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Principal Planner
Planning Policy & Delivery
Suffolk Coastal District Council

East Suffolk House

Station Road, Melton

Woodbridge IP12 1RT

Tuesday, 19 February 2019

Dear Mr Edgerley,

**Consultation re. the Soundness of the Suffolk Coastal District Council (SCDC) Draft Local Plan**

We write concerning SCDC’s Consultation on the final draft of “The Suffolk Coastal Local Plan” (“the Plan”). Our letter focusses on the lawfulness and soundness of the following policies:

SCLP12.35 – LAND AT INNOCENCE FARM

SCLP 12.65 – LAND OFF HOWLETT WAY – ALLOCATION CARRIED FORWARD FROM THE FELIXSTOWE PENISULAR ACTION PLAN – 360 DWELLINGS

12.66 – LAND ADJACENT TO REEVE LODGE – 150 DWELLINGS AND TRIMLEY ST MARTIN PRIMARY SCHOOL FOR 400 STUDENTS

In our view, there has been a failure to properly co-operate and each of the proposals is fundamentally unsound.

**Part I**

**SCLP12.35 – LAND AT INNOCENCE FARM**

SCDC have not fulfilled their duty to co-operate

* There appears to have been no meaningful co-operation between neighbouring councils as evidenced by the minutes of (i) SCDC’s Local Plan Working Group or (ii) the Ipswich Strategic Planning Area Forum
* The ‘Statement of Common Ground” in relation to Lichfields 2018 Port Needs Study (“the Study”) is superficial and meaningless
* The Kirton and Trimley Community Action Group (KATCAG) has made public a well-researched ‘Justification Annex’ providing evidence of many serious flaws in the Study
* This credible and important document concludes the Study is fatally flawed in respect of
	+ The need for any additional employment land allocation for port-related operations, including the 69Ha already with planning permission
	+ Innocence Farm being the only site suited to meet that need
	+ Placing any reliance upon the Study as an evidence base that supports the Plan
* The minutes of the Port Liaison Group (Cross Boundary Working) noted the need for the officers to review their evidence with adjoining authorities and report back.
* There appears to have been no such report
* Subsequent minutes note the topic was not further discussed
* SCDC appears to have ignored paragraph 4.38 of its own evidence base that makes clear land may be needed away from the Port, not necessarily within the SCDC area
* The evidence base fails to refer to any further discussion with neighbouring authorities as to the availability of many sites along the A14 / A12 corridor considered suitable for Port-related use.
* Several of these sites, already with permission for Port-related developments, appear not to have been discussed, nor seriously considered.
* The current failure to co-operate contrasts starkly with the consultation that took place ahead of publication of the 2008 Study
* The evidence base makes clear sites within 30 miles of the Port would be suitable for the Port’s needs
* The 2018 Study appears heavily weighted in favour of the principal landowner by
	+ calling for sites within 10 miles of the Port e.g. within the SCDC area, in the main
	+ only involving local stakeholders and local entities in the initial consultation
	+ failing to make enquiries of neighbouring councils, thereby breaching further their duty to co-operate
* SCDC have, in effect, constructed a brief for their ‘evidence base’ consultants that goes a long way to ensuring their pre-determination to claim the Innocence Farm site, whatever the true evidence!

It is contended SCDC’s failure to co-operate renders the Plan unlawful.

It is further contended SCLP12.35 fails to meet the tests of a sound plan. It is NOT (i) Positively Prepared (ii) Justified (iii) Effective or (iv) Consistent With The NPPF 2018 Guidelines. To support this statement –

1. It is NOT “Positively Prepared” because:
* The estimate of several thousand jobs resulting from
	+ Growth of the Port of Felixstowe and the need to provide additional land
	+ Additional jobs arising from BT and the Adastral Business Park
	+ The needs of Sizewell C
	+ The growth of small / medium-size new businesses in the area

Is demonstrably unrealistic. The reality is

* + No data is offered within the evidence base to support the contention Felixstowe will retain its current share of TEU volumes
	+ As predicted in several recent Government publications, the Port of Felixstowe appears to have entered a period of decline
	+ The prospect of it recovering its market share is more in line with Government reports and things do not appear good
	+ To protect its business, the Port is automating with a significant number of job losses taking place and planned
	+ BT has announced it will be losing 9,000 jobs worldwide, with 900 or so planned at Adastral Park
	+ The Sizewell C workforce is planned to be transient during the build phase, with only 900 or so becoming permanent after 2030.
	+ Permanent employees will wish to live close to their workplace
	+ Common sense dictates job growth from the small / medium-size business sector is not going to be measured in thousands
	+ If Innocence Farm is to be used (i) to accommodate port-centric operations displaced from the Port (ii) container storage (iii) lorry parking, then it has to be concluded (i) Zero jobs will arise from displaced port-centric operations and (ii) new jobs arising from (automated?) warehouses / a lorry park will NOT come close to the 1081 jobs planned!
* It makes no attempt to objectively assess the need for employment land
* The Plan is not informed by agreements with neighbouring authorities
* It takes no account of
	+ The impact of increased rail capacity (suggested as 40% plus)
	+ The fact the Port’s land requirements are based on the 2008 Port Study data, which is no longer valid
	+ The efficiency gains realised in the 11 years since the 2008 Study was published
	+ Further efficiency gains likely over the Plan period
	+ The possible effects of Brexit
* It fails to take account of SCDC’s coastal position and, specifically, that access is only possible from a northerly or westerly direction
* It fails to assess the impact the preceding point is likely to have on businesses thinking of setting up in the area
* Because of all the points noted above, it is not consistent with sustainable development
1. It is NOT “Justified” because:
* SCDC ignores the latest (2017) East of England Forecasting Model (EEFM) data, but uses the 2016 data instead
* In effect this means SCDC has overstated the jobs growth forecast (6,500) by 1,100 jobs
* Despite the preceding two points, SCDC chooses to ignore the EEFM figures for its B8 employment land forecast
* The EEFM figures show negligible growth in the employment land requirement, which defies the SCDC forecast in the Local Plan
* There is no appropriate strategy for Innocence Farm and alternatives which are far more available and suitable have been ignored
* Specifically, 67Ha of suitable land, which is part of the current pipeline of allocated sites,  close to the Port and identified by the Lichfield 2018 Port Study meet the Plan’s current claimed requirement
* It is noteworthy the Logistics Park, Ransomes site and Clickett Hill meet 99% of the current stated requirement
* These sites have planning permission already, good A14 access and are close to the Port
* The evidence base does not suggest the land requirement is for land at a single site, and the 2018 Lichfields report recommends that several sites would be better than a single site.
* The Plan fails to recognise ‘approved’ or ‘brownfield’ land should be used ahead of green field sites
* With regard to the preceding point, the Plan appears to breach NPPF, paragraph 2018
1. It is NOT “Effective” because:
* The Plan’s viability is doubtful, as recognised within SCDC’s own evidence base (Page 434)
* The Plan declares Innocence Farm to be unsuitable for anything other than Port-related use and, presumably, farming!
* There is no evidence of co-operation with neighbouring councils
* There is no evidence of support from significant National bodies
* The proposal would call for a significant re-modelling of the A14 to provide proper site access
* Such access would cost tens of millions of pounds and there is no evidence of the willingness of any concerned party to absorb or even share this cost
* The site cannot be accessed by rail unless there was a similar huge investment
* Neither the Highways Agency nor Network Rail nor the landowner, Trinity College, have indicated any willingness to contribute these costs
* The A14 is currently over-capacity (SP10 of the previous Local Plan)
* A logistic facility to the East of the Orwell bridge will exacerbate the problem of traffic over the Orwell Bridge
* Ipswich town centre traffic already grinds to a halt when the Orwell Bridge is closed and the problem would only get a great deal worse
1. It is NOT “Consistent With The NPPF 2018 Guidelines” because:
* All the above points combine to confirm SCLP 12.35 is undeliverable; additionally,
* As stated above, Innocence Farm conflicts with NPPF paragraph 118
* The Interim Sustainability Appraisal and Final Plan both ignore light, noise and particulate pollution if there is a change of use from agricultural to some other usage
* There is no acknowledgement that 300 acres of prime agricultural land is to be sacrificed
* There is no mention of a survey of the habitats likely to be lost nor the damage the environment is likely to sustain
* The Interim Sustainability Appraisal indicates a ‘neutral’ rating for “improving health”. This cannot be true, whatever the alternative use. Kirton village will be in the front-line of the resultant pollution
* No mention has been made of the prevailing south-westerly wind that sweeps the village and its primary school, for most of the time
* Trimley Primary School is situated close to the site. The only evidence SCDC has taken account of widespread research showing schoolchildren are particularly prone to the effects of pollution, is a proposal to close / re-locate the school
* Closing or moving the school will cause a considerable problem to the many parents from North-East Kirton, for whom the existing school is at the limit of their walking distance
* It will not be possible to mitigate the effects of increased pollution, whatever its extent or cause.
* To permit a development certain to raise levels of sulphur dioxide, nitrogen dioxide, benzene, carbon monoxide, lead and PM10 in ambient air would be grossly irresponsible
* The risk to health, particularly that of the elderly and schoolchildren would be unacceptably high
* The proposal would increase significantly the merging of Ipswich and Felixstowe by way of a ribbon development along the A14 corridor.
* To date, it has been a well-publicised strategic objective of SCDC to maintain a geographical separation of these two towns.

In view of all the above, we would ask the Inspector to conclude SCLP12.35, as proposed within the Local Plan, is unlawful and fails all four of the tests for soundness.

**Part II**

**SCLP 12.65 – LAND OFF HOWLETT WAY – ALLOCATION CARRIED FORWARD FROM THE FELIXSTOWE PENISULAR ACTION PLAN – 360 DWELLINGS**

**12.66 – LAND ADJACENT TO REEVE LODGE – 150 DWELLINGS AND TRIMLEY ST MARTIN PRIMARY SCHOOL FOR 400 STUDENTS**

In our view, there has been a failure to properly co-operate and each of the proposals is fundamentally unsound.

SCDC have not fulfilled their duty to co-operate

* There appears to have been no meaningful co-operation between neighbouring councils as evidenced by the minutes of (i) SCDC’s Local Plan Working Group or (ii) the Ipswich Strategic Planning Area Forum
* The current failure to co-operate contrasts starkly with the consultation that took place ahead of publication of the 2008 Port Study
* The proposed policies appear heavily weighted in favour of the principal landowner by
	+ Bringing forward sites owned, in the main, by Trinity College, Cambridge
	+ failing to make enquiries of neighbouring councils, thereby breaching further their duty to co-operate

It is contended SCDC’s failure to co-operate renders the Plan unlawful.

It is further contended SCLP12.65 and SCLP12.66 fail to meet the tests of a sound plan. They are NOT (i) Positively Prepared (ii) Justified (iii) Effective or (iv) Consistent With The NPPF 2018 Guidelines. To support this statement –

1. It is NOT “Positively Prepared” because:
* The estimate of several thousand jobs resulting from
	+ Growth of the Port of Felixstowe
	+ Additional jobs arising from BT and the Adastral Business Park
	+ The predicted manpower need of Sizewell C
	+ The growth of small / medium-size new businesses in the area

is demonstrably unrealistic. The reality is

* + Employment at the Port is unlikely to grow and is already falling.
	+ No data is offered within the evidence base to support the contention Felixstowe will retain its current share of TEU volumes
	+ As predicted in several recent Government publications, the Port of Felixstowe appears to have entered a period of decline
	+ The prospect of it recovering its market share is more in line with Government reports and things do not appear good
	+ To protect its business, the Port is automating with a significant number of job losses taking place and planned
	+ BT has announced it will be losing 9,000 jobs worldwide, with 900 or so planned at Adastral Park
	+ The Sizewell C workforce is planned to be transient during the build phase, with only 900 or so becoming permanent after 2030.
	+ Permanent employees will wish to live close to their workplace
	+ Common sense dictates job growth from the small / medium-size business sector is not going to be measured in thousands
	+ If Innocence Farm (Policy SCLP12.35) is to be used (i) to accommodate port-centric operations displaced from the Port (ii) container storage (iii) lorry parking, then it has to be concluded (i) Zero jobs will arise from displaced port-centric operations and (ii) new jobs will not come from automated warehouses / a lorry park will NOT come close to providing the number of new jobs proposed for the District!
* Against this background, the Local Plan makes no attempt to objectively assess the need for new housing
* The Plan is not informed by agreements with neighbouring authorities
* Added to the wildly optimistic employment predictions of neighbouring districts, it is self-evident the total is far beyond anything that can reasonably be expected
* It fails to take account of SCDC’s coastal position and, specifically, that access is only possible from a northerly or westerly direction
* It fails to assess the impact the preceding point is likely to have on businesses thinking of setting up in the area
* Because of all the points noted above, the Local Plan, as proposed, is not consistent with sustainable development

It is NOT “Justified” because:

* SCDC ignores the latest (2017) East of England Forecasting Model (EEFM) data, but uses the 2016 data instead
* In effect, this means SCDC has overstated the jobs growth forecast (6,500) by 1,100 jobs. This is a gross figure and there is no evidence to indicate how potential job losses might influence that figure, nor the knock-on effect on the housing requirement.
* Despite the preceding two points, SCDC chooses to ignore the EEFM figures for its housing requirement forecast
* The EEFM figures show negligible growth in the employment land requirement, which is in contradiction to the SCDC forecast in the Local Plan
* The Kirton and Trimley Community Action Group (KATCAG) has made public a well-researched ‘Justification Annex’ providing evidence of many serious flaws in the Lichfields 2018 Port Study
* This credible and important document concludes the Study is fatally flawed in respect of
	+ - The need for any additional employment land allocation for port-related operations, including the 69Ha already with planning permission
		- Placing any reliance upon the Study as an evidence base in support of an employment-related housing need
		- The forthcoming merger between Suffolk Coastal and Waveney is expected to result in a reduction of 730 jobs
		- The High Street retail and banking sectors have each suffered from customers moving to on-line shopping.
		- The UK will lose 8,820,545 jobs by 2030 due to automation.
		- The Draft Plan’s employment data is not to be relied upon. Nomis figures predicted 7,000 new jobs would be created in the area between 2011 and 2016. The reality was a gross figure of 2,600.
		- There can be no confidence current predictions are achievable.
		- It is widely recognised, outside SCDC, that no new enterprise with a significant transportation infrastructure will base itself in this area unless a solution is found to the impact of Orwell Bridge closures and an overloaded A14
		- Para 60 of the NPPF – July 2018 states: “*To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach, which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”*
		- Given the above observations, there is an evident need to treat the Felixstowe Peninsular as an exceptional circumstance justifying “an alternative approach
		- When comparing the number of dwellings under construction, on the Felixstowe Peninsular (including Walton and the Trimley villages), there is a clear imbalance in comparison with the rest of the district.
		- Housing data informing the Plan is ambiguous, misleading and inappropriate.
		- There appears to be no rational basis for new housing allocations
		- Within the Trimley villages, the combined population has increased by only 1.89% demonstrating there is no need for new housing. However, the Plan proposes house numbers should more than double.
		- Windfall housing, predicted at 50 per year has been 4 times that figure, yet the Plan continues to use a figure of 50 – patently erroneous.
		- There is no evident provision for the enforcement of affordable home /social housing targets, currently down by 50%
		- The Plan fails to recognise ‘approved’ or ‘brownfield’ land should be used ahead of green field sites
		- With regard to the preceding point, the Plan appears to breach NPPF, paragraph 2018
		- The situation for Trimley St Martin becomes worse when consideration is given to future ‘potential sites’ (417 dwellings) which, for the time being at least, have been discounted in favour of SCLP 12.66.
		- On the basis that the allocation of Innocence Farm as an employment site will be found to be unsound, we additionally contend the Plan is further unsound in respect of the disproportionate amount of housing supply allocated to the Trimley Villages. The Plan has failed to adequately demonstrate the need for such widespread development.
		- In 2011 the Trimley Census population figure was circa. 1940.The existing and proposed developments (806 dwellings) in Trimley housing represents an increase of approximately 1900 people – almost doubling the population.
		- In terms of the total housebuilding requirement, the contribution from Trimley St Martin and Trimley St Mary is 776 (49% of the total
		- The Trimley villages are bearing a wholly unwarranted and disproportionate share of the new housing burden.
		- The ‘settlement hierarchy’, has been abused such that the Trimley Villages are being allocated a large housebuilding requirement, inconsistent with their status as “Large Villages.”
1. It is NOT “Effective” because:
* There is no evidence of co-operation with neighbouring councils
* There is no evidence of support from significant National bodies
* The proposal will call for significant improvements to sewerage and water services
* There is no evidence of who is going to fund these developments. Neither the Highways Agency nor the principal landowner, Trinity College, have indicated any willingness to contribute these costs
* The A14 is currently over-capacity (SP10 of the previous Local Plan)
* With no new jobs coming from the vicinity of Felixstowe, there will be a significant increase in commuter traffic along the A14 towards Ipswich and back
* This will impact on the Orwell Bridge, also
* Ipswich town centre traffic already grinds to a halt when the Orwell Bridge is closed, so the impact will be felt in central Ipswich also
* There has been no assessment of the A14 / Howlett Way traffic implications
* No account has been taken of evidence provided to show Trimley High Road will become a bottle-neck
* No account has been taken of the proposed vehicular activity associated with Innocence Farm comprising 3200 daily movements plus 600 cars. The whole traffic situation will significantly worsen following closure of the Orwell Bridge or a serious accident on the A14
* An additional 2,900 vehicles from the Brightwell Lakes, Martlesham development will have a knock-on effect upon the Trimley/Felixstowe catchment.
1. It is NOT “Consistent With The NPPF 2018 Guidelines” because:

All the above points combine to confirm SCLP12.65 and SCLP12.66 are undeliverable; additionally,

* They conflict with NPPF paragraph 118
* The Interim Sustainability Appraisal and Final Plan both ignore light, noise and particulate pollution
* There is no acknowledgement that many acres of prime agricultural land are to be sacrificed
* There is no mention of a survey of the habitats likely to be lost nor the damage the environment is likely to sustain
* The Interim Sustainability Appraisal indicates a ‘neutral’ rating for “improving health”. This cannot be true. The Trimley Villages and adjacent parishes will suffer considerably as a result in an increase of the various pollutants
* No mention has been made of the pollution impact on the site of the proposed new school
* SCDC appears to have taken no account of widespread research showing schoolchildren are particularly prone to the effects of pollution.
* Because of the likely extent of the pollution increase, it will not be possible to mitigate the pollution effect, whatever its extent or cause.
* To permit developments certain to raise levels of sulphur dioxide, nitrogen dioxide, benzene, carbon monoxide, lead and PM10 in ambient air close to large numbers of households would be grossly irresponsible
* The risk to health, particularly that of the elderly and schoolchildren would be unacceptably high
* The proposal would increase significantly the merging of Ipswich and Felixstowe by way of a ribbon development along the A14 corridor.
* The proposals breach, in no small way, the Government’s stated intention of maintaining a clear separation between towns and villages
* To date, it has been a well-publicised strategic objective of SCDC to maintain a geographical separation between towns and villages.
* This policy would appear to have been abandoned

In view of all the above, we would ask the Inspector to conclude SCLP12.65 and SCLP12.66, as proposed within the Local Plan, are both unlawful and fails all four of the tests for soundness.

Kind regards,

Stephen and Susie Wrinch