemes in Table 1 will be in place by 2036 and have therefore been included within all forecast scenarios”. As it does not list the “Critical” road infrastructure requirements for Innocence Farm, one might conclude it not to have been included in all forecast scenarios, and certainly not planned for.

12 The SCDC Strategic Housing and Economic Land Availability Assessment, December 2018 (“The SHELAA”) has the Suitability Conclusion for Innocence Farm as follows: “Lichfields conclusion: The site is assessed as suitable and is in an excellent location adjacent to the A14 with no overriding constraints. The site is available now for development and there is no evidence of costs to make the scheme unviable” (page 537). This conclusion is taken from the earlier SHELAA assessment within the Lichfields, Ipswich Economic Area Employment Land Supply Assessment, March 2018 (“The Ipswich Area Assessment”) However, whilst the Ipswich Area Assessment gives a ‘green’ score to ‘Transport & Roads’, the SHELAA gives an ‘amber’ mark, recognising the issues. This being the case, quoting the Ipswich Area Assessment SHELAA conclusion without modification, is clearly an Unsound Justification. Further, as has been shown, the magnitude of the transport and road issues should be considered a major, red issue.

Test of Soundness - A Justified Plan?

Error in Traffic Flow Summation

13 The proposal fails this test in that it is not based on proportionate evidence. The Transport Methodology Report, Appendix D (Ref: 12.35) illustrates the number of trips by car which the development is expected to generate, with morning arrivals shown as 376. Final Suffolk County Transport Model (SCTM) Zone trips are estimated at 933. These figures appear to be entirely inconsistent with the assertion in Scenario A that a total of 1,081 jobs will be associated with the development of Innocence Farm, and even more inconsistent with the Scenario B explicitly modelled developments which refers to 3,062 jobs.

14 Of particularly great concern is that the figures for OGVs included in Appendix D suggest AM two way trips at 86 and PM two way trips at 84. This is a tiny fraction of the landowner’s own assessment which is that the site would be attended by around 3,200 HGVs per day. There is an urgent need for these estimates to be reworked on a more realistic basis, using estimates of HGV movements which reflect the use to which the land will be put and the intention to use a significant area of the land as a lorry park.

Test of Soundness D - Consistency with National Policy

Failure to deliver sustainable development

15 As demonstrated below, the impact of the proposed Innocence Farm development on traffic on rural roads runs contrary to the environmental objective of sustainable development and, as such, it is not consistent with national policy.

16 Plans for the Upper Orwell Crossing (TUOC) have been abandoned. In paragraph 3.4.45 of the Transport Modelling Results it is reported that, in the absence of TUOC, an increase in traffic along the arterial Bucklesham and Foxhall Roads is likely to occur. Both roads, in particular Bucklesham Road, are essentially rural roads and are totally unsuitable for accommodating significant increases in commercial traffic without very substantial levels of investment, which would not only destroy the rural character of these roads but also necessitate the demolition of many residential properties to accommodate the associated road widening. The report also states that backing up on the A14 would be likely at both the Bucklesham Road junction and the Trimleys/A14 interchange with a V/C level over capacity.

17 There is also a presumption that traffic would reach the site via Foxhall Road and Brightwell Road onto the Bucklesham Road.

Rail Links

18 In the absence of an underpass or bridge, the effect of preferring Innocence Farm over other sites would be environmentally catastrophic and cost prohibitive. The cost of providing a railhead would in itself be huge. By way of comparison, note that the cost of works currently underway in connection with an entirely separate project to provide a 1.4 km passing loop on the Felixstowe Branch Line exceed £60 million. The creation of a railhead could be expected to involve similar costs.

19 The additional cost of bridging the A14 or providing an underpass is not explored in the LP, but without it, from Innocence Farm, a vehicle would have to travel easterly to the dock spur roundabout, a distance estimated at 4 miles, then return in a westerly direction for a further estimated 4 miles to a railhead. This would be additional road miles and a complete contradiction to the environmental objectives of the government; it would also nullify any time and cost benefits of rail over road.

20 If freight or empty containers destined for storage at Innocence Farm arrived at a proposed railhead adjacent to Innocence Farm on the south side of the A14 it would also incur significant additional miles at an unjustifiable financial and environmental cost by having to go east to the dock spur roundabout, then west on the A14 to Seven Hills roundabout, then east on the A14 to the Innocence Lane slip road between junction 58 and 59 - an estimated distance of 15 miles. Unless a slip road from proposed railhead were to give westbound access to the A14, the impact of this, on roads both rural and trunk, together with congestion at two already over capacity roundabouts is highly unacceptable to Highways.

21 The Local Plan misleadingly suggests that rail network infrastructure is an "opportunity" for SCLP 12.35, whereas it's non-viability is a major drawback of this site compared with other site options. Neither SCLP12.35, nor the surrounding narrative nor the indicative masterplan propose any solution or indication that access to rail could be provided. In this respect, it is a highly impractical location (to the NE of the A14, with the railway sited SE of the A14), especially in comparison with other sites considered within the LP, which have stronger accessibility claims to the rail network.

