

## **FERN comments on representations by Suffolk County Council and East Suffolk Council**

1 This representation is made by Sarah Morgan, on behalf of the Farnham Environment Residents & Neighbours association, which represents the three tourism businesses and eleven dwellings in the Farnham Hall area (including The Old Vicarage) and at Mollett's Farm.

2 This is focused on certain issues pertinent to the consideration the ExA will give to the Councils' representations and in particular to the way they have addressed the need for a full bypass for all four villages ("4VB") and the appropriate alignment for the Two Villages Bypass ("2VB"). Suffolk County Council is abbreviated to "SCC" and East Suffolk Council to "ESC" and, since the two have been collaborating as "the Councils" collectively, save where SCC has specific highway authority responsibilities and ESC local planning authority responsibilities.

3 Final submissions by FERN and the Ayres at Mollett's Farm will set out their full case. This submission is directed at only certain issues pertinent to the Councils' approach and further comment on these issues will be made in the FERN and Ayres final statements.

### **The need for a 4VB**

4 The case for relief for Little Glemham and Marlesford has been set out ably by others (see Marlesford Parish Council's submissions in particular). FERN supports the call for a 4VB. Why should only two villages be relieved when the need for all four to be bypassed has been long acknowledged, including by SCC as local highway authority?

5 To be fair to SCC, it was faced with EDF refusing to pay for more than the 2VB and it sought Government support for a

fuller scheme, which support was not forthcoming. However, we believe that the ExA should address the question of why EDF should be allowed to proceed with the Sizewell project on the basis of this DCO without providing for full relief to all four villages. It is not even clear to us whether EDF is proposing to make an S106 planning gain financial contribution towards future relief for Little Glemham and Marlesford, which unfortunately will be very much more expensive as a consequence of its DCO alignment for the 2VB.

6 It is understood that SCC is holding a future bypass for relief for Little Glemham and Marlesford in its Forward Programme. If EDF's alignment for the 2VB, and in particular the way it is curving so sharply to and from the A12, means that the difficulty in connecting to a future bypass for Little Glemham and Marlesford (and its greater cost) renders that hope of further relief so remote that in practice there is **no** hope, what is the point of SCC keeping an unrealistic option in its Forward Programme? We ask that the ExA seek further elucidation of SCC's position.

7 We understand that SCC highways officers concede that the DCO alignment makes a further bypass scheme for Little Glemham and Marlesford unrealistic. Given SCC's apparent commitment to achieving bypass relief for Little Glemham and Marlesford, we question why SCC is accepting an EDF scheme that makes realisation of that further bypass relief virtually impossible. The Councils have not addressed properly the alternative 2VB alignment. It has the additional benefit of better enabling a future connection to the south for full 4VB relief, via a new roundabout on the alternative 2VB route; we recognise that this assumes the ExA does not find that EDF should withdraw this DCO and submit anew with a full 4VB proposal.

### **The 2VB alignment**

8 Given that initially EDF was proposing to bypass Farnham only, we can only imagine the elation that the Councils' members and officers felt at persuading EDF that it should bypass Stratford St Andrew as well. However, a mindset seems to have developed at the Councils that EDF's alignment west of Foxburrow Wood should be accepted without challenge. We have seen no such challenge to EDF's thinking by the Councils. If there was such, then the Councils should be able to provide evidence to the ExA as to what that was and when.

9 The Parish Council's alternative route was clearly viewed as a potential route for consultation on a 4VB by the Highways Agency in the 1990s. EDF has yet to show why, technically, it could not be built and the Councils have advanced no persuasive argument against that route. It is of concern that the Councils do not appear to have considered certain issues, as follows.

10 **Heritage.** Farnham Manor is a listed building, with plasterwork dating the original structure back to 1602. Its historic farm environs include buildings that are dwellings. (original and converted). Mollett's Farm has non-designated heritage assets. As local planning authority, one might reasonably expect ESC to have some care for the detrimental impact of EDF's alignment on the built heritage. SCC has built roads in towns (e.g. Lowestoft, Halesworth and Stowmarket) and should be well aware of issues relating to heritage impact. FERN hopes that both Councils can demonstrate to the ExA how and when they took account of the heritage impact (with supporting evidence as to the paperwork), because it is simply not obvious that the Councils have addressed the issue properly.

11 **Tourism.** Mollett's Farm is a long-established tourism business, with 6 luxury holiday cottages and studios and a 5 pitch fully serviced caravan/motorhome site (certified by the

Caravan and Motorhome Club) and capacity for more development which EDF's proposals have caused to be put on hold. EDF is belatedly recognising it is not simply a "farmstead". The Old Vicarage is similarly a thriving residential guesthouse with Airbnb and the Cartshed at No 2 The Barn had been converted in the past to a residential dwelling and is now also proving highly successful on Airbnb. One might have expected the Councils to take more cognisance of the impact of the EDF alignment on tourism businesses, given the economic benefit to the county from that activity. If they have taken the tourism impact into account, no doubt they can demonstrate how and when to the ExA (with supporting evidence as to the paperwork).

**12 Environment.** I am Kew-trained. Foxburrow Wood has been rightly classified as Ancient Woodland ("AW") and Pond Wood recently also accepted for AW status. As shown on Hodskinson's map 1783, Foxburrow Wood stretched to a roughly equivalent size to the south but that southern area has been lost and is now in agricultural use. There is some doubt on whether Palant's Grove is AW. It is not shown clearly as woodland on Hodskinson's map, whereas it did exist in part by 1803 (as shown on an estate map). Natural England considered that the hachuring on Hodskinson's map may represent Palant's Grove, although it appears to be further to the east. What was clear was that the corridor between Foxburrow Wood and Palant's Grove was most definitely not AW and Natural England has corrected the record in that respect. We know that that corridor was made County Wildlife Site ("CWS"), simply because it had been designated, incorrectly, as AW; I attach a letter confirming that.

SCC in particular has been over-influenced by that incorrect AW designation and the CWS designation which was automatic, not as a result of a proper survey. That corridor is actually mostly scrub growth and of low landscape value. It is

disappointing that neither Council has examined the landscape corridor for the alternative route properly.

It is also disappointing that the Councils are relying on an inadequate and incomplete Environmental Assessment. EDF has not examined all relevant wildlife habitats and, for example, that means that neither EDF nor the Councils have recognised the importance of the hedgerows along our ancient lane to Foxburrow Wood and that it is a bat movement corridor that connects our many bat roosts, two of which are listed.

The value of the Councils' representations should be qualified by reason of the deficiencies on the part of EDF

**13 Ecology.** EDF has failed to assess the most biodiverse habitats closest to its 2VB alignment and, most remarkably, scoping them out of its investigations. It has failed to record the correct mapping for AW and CWS sites, failed to properly report ancient trees or provided flawed information about records, claimed they were unable to access ponds when access was never requested and missed out other ponds (including one with a high newt count). The Councils should accept that reliance on EDF's flawed assessment cannot be a sound basis for their acceptance of EDF's alignment for the 2VB.

The Councils should be concerned about the hydrological effect of the EDF cutting on Foxburrow Wood (properly of AW and CWS status) and potentially on Pond Wood (also now AW and CWS) but FERN pursued this with EDF and was told there have been no such studies despite their proposed 4.5m cutting, bunding and bridge very close to Foxburrow Wood and inadequate buffer zones. The Councils need to address this failure by EDF and explain their position to the ExA on acceptance of the EDF alignment, when there has been such a glaring failure to provide information which is crucial to the survival of a scarce AW resource.

**14 Homes.** It has been quite wrong of EDF to refer to the closest settlement to its 2VB alignment as “Farnham Hall” as if it were one house. In the Farnham Hall area, there are: Farnham Manor, Nos 2/3/4/5 Farnham Hall, Boothby Barn, The Cartshed, No 2 Farnham Barn, No Farnham Barn, Nov 1 Hall Cottages, and No 2 Hall Cottages. Note: Nos 3 & 4 are currently enjoyed together by the owner. There are two dwelling units in the house at Mollett’s Farm. It is not clear that the Councils have appreciated fully how many homes are affected by the EDF alignment and we hope the ExA will seek elucidation from the Councils as to how and when they have taken into account the number of homes affected by the EDF alignment (with supporting evidence as to the paperwork).

FERN accepts that any 2VB route will afford relief to the homes and businesses along the existing A12 but objects to the Councils’ acceptance of an EDF route for the 2VB which simply shifts the burden to another residential part of Farnham. It is hoped the ExA will question the Councils as to why that greater harm was accepted when there is an alternative to the east which causes much less harm; it is acknowledged that that route will have a harmful effect on the 20<sup>th</sup> century bungalow at Walk Barn Farm but that is of low architectural quality, not a heritage asset and is not occupied as a residence for its owners all the time (but rather occasionally let for holidays).

**15 Traffic movements** SCC has fairly agreed (at officer level) that EDF’s argument that the slightly longer alternative route to the east of Foxburrow Wood will mean that drivers will continue to use the existing A12 route through the villages is simply not sustainable. The ExA are requested to seek confirmation from SCC

**16 Economic Justification.** Given the view at SCC that a future bypass of Little Glemham and Marlesford will be

rendered exceedingly remote because of EDF's alignment for a 2VB, one might reasonably have expected that the Councils and EDF would have been looking at means of reducing costs, as well as avoiding the harm to the built and natural environment that would be caused by the DCO alignment. Compensation under Part 1 Land Compensation Act 1973 alone would be in the region of £1 million and significantly reduced if the 2VB followed the alternative alignment to the east of Foxburrow Wood. A wider buffer zone for Foxburrow Wood could be provided and Nuttery Belt saved, as well as risk to Pond Wood avoided. The ExA may well ask why no hydrological study has been provided for the consequences of the deep cutting for EDF's alignment for the 2VB but it is difficult to conceive of a more expensive option than that chosen by EDF and accepted by the Councils. A route passing to the east of Foxburrow Wood could be largely at grade, thereby saving substantial excavation and fill costs and not prejudicing a future bypass connection to the south to benefit Little Glemham and Marlesford.

In recent years, SCC has completed Phase 5 of the Lowestoft Northern Spine Road, the Beccles Southern Relief Road and the Bury St Edmunds Eastern Relief Road. SCC must therefore have costings for at grade construction which could be applied to the 2VB alternative route east of Foxburrow Wood. The ExA are requested to seek elucidation of the costs of the DCO alignment from EDF and an estimate of the saving that could be obtained from choosing the alternative alignment to the east of Foxburrow Wood. Between them, SCC and EDF must have enough expertise to inform the ExA as to comparative costs and enable the ExA to come to a balanced judgement on the economic justification for both alignments.

**17 The Bridleway Proposal** The lane through the Farnham estate is shown on Hodskinson's map and therefore of some considerable age. It is now a public footpath and a private vehicular access to residential dwellings and for agricultural

purposes. The roadway to the east of the northern half of Foxburrow Wood shown on Hodkinson's map has survived only as a public footpath.

The proposal to put a bridleway on our access lane has emerged from discussions between SCC and EDF but imposes an unjustified and unwarranted increased burden on the property rights enjoyed by residents in the Farnham Hall area. Neither body seems to have appreciated the lack of wisdom in mixing vehicular use with horses on a narrow lane, especially where there are accesses to dwellings directly off the route. It is not clear what research was carried out by either body as to the need for a new horse-riding route and it does not appear to be based on a more strategic and wider plan to improve other public rights of way to bridleway status. It may be that the real aim is to enable more use by cyclists (if linked to a programme of "quiet lane" designation) but that should be dealt with by creating a cycle track incorporating a right of way on foot.

There appears to have been little thought as to practicality and FERN questions whether any of the officers at SCC involved in this matter actually have any experience of riding a horse and being in conflict with vehicular traffic. It is requested that the ExA seek elucidation from SCC as to what research and consultation it has carried out locally, upon what basis this proposal has been put forward and with what local or strategic aim.

**18 Core objectives.** SCC officers have described EDF's alignment for the 2VB as "*the least worst option*". That description depends on what values the judgement is tested against. It would appear that the Councils are more concerned with preserving fields and a scrub tree corridor than they are with protecting tourism businesses, heritage assets, and people's homes, and accepting a scheme which actually causes harm to the natural environment. Whilst the Councils



can be rightly concerned about the lack of proper information from EDF, FERN submits that the Councils have been mistaken in too readily accepting the EDF alignment for a 2VB and failing to consider what harm it would do to the built and natural environment. It is deeply disappointing, to say the least, that they appear to have failed to give serious consideration to the alternative alignment and indeed made a judgement on the value of the corridor between Foxburrow Wood and Palant's Grove on the basis of inaccurate information.