SUFFOLK COASTAL LOCAL PLAN EXAMINATION

TUESDAY 03 SEPTEMBER 2019: MATTER 3 – AREA SPECIFIC STRATEGIES – DEVELOPMENT ALLOCATIONS

WRITTEN STATEMENT ON BEHALF OF GENERATOR OPTIMA (FERRY ROAD 2) LTD. WITH REGARD TO DRAFT POLICY SCLP12.4, LAND NORTH OF CONWAY CLOSE AND SWALLOW CLOSE, FELIXSTOWE

Introduction

1. Generator Optima (Ferry Road) Ltd. (“the developer”) made representations during the preparation of the draft Suffolk Coastal Local Plan, promoting their site to the north of Conway Close and Swallow Close, Felixstowe (draft Policy SCLP12.4). The representations were broadly in support of the draft Local Plan and confirmed that the site is “deliverable” within the definition in Annex 2 of the National Planning Policy Framework (NPPF).

2. JCN Design & Planning is retained by the developer to promote the site through the preparation of the new Local Plan and to create an application for outline planning permission. The developer is currently constructing Laureate Fields, a scheme of 197 new homes on the opposite side of Ferry Road from the promoted site that is scheduled to be completed in 2021/22.

Matter 3 – Area Specific Strategies – Development Allocations

Issue – are the proposed Area Specific Strategies, allocations and policies justified, effective and consistent with national policy?

3. The site already benefits from an allocation for residential development in the adopted (January 2017) Felixstowe Peninsula Area Action Plan Development Plan Document (AAP), which is carried forward into the new local plan in broadly the same form. As such, the allocation of the site has already been confirmed to be justified, effective and consistent with national policy because it forms part of a plan that has been found to be “sound”.

4. Generator Optima (Ferry Road 2) Ltd. consider allocation SCLP12.4 in its current form to be sound, with only some small amendments needed that could fall within the scope of minor modifications. In accordance with paragraph 35 of the NPPF, the allocation is sound because it is:

   • Positively prepared – the site is deliverable in the short term and will help the council to meet their objectively assessed housing need, as well as addressing the provision of new infrastructure to support the creation of approximately 150 new homes, consistent with achieving sustainable development.
• Justified – the site is adjacent to the northern edge of the existing built-up area and will form a natural extension to Felixstowe without harming views of the Deben estuary or creating negative impacts for the nearby Area of Outstanding Natural Beauty (AONB). Furthermore, there is no opportunity for the development of the site to begin a process of expansion into countryside because it is enclosed by Gulpher Road to the north and the North Felixstowe Garden Neighbourhood to the west. As such, the allocation remains an appropriate strategy, having already passed through an independent examination as part of the adopted Local Plan.

• Effective – the site is deliverable in the short term and is not subject to phasing constraints or reliant on enabling development elsewhere.

• Consistent with national policy – the creation of new homes will achieve sustainable development in accordance with the policies in the NPPF, delivering the three overarching objectives of the planning system (economic, social and environmental). The new homes and supporting infrastructure will also result in the creation of a healthy, inclusive and safe place, make efficient use of land available for development and lead to the development of high-quality buildings and a high-quality place.

General questions – (a) is each site allocation and its criteria justified and appropriate in all aspects, having regard to the likely impacts of the development and potential constraints?

5. The site is already allocated for residential development by Policy FPP5 in the Felixstowe Peninsula AAP and passed through the examination process less than three years ago. The draft policy sets out criteria that development of the site is expected to be in accordance with, which have been updated from the adopted policy. Modifications to the revised criteria are sought, as discussed below.

6. Annex 2 of the NPPF defines that a site for housing can be considered deliverable if it meets the criteria of being (a) available now, (b) offers a suitable location for development now, and (c) is achievable with a realistic prospect that housing will be delivered on the site within five years. The allocation of the site for residential development has already been shown to meet these three tests of deliverability when it was assessed as part of the examination of the 2017 plan, therefore the council are satisfied that it remains deliverable and have rolled over the allocation into the draft plan, meaning that the allocation of the site can continue to be considered to be “sound”.

7. The land is currently in agricultural use and the developer has control over the whole site in partnership with the owner, who currently farms the land. As such, it is currently available for development and it is anticipated that the construction of new homes will commence as soon as the necessary permissions are in place.
8. The site is adjacent to the existing built-up area and will form a logical extension to the town without any negative impact on landscape or setting of the town (confirmed in the policy’s supporting text at paragraphs 12.63 and 12.64), creating a more appropriate edge to the built-up area than the stark boundary marked by the rear garden fences of the existing properties to the south. Furthermore, the site is close to local services and facilities (including schools, shops, medical centre and community centre) and the scheme will ensure that pedestrian links encourage residents to leave their cars at home for short journeys, helping to integrate the new homes into the existing community. The site also enjoys good access to employment areas, the town centre, railway station and the A14 and A12. It offers the opportunity to create a sustainable, mixed community that builds on the existing social infrastructure and secures additional community facilities, serving the wider area in addition to meeting the needs of the residents of the new homes. Initial assessments show that there is no physical or environmental reason the site should not be developed and, as such, the site can be considered to be a suitable location for development.

9. The developer has confirmed to the council that new homes will begin to be delivered in 2021/22, well within the five-year period sought by the NPPF: there are no physical, environmental, social or legal constraints upon the site that could prevent development. It is accepted that there details to be explored as part of the creation of a detailed masterplan and justification within an application for outline planning permission, but the developer’s knowledge obtained through the development of Laureate Fields means that they are confident that issues can be addressed quickly and simply. Upon the grant of planning permission for residential development, the site can be developed with new homes straight away, making it achievable in the short term.

10. The site is controlled by a developer and assessments have taken place with a view to opening pre-application discussions before the end of 2019. Draft schemes for the site have been prepared and detailed options for the development are currently being considered. Based on financial appraisals undertaken by the developer and subject to agreeing site-specific planning obligations in parallel to the Community Infrastructure Levy (CIL), it is already known that the creation of approximately 150 new homes on the site is a viable proposition.

11. The site passes the tests of being available, suitable and achievable and can therefore be considered to be a deliverable housing site. Moreover, the site is deliverable in the short term and development will begin as soon as the necessary approvals are in place: the developer has confirmed that the new homes will be delivered from 2021/22.
General questions – (b) are there any significant factors that indicate any of the sites should not be allocated? Is there a risk that site conditions, infrastructure or access requirements or constraints, might prevent development or adversely affect viability and delivery?

12. The developer is part of the team currently construction new homes at Laureate Fields and therefore has a comprehensive understanding of the factors that relate to the development of the site. As noted above, the site meets the NPPF’s definition of “deliverable” and the current allocation in the adopted Felixstowe Peninsula AAP is being rolled forward with some small amendments in response to the updated evidence base.

13. It is acknowledged that there are technical issues that need to be addressed as part of an application for planning permission and these are noted in the supporting text, including visual impact (paragraph 12.64), open space provision (12.65), relationship with the listed buildings at Park Farm Cottages (12.66), archaeology (12.67), access and traffic generation (12.68 to 12.70) and drainage (12.74). These issues are carried over from Policy FPP5 in the adopted plan and the developer has taken them into consideration both as part of the promotion of the site through the planning policy process and in preparation for the submission of an application for outline planning permission.

14. The list of criteria with which the development of the site is expected to accord with has been altered from Policy FPP5. Whilst some of the changes are small in scale, others are a cause for concern and modifications are required. The criteria that need to be revisited are:

(b) Site-specific Flood Risk Assessment – a new requirement that adds redundant information to the draft policy. The whole of the site is within Flood Zone 1, but with an area greater than one hectare, the need for a FRA is already fixed by paragraph 163 of the NPPF and East Suffolk Council’s Local Validation Requirements (November 2014). As such, the new criteria is not needed and should be omitted.

(d) Highway design provides appropriate vehicular access to the Garden Neighbourhood – a new requirement, but the scope of the criterion is not explained by the draft policy or supporting text (paragraph 12.70), therefore clarification is required. The North Felixstowe Garden Neighbourhood (draft Policy SCLP12.3) seeks to create a combination of leisure uses, a community hub, a primary school, employment land, retirement dwellings/care home and up to 2000 new homes, therefore a connection between the two sites is a simple way of spreading the benefits of the strategic development: a link would provide easy access to the new facilities for residents of the area to the east and south east of the garden neighbourhood, as well as offering a route from the garden neighbourhood to the existing facilities on the east side of Felixstowe (including Kingsfleet Primary School, community centre, church and, of course, the coast).
The creation of a connection between the two sites is supported and can be accommodated within the scheme for approximately 150 new homes, but the requirement in the draft policy is too vague and must be better explained. It creates implications for the design of the schemes either side of the boundary and will likely cause concern for the residents of Ferry Road and the streets to the south and east. The status of the “appropriate vehicular access” is not known – it could range from a connection only to be used by pedestrians, cyclists and emergency vehicles to a by-pass around the northern side of Felixstowe that links Ferry Road to the A14, and whilst the former would be acceptable, the latter would not be appropriate and the draft policy must confirm that nothing in excess of a minor link is required.

The indicative draft masterplan included within the supporting text for Policy SCLP12.3 shows vehicle access at the eastern end of the garden neighbourhood, but neither the masterplan nor the supporting text provide any certainty and there is no reciprocal arrangement in draft Policy SCLP12.3 to secure a route for vehicles to Ferry Road. The scale and scope of the connection and whether it will be required to accommodate through traffic must be clarified within draft Policies SCLP12.3 and SCLP12.4.

(g) **On-site open space and play facilities** – the criteria is unchanged, although it would be preferable for it to note that provision is made in the context of the leisure-led garden neighbourhood to the west and to confirm that cross-boundary green infrastructure is anticipated in criteria (k).

(h) **Air quality assessment** – the requirement is included in the council’s Local Validation Requirements and the criteria is unnecessary. With regard to criteria (d), the scale and scope of the vehicular link may play a role in the extent of mitigation works that could be required and should the criteria be retained, it is important that it is modified to draw a distinction between the potential impact of approximately 150 homes on the site and any air quality issues created by the development of the separate garden neighbourhood, which must address its own air quality impacts. The potential air quality impact of draft Policy SCLP12.4 has already been tested as part of the adopted Felixstowe Peninsula AAP, whereas the air quality impact of draft Policy SCLP12.3 is a matter to be considered during the preparation of the new local plan.

(i) **Archaeological assessment** – the requirement is already covered by the council’s Local Validation Requirements and the inclusion of the criteria is unnecessary.

(m) **Financial contribution towards new primary school and early years facility** – an update to the adopted criteria, removing the need for on-site early years provision and introducing financial contributions for works in Felixstowe. It is important that these works are not linked to the garden neighbourhood (a primary school and early years provision are secured within draft Policy SCLP12.3) but the policy only refers to new facilities. The new homes under draft Policy SCLP12.4 will be delivered early in the plan period, therefore it may not be possible to link the
site to new facilities: provision to address the demand from the new homes could be addressed by additional places at existing schools; the delivery of new facilities is tied to larger-scale developments elsewhere. As worded, the criteria places an unnecessary constraint upon the development of the site because the provision of new facilities is outside the developer’s control. Improvements to existing early years and primary school provision are already included in the Regulation 123 list for the council’s CIL and funding for new facilities can be accommodated through the existing CIL charge, rather than creating a “ransom” that would hold back development until new education facilities are provided.

15. The site is controlled by a developer and assessments have taken place with a view to opening formal pre-application discussions soon, followed by the submission of an application for outline planning permission before the end of 2019. Draft schemes have been prepared and detailed options are currently being considered, including lessons learnt during the construction of Laureate Fields. The developer confirms that the scheme will be designed in accordance with the thirteen criteria listed in draft Policy SCLP12.4, including the provision of affordable housing, on-site open space and play facilities, high quality development that is sympathetic to the character of the area and the nearby listed buildings, improvements to utility infrastructure and links to public rights of way. Subject to clarifying the purposes of the criteria listed above, there are no site conditions, infrastructure requirements and/or constraints that could prevent development or adversely affect viability and delivery.

Site-specific question 3.13 – would the policy be effective in conserving and enhancing the landscape and scenic beauty of the Suffolk Coast and Heaths AONB?

16. The developer agrees with the supporting text to draft Policy SCLP12.4 includes reference to the relationship between the site and the AONB at paragraph 12.63, stating that the site “can provide a natural extension to the built form of Felixstowe without causing a detrimental impact on the Area of Outstanding Natural Beauty or important views of the Deben Estuary”. The relationship was considered during the adoption of Policy FPP5 in the Felixstowe Peninsula AAP and, indirectly, in the grant of outline planning permission for the residential development at Laureate Fields.

17. Unlike Laureate Fields, the site does not directly abut the AONB and is separated from it by the new homes to the east and the field in agricultural use to the north. Although the site is at a higher level than the estuary and coast, there is little opportunity for the new homes on the site to be seen from the AONB: views are blocked by the plateau topography of the land to the north and by the new homes to the east, meaning that it will only be seen in the context of the wider built-up area.
18. Development of the site will create a new edge to the built-up area, replacing the stark boundary formed by the fences of the rear gardens to the south. Criteria (f) of draft Policy SCLP12.4 requires that the scheme is high quality and sympathetic to the character of the surrounding area and it is envisaged that the new homes will face outwards to the north, overlooking Gulpher Road in the same manner as the houses in Laureate Fields face outwards to Ferry Road and the AONB – as noted above, this relationship was found to be acceptable when the application for outline planning permission and subsequent reserved matters were approved. In addition, Gulpher Road sits in folds in the topography and only has limited views of the estuary and the AONB, allowing its character and status as a “quiet lane” to be maintained even though it will form the new edge to the built-up area, offering a connection to the AONB both in terms of a physical route for recreational purposes and with regard to a rural, landscaped appearance. Facing outwards, developing at a relatively low density and incorporating soft landscaping means that the new edge to the built-up area can play a role in conserving and enhancing the landscape and scenic beauty of the AONB by blurring the boundary between the land uses and creating a more appropriate relationship.

Conclusion

19. Generator Optima (Ferry Road 2) Ltd. confirms that by rolling over the existing allocation in Policy FPP5, draft Policy SCLP12.4 is broadly sound. The creation of approximately 150 new homes will be sustainable development, deliverable in the short term and is consistent with national planning policy and emerging policy in the new Local Plan.

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02 August 2019