

Ardleigh Parish Council's objection to planning application 20/00594/FUL for "food storage and distribution facility and associated parking, logistics yard and offices" on land adjoining Ipswich Road and Wick Lane, Ardleigh, Essex, CO7 7QL



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Executive Summary

This letter of objection concerns application 20/00594/FUL for a food storage and distribution facility and associated development on land adjoining Ipswich Road and Wick Lane in Ardleigh, Essex.

Planning Direct has been instructed to produce this document on behalf of Ardleigh Parish Council. The application site concerns land located within Ardleigh Parish.

The application comprises a major development that would represent a significant departure from the recently adopted development plan. Other material planning considerations are also considered to weigh firmly in favour of its refusal.

The Parish Council's main grounds of objection - each addressed in detail under the relevant subheadings of this document - can be summarised as follows:

1. The development would have a substantial detrimental impact on planned Public Open Space (per approved application ESS/57/04/TEN) due to be located in very close proximity of the site. The notable harmful effect of the development on this planned Public Open Space has not been taken into any consideration by the applicant;
2. The development represents a very significant departure from the development plan. All of the material planning considerations advanced by the applicant would apply in equal or greater measure if the development were relocated such that it did accord with the development plan. Accordingly, these alleged material planning considerations provide no justification for the proposed departure from the development plan;
3. The major employment and transport-related development would be sited in an unsustainable location, where it would contribute to a highly unsustainable pattern of growth and movement, cause significant detriment to the proper functioning of the rural road network and result in a substantial increase in private car movements and reliance on private car use. The lack of a Travel Plan is also objected;
4. The application contains insufficient detail and clarity to enable its impacts (and potential dis/benefits) on local employment figures and the economy to be properly assessed;

5. The applicant's assertion that the development would assist to tackle a number of Tendring's social and economic issues is unfounded. In fact, due to its proposed location far away from the communities that would benefit from its construction and subsequent employment opportunities, the development is considered to directly exacerbate these local issues;
6. The development would entail the permanent loss of productive, best and most versatile agricultural land for which no compelling justification has been provided. The applicant vastly understates the social, economic and environmental (including landscape) harm associated with the proposed permanent loss of the affected agricultural land parcel to a non-compatible urban use;
7. The applicant has failed - by a considerable margin - to justify their claim that there are no other suitable sites available anywhere in the district or wider region. As a minimum, the Parish Council considers that vacant or otherwise available industrial/employment/brownfield sites in sub/urban settlements at the highest tiers of the Settlement Hierarchy should have been considered in advance of this working agricultural field in deeply rural Ardleigh. The application as submitted provides no indication or evidence that this exercise has been conducted;
8. The development would cause substantial and permanent harm to the character, appearance, quality and integrity of the affected rural landscape. It would feature prominently in various sensitive views. The LVIA accompanying the application vastly undervalues both the site and the local landscape character whilst similarly understating the practical landscape effect of the development which would be significant. The "in principle" harm of the development to local landscape character - arising from the inappropriate type and scale of the development in its rural context - is further exacerbated by its stark and incongruous urban design and materials;
9. The application contains a lack of information and certainty concerning its impacts on ecology and biodiversity. In the absence of this information, it must be assessed that the development would cause net harm to biodiversity and ecology, including material and unlawful harm to certain wildlife species (including bats);
10. The application falls far short of assessing the significance of the affected listed buildings' shared setting and/or the impact of the development upon it. Contrary to the applicant's stance, heritage significance does not derive only from views. The development would cause serious and permanent harm to the long-preserved

immediate working agricultural setting of the listed buildings which are significant - in large part - because of their physical and functional connection to the adjacent farmland and what this tells us about the historic agricultural practices and industry of Ardleigh. This comprises a material heritage harm that must be appropriately weighed in the planning balance;

11. The relocation of this major industrial employment site from a dedicated industrial estate in a built-up urban area of sustainable Harwich to a working, high quality arable field on the rural outskirts of Ardleigh would - contrary to the applicant's assertion - comprise a net amenity harm and social disbenefit;
12. The Air Quality Assessment accompanying the application fails to consider the likely significant impacts on both the existing PRow and the planned Public Open Space to the immediate south of the site. Its findings are also dependent on the implementation of a Travel Plan which has not been provided and which the Parish Council disputes is achievable;
13. The Noise Assessment accompanying the application fails to consider the likely significant impacts on both the existing PRow and the planned Public Open Space to the immediate south of the site. Its findings are also predicated on a significant underestimation of vehicle numbers and fail to consider the noise impact of mechanical plant;
14. The application site is located in an area with known drainage issues and water run-off vulnerabilities and insufficient information is provided concerning how the site's drainage would be appropriately managed. As it stands, it is assessed that the development would unduly and unnecessarily exacerbate local drainage problems and water quality concerns; and
15. Although the applicant suggests that the previously proposed "Phase 2" part of the application would no longer be pursued, the Parish Council has legitimate concerns that this is not the case. The Parish Council is similarly concerned that, if permission for this large application which stands in firm conflict with various important development plan policies is forthcoming, it would be very difficult for the District Council to resist its future expansion.

Grounds of Objection

Ground of objection 1: Public Open Space

The development would have a substantial detrimental impact on planned Public Open Space (per approved application ESS/57/04/TEN) due to be located in very close proximity of the site. The notable harmful effect of the development on this planned Public Open Space has not been taken into any consideration by the applicant.

In c. 2010, planning permission was granted by Essex County Council for a major extension of Ardleigh Reservoir. A new area of Public Open Space - in conjunction with new habitat creation - was proposed as a fundamental part of this application. As part of the planned Public Open Space, a new circular footpath link would be introduced around the perimeter of the reservoir, accessible from the adjacent car park. This would be designed to facilitate safe public access to the reservoir by all residents, including disabled people and those with mobility restrictions.

This was put forward as a firm social and environmental benefit of application ESS/57/04/TEN, especially as public access to the existing reservoir is currently very limited.

Consequently, the creation of new accessible and high quality public open space and footpaths in this location would greatly enhance the area's landscape value, biodiversity /wildlife value and - above all - its recreational use by and value to the local resident community.

The LVIA that accompanied approved application ESS/57/04/TEN confirms that approximately 31 hectares of Public Open Space - managed as "heathland" to encourage a "heathy" grassland flora - will be introduced to the area. The LVIA also refers to the Public Open Space as a "Country Park" - with paragraph 6.9 of the report confirming, "The country park will be in active use by the public".

The overall form and location of the c. 31 ha Public Open Space - or "Country Park" - is best indicated by the below plan extract:



The Head of Development Control's 30/03/2007 Committee Report on application ESS/57/04/TEN offered the following relevant assessment of the major development's overall landscape impact:

It is considered that although the proposed development would inevitably have an impact on the existing landscape character the proposed mitigation is acceptable and the impacts are no so great over the short term to warrant refusal on the grounds of landscape impact. In the longer term the proposal would deliver a number of benefits including the provision of new areas of public open space and habitats. A number of conditions can be imposed to ensure the delivery of the proposed landscape measures and their subsequent management.

As supported by the above plan extract, the forthcoming Public Open Space is located in exceptionally close proximity of the current application site. Indeed, it is separated only by the rural, single-track Wick Lane.

Although the planned Public Open Space is not anticipated to be delivered for some years yet, the development (ESS/57/04/TEN) is both underway and on-track.



View looking east along the narrow Wick Lane (March 2021) - the open space would be located directly on the south side of this lane (per the above plan extract), whilst the new major employment site and its imposing warehouse is proposed to be sited directly on the north side of this lane

The development here objected would consequently have a very substantial harmful impact on the Public Open Space due to be located to its immediate south. The harm would arise as a result of significant visual intrusion but also due to:

- General noise, pollution and disturbance associated with the major site's occupation and 24/7 operation that would be inappropriate and therefore highly intrusive within the rural area; and
- The unavoidable detrimental effect on planned wildlife habitats due to the proximity and use of the proposed site (which as a 24/7 facility would require external lighting and generate nighttime noise that would both severely hinder the use of the adjacent habitats by all wildlife, especially bats).

The application makes no mention at all of the planned Public Open Space - it is also omitted from any consideration in any supporting document including the LVIA, the Noise Assessment, the Transport Statement and the Air Quality Assessment.

It is consequently presumed that the applicant is wholly unaware of the planned "Country Park" - notwithstanding that it is located almost directly adjacent to their

development site and comprises one of the most significant developments to be approved in Ardleigh in recent years. Indeed, once delivered, the “Country Park” is set to transform this part of the parish into one of its most valuable and highly prized assets - in terms of both its landscape/wildlife value and its community/recreational value.

Not only does the applicant’s failure to acknowledge this major extant planning consent speak to the general lack of thought and consideration given to the application, it also means that the various claimed effects of the proposed development - including by way of landscape, noise and biodiversity impacts - are wildly and indisputably inaccurate.

It is noted, for example, that the author of the LVIA reduces the visual harm caused to the public footpath off Wick Lane on the basis that visual intrusion would only occur “for a short section of the PRoW” (paragraphs 4.68 and 7.11).

Taking account of the LVIA’s Viewpoint M (see extract below) - which looks from the existing footpath across the site of the forthcoming “Country Park” towards the vegetation bounding Wick Lane - it becomes clear that the visual impact of the development on the planned “Country Park” would be very substantial, with the c. 20m high warehouse looming directly over the space and the only intervening feature (being the narrow Wick Lane) providing no material respite from its overbearing scale and proximity.

It is unfortunate that the applicant’s viewpoints do not actually model the proposed development in order to better represent its likely visual impact. However, the application does confirm that the boundary vegetation depicted in Viewpoint M reaches a maximum height of c. 3m. The application plans also indicate that the warehouse is proposed to be built within only a few metres of the site’s boundary with Wick Lane, with its long side (measuring some 165 total metres in length and 20 odd metres in height) running directly parallel to the forthcoming “Country Park”.

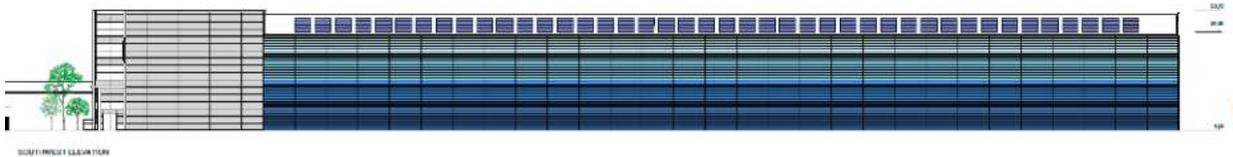
Viewpoint m: View from Footpath 1 looking northwest



Looking: NW 325° - Field of View (estimated): 60° - Approx. elevation: 37m - Approx. distance to edge of site: 230m - Grid Ref: TM 03029 29480
Camera: Nikon D7200 - Focal length: 50mm - Camera height: 1.5m - Date: 26.102020 - Time: 13.31
Approx. No. of images: 3 - Recommended viewing distance: 350mm on A3 paper size 100% - Visualisation Type: 1 - Projection: Planar



Extract of the LVIA's Viewpoint M - this depicts the view towards the application site from the current public footpath. As supported by this statement, the view looks across a currently open field that is due to become Public Open Space. The Public Open Space would extend hard up against the boundary with Wick Lane, maintaining only a few metres of separation from the c. 20m high and 165m long warehouse



Extract of the applicant's elevation plans - this is the warehouse elevation that would run parallel and almost directly adjacent to the Public Open Space. At c. 23.92 metres above ground level, it is clear that the intervening vegetation (at c. 3m in height) would do little to visually screen the warehouse from future users of the Public Open Space or otherwise lessen its firm overbearing impact

Taking all of the above into account, it is obvious that the visual effect of the proposed development upon the forthcoming "Country Park" would be seriously and unsupportably detrimental.

The scale, form, style and proximity of the warehouse building would result in a visual intrusion that would completely erode the landscape and community/recreational value of the forthcoming Public Open Space which - it should be remembered - was a vital element of major application ESS/57/04/TEN necessary to mitigate its own integral harm to local landscape character¹.

This impact alone provides sufficient and compelling reason to refuse the application. This is asserted notwithstanding the similarly significant and unsupportable detrimental effects that would be had upon the Public Open Space due to both the physical development of the application site and its intended 24/7 operation for storage and distribution purposes (including by way of noise, dust, smells, air pollution, vibrations, lighting and nocturnal light spill etc.)

¹ In this manner, approval of the application here objected would have the knock-on effect of wholly undermining/negating the landscape mitigation secured in order to render the landscape impact of the major reservoir extension (ESS/57/04/TEN) acceptable. Consequently, the overall landscape effect of the adjacent reservoir extension (already underway) would be rendered unacceptable once more.

Ground of objection 2: Development Plan

The development represents a very significant departure from the development plan. All of the material planning considerations advanced by the applicant would apply in equal or greater measure if the development were relocated such that it did accord with the development plan. Accordingly, these alleged material planning considerations provide no justification for the proposed departure from the development plan.

It appears to be common ground amongst all the parties that the application scheme would comprise a departure from the recently adopted development plan.

The Parish Council believes it must be acknowledged that the amount of negative weight attributed to any development plan conflict should depend - in all circumstances - on the type and degree of the conflict. The greater the development plan conflict and the wider its implications, the greater the negative weight it should attract in the planning balance.

In this vein, it is necessary to establish the type and extent of this application's departure from the development plan. In the parish council's opinion, the conflict would be very substantial and its implications very severe. This is explored below.

The negative weight to be attributed to the development plan conflict in the planning balance is consequently very substantial and only reinforced by the very young age of the development plan policies (adopted in full January 2022).

Assessment of the development plan conflict

Policies relevant to the open countryside

The site is located in open countryside where policies of restraint apply. However, the development plan still adopts a proactive and positive approach to new development in the open countryside where this would contribute towards the aims of sustainable development.

In rural locations, the development plan provides support for various small-scale developments that would assist to meet the social, economic and environmental needs of the affected rural area. In this manner, those economy-related developments expressly supported in the open countryside include farm diversification schemes,

buildings for equine, agricultural, aquacultural, forestry and horticultural uses, the re-use of existing buildings for employment/tourism uses and the construction of rural workers' dwellings (see policy PP 13).

In primary justification of the above strategic approach to economic development in the rural areas, supporting paragraphs 6.9.1 and 6.9.2 of the Local Plan (Part 2) provide as follows:

6.9 Rural Economy

6.9.1 Whilst the thrust of both local and national policy is to direct new jobs to existing built up areas and centres of employment, it is recognised that the District's rural areas and open countryside also make an important contribution to the overall economy of the District and so the Council should seek to achieve sustainable economic growth of its rural economy. Agriculture, in particular, which generally requires a countryside location, remains a source of local employment and continues to play an important role in the local economy and so the Council will continue to support proposals for agricultural-related development (where permission is required) provided adverse impacts on the environment are kept to a minimum.

6.9.2 It is also acknowledged that the District's rural areas and countryside are used for certain activities that need to take place in these areas, some of which can bring about positive outcomes for the rural economy and so the Council will support proposals for appropriate development in the countryside that would help strengthen the rural economy, subject to meeting other policies in this Local Plan and national planning policy.

Having regard to the above, it is evident that the application fails to gain the support of any applicable strategic development plan policy. Furthermore, due to its permanent loss of functioning best and most versatile agricultural land, the application would directly and significantly undermine the fundamental strategic aim and purpose of the development plan insofar as economic development in the open countryside is concerned.

Policies relevant to Ardleigh village

The nearest settlement to the site is Ardleigh and this sits at the lowest available tier of the development plan's Settlement Hierarchy (Policy SPL 1), being defined as a "Smaller Rural Settlement".

Supporting paragraph 3.2.1.4.2 of the Local Plan (Part 2) establishes the approach to

development in Smaller Rural Settlements and the justification behind this. It reads as follows:

*“These smaller villages are considered to be **the least sustainable locations for growth** and there is a concern that encouraging too much development in these areas will only serve to increase the number of people having to rely on cars to go about their everyday lives. However, these villages are still under pressure to grow and **some small-scale development which is sympathetic to the rural and often historic character of the settlement might help younger people to continue to live in the area, keep local shops and services viable and help bring balance to any ageing population**. Particular attention must be given to school travel and any expansion of existing rural schools”* [bold emphasis added].

There are 3 different types of more sustainable settlement - Strategic Urban, Smaller Urban and Rural Service Centre - that sit above Smaller Rural Settlements in the Hierarchy. This also means there are at least 13 different settlements (including Harwich and Dovercourt) sitting above Ardleigh in the Hierarchy.

On Strategic Urban Settlements (including Harwich and Dovercourt), paragraph 3.3.1.1.1 of the Local Plan (Part 2) provides the following appraisal and strategy:

*“Strategic Urban settlements’ have the larger populations and a wide range of existing infrastructure and facilities, making them **the most sustainable locations for growth**. These settlements provide better opportunities for the use of public transport, walking and cycling to get from place to place and, because they have established town centres, employment areas and infrastructure, they provide locations where, with the right action, **it is possible to create a significant number of additional new jobs and deliver sustainable housing growth on a larger scale**”* [bold emphasis added].

Consequently, even within the defined boundaries of Ardleigh (from which the application site is distant), this form and scale of industrial/employment development would find itself in significant conflict with the strategic policies of the development plan.

It is also worth noting that the application for major development would cause substantial increased reliance on private car use² in the local area. Per paragraph 3.2.1.4.2 of Local Plan (Part 2) above, this is the fundamental reason why the Smaller

² this matter is discussed in greater detail later in this statement

Rural Settlements are considered the “least sustainable locations for growth” where major development of this form and scale is strictly resisted.

Policies concerned with employment development

The applicant takes the stance that the development plan’s employment site allocations are all too small to meet the needs of the applicant’s business.

The applicant appears to imply that the lack of suitable B class site allocations in the development plan provides justification for the use of this Greenfield site in Ardleigh.

The Parish Council strongly disagrees.

Firstly, the relevant policy - Policy PP7 - allocates 32 ha of B2 and B8 class land across 7 different sites. Contrary to the applicant’s assertion (at paragraphs 6.2 - 6.5 of their planning, design & access statement), the largest of Policy PP7’s employment site allocations is “Land south west of Horsely Cross” at 11.2 ha total:

Table 6.1

Name of Site	Local Plan Allocation (ha)
Extension to Gorse Lane Industrial Estate, Telford Road, Clacton	6.8ha
Land at Stanton Europark, Parkeston	3.3ha
Land at Harwich Valley, East of Pond Hall Farm, Dovercourt	6.3ha (as part of a wider mixed use development)
Land off Clacton Road/Dead Lane, Mistley	2ha
Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester	2.3ha
Land south west of Horsley Cross	11.2ha
Total Employment Land Area	31.9ha

The applicant (at paragraphs 6.3 of their planning, design & access statement) refers to the development as a “9ha development”. Evidently, this could be delivered on strategic site allocation “Land south west of Horsely Cross”. However, the applicant makes no mention of “Land south west of Horsely Cross” and does not indicate that it has been investigated or discounted for any legitimate reason.

Whilst the applicant takes the view (at paragraphs 6.3 of their planning, design & access statement) that “this is a 9ha development, and sites identified for employment within a local plan are rarely that large”, they wholly omit to mention that the Tendring Local Plan is one such “rare” local plan that does include an employment site that large. The fact that other local plans throughout the country generally do not is of very limited (if any) relevance to the determination of this application which affects land in Tendring only.

In addition, although the applicant refers to the development as a “9ha development”, this is the total dimensions of the application site and not the total area to be developed. As indicated by the current site layout plan, large portions of the site are shown to be undeveloped or are given over to necessary landscape and drainage mitigation³.



Annotated extract of the site layout plan [not to scale] - “undeveloped” area of the site is highlighted in yellow and measures approx. 3.35 ha

³ based on the current site layout plan (ref. 2748), measuring software indicates 3.35 ha of the site to be undeveloped, with the development itself taking up approximately 5.65 ha

In a more appropriate location - without the same significant landscape or drainage constraints - these site features would not be required and the site area could be reduced accordingly⁴.

It is consequently likely that the development could in fact be accommodated on site allocations “Extension to Gorse Lane Industrial Estate, Telford Road, Clacton” at 6.8ha and/or “Land at Harwich Valley, East of Pond Hall Farm, Dovercourt” at 6.3ha.

Notwithstanding the specific allocations of policy PP 7, the policy also provides support for new employment-related development on land outside of the allocations. The policy provides specifically as follows:

“Proposals for new employment-related development on land outside of these allocations will be considered having regard to their potential to support economic growth in the district and the requirements of other policies in this Local Plan.”

The “other policies in this Local Plan” would significantly include:

- Policy SPL1 which provides the Settlement Hierarchy, including the appropriate locations for major and minor growth;
- Policy PP 13 which provides the strategy for economic related development in the rural areas; and
- Policy PP 14 which identifies specific regeneration areas that should be the focus for economic investment and initiatives to improve economic investment.

As discussed previously in this section, none of these important local policies suggest this Greenfield site in Ardleigh to be a suitable location for the development proposed. On the contrary, they firmly indicate this Greenfield site in Ardleigh to be highly unsuitable for the development proposed.

Although the applicant suggests that all other more suitable options have been exhausted, the Parish Council would firmly dispute this. The applicant has not even investigated each of the viable employment site allocations provided by policy PP 7 (such as “Land south west of Horsely Cross”).

In a recent Parish Council meeting, Councillor Carlo Guglielmi suggested that take-up of

⁴ in so doing, it would make better and more economical use of land

the Horsely Cross site allocation had been investigated by food supplier EDME Ltd., currently based in Mistley. Following their investigation, it appears that EDME is no longer considering the site and it was suggested by Councillor Guglielmi that it would provide an appropriate location for Surya Food's proposed development.

Furthermore, even if each of policy PP 7's site allocations had been investigated and legitimately discounted, the Parish Council would firmly dispute that the appropriate next step would be to investigate Greenfield sites located in the open countryside that comprise of functioning best and most versatile agricultural land and whose nearest settlement sits at the very lowest rung of the Settlement Hierarchy.

The Parish Council considers, as a very minimum, that all of the below sites should have been considered and legitimately discounted prior to the selection of this Greenfield site in Ardleigh:

1. Brownfield sites within the Settlement Development Boundaries of the various Strategic Urban Settlements;
2. Brownfield sites within the Settlement Development Boundaries of the various Smaller Urban Settlements;
3. Brownfield sites outside the Settlement Development Boundaries but otherwise well related to the various Strategic Urban Settlements;
4. Brownfield sites outside the Settlement Development Boundaries but otherwise well related to the various Smaller Urban Settlements;
5. Brownfield sites within the Settlement Development Boundaries of the various Rural Service Centres;
6. Brownfield sites outside the Settlement Development Boundaries but otherwise well related to the various Rural Service Centres;
7. Greenfield sites within the Settlement Development Boundaries of the various Strategic Urban Settlements;
8. Greenfield sites within the Settlement Development Boundaries of the various Smaller Urban Settlements;
9. Greenfield sites outside the Settlement Development Boundaries but otherwise well related to the various Strategic Urban Settlements;
10. Greenfield sites outside the Settlement Development Boundaries but otherwise well related to the various Smaller Urban Settlements;
11. Greenfield sites within the Settlement Development Boundaries of the various Rural Service Centres;
12. Greenfield sites outside the Settlement Development Boundaries but otherwise well

- related to the various Rural Service Centres;
13. Brownfield sites within the Settlement Development Boundaries of the various Smaller Rural Settlements;
 14. Brownfield sites outside the Settlement Development Boundaries but otherwise well related to the various Smaller Rural Settlements; and
 15. Greenfield sites outside the Settlement Development Boundaries but otherwise well related to the various Smaller Rural Settlements.

Only once these minimum 15 stages had been exhausted (which they have not been) should the major development of this Greenfield site outside of the Settlement Development Boundaries and poorly related to a Smaller Rural Settlement have even be considered.

Had the above appropriate approach to site selection been adopted, the Parish Council considers it highly probable that a more suitable site in a more sustainable location with fewer harmful impacts (including by way of landscape harm and private car dependence) would have been found.

Conclusion

The conflict with the recently adopted development plan is very substantial. Not only does the development fail to gain the support of any strategic policy, it also serves to directly undermine the important aims of various strategic policies, including SPL 1 and PP 13. Furthermore, the applicant has failed by a very significant margin to justify their decision to ignore and act counter to various important strategic requirements and objectives of the development plan.

The policy conflict is consequently a major and critical disbenefit of the scheme that deserves to be granted substantial negative weight in the planning balance.

Ground of objection 3: Unsustainable location

The major employment and transport-related development would be sited in an unsustainable location, where it would contribute to a highly unsustainable pattern of growth and movement, cause significant detriment to the proper functioning of the rural road network and result in a substantial increase in private car movements and reliance on private car use. The lack of a Travel Plan is also objected.

The site lies in the countryside, outside of the settlement boundaries of the Smaller Rural Settlement of Ardleigh. As mentioned previously, the development plan identifies these settlements as the least sustainable locations for growth. These are equally assessed to be locations where too much development will only serve to increase the number of people having to rely on cars to go about their everyday lives. Consequently, the strategy is to encourage small-scale development within defined settlement boundaries only.

The development here objected would be neither small-scale nor within defined settlement boundaries. Furthermore, the applicant has confirmed as follows:

- It is unlikely that a significant proportion of warehouse and distribution staff would live in a village like Ardleigh; and
- The vast majority of staff is likely to come from large urban centres distant from Ardleigh and only accessible to the site by private car - namely, Colchester, Harwich, Clacton and Ipswich (paragraph 8.23 of the planning, design and access statement).

Essex County Council as Highways Authority has already confirmed the location to be highly unsustainable. They note, for example, the lack of bus services, the lack of good cycle links and the distance (not walkable) to Ardleigh village.

The applicant has proposed just one solution/mitigation to the overwhelming lack of sustainable transport modes. This is the “hopper mini bus” - to be secured by a S106 Agreement - which would connect the site with the Park and Ride site at A12 Junction 28 or Colchester Train Station. However, in their consultation response dated 06/07/2021, Essex County Council as Highways Authority has already confirmed that the proposed “hopper mini bus” is not viable. Furthermore, no S106 Agreement has been provided to actually secure its delivery.

Notwithstanding this, even if delivery of the “hopper mini bus” were viable, it is considered highly probable that its take-up by the site’s employees would be incredibly limited. This is asserted having regard to the below calculations.

Travelling from Harwich* to the application site**

* Harwich has been selected as this is the location of the existing site and the applicant has stated that a significant proportion of the site's employees would live in Harwich

**Assuming the hopper mini-bus would be delivered at Colchester Train Station.

Option 1 “sustainable” travel -

To arrive at the application site for 9am, residents would take trains or buses (with at least one change) from Harwich to Colchester Station. This journey takes around 45 minutes. They would need to leave Harwich Station at around 7.30 am to arrive at the site by 9am.

The journey to the application site via the hopper mini-bus would then take around 10 - 25 minutes.

The cheapest day return fare currently available costs £10.80. Using this journey method daily would result in a monthly commuting cost of c. £216. This does not take account of the cost of the journey from home to Harwich train station which could be by private car, bus or taxi.

Option 2 private car journey -

To arrive at the application site for 9am, residents would drive direct via the A120. The journey distance is approx. 17 - 21 miles and its duration is typically 22 to 45 minutes (at rush hour). This means residents would need to leave their homes at around 8.30 am to arrive at the site by 9am.

The approximate fuel cost per day is likely to be no more than around £4. Using this journey method daily would result in a monthly commuting cost of c. £80.

Bearing in mind that most employees of the site would likely be on low wages, this is a considerable difference in cost that would dissuade most from taking up the sustainable transport “offer”. The applicant has not suggested that any financial incentive would be provided to employees.

Notwithstanding the cost, private car journeys would be far more convenient and less time-consuming, enabling employees to perform school drop-offs and other usual morning tasks.

There would also be far less risk of lateness due to potential public transport (including the hopper minibus) delays. B8 businesses run to tight schedules meaning tardiness amongst employees will not be tolerated. It is unlikely that many employees would be willing to jeopardise their jobs in order to travel to work sustainable, especially when this would cost them more, take them longer and be less convenient overall.

Consequently - and notwithstanding the HGV movements associated with the proposed B8 use - it is highly likely that the vast majority (if not all) of the proposed 348 site employees would be required to travel to and from the site by private car. Most of them would be travelling from higher-level settlements with very good levels of sustainability themselves. **This is the very antithesis of a sustainable pattern of movement.**

It is also well-established that most of the working residents of Ardleigh must commute out of the settlement by private car to access their workplaces. This development does not anticipate that any significant proportion of its workforce would be drawn from Ardleigh. Therefore, the high levels of out-commuting by its existing population would continue unaltered.

Bearing this in mind, it is simply implausible that the local road network could sustain the proposed substantial daily increase in private car movements to and from Ardleigh⁵. Again, this is notwithstanding the increase in HGV movements associated with its B8 use.

National planning policy (paragraph 105 of the NPPF) requires that “significant development should be focused on locations which are or can be made sustainable”. The location is not sustainable, far from it. In fact, in the context of a largely rural District, Ardleigh is formally identified as amongst “the least sustainable locations for growth”. Furthermore, the site is located some distance from Ardleigh settlement boundaries meaning it must be considered even less sustainable than “the least sustainable locations for growth”.

⁵ based on the above discussion, this is likely to be in the region of 680 additional private car movements to and from Ardleigh each day

There is also compelling evidence of a total lack of any viable opportunities to make the location more sustainable.

The application must consequently be refused on this basis alone.

Further consideration is given to the transport and accessibility implications of the development in the addendum to this objection letter prepared by Andrew Cann.

Ground of objection 4: Employment figures

The application contains insufficient detail and clarity to enable its impacts (and potential dis/benefits) on local employment figures and the economy to be properly assessed.

The Executive Summary of the applicant's planning, design and access statement describes the development as "the relocation of existing distribution and warehousing operations from Harwich to Ardleigh". However, it also states that the application would "secure" at least 348 new jobs, whilst the application form omits to provide any figure (be it "0" or otherwise) for existing employees.

It also appears that the claimed employment figures have been calculated using a generic national matrix. This is unhelpful and inappropriate considering the operation is already in existence and the development seeks simply to "relocate" it.

Due to this limited information, it is not possible to establish:

- Is the 348 figure net gain or does it include existing employees that would relocate from the site in Harwich to the site in Ardleigh?
- How many existing employees are there at the site in Harwich? Would they move, be retained for other purposes in Harwich or be made redundant?

It is vital that these matters are understood in order for the impacts of the development to be properly assessed.

For example:

- If the 348 figure is NOT net gain and many of the "new" employees are already existing employees of the business (who would consequently retain their jobs in the event that this application is refused) then the claimed material economic benefit of the development is greatly reduced; and
- If the figure is net gain and all of the existing employees in Harwich are to be retained (i.e. intensification of the operation in Harwich to stay the same) then the applicant's argument that the site's "relocation" from Harwich to Ardleigh would improve the amenity of that area to the benefit of nearby residents is wholly unfounded.

Further consideration is given to the employment and economic implications of the

development in the addendum to this objection letter prepared by Andrew Cann.

Ground of objection 5: Social/economic deprivation

The applicant's assertion that the development would assist to tackle a number of Tendring's social and economic issues is unfounded. In fact, due to its proposed location far away from the communities that would benefit from its construction and subsequent employment opportunities, the development is considered to directly exacerbate these local issues.

The applicant has put forward a claimed social benefit of the scheme that the Parish Council would strongly rebut. At paragraphs 5.28 - 5.40 of the planning, design and access statement, the applicant refers to various social and economic issues facing Tendring. For example, it is stated that Tendring is one of the most most deprived Local Authorities in the country, that there are low economic activity rates, high unemployment and a low share of residents with at least degree-level qualifications.

The applicant implies that this development would assist to tackle or lessen some of these social and economic concerns.

The Parish Council responds as follows:

Whilst these issues may affect the District considered as a whole, they are not relevant to Ardeigh. The most recent census data (used to inform the preparation of the emerging Ardeigh Neighbourhood Plan) indicates that the settlement's economic activity rate (69.1%) is largely in line with the national rate (69.9%). Similarly, 27.4% of Ardeigh's adult population is educated to degree-level or above (again, in line with national statistics), compared to only 15.9% for Tendring as a whole. In terms of deprivation, the Index of Multiple Deprivation (IMD) divides all Lower-layer upper Output Areas (LSOAs) into deciles - LSOAs in decile 1 fall within the most deprived 10% of LSOAs nationally and LSOAs in decile 10 fall within the least deprived 10% of LSOAs nationally. The LSOA in which the application site lies (E01021971) is in decile 6 which indicates it to be amongst the least deprived areas nationally.

By contrast, the business's existing premises are in an LSOA (E01033051) in decile 3 indicating it to be a far more deprived area. Consequently, the applicant's attempt to argue that the relocation of the business's B8 operations from more deprived Harwich to less deprived Ardeigh would somehow assist to tackle social deprivation is wholly without substance.

Indeed, the relocation of a business that seeks to employ low-wage workers from a sustainable and deprived urban locality to an unsustainable and reasonably affluent rural village has overwhelming social disbenefits.

It is a well-established principle in planning that developments should be located to best save the needs of affected communities. In order to tackle deprivation in Harwich - for example - it would be expected that development would be delivered in Harwich.

In the context of Tendring, the development plan rightly acknowledges that there are areas in urgent need of social and economic regeneration and investment. To this end, the development plan includes relevant strategic policy PP 14 “Priority Areas for Regeneration”. Unsurprisingly, this policy does not suggest that deprivation in the priority areas should (or indeed, could) be tackled by locating major employment developments far away in the open countryside.

On the contrary, policy PP 14 establishes the following priority areas for regeneration:

- Clacton Town Centre and Seafront
- ‘Brooklands’, ‘Grasslands’ and ‘the Village’ areas of Jaywick Sands
- Harwich Old Town
- Dovercourt Town Centre and adjoining areas
- Walton-on-the-Naze.

The policy then provides that “these areas will be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure.” It provides explicit support for new development consistent with achieving these aims.

If the applicant is serious about tackling social and economic deprivation in Tendring - which the Parish Council would wholeheartedly support - then they should seek to deliver this major employment site within one of the priority areas identified by policy PP 14.

As it stands, the relocation of this significant employment site from the accessible and relatively deprived urban locale of Harwich to the inaccessible and relatively undeprived rural locale of Ardleigh would materially exacerbate social and economic deprivation in Tendring.

Ground of objection 6: High quality agricultural land

The development would entail the permanent loss of productive, best and most versatile agricultural land for which no compelling justification has been provided. The applicant vastly understates the social, economic and environmental (including landscape) harm associated with the proposed permanent loss of the affected agricultural land parcel to a non-compatible urban use.

Table 4.2 of the applicant's LVIA confirms that the site consists of grade 2 "Very Good" agricultural land.

The NPPF defines "best and most versatile agricultural land" as land in grades 1, 2 and 3a of the ALC.

Paragraph 174 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by "(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land".

Footnote 58 to NPPF paragraph 175 also provides that "where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."

Paragraph 174 of the NPPF is significant as it recognises that agricultural land serves multiple benefits, not just economic.

In the context of Ardleigh, agricultural land (especially where it remains in functional use, as is the case here) makes a substantial and irreplaceable contribution towards the retained working agricultural character of the rural settlement. In terms of local landscape character, it would be accurate to say that the value of the working rural landscape that envelops the village is "greater than the sum of all its parts".

That is to say, whilst one field might be considered to make a relatively small integral contribution to landscape character, it is what that field contributes towards the "whole" network of working fields in Ardleigh that renders it highly valuable and significant in landscape terms. In this manner, the piecemeal loss of working agricultural fields in

Ardleigh has permanent and serious harmful implications for its overall landscape character and heritage value.

For this reason, the Parish Council strongly rebuts the assertion in the applicant's LVIA that the application site has "low" sensitivity to change in landscape terms. As a high quality agricultural field thus making an inherently strong contribution towards the defining working agricultural character of the parish, its sensitivity to non-compatible change is evidently high. It also provides a valuable and irreplaceable rural landscape buffer, providing containment of the A12 and more built-up character of Old Ipswich Road.

In terms of the economic impact arising from the loss of the land (per paragraph 174 of the NPPF), the applicant summarily dismisses this with the following comment, "the site currently comprises mostly agricultural land and therefore there is limited employment associated with the existing use".

The Parish Council strongly rejects the notion that the economic value of this land lies solely in the number of employees it can sustain.

The agricultural site may not employ as many people as a large-scale warehouse but this is hardly surprising. Indeed, the Parish Council would suggest that this is a primary reason why agricultural sites are typically located in rural places like Ardleigh with smaller working populations, whereas large B8 industrial sites are typically located in more urban areas (unlike Ardleigh) where there is a sufficient and suitable workforce available. This does not suggest that one form of development has greater inherent economic value than the other. Rather, it suggests that the employment capacities of any development should be well related to the scale of the available workforce in the area.

The applicant has also been upfront about the fact that the majority of the proposed new employees of the site would not live in Ardleigh but would need to travel in from urban settlements located further afield. The fact that the development would result in a net

loss of local agricultural employment⁶ is a firm economic, environmental and social disbenefit. To suggest otherwise is to completely misunderstand the substantial social, economic, environmental, heritage and landscape value that working, best and most versatile agricultural land holds within the context of Ardleigh.

Overall, the Parish Council considers that the application vastly understates the significant harm to be attributed to the permanent loss of this working best and most versatile agricultural land to an intensive industrial use.

In accordance with paragraphs 174 and 175 of the NPPF, the application ought to be refused on the above ground alone.

⁶ At paragraph 5.18 of the applicant's planning, design and access statement it is stated: "It is assumed that any existing jobs/FTE associated with the site (including those associated with the existing agricultural use would be relocated prior to the commencement of the development works". This is an unfounded and unjustified assumption. It should not be assumed that the agricultural use of this site would be relocated or that its existing agricultural workers (numbers not provided) would find employment elsewhere unless the applicant has evidence to support this.

Ground of objection 7: Suitable alternative sites

The applicant has failed - by a considerable margin - to justify their claim that there are no other suitable sites available anywhere in the district or wider region. As a minimum, the Parish Council considers that vacant or otherwise available industrial/employment/brownfield sites in sub/urban settlements at the highest tiers of the Settlement Hierarchy should have been considered in advance of this working agricultural field in deeply rural Ardleigh. The application as submitted provides no indication or evidence that this exercise has been conducted.

This ground of objection has already been discussed in relation to ground of objection 2 concerning the conflict with the development plan. To briefly summarise the Parish Council's stance:

- i. Contrary to the applicant's assertion, relevant policy PP 7 contains at least three separate site allocations that - on the face of it - would be of sufficient size to comfortably accommodate the development. The applicant indicates that it is only the size of site allocations that has prevented their consideration. As at least three of the allocations are of ample size, there is no reason or justification to consider alternative sites; and
- ii. The applicant implies that the lack of suitable B8 site allocations (disputed, per the above) alone provides full justification for the development of this Greenfield site consisting of in-use best and most versatile agricultural land that is located in open countryside and where the nearest settlement is a small rural village that sits at the lowest tier of the settlement hierarchy. This is firmly disputed. In the event that a reasonable investigation of the site allocations (not conducted) concluded that none of these were suitable, there are many other sites that ought to be considered in advance of this site in Ardleigh, including brownfield sites within or well-related to the various higher-level settlements of the District.

Further consideration is given to the applicant's claim of a lack of alternative sites in the addendum to this objection letter prepared by Andrew Cann.

Ground of objection 8: Landscape effect

The development would cause substantial and permanent harm to the character, appearance, quality and integrity of the affected rural landscape. It would feature prominently in various sensitive views. The LVIA accompanying the application vastly undervalues both the site and the local landscape character whilst similarly understating the practical landscape effect of the development which would be significant. The “in principle” harm of the development to local landscape character - arising from the inappropriate type and scale of the development in its rural context - is further exacerbated by its stark and incongruous urban design and materials.

It is the Parish Council’s view that the development would cause significant and permanent overriding harm to the character, appearance, quality and integrity of the affected rural landscape.

The Parish Council also considers that the LVIA supplied by the applicant falls far short of accurately assessing or describing the landscape value of the area and/or the landscape impact of the development. Their key points of concern are set out below.

Landscape already “compromised” by A12

The author of the LVIA places substantial weight on their assertion that the landscape is already “degraded”, “eroded” and “compromised” by the presence of the A12. For example, at paragraph 4.40 it is stated, “the presence of the A12 does detract from the surrounding landscape, reducing its sensitivity”. Table 4.1 “Summary of Landscape Sensitivity to the Proposed Development” also states, “the setting of the site is relatively poor in regard to traffic noise on the A12 and presence of other commercial premises”. Similarly, when discussing the effect on the setting of heritage assets, paragraph 4.35 asserts that the listed dwellings are “already set within a landscape degraded by the visual and audible intrusion of the A12”.

The author of the LVIA appears to imply that the “intrusion” of the A12 reduces the sensitivity and rural qualities of the landscape to such an extent that the proposed development would appear as a congruent addition. For example, paragraph 4.30 of the LVIA states, “the height of the proposals will likely be visible from locations beyond the site boundaries however this is mainly only to the west and in the context of the intrusive A12”.

The Parish Council firmly disputes that the A12 reduces the sensitivity of the rural landscape to the extent suggested by the applicant. Whilst the A12 is certainly an urban intrusion, it is an urban intrusion into an otherwise intact rural landscape with a strong rural character overall.

Indeed, contrary to the assertion of the LVIA author, the presence of the A12 has limited bearing on what the area to its east contributes towards the key characteristics of the Tendring LCA of Bromley Heaths. For example, its key characteristics include productive arable fields divided by low, gappy hedgerows, low density rural settlement patterns, networks of narrow lanes and dramatic dominating skylines. All of these characteristic features of the LCA are very well represented in this area, with the A12 having limited to no effect on their existence or the capacity for their appreciation.

It is also relevant that the A12 is not a new landscape feature and was certainly in situ when the Tendring Landscape Character Assessment was published in 2001. Its presence at that time clearly did not prevent the overall positive evaluation of the LCA's landscape character. It is not suggested anywhere in the Tendring Landscape Character Assessment that the presence of the A12 renders this LCA at all capable of accommodating the type of development proposed.

In the same vein, the Parish Council considers it highly unlikely that the Public Open Space - or "Country Park" - due to be located just south of the application site across Wick Lane would have been encouraged or approved by the County Council (ref. ESS/57/04/TEN) if the A12 truly had the intrusive effect on this landscape currently alleged by the applicant.

The Parish Council similarly rejects the notion that the presence of a detracting urban feature in an otherwise rural landscape can or should provide justification for the introduction of further detracting urban features. On the contrary, the Parish Council considers that the presence of detracting or intrusive features within a sensitive rural landscape renders the retention or enhancement of its remaining positive landscape features⁷ all the more important.

This approach is in line with the Landscape Management Strategy for Bromley Heaths

⁷ including its productive arable fields and strong field patterns which are confirmed in the Tendring Landscape Character Assessment to be positive and characteristic features of the Bromley Heaths LCA

promoted by the Tendring Landscape Character Assessment which is to “conserve and enhance”.

It is notable that the Landscape Management Strategy Matrix (see below) also rejects the notion put forward in the applicant’s LVIA that areas of poorer landscape condition can or should be allowed to deteriorate further:

STRATEGY

Condition	Good	Strengthen	Conserve & Strengthen	Conserve
	Declining	Strengthen & Enhance	Conserve & Enhance	Conserve & Restore
	Poor	Creation	Restore & Enhance	Restore
		Weak	Moderate	Strong
		Character		

Tendring Landscape Character Assessment’s Landscape Management Strategy Matrix - of note, in areas of poorer condition/character, the strategy is to restore, enhance and create NOT to support it to deteriorate further

Commercial development on Old Ipswich Road

The author of the LVIA asserts that the existing commercial development on Old Ipswich Road provides some sort of favourable context for the development proposed. For example, paragraph 4.32 states, “the proposals do relate well to the existing development on the eastern edge of Old Ipswich Road which is commercial in character”.

The Parish Council firmly disagrees that the existing commercial development on Old Ipswich Road contributes towards a built context where the proposed large scale industrial site with its imposing urban warehouse would appear at all congruent.

The only shared characteristic is a commercial use. In terms of scale, form, intensity of use, character, appearance and landscape impact, no similarities can be drawn between the proposal⁸ and any existing commercial site on Old Ipswich Road.

⁸ with its 20m high x 165 m long x 60m wide warehouse building and extensive areas of hardstanding

Old Ipswich Road boasts an appropriately modest and low-impact industrial character that ensures its due sense of belonging to the rural parish. Industrial buildings are typically single storey, adopting traditional building forms and locally relevant materials. In views from the wider rural landscape, the industrial buildings appear as minor/incidental features, not readily distinguishable from agricultural development:



Industrial buildings on Old Ipswich Road as seen from Wick Lane.

Image taken from the adopted Arleigh Village Design Statement (December 2011) which is a material planning consideration for applications in the parish and is also in the process of being updated for the Neighbourhood Plan

To use an analogy, the applicant's claim that the existing commercial development on Old Ipswich Road provides some sort of favourable context for the development proposed is no different to a developer claiming that a modest row of rural bungalows provides some sort of favourable context for the introduction of a high-rise urban flat block.

Effect on footpaths and planned public open space

The Parish Council is very concerned about the landscape effect that would be had upon the public footpath (and its users) shown on the below map.



The Parish Council shares the view of the District’s Tree & Landscape Officer concerning the effect on PRowS which is that the proposed warehouse “will loom large in the landscape and be a dominant feature in its setting”.

The Parish Council also considers that the applicant’s LVIA is highly inconsistent when assessing the effect on the above PRow and vastly understates the magnitude of the harm. For example, paragraph 4.68 of the LVIA states, “the site is visible from the footpath [...] the long side of the food distribution warehouse⁹ will be perceptible. These views will be more open when vegetation is not in leaf.”

However, at paragraph 4.82 the LVIA concludes that the magnitude of this visual effect is low “as changes on site are barely visible from the limited PRowS”. Similarly, paragraph 4.77 suggests there are “no clear and open views for walkers on the few

⁹ i.e. the elevation with a length of c. 165m and a height of c. 20m - being the main bulk of the warehouse

PRoWs”. Clearly, these favourable conclusions directly contradict the assessment of visibility at paragraph 4.88.

The current viewpoint from the footpath enclosed with the LVIA (Viewpoint M - already referenced previously in this document) makes it clear that the warehouse would appear as a highly incongruous and dominating urban feature in views from the footpath, spoiling its recreational and landscape value beyond repair. Its visual prominence and harmful landscape effect is only reinforced by the facts that:

1. a very large urban building will suddenly appear in views where no buildings formerly existed - this change to the landscape is substantial and therefore extremely noticeable and attention-grabbing; and
2. the warehouse is clad in stark, jarring and reflective urban materials that have an entirely alien and conspicuous presence in the rural landscape, acting as a visual foghorn.

In terms of the landscape effect on the forthcoming Public Open Space located in close proximity of the application site, this forms ground of objection 1 at the start of this document.

Landscape value of the site is high, not low

The applicant’s LVIA assesses the landscape value of the site to be low. In part, this is alleged to be as a result of its “ordinary character”. The implication appears to be that there is nothing inherently special about this typical arable field.

The Parish Council emphatically disagrees. As noted previously in this document, the special landscape character of Ardleigh is “greater than the sum of all its parts”. Ardleigh is a historic parish with a long working agricultural history that continues to this day. Its special landscape character is predominantly defined by the prevalence of agricultural fields and activities and field boundaries are relatively unchanged since historic times. Consequently, each high quality arable field in Ardleigh (especially those in working agricultural use) makes a substantial positive contribution towards its strong working agricultural character.

In this manner, the piecemeal loss of Ardleigh’s good quality arable fields serves to permanently undermine and materially erode its special landscape character.

Parish Council would draw an analogy to a historic terrace where the loss of just one

traditional window would be considered to cause insupportable harm to the overall architectural character and integrity of the terrace¹⁰. In a similar vein, the loss of just one high quality agricultural field in Ardleigh causes insupportable harm to the overall landscape character and integrity of the parish.

Boundary hedgerows as landscape screens

The Parish Council firmly disputes the various assertions throughout the LVIA concerning the “screening” effect of the site’s boundary vegetation.

For example, paragraph 4.23 of the LVIA claims that the site includes “hedgerows over 3m to the edges” which “reduces intervisibility considerably”. Similarly, paragraph 4.46 states, “the visibility of the site is limited by tree lines and hedgerows to the wider landscape”. And in terms of the visual effect on the nearest footpath (see discussion above), paragraph 4.68 claims that, “the tree lined field enclosure will screen most new built elements on site” and that, “the vegetation on the site and field boundary will still be the dominant characteristic in the view”.

In particular, the boundary vegetation in question has a height of c. 3m, whereas the proposed new warehouse building has a height of c. 20m and is built close to the site’s southernmost boundary. This means that the vast majority of the new building - c. 17m - would rise above the tree line where it would be both highly visible and prominent.

The height of the building relative to surrounding natural landscape features is so excessive and alien in this rural parish - where buildings typically sit lower than the treetops - that it would completely distort the scale and proportions of the landscape to the immeasurable detriment of its character.

¹⁰ partly due to the integral harm and partly due to the fact that the approved loss of just one window would make it very difficult to resist the proposed loss of further windows in the future. This consideration obviously applies in the current case - if the loss of this high quality arable field is held to be acceptable on landscape grounds, it would make it very difficult for the council to resist the loss of similar fields in the future until the parish’s rural landscape character is completely eroded



A landscape view typical of Ardleigh - buildings achieve heights lower than the trees to create an intimate rural landscape of human scale. Natural landscape features are by far the most dominant features in the landscape and are not forced to compete with built form

It is also a well established principle in planning that planting is ephemeral and subject to seasonal changes. Whilst it might soften the visual impact of certain developments, it should not be relied upon to visually screen otherwise unacceptable developments.

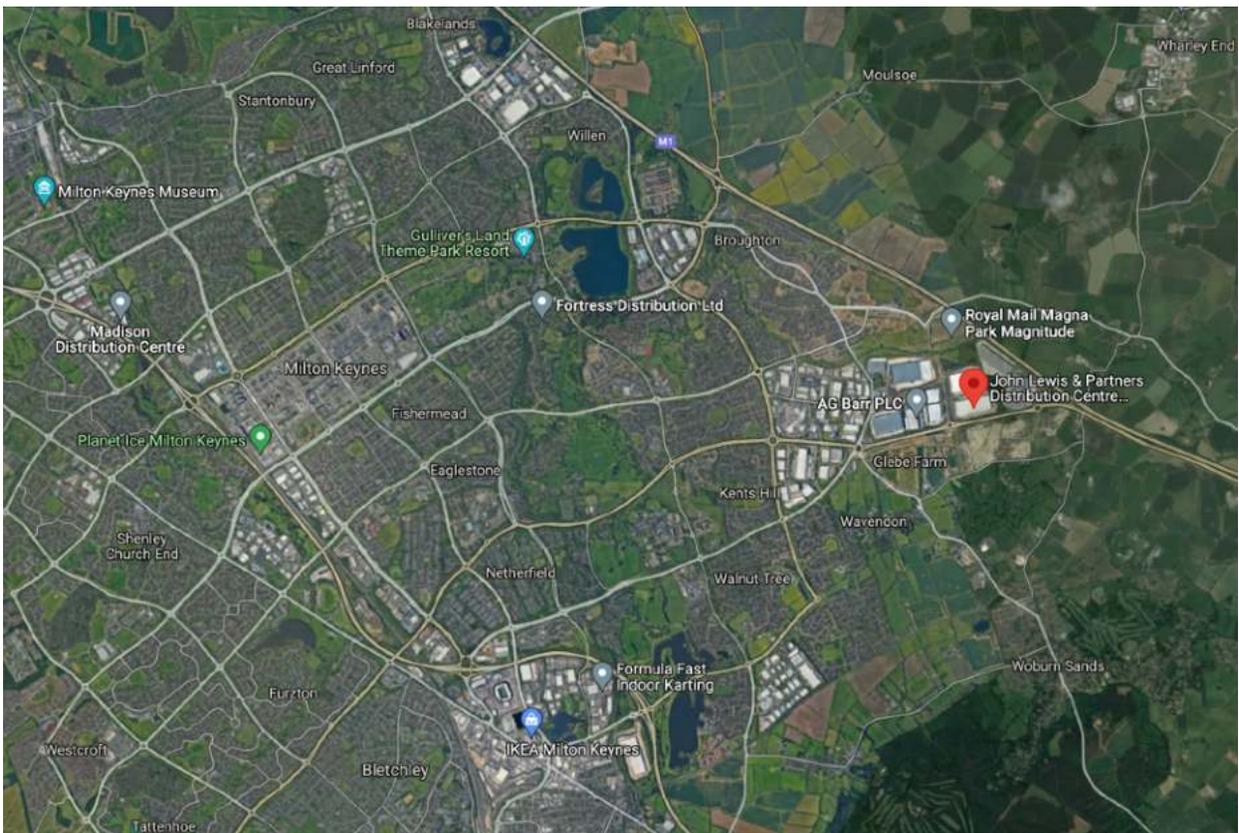
Landscape harm exacerbated by design and materials

Due to its form, scale and location, the development causes a substantial degree of “in principle” harm to the surrounding landscape. Whilst there is no potential for this harm to be eliminated by design changes, the Parish Council does consider that the current design choices materially exacerbate the “in principle” landscape harm.

As noted previously, the intrusiveness of the development within the rural landscape is only compounded by its use of jarring, reflective urban materials that are common features in urban/major industrial locations but appear nowhere else in the rural parish.



Existing B8 warehouse of comparable design and materials to the proposals



Appropriate location of the urban-style warehouse depicted above which forms part of a wider industrial estate located adjacent to both the A421 and the M1 on the built-up edges of Milton Keynes - an urban town with a population of c. 230,000

At paragraph 4.37 of the LVIA, its author rightly acknowledges that, “care should be

taken to not introduce jarring new materials that are not in keeping with the local architectural style which includes; soft hued bricks and renders, and the weather boarding associated with farm buildings.”

However, the LVIA then proceeds to state that it has not been possible to achieve this due to the practical constraints and requirements of a food distribution centre. No further consideration is given to this matter.

As above, the applicant directly acknowledges that the design has been informed purely by the functional requirements/constraints of the development rather than being informed by local policy requirements, local design guidance, the local vernacular or the surrounding rural landscape character.

The Parish Council does acknowledge the functional requirements and constraints of industrial sites of this scale and nature. It is because of these considerations that the siting of new industrial developments is very carefully considered and planned for - generally directed towards established industrial estates and urban/edge-of-urban locations with an existing built-up industrial character.

The fact that it would be impossible for this proposal to both (a) meet the functional needs of the development and (b) comply with local design and landscape policies (including the requirement to avoid overriding harm to landscape character and appearance) DOES NOT indicate that national and local policy requirements in respect of design and effect on local character and appearance should be disregarded or granted reduced weight in this instance. On the contrary, it very strongly indicates that the site/area is not a suitable or appropriate location for the development proposed.

Conclusion

Adopted policy PPL 3 of the development plan provides that planning permission will be refused for any proposed development that would cause overriding harm to the character or appearance of the rural landscape, including its skylines (b), settlement settings (c), native hedgerows and trees (d), rural lanes and footpaths (e) and heritage assets (f).

As explored throughout this section, the development would cause permanent overriding harm to the character and appearance of the affected rural landscape, including all of the above features expressly protected by policy PPL 3. For this compelling reason alone, the application must be refused.

Ground of objection 9: Harm to biodiversity

The application contains a lack of information and certainty concerning its impacts on ecology and biodiversity. In the absence of this information, it must be assessed that the development would cause net harm to biodiversity and ecology, including material and unlawful harm to certain wildlife species (including bats).

The Parish Council considers that the application would cause significant and unjustified harm to ecology and biodiversity. This finding is based on the following matters.

Lack of information concerning lighting

Impacts on bats can arise due to lighting disturbance. This is confirmed by Table 2.1 of the Bat Conservation Trust's Bat Surveys for Professional Ecologists Good Practice Guidelines.

No lighting strategy or plan has been provided for the development so it is not possible to establish:

- Whether external lighting is proposed;
- What form and amount of external lighting is proposed;
- Where external lights would be located; or
- Whether light would spill over the site boundaries.

In the absence of this information, it is simply impossible to establish what extent of harm would be caused to bats using the site and surrounding areas for foraging, commuting and/or habitation. It is also impossible to establish whether any such harm could be mitigated.

As a major B8 development that is proposed to operate 24/7, the Parish Council considers it highly unlikely that no external lighting would be provided at all. Therefore, as it stands, it must be assessed that the development is likely to cause harm to bats and must consequently be refused on this basis alone.

Lack of ecological studies

The applicant's covering letter of 03/03/21 confirms that the Phase 2 ecological study includes recommendations for further surveys to be conducted, including bat surveys. These surveys has not been conducted. Consequently, on the applicant's own

admission, the likely ecological impact of the development has not been established.

Biodiversity enhancements - lack of S106 & no planning gain

The applicant's Biodiversity Net Gain Assessment confirms that - as it stands - the development would result in net loss for biodiversity, in conflict with national policy. It is suggested that this will be mitigated by off-site enhancements.

Paragraph 11.14 of the applicant's planning, design and access statement claims that a 10% net gain to biodiversity will be secured by a S106 Agreement. However, no such S106 Agreement has been provided and there is no mechanism to secure this post-permission. Consequently, as it currently stands, the development would cause net harm to biodiversity.

Paragraph 11.14 similarly alleges that - although a 10% gain for biodiversity is the minimum policy requirement - "it is also undoubtedly a planning gain". The Parish Council strongly disputes this. Meeting the bare requirements of policy is the minimum expectation for any development, it does not add any positive weight in the planning balance.

Landscape proposals not provided

Paragraph 11.35 of the applicant's planning, design and access statement suggests that comprehensive details of the site landscaping scheme will be provided post-permission. It also states that new hedgerows "may" be introduced and that a swale "is expected to be used for wetland habitats". Evidently, this implies a reasonable risk that these features may not, in fact, ever be delivered.

For a scheme of this scale and with impacts of its extent, it is simply inappropriate that firm details of the landscaping scheme would not be known or agreed until after permission was already granted.

It is also the case that a number of the applicant's supplementary reports - including the Phase 2 Ecology Report and the Drainage Strategy - are predicated on at least some of the suggested landscape features being delivered. These reports need to be considered in light of the ongoing risk that these features may not ever be delivered.

Noise Impact Assessment provides no consideration of the effect on bats

The applicant's Noise Impact Assessment provides no acknowledgement or consideration of the potential for the site's construction and permanent operation to

effect bats on and in proximity of the site. Table 2.1 of the Bat Conservation Trust's Bat Surveys for Professional Ecologists Good Practice Guidelines confirms that impacts on bats can arise due to "noise disturbance through, for example, increased human presence or use of noise-generating equipment".

Clearly, this development would give rise to both increased human presence and the use of noise-generating equipment. Indeed, as a large B8 site with HGV movements proposed to occur 24/7, the change to both the daytime and nighttime acoustic environment is likely to be substantial. The lack of any consideration of its potential to affect local bat populations is consequently a substantial and alarming omission.

Overall - and taking particular account of the likely (but as yet un-investigated) potential for considerable noise and light disturbance - the Parish Council considers that the development would have a serious and unlawful impact on bats.

Ground of objection 10: Harm to heritage assets

The application falls far short of assessing the significance of the affected listed buildings' shared setting and/or the impact of the development upon it. Contrary to the applicant's stance, heritage significance does not derive only from views. The development would cause serious and permanent harm to the long-preserved immediate working agricultural setting of the listed buildings which are significant - in large part - because of their physical and functional connection to the adjacent farmland and what this tells us about the historic agricultural practices and industry of Ardleigh. This comprises a material heritage harm that must be appropriately weighed in the planning balance.

The Parish Council considers that the application as submitted fails to provide the proportionate and informed assessment of heritage significance required by both paragraph 194 of the NPPF and local policy PPL 9.

Although the applicant acknowledges that the setting of various statutorily listed buildings would be affected, no Heritage Impact Assessment is provided. A few passing comments are made on heritage impact in the LVIA and planning, design and access statement, however these are limited to consideration of the effect on views.

In these documents, the applicant has concluded that the physical development's effect on views to and from the listed buildings would be acceptable. The implication appears to be that, consequently, the overall heritage impact of the development is acceptable.

The Parish Council has serious concerns with both the methodology used here and the conclusions reached.

Whilst views are certainly one relevant factor in assessing the effect on heritage assets' settings, they are by no means the only one. Indeed, Historic England's The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017) provides as follows:

"although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."

Taking account of this best practice guidance, it is obvious on the face of it that the development in question has the considerable potential to affect heritage significance in more more ways than just views. Indeed, the introduction of a major 24/7 storage and distribution operation onto a long-preserved arable field would transform the immediately surrounding rural environment - including by way of its sounds, smells, vibrations, dust and type/amount of human and vehicular activity - beyond all recognition.

The below map extracts show that the application site and its wider field enclosure make a substantial and immediate beneficial contribution towards the shared rural setting of the various listed buildings that directly enclose this historic pastoral space. Some incompatible and intrusive development has occurred within the shared setting of the listed buildings. However, this has not materially affected the positive qualities of the application site itself or what it contributes towards the setting of the listed buildings. Indeed, the retained positive qualities of the application site greatly assist to mitigate and lessen the harm caused to the heritage setting by intrusive modern development.

As supported by the 2022 Google Map extract, the urban intrusions appear as just that - intrusions into an otherwise preserved rural space. They have certainly not had the effect of completely transforming or eroding the heritage setting. Due in large part to the ongoing retention of the application site in its historic and pastoral form, the assets' shared setting remains perceptibly rural and agricultural in its overall character and appearance.



Extract of the 1923 OS Map - some of the listed buildings enveloping the application site marked by orange pins. At this time, the application site makes a strong positive contribution towards the shared open and pastoral setting of the buildings



Extract of the 2022 Google Map - with the same listed buildings marked by orange pins. As shown, the application site continues to make a strong positive contribution towards the shared open and pastoral setting of the buildings

In respect of heritage settings that have already been subject to inappropriate or detracting development, Historic England's The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017) provides as follows:

“Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting.”

Clearly, this advice runs directly counter the applicant's assertion that the existing presence of detracting development in this setting necessarily implies that further detracting development is justified and supportable.

The Parish Council is of the contrary view that the presence of existing detracting features in this setting renders the retention of its remaining highly positive features (including the application site) more important, not less.

Furthermore, the Parish Council is of the opinion that the site has a clear functional connection to at least some of the surrounding listed farmhouses. As noted previously, Ardleigh has a strong working agricultural history and many of its statutorily listed assets (especially those located outside of its village boundaries) relate to this important local industry, providing an evocative reminder of the settlement's social and economic origins. The listed buildings in the setting of the application site are no exception.

For example, the national list entry for Bloomfields Farmhouse, Wick Lane (no. 1253915) reads as follows:

Details

ARDLEIGH OFF WICK LANE TM 03 SW

1/69 Bloomfields Farmhouse

- II

House. C16 or earlier with C19 and later alterations and additions. Timber framed and plastered. Red plain tiled roofs with double gables to front. 2 chimney stacks to left range, one to right range. 2 storeys. 2 window range of small paned vertically sliding sashes, moulded surrounds, segmental heads with metal coping. Central gabled porch with segmental head. Stop chamfered bridging joists visible to left range, and heavy ceiling beams. Henry Bloomfield farmed here in 1796. F.H. Erith, "Ardleigh in 1796", 1978.

Listing NGR: TM0328030025

List entries are not intended to be exhaustive but they do provide an overview of the main features of a building's special interest. It is notable, therefore, that the brief list entry for this asset explicitly acknowledges the importance of the historic farming occupants of the site and of its close ties to the surrounding farmland.

It is consequently clear that these sites are not only listed for their aesthetic value (i.e. their integral architecture) but for their communal and historical value (i.e. what they can tell us about past people, events and aspects of life in Ardleigh as well as providing valuable insight into the local agricultural industry/community over time). These values are fundamentally dependent on the ongoing preservation of a working agricultural setting for the buildings. The development in question would substantially and permanently erode this setting, transforming it beyond all recognition.

Due to the working agricultural site's integral historic connections to surrounding listed farm buildings and close physical proximity, the effect of the proposed development is considered to be far more intrusive and harmful to heritage significance¹¹ than any previous "intrusive" development in the area (including the A12).

The Parish Council also has concerns that large amounts of HGV traffic is likely to pass in close proximity of a number of listed buildings. This is likely to increase pressures for insensitive building alterations (e.g. relaxing historic windows with modern double glazing) and, over time, has the clear potential to damage structural integrity. As above, the applicant has only considered the effect of the site's physical development upon

¹¹ as well as the capacity for public appreciation of the assets

views to and from the listed building. No consideration at all has been given to the effect of the site's operation (including in terms of noise/smells/vibrations associated with both operations within the site confines and with the introduction of large amounts of HGV traffic onto the roads). This is a significant omission which means the (likely substantial) heritage harm of the development cannot be properly established.

As a result, the development is in firm conflict with:

- Local policy PPL 9;
- Section 16 of the NPPF; and
- The Planning (Listed Buildings and Conservation Areas) Act 1990.

This conflict alone provides sufficient grounds to refuse the application.

Ground of objection 11: Net amenity impact

The relocation of this major industrial employment site from a dedicated industrial estate in a built-up urban area of sustainable Harwich to a working, high quality arable field on the rural outskirts of Ardleigh would - contrary to the applicant's assertion - comprise a net amenity harm and social disbenefit.

Although the applicant appears to accept that the development would represent a substantial departure from the recently adopted development plan, very few public benefits have been put forward to outweigh this harm.

One of the very few public benefits put forward by the applicant is that the development would enhance amenities and that this comprises an overall social benefit of the scheme. For example, paragraph 11.16 of the applicant's planning, design and access statement claims as follows:

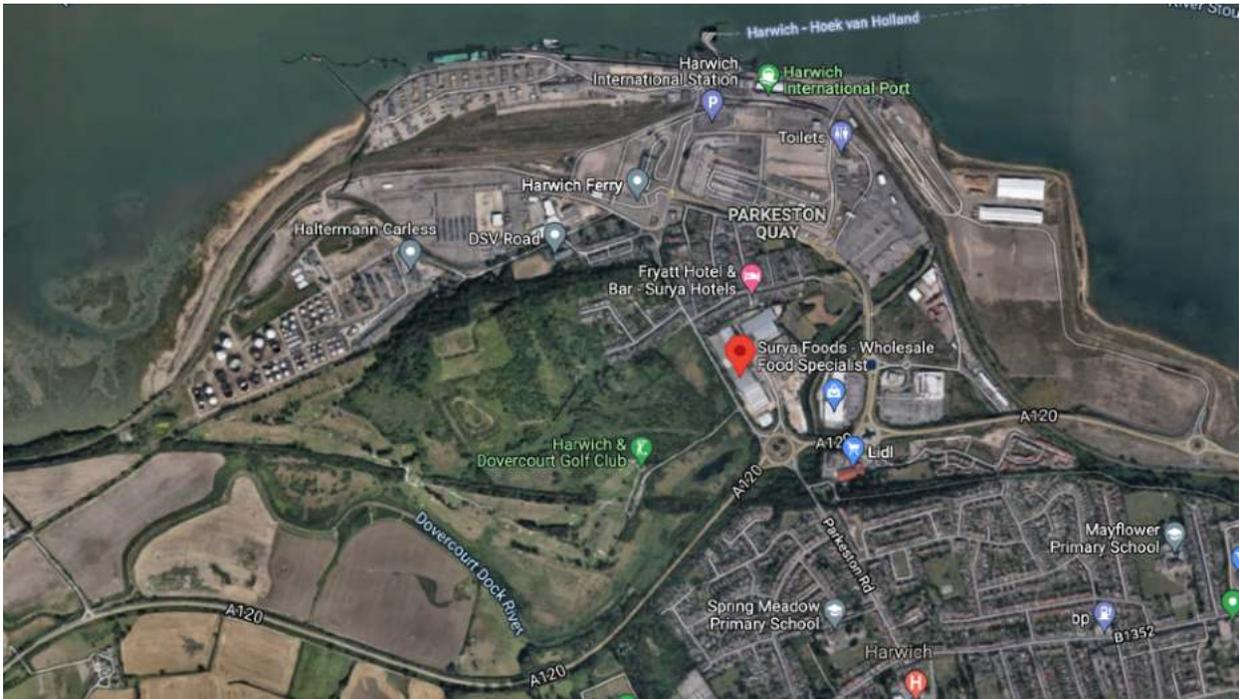
"There are also social gains to the proposals, in that there will be a direct improvement to the visual and audible environment in the immediate area around Europa Way. This will reduce the amenity harm of the existing site, but due to design and greater distance from local residents."

The Parish Council strongly rejects the applicant's spurious allegation that the proposed relocation of this B8 industrial site from a dedicated industrial estate in an urban settlement to a high quality arable field on the rural outskirts of a small village would secure an amenity benefit or "social gain".

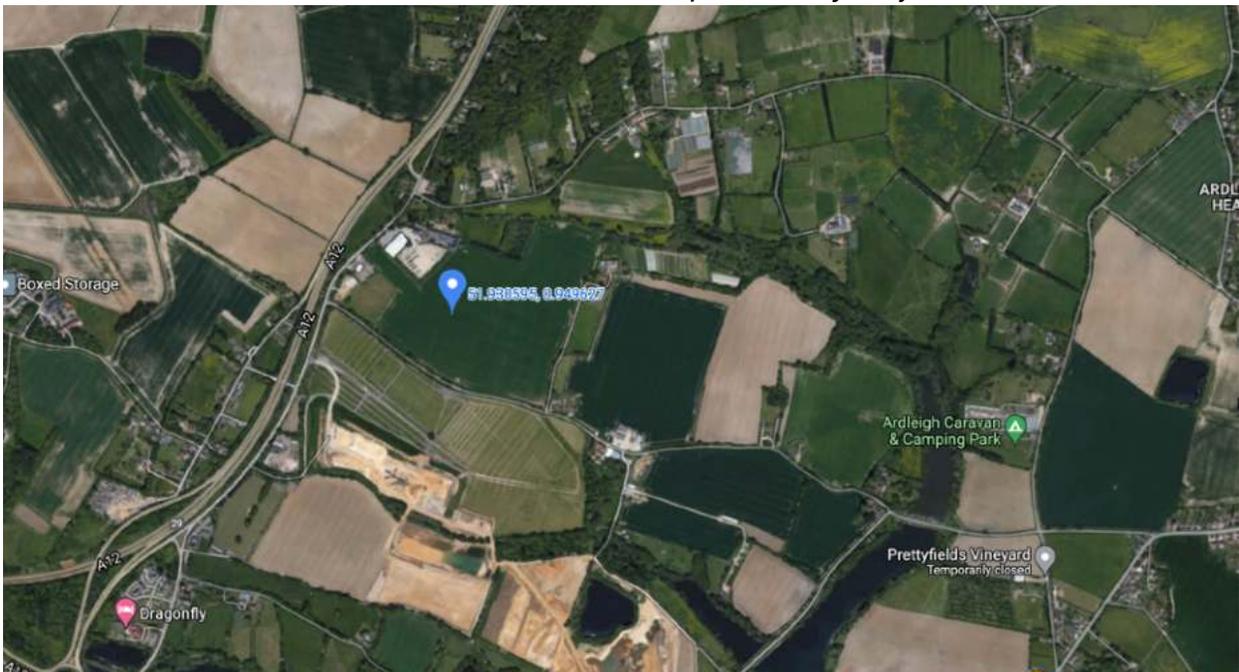
Objectively speaking, a dedicated industrial estate is the sort of location where industrial processes and disturbances are least obtrusive and best absorbed.

Furthermore, it is not suggested that the business's existing B8 unit in Harwich would be demolished or otherwise cease to be used. Even if the current occupant intends to use it for less intensive purposes, this will not prevent its likely return to a more typical B8 use in the near future.

Consequently, the actual effect of the development is that the amenity of the area around the retained B8 site in Harwich would remain materially the same, whilst the amenity of the area around the new B8 site in Ardleigh would be substantially reduced. This is a significant public disbenefit of the scheme and should certainly not be considered a "social gain".



Red pin marks the existing location of the business's B8 warehouse on a dedicated industrial estate within an urban area with a complementary major industrial character



Blue pin marks the proposed location of the business's B8 warehouse on a working high quality agricultural field within a rural area with a low-density pastoral character

Ground of objection 12: Air Quality Assessment

The Air Quality Assessment accompanying the application fails to consider the likely significant impacts on both the existing PRow and the planned Public Open Space to the immediate south of the site. Its findings are also dependent on the implementation of a Travel Plan which has not been provided and which the Parish Council disputes is achievable.

The application is accompanied by an Air Quality Assessment (AQA) that significantly omits to consider the potential effects of the development upon:

- PRowS - the nearest located within c. 100m of the site boundary; and
- The planned public open space - or 'Country Park' - due to be located in very close proximity of the site boundary.

Paragraph 3.15 of the AQA confirms that "relevant sensitive locations are those where members of the public will be regularly present over the averaging period of the air quality objective(s)". This would certainly apply to the planned public open space which is anticipated to provide a valuable and well-used recreational outdoor facility to the local community.

The results of the AQA are also dependent on the implementation of a travel plan to support and encourage sustainable travel. No such Travel Plan has been provided and it is not appropriate to leave this matter to be worked out post-permission.

Given the severe lack of any sustainable travel opportunities¹² and the confirmed inviability of the proposed hopper minibus mitigation, the Parish Council considers that there is no real potential for a Travel Plan to be secured that would genuinely support and encourage sustainable travel to and from the site.

As this necessary mitigation is not achievable, the findings of the AQA are not valid or accurate and should be reconsidered.

As it stands, there is insufficient information concerning the development's impacts of

¹² as the applicant anticipates that the vast majority of employees would be drawn from urban settlements distant from Ardleigh village, the potential for the applicant to secure genuine sustainable transport links between employees' origins (home) and destination (application site) is nil

air quality, particularly its impacts on the forthcoming public open space. Having regard to the contents of the current AQA, it appears highly likely that an objective investigation of the impact on the adjacent public open space would find that substantial immitigable harm is caused. The favourable conclusions of the AQA are also predicated on the adoption of a Travel Plan which does not exist and which, in the opinion of the Parish Council, is not achievable.

Ground of objection 13: Noise Assessment

The Noise Assessment accompanying the application fails to consider the likely significant impacts on both the existing PRow and the planned Public Open Space to the immediate south of the site. Its findings are also predicated on a significant underestimation of vehicle numbers and fail to consider the noise impact of mechanical plant.

The Noise Assessment that accompanies the application contains various shortcomings and omissions. These notably include:

1. No assessment is conducted of the potential noise impact on nearby PRows and the planned public open space - or "Country Park" - due to be located in very close proximity of the site boundary. Both of these existing/planned outdoor recreational facilities are noise sensitive receptors, meaning the lack of any assessment of the impact on these sites is a very significant omission;
2. Per paragraph 8.1 of the assessment, its findings are based on the site containing the 189 car parking spaces and 12 lorry parking spaces in total. It is not understood where these figures are taken from as they differ considerably from the figures put forward in the planning, design and access statement (which states 217 car parking spaces and 50 lorry spaces) and the application form (which indicates 159 car parking spaces and 50 lorry spaces). Evidently, the noise arising from the use of 50 lorry spaces would be far greater than the noise arising from 12 lorry spaces; and
3. Paragraph 7 of the assessment confirms that the development may include installations of ventilation and mechanical plant. However, as no details of these possible elements of the development are presently available, no assessment has been conducted of their noise impact. This is a significant omission that nullifies the results of the assessment as submitted.

Ground of objection 14: Drainage

The application site is located in an area with known drainage issues and water run-off vulnerabilities and insufficient information is provided concerning how the site's drainage would be appropriately managed. As it stands, it is assessed that the development would unduly and unnecessarily exacerbate local drainage problems and water quality concerns.

The Parish Council is aware of drainage issues in the local area and consider that the development as submitted would only exacerbate these. The site also falls within the Ardleigh Reservoir Catchment Area where it is subject to local policy PPL 13 which seeks to ensure that new development in the vicinity of the reservoir does not harm its water quality.

Ultimately, this is an area that is exceptionally sensitive to run-off water and drainage issues. Consequently, it is not an area where the permanent loss of multiple hectares of free-draining Greenfield land to non-permeable buildings and hardstandings should be contemplated in the absence of very compelling need or justification. The Parish Council is convinced that no such need or justification for the development exists.

Ground of objection 15: Future development

Although the applicant suggests that the previously proposed “Phase 2” part of the application would no longer be pursued, the Parish Council has legitimate concerns that this is not the case. The Parish Council is similarly concerned that, if permission for this large application which stands in firm conflict with various important development plan policies is forthcoming, it would be very difficult for the District Council to resist its future expansion.

Although the applicant suggests that “Phase 2” of the development would no longer be pursued, the Parish Council has legitimate concerns that this is not the case. Certainly, there are some aspects of the current application that would indicate a firm intention to pursue future development on the site. For example, the amended site layout plan (ref. 2748) includes annotation 13: “Future expansion”. It is not known what this could refer to other than the future expansion of the site’s B8 operations.

The Parish Council is also concerned that if permission is forthcoming for the current application, it would be very difficult for the District Council to resist its future expansion. This is because the District Council would have granted permission in spite of all of the material planning harms and sizeable policy conflicts identified throughout this report and consistency in decision-making is a very important planning consideration.

Conclusion

This document provides Ardleigh Parish Council's multiple compelling grounds of objection to application 20/00594/FUL for a major B8 development in the small rural parish of Ardleigh.

It demonstrates, with evidence, that the application is in substantial conflict with various important and strategic planning policies. Furthermore, the Parish Council agrees with Colchester Borough Council that whatever public benefits could be applied to the development would apply in equal or far greater measure - whilst fewer public disbenefits would arise - if the development were relocated to a more sustainable and suitable site. Consequently, there are no material planning considerations that would indicate that the proposed substantial departure from the recently adopted spatial strategy of the development plan is justified.

This document also explores a number of the social, environmental and economic harms and disbenefits of the scheme which are serious and manifold. Given the major scale of the development - in terms of both its size and its impacts - its approval would very significantly undermine the achievement of sustainable development in the District.

Notwithstanding the overwhelming lack of any public benefits and evidenced abundance of substantial public disbenefits, the scheme also makes very little practical sense from the perspective of the business.

Taking full account of the contents of this document, the application must be refused by the District Council.

In the event that the applicant resolves to make any changes to the application, it is requested that the Parish Council is provided with a further opportunity to comment on the alterations.

Addendum prepared by Andrew Cann

The Author

Andrew Cann (B.A. (Hons) MCILT APM) is a former senior manager at Hutchison Ports UK and member of the Chartered Institute of Logistics and Transport. He is an expert on logistics and has given evidence in a variety of forums and the House of Lords. He recently represented two parishes in East Suffolk and had a 112 ha employment allocation removed from the now adopted East Suffolk Local Plan based on the evidence he gave that the allocation was not needed.

Purpose of the document

This document, which accompanies a planning-policy-led examination of the proposal written by Nikki O'Hagan of Planning Direct, will demonstrate that the proposed site is in the wrong place in terms of employee commuting and the in and out HGV movements the business relies on.

Surya Foods Business Model

The planning application includes little information on the business model for Surya Foods which may well be because the application would be rejected on sustainability grounds alone if the real HGV and employee movements of the business were known.

Surya Foods is an importer of World Foods. Indeed it says it is a World Food Wholesale Specialist. Dry, tinned, frozen and shrink wrapped products are imported from locations such as South Asia, East Asia and Africa which are then sold through the wholesale network. Surya Foods does not sell fresh food nor does it sell to the end consumer - hospitality and domestic customers.

Surya Foods claims to have outgrown its site at Harwich and needs another site to expand.

The application is poorly prepared with scant information for such a large site and one it must be assumed is designed as a speculative attempt to move 'on the cheap' with little or no consideration of the impact on the local and wider community and natural environment. It is inherently unsustainable and unsupportable. The applicant has failed to provide actual data for present HGV and employee movements as this would fatally undermine this application.

The wrong site

The site chosen by Surya foods is not the best placed for their business model nor is it best placed in terms of impact. Therefore, one must assume it is attractive to Surya Foods for other reasons. Presumably as a green field site with no planning permission it is cheap and that is the reason it was chosen rather than an allocated or otherwise suitable site (per local policy PP 7) conforming with the UK Government policy to have plan-led development.

So why do I say it is not the best site for Surya Foods business model? The location of logistics parks is primarily planned in order to reduce mileage and provide sufficient employees to fill vacancies. One needs to look at the mileage of vehicles entering the site and leaving, be they employees or goods vehicles. Margins in distribution are tight (about 2%). Ensuring that mileage of goods vehicles is reduced saves money on fuel and maintenance. Ensuring logistics activities are close to urban areas ensures that sufficient employees are available to work in the warehouse, reduces mileage and enables sustainable transport solutions for employees (such as walking, cycling and buses) to be provided. Reduction in both sole occupancy vehicle use and goods vehicles movements also reduces emissions and therefore is more sustainable.

The model above is so well developed that the majority of all large scale warehouses in the country are either in the Golden Triangle (see overleaf) or at the port where the goods have entered the country - this is called port-centric logistics. For Surya Foods, as a national wholesaler they should thus have their new warehouse in the Golden Triangle or at the port of entry.

It could be assumed that the port of entry for the majority of the goods Surya imports is Harwich as they claim: “it will significantly reduce the number of HGV movements to and from Harwich, as well as at the Harwich site.” This is not true as very little is exported or imported through Harwich and whatever food stuffs are imported here are via ferries (from the near continent) and are fresh food - hence the rapid option of using a ferry.

Surya foods is an importer of whole foods from India, Africa etc. The nearest port dealing with deep-sea¹³ traffic such as this is Felixstowe. On-traffic from Felixstowe will largely be going to the ‘Golden Triangle’. Thus being close to, or indeed on site at the

¹³ Vessels going to South Asia, Africa, East Asia

Port of Felixstowe, or in the Golden Triangle, or at least somewhere between the two, will be the best location for the business, provided the location is also sustainably linked to a large urban centre. So whilst there is no traffic between Harwich Port and the existing or proposed site and therefore none of the benefit claimed from that source being closer to the Port of Felixstowe will be of benefit - however this benefit will increase being closer to the route between Felixstowe and the Golden Triangle (on the A14) or at the port.

The Golden Triangle

The Golden Triangle is an area of land in the centre of England that has a large concentration of national distribution centres. The reason for this is that the area is 4 hours from 90% of the UK population (see maps produced by Savills research on the right).

With most large scale retailers having one national distribution centre (located predominantly in the golden triangle) other businesses that are part of the same supply chains (such as Surya Foods which as a wholesaler supplies goods to the national retailers) now locate themselves in locations that are the best to serve these national distribution centres. Thus for Surya Foods their best locations in the East of England would be at Felixstowe port or along the route (the A14) from Felixstowe Port to the golden triangle (see diagram overleaf). As Surya foods has a number of employees already working at the business at Harwich they would presumably want to stay in the area¹⁴ (so these people could still work for

Amount of goods imported into UK ports over the last 10 years



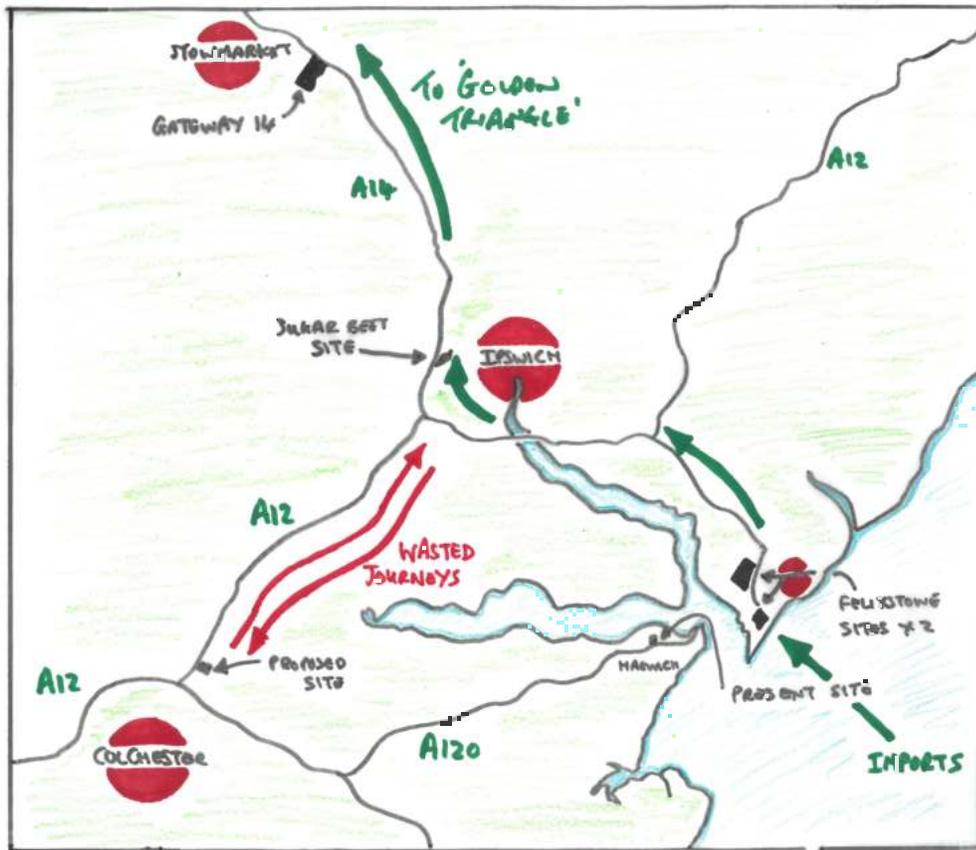
Highlighting distribution of UK population



Source: Savills Research

¹⁴ It is difficult to judge as we neither know how many employees Surya currently has, where they live, nor indeed how many employees they aim to take on at the new premises which is estimated. I discuss this lack of information in more detail later in this report.

the firm) but have access to the larger employment markets of Ipswich, Colchester or potentially Stowmarket).



So what site choice should Surya make?

Colchester, or indeed the proposed site, would be the wrong choice however. If we look at the diagram above the shortest route for HGV's to travel to the Golden Triangle from Felixtowe Port is along the A14 (route marked with **green arrows**).

Diverting to the proposed site, or further to Colchester, would result in two wasted trips - one to the site and 1 to the Golden Triangle (route marked with **red arrows**).

Thus, in choosing a site close to the present site, the applicant would ideally select one of the sites marked in black - two sites at Felixstowe, 1 at the 'Sugar Beet Site', Ipswich, and 1 at Gateway 14 Stowmarket.

All are on the route to the Golden Triangle, are close to large sources of labour, have

space for 9ha of development and (with Gateway 14 and the Felixstowe on-port site) benefit from tax free status as part of the 'Freeport East' initiative. <https://www.freeporteast.com>

What about existing employees?

One could of course argue that any employees commuting from Harwich would travel further to work however this argument is spurious for these reasons:

- 1) We do not know how many employees there are at the Harwich site;
- 2) Surya Foods has said they will retain the Harwich site so there will be no net loss of employees (and therefore no net movement of already existing employees to the new site);
- 3) It is very likely (given the size of the Ipswich and Colchester employment market) that majority of the employees at the Harwich site are from Ipswich and Colchester anyway; and
- 4) Given again the size of the employment market in Ipswich and Colchester the new employees will almost certainly be coming from those two conurbations and not Harwich nor indeed Tendring.

Of course we could be much more certain of the harm to sustainability that the proposed use at the proposed site represents if the applicant's agent had bothered to get actual data on current employment levels and the distance existing employees commute, bothered to look at where the HGV's were coming and going to at present and bothered to do a full site selection report looking at the relative merits of all available/suitable sites across the sub-region.

The absence of such information shows very little regard for the consequences of their selection, whilst the attempt to try to claim the proposed site is sustainable based on estimated employee numbers is laughable.¹⁵

So why isn't Surya Foods / the agent using actual data which will be readily available

¹⁵ This is a point picked up twice (and still not dealt with) by Essex County Highways who correctly point out that for an existing business estimated employee numbers and commercial vehicles movements should not be used.

from the business?¹⁶ One can only assume this is because it proves my point above - that the site is in the wrong place, inherently unsustainable and of limited economic benefit to Tendring.

Transport and Sustainability

The applicant has submitted a revised Transport Statement following the numerous criticisms made by Essex Highways (Highways) on 5th July 2021. The revised statement does not adequately deal with the comments made by Essex Highways.

- The applicant has designed visibility splays on the Old Ipswich Road access that accord with 85th percentile road speeds and not the national speed limit of 60 m.p.h. The access proposed therefore remains unsafe.
- Highways had requested that the access above be closed off and a new purpose-designed access be provided for the site. A proposal has been made for access off the A12 / A120 junction eastbound but this has not been approved by Highways England and therefore the application should not be considered until this junction improvement is assessed and approved and a funding and delivery contract put in place for its delivery.
- The original Transport Statement recognises that the use of walking, cycling and public transport is very unlikely by the unknown number of employees working at the site. No assessment is made of travel specifically from Harwich, Colchester or Ipswich and the practicality of using sustainable forms of transport or indeed the feasibility of a Travel Plan working.
- The applicant now indicates that accessibility improvements are yet to be agreed with Essex Highways presumably this is because there are no practical improvements that can be made to make a significant positive contribution to sustainability. Thus the development should be considered unsustainable (and therefore unsupported) until such time as Essex Highways have approved of the proposed improvements.
- The applicant has failed to provide a Travel Plan. I would suggest this is because

¹⁶ We know this is available because the applicant / agent has calculated how big their site, warehouse, parking etc needs to be and one can use postcodes of employees (so as to protect their Data) in order to establish where current employees are commuting from and inform the calculations needed to establish where employees in the future will reside.

given the location and paucity of options providing a workable Travel Plan is impossible and therefore, again, the application remains unsustainable and therefore unsupported. **Without a Travel Plan the sustainability of the proposed development cannot be assessed and the application should be refused for this reason.**

- **The Transport Consultant has, despite, Essex Highways attempting to correct the methodology used, failed to provide actual trip rates for the present operation.** This is the wrong approach and again one must question why the applicant is unwilling to divulge current travel patterns of their employees and HGV traffic.

The assumptions made by the applicant are inexcusably wrong. There is an assumption that only 10.9%¹⁷ of traffic is northbound from the site where I would estimate that it is more likely to be 80% to the Golden Triangle for reasons I have set out earlier. This is fundamentally dishonest and importantly greatly reduces the impact measured on the Ardleigh Crown (A12/A120) interchange which is already under traffic stress. This has severe implications for the Ardleigh Crown interchange and can only speculate that the applicant has not provided actual data as the predicted HGV movements from the proposed site on traffic at the Ardleigh Interchange (and perhaps Copdock junction) would in concert with already permitted development require significant improvement of the junction at large expense.

Again the applicant should provide actual commercial vehicular movements now which I believe will confirm my hypothesis that the majority of 'in' traffic is from Felixstowe and 'out' traffic to the Golden Triangle all through the Ardleigh Crown interchange. This alone is reason to refuse the application and the unwillingness of the applicant / agent to provide this actual commercial vehicle flow information from the present site should raise serious suspicion.

Conclusion

The application before is a poor one that, despite Essex Highways attempts, fails to use actual data to establish HGV movements and employee commuting routes. One can only speculate that the application is designed to get planning permission for this green

¹⁷ In Essex Highways response of 5th July 2021 they incorrectly state this as 20.9%. Whilst Essex Highways notes this is far too low the applicants use of 10.9% understates the movements even further.

field site because it is cheaper than other site provide through the plan-led planning system.

Surya foods is an importer of raw produce from Africa, South and Eastern Asia with the nearest port of entry being Felixstowe Port. The destination for the largest part of the finished product will almost certainly be the Golden Triangle. With the large-scale increase in the size of the business there will be a large number of HGV movements made both ways between the proposed site, through the Ardleigh Crown Interchange and onto the A14 at Copdock. All of these trips are unnecessary and therefore unsustainable as the correct location for the proposal is between Felixstowe Port at the Golden Triangle. **For this reason alone, the application should be refused.**

The concomitant amount of traffic heading north through the Ardleigh Crown Interchange and Copdock Junction is a fraction of the real traffic that the business will generate and the effect on the already stressed junctions, with additional permitted development, could require significant infrastructure works at both junctions.

Highways England is unaware of this effect and notwithstanding this the proposed Eastbound improvement at the Ardleigh Crown has not been approved. This alone is a reason for refusal as is the use of the wrong HGV data which understates the effect on both major junctions.

The client has not provided a Travel Plan nor agreed any mitigatory improvements to achieve a more sustainable development for employees. At present it is likely that all employees will travel to the site by car and from some distance making the proposed site inherently unsustainable. This alone is a reason for refusal.

The National Planning Policy Framework requires all development to be sustainable. The present application is not sustainable and is not capable of being made sustainable. With the use of the actual employee and HGV movement data this station would, in my view, be much worse with real detrimental effects on other businesses and residents in the sub-region. This application should be refused.