

CROSS BOUNDARY PARISH COUNCIL GROUP

MATTER 3 POSITION STATEMENT

AREA SPECIFIC STRATEGIES – SCLP 12.35

Question 3.47 Is the proposed allocation of land at Innocence Farm justified, taking into account the employment land requirement for the plan area and reasonable alternatives for port related development and is it based on proportionate evidence.

1. The proposed allocation of land at Innocence farm is not justified taking into account the available evidence base. In summary:
 - a. There is no need for the proposed allocation in order to support the Port of Felixstowe, as there is already sufficient port-related employment land available with extant planning permission to meet the Council’s employment land requirement (even if that requirement includes the additional 64 ha identified in the Lichfields Study so-called “Central Case”);
 - b. There are a number of reasonable alternatives to this proposal, which have not been either considered at all or assessed correctly by the Council.
 - c. The allocation of the site is not based on proportionate evidence. There is a lack of evidence in respect of traffic impacts, environmental impacts and other impacts, and viability, all of which could and should have been assessed at this stage in order to properly inform the site selection process.
 - d. The allocation of the site is entirely premature, given the necessity for major, uncosted and unfunded improvements to the A14.
 - e. The site is neither deliverable or viable for port-related employment use, primarily due to the requirements for significant highways improvements and the costs of those.

(1) There is no need for an allocation of this scale and extent at this stage

2. For the reasons set out in the Group's response to Matter 2, there is no evidence that in order to meet the Council's employment land requirement identified in the Ipswich Economic Area Sector Needs Assessment (D3, September 2017, Pages 9 & 23) an allocation of this scale is necessary within SCDC's area.
3. The Central Case figure of Port related need of 67 ha identified in the Lichfields Study (ref. D1, July 2018) is in itself already a high-end figure and unnecessary to meet any identified actual need by the Port.
4. Neither of these two reports support the extent of what is essentially an aspirational uplift ultimately 'adopted' by the LPA. The NPPF is clear that sufficient land should be allocated to meet identified need. Consequently, the level of 'uplift' pursued by the Council is not considered proportionate or justified having regard to the available evidence and to national policy.
5. Even if it were acceptable to extend the employment land requirement to include a requirement for 67ha within SCDC's own area, there is no justification for this new allocation, given the amount of available land already in the supply pipeline within SCDC's own area:
 - a. Lichfields' Ipswich Economic Area Employment Land Supply Assessment Land Supply Assessment (March 2018) (Ref.D2) confirmed that "*Suffolk Coastal has modest land requirements of 14.4ha as indicated by the 2016 release of the EEFM. The site assessments have identified a total of 434.8ha of deliverable sites, and therefore in quantitative terms, there would appear to be a substantial surplus of land supply to accommodate baseline employment space requirements across the local authority area to 2036*" (para.4.30) (emphasis added)
 - b. The Lichfields Study (ref. D1, July 2018) of land supply that might be available to meet future off-port land demand identified that there is already an adequate supply of employment land in the A14 corridor within SCDC's area alone : 73 ha (page 43). The Study concludes:

“Overall, 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 growth scenarios...” (at para. 5.12).

- c. The SHELAA’s (ref. D10, December 2018) conclusion at paragraph 537 has merely copied the earlier conclusions of the Lichfields’ Ipswich Economic Area Employment Land Supply Assessment (ref. D2, March 2018) despite conflicting assessments of the site against the suitability criteria.
6. Although the Lichfields Study (ref. D1, July 2018) says that there are inherent risks associated with relying upon this pipeline land supply there is no proper or convincing evidence as to why those sites “may be less well suited to Port-related logistics uses” (para. 5.13). There is no analysis of what the optimal or indeed minimum size for any particular site should be for the Port. It is therefore inherently flawed to discount existing available sites without any proper analysis as to why they would not be appropriate for port-related uses.
7. The Inspector is referred to the Group’s Regulation 19 representation (para. 1.16) which sets out in detail how undeveloped sites with extant planning permissions for B8 use within SCDC’s area are suitable to meet the demands of the Port. Those sites include the following, which would meet 99% of the Lichfields “Central Case” growth scenario:
 - a. The Ransomes site (26.58 ha);
 - b. The Port of Felixstowe Logistics Park (20.85ha);
 - c. Land at Clicket Hill (26.58ha).
8. It is entirely unclear why those sites and in particular the Port of Felixstowe Logistics Park which is located nearer to the Port than Innocence Farm represent a “lower priority use” (as contended in the Lichfields Study, ref. D1, July 2018, at paragraph 5.11).
9. To be clear, this analysis excludes the already allocated or permitted sites adjacent to the A14 in other authority areas, some of which expressly were intended to provide links to the Port of Felixstowe: see the Group’s Reg 19 Representation at para.1.23. The Lichfields Study (ref. D1, July 2018) at para. 6.18 identifies 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 their locational requirements". The Group calculates that these alone would also provide a total of 94ha of suitable land, more than sufficient to meet any additional requirement for 64ha.

10. Furthermore, in their response to the Regulation 18 Stage Issues and Options Consultation, Hutchinson Ports (UK) Limited provide no evidence as to why Innocence Farm in particular presents the only opportunity to support the growth of the Port.
11. The flawed approach to allocating this Site without any evidence of actual need in circumstances where there is adequate brownfield land already available is entirely unjustified and contrary to the NPPF. The Inspector is referred to the Group's Position Statement on Matter 2 which highlights other brownfield sites closer to the Port itself.

(2) There are a number of reasonable alternatives to this particular Site

12. Even assuming that there is a need for a further allocation of land over and above those sites which already benefit from a B8 permission, it is clear that there are a number of reasonable alternatives to this particular site even on the (erroneous) assumption that those reasonable alternatives have to be located in SCDC's own area.
13. The Lichfields Study (ref. D1, July 2018) itself identified 10 such sites within the A14 corridor. Its methodology when assessing 10 possible sites was overly simplistic and flawed for the reasons set out in the Group's Reg. 19 consultation response at para. 2.5. It was limited to simply assessing the sites from the perspective of the site's attractiveness to users of the Port rather than a proper analysis in planning terms (and in particular sustainability). In particular:
 - a. Proximity is not used as a site selection factor despite that being used in the Study as the basis to confine the search to SCDC's own area;
 - b. Air quality is not applied as a site selection factor;

- c. Infrastructure demand was inadequately assessed and was only considered a material factor in relation to Christmasyards Wood. The Lichfields Study Site Appraisal has been clearly overtaken by the evidence presented by the site promoters of the significant A14 infrastructure improvements that would be necessary. These clearly too represent the same “abnormally high level of infrastructure” that in the Lichfield Study was considered necessary in relation to the Christmasyards Wood site (see para. 5.43).
 - d. The relative costs of infrastructure provision have not been taken into account in any event. It should be noted that Trinity College’s Regulation 19 submission (ID 1378) claims that the Port of Felixstowe Logistics Park cannot progress due to the predicted high rental cost. Trinity College however fails to take account, or estimate, the costs of the new A14 bridge and its associated access for Innocence Farm, which will need to be recouped by rental costs.
14. In short, there is no sound evidence upon which the other 9 sites presented in the Lichfields Study can be discounted as reasonable alternatives. Coupled with the absence of any additional analysis in the SA, it is clear that there are other reasonable alternatives to this Site which have not been properly considered by the Council.

(3) Allocation is not based on proportionate evidence

15. There are a number of impacts in relation to the proposed port-related development at this Site that could and should have been investigated at this site allocation stage, because they are all relevant to the question as to whether this particular allocation at this location is justified. In particular, the following impacts have been entirely ignored and left to the development consent stage:
- a. Flood risk
 - b. Archaeology
 - c. Impacts on SPA/Ramsar due to hydrological risk.

Highways and transport impact

16. For the reasons set out in the Group’s Reg 19 statement, the impact of Policy 12.35 on the highways network has not been adequately assessed:

- a. The number of HGV journeys has been vastly underestimated in the Transport Modelling Report, with no attempt to estimate HGV movements in or out of Innocence Farm. The Site Promoter's own assessments is that of 3200 HGVs movements per day (Letter from Bidwells to LPA dated 22nd August 2016, p.2, Appendix A). The impacts of such an increase in HGV movements has not been the subject of any assessment by the Council.¹The lack of a transport assessment which could and should have been formed part of the LP evidence base prior to allocation is a glaring deficiency;
- b. There has been no adequate consideration of the true extent of the infrastructure changes necessary to allow the site to be accessed from the A14;
- c. There is no evidence from the Highways Agency or SCC Highways on either the deliverability of the necessary highways infrastructure within the required timescale or its feasibility;
- d. The suggestion that Innocence Farm could link to a rail head has no evidence to support it and does not support this particular site allocation.

17. Appendix D of the Transport Methodology Report (ref. D29, August 2018) records figures for trip generation by private vehicles that are entirely inconsistent with the modelled Scenarios A and B (see Group's Regulation 19 Representation para 3.13).

18. The Council's Transport Modelling Results Report (Ref D.29, August 2018) shows that the network is already at or near full capacity (see Sections 3.4.47 – 50). It is clear that mitigation would be necessary to ease congestion on the A14. Importantly, the SHELAA (ref. D10, December 2018) fails to acknowledge that the site access issue is critical. This is despite the fact that the Local Plan Infrastructure Delivery Framework, at Appendix B of the draft SCLP, has identified delivery of transport infrastructure improvements as critical to delivery of the site. The SHELAA document (page 537) 'merely' identifies

¹ Insofar as Trinity College has sought to carry out such an assessment and submitted it as part of its Reg 19 Statement, the Group notes that this highlights the lack of any such evidence prior to the allocation being made. The Group does not know what the Council's position is regarding this new material and reserves its rights to comment at the hearing once the Council's position is known.

access to site as an amber issue whereas the fact that the issue remains unresolved means that this should be a ‘red’.

(4) The allocation is premature

19. The allocation of this site is entirely premature in the absence of sufficient robust evidence that the necessary transport infrastructure (both at the site and to the wider network) is deliverable and will come forward.

(5) The Site is not deliverable

20. It is clear based on the evidence relied on by the Council that the site is not deliverable.
21. The material produced by the Site promoter at the Regulation 19 stage (which does not form part of the Council’s evidence base and therefore should not be taken into account when assessing the Plan’s soundness) likewise does not show that the site is deliverable. To the contrary, it shows that the Plan as submitted is unsound due to the need for significant highways infrastructure improvements and alterations in the form of a bridge over the A14. None of the additional impacts of this new infrastructure (in particular landscape impact and impact on the SPA/Ramsar site) have been assessed via the SA or been subject to consultation. Therefore, the Plan cannot be modified to include this additional allocation to make the Plan sound in the event that the Council were to accept that the additional infrastructure proposed by the site promoter is required.
22. Furthermore, there is no proper analysis of the costs of providing such a bridge over the A14 to enable access to the site. Simply stating at page 537 of the SHELAA (Ref D.10, December 2018) that there is no evidence of costs to make the scheme unviable is an entirely unsatisfactory approach to evidence gathering by the Council. The Council has failed to assess or understand what the level of costs would be and how that would affect the deliverability of the Site:
 - a. At present those costs are simply recorded as “unknown” in the Local Plan Infrastructure Delivery Framework (Appendix B of the SCLP);

- b. The Aspinall Verdi Viability Assessment (Ref. D38) contains no analysis whatsoever of the viability of Policy 12.35, despite (at pages 71 ff.) assessing the employment land policies.

Question 3.48 Is there any matter which would mean that the site would not be developable

23. Yes, the allocation of this site is not deliverable because of the significant negative impact on the A14 and the absence of any feasible access solution to mitigate that impact:

- a. Transport Modelling Results Report (Ref. D32, January 2019, 3.4.47 – 50 and 3.6.8) identifies that mitigation is necessary and the reasoning for this requirement without which “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”.
- b. There are no costs provided in the evidence base for delivering infrastructure improvements (see Infrastructure Delivery Framework in particular – SCLP Appendix B).
- c. Access to the rail network is highly problematic for the reasons outlined in the Group’s Regulation 19 consultation response, paras. 3.18 - 3.21 in particular).
- d. There is no evidence of any quantitative analysis of the mitigation to the adjacent community, including a primary school, of particulate, chemical, noise and light pollution. For a site of this nature, this is unacceptable given current national policy.

Question 3.49 In terms of proposed access to the A14 Road, is the policy sufficiently clear so that it is evident how a decision maker should react to a development proposal

24. No - Please see our response in respect of the Inspector’s questions 3.47 and 3.48 above.

Question 3.50 Is the provision of a rail connection justified and is it realistic? Is sufficient land allocated to accommodate existing railway infrastructure to serve the site?

25. No – Please see the Group’s Regulation 19 Consultation Response (paras.3.18 – 3.21 in particular).

Question 3.51 In regard to criteria points (a) – (e) which specifies requirements for planning applications, would the policy be effective by not requiring an air quality assessment, landscape and visual assessment, noise assessment or transport assessment. Is point (e) consistent with the findings of the HRA in referring to the HRA Screening.

26. The policy is not effective as these assessments are required under the Air Quality Directive, SEA Directive, and Habitats Directive as well as the NPPF. Without these assessments being carried out at the plan making and site allocation stage, there is no evidence that the proposed employment development on the site will be deliverable.

27. In terms of HRA Screening, a significant likely effect on the SPA was identified (which on the face of the Habitats Regulation Assessment was identified at page 44). The HRA should have considered, therefore, that an appropriate assessment was necessary to assess whether there would be an adverse effect on site integrity, rather than simply stating that screening should take place at the project stage.

Appendix A – Letter from Bidwells to LPA - Innocence Farm, Trimley St Martin for Future Logistics Use dated 22nd August 2016.



Your ref:
Our ref: ABL/rt
DD: 01245 505080
E: [REDACTED]
Date: 22 August 2016

Philip Ridley
Head of Planning Services
Suffolk Coastal District Council
Melton Hill
Woodbridge
Suffolk
IP12 1AB

Dear Mr Ridley

INNOCENCE FARM, TRIMLEY ST MARTIN FOR FUTURE LOGISTICS USE

Please find attached information to serve as a forerunner to a pre application submission for a proposed logistics facility at Innocence Farm. A site plan is attached (appendix 1) as part of a suite of enclosures within the appendices that accompany this letter. This is taken from the 2009 Scott White Hookins report which was commissioned to explore capacity and impacts.

This logistics proposal follows on from the meeting held at The Port of Felixstowe in April this year and when the principle of the proposal was aired as part of wider discussions centred on the future of the Port and the capacity of land to serve allied logistic uses.

At that meeting the principle of joint working with the District Council to test evidence in respect of environmental impact was considered. The view was that this should be done concurrently with the preparation of the Local Plan. While this remains an ambition of Trinity College, nonetheless there is such growing pressure for more logistics capacity that it is anticipated that preparations for a planning application be considered now and that principles of common ground be established through a precursor to a formal pre-application process.

Strategic Case

The past growth in core port operation area has risen by 200 Ha in the past 40 years (see graph in appendix 7). Core Port Operations areas are illustrated on plan (appendix 5). This together with the requirement to handle ever larger vessels places intense pressure to source new areas for 3rd party logistics in and around Felixstowe. Fresh areas for this are essential for the continued prosperity of the Port, its core activity and the employment that it generates.

The current areas for 3rd party logistics use are identified on plan reference B13 443 (appendix 5). The net increase in space in the last 40 years rose by 100 Ha (see the graph in appendix 7). As port activity will continue to grow, so will demand for logistics space. As no fresh areas are now available for future logistics use to serve the Port there is an urgency to resolve this issue with the identification of, and planning permission for, a location as close to the Port as possible. An assessment of possible reasonable

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alternative locations confirms Innocence Farm is the most sustainable and commercially realistic location to consider. Indicative phasing plans for port related land are attached at appendix 8 by way of illustration as to future requirements.

The proposal

A hybrid planning permission seeking part outline and part detailed planning permission for a logistics park is proposed at Innocence Farm Trimley St Martin. The scheme would be phased.

Attached to this letter are enclosures which illustrate a gross development area of 133.5Ha. Appendix 1 provides a location plan and an indicative site layout that was originally considered in 2009. Note these proposals were to also anticipate potential rail and access infrastructure to the south between the A14.

However, at this stage Trinity wish to explore options for the land, informed by most recent understanding of port and logistics requirements. Hence while the site area and nature of uses remain the same as the 2009 scheme, more recent analysis points to a more significant bias for open logistics use with warehousing concentrated against the A14. A phased layout for this is provided in appendix 8.

That layout anticipates a detailed planning application element to the hybrid comprising:

- A hardened surface area occupying 16.2Ha for HGV haulage park and ancillary use. The total number of vehicles to comprise as follows:
 - 3200 container lorries / day
 - 600 associated cars / day
 - All vehicular activity operating 24 hours, 7 days a week (predicted traffic flows provided)
 - Lighting columns up to 10 metres high
- Associated buildings to comprise of:
 - up to 10,000 square metres, held within no more than 10 modular buildings and no higher than 5 metres to ridge height (2 storey)
- A landscaped earth bund constructed up to 10 metres high and up to 50 metres wide
- Road access works as illustrated in the plans attached
- Container storage up to 15% of net area to a maximum of 5 metres high

Drawn cross sectional details to reflect principle features anticipated by the 2009 SWH report are attached in the appendix 3. These still serve to demonstrate comparative scale for buildings and landscape bunding anticipated against the A14.

Before the ideas that inform the sketch layout are further progressed, with commissioned technical studies, Trinity welcome an early meeting with SCDC to explore scenarios that range from the 2009 scheme to the most recent. Upon mutual agreement on this matter, technical studies can then be advanced and the layout plan progressed in more detail.

Environmental Assessment

It is understood how the scale of the eventual proposal, irrespective of the final detail, will require an Environmental Impact Assessment and a scoping exercise will therefore inevitably be required with the District Council to satisfy all necessary evidence. Regard will therefore be had to key constraints.

A constraints plan is included in the attached appendices (appendix 2). This confirms the areas of sensitivity which the proposal will address. These include the following:

- Areas of Outstanding National Beauty
- Ramsar protection and other wildlife areas
- Adjoining residential areas

Measures to respect these sensitive areas and be scoped with the District Council include:

- Ecological protection
- Visual containment
- Artificial light containment
- Noise abatement
- Air quality abatement

Highways

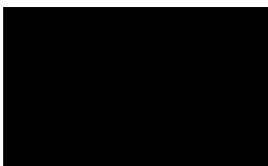
The traffic appraisal which informed the 2009 report identified the limitations and opportunities within the local road network to serve the development. This confirmed the following essential features:

- Access will be served from Kirton Road (junction 59 off the A14) (see plan H263/102 and attached in appendix 4.1) with Croft Lane for heavy goods vehicles (drawing H263/101).
- Longer term access will be served by an underpass or grade separated junction serviced from the south of the A14 which includes space for a potential rail head. This will not feature in an immediate planning application but the potential will be safeguarded by the detail in the proposed planning application (see drawing H263/104 and also attached in appendix 4.2)
- No vehicular movements to carry through neighbouring villages

Current thoughts exclude Kirton Road having direct access although some emergency access to either Kirton Road or Innocence Lane may be required.

It is requested that this letter now be the start of a collaboration with the District Council. With agreement on the nature and technical support to inform detail of proposed use mix and its phased approach, we jointly progress with confidence towards the early strategic allocation of Innocence farm for port related logistics use and the earliest possible grant of planning permission. Trinity College look forward to the Council's response to this invitation and the opportunity for regular engagement from hereon in and up to the preparation of the review District Local Plan.

Yours sincerely



Andrew Blackwell
Partner

- CC Tim Collins, Bidwells
 Jane Stanbridge, Port of Felixstowe
- Enclosures Appendix 1 Location plan and an indicative site layout
 Appendix 2 Constraints plan
 Appendix 3 Indicative cross sections
 Appendix 4 Highways plans
 Appendix 5 Third party logistics area
 Appendix 6 Core port operations area
 Appendix 7 Port related land uses trend
 Appendix 8 Indicative phasing plans