

Item No: 2 Reference: B/07/01237/FUL
FULL

Parish: SHOTLEY

Location: Former HMS Ganges site, Shotley Gate

Proposal: Construction of a spine road across the former HMS Ganges site from the B1456 Bristol Hill to the King Edward VII Drive including a new roundabout junction on the B1456 to give access to Shotley Marina. The proposed spine road is approximately 840 metres long and designed to adoptable standards including pedestrian footpaths shared cycle/footway and traffic management measures.

Applicant: Haylink Ltd

Case Officer: Gareth Durrant

Date for Determination: 12 December 2007

THE SITE

1. The application site is a small part of the former HMS Ganges naval training station which closed in 1976. Since then several of the buildings have been demolished, and others used between 1988 and 1999 as a police training college. The remaining parts of the HMS Ganges site consist of the former sports fields which have not been used for such purposes for several years and are currently overgrown.
2. The application site area is tight to the edges of the proposed new road infrastructure and provides a corridor through the former HMS Ganges site from the northwest to southeast corner.
3. There are numerous trees at the HMS Ganges site which are protected by Tree Preservation Orders, including a belt of trees along the north boundary (outside of the application site) adjacent to the proposed roundabout junction onto the B1456. The site is outside the defined built up area boundary of the village. The nationally designated Area of Outstanding Natural Beauty (AONB) commences at the north boundary of the HMS Ganges site and follows the south bank of the river Orwell in a westerly direction. No part of the application site is within the AONB.

4. THE PROPOSAL

The application proposes the construction of a new roundabout junction onto the B1456 road at the north-western corner of the HMS Ganges site and proposes a new spine road through the HMS Ganges site to connect up with and provide vehicular access to the Shotley Marina (including the 150 dwelling development approved there). The road could also serve the 'retirement village' re-development of other parts of the former HMS Ganges site (see next section), or a potential comprehensive re-development of the entire site.

5. The application was accompanied by;
- A Design and Access Statement,
 - A Surface Water Drainage Strategy
 - A Transport Assessment

The following information has been provided to accompany the application since its submission;

- Tree Condition Survey.
- Percolation Tests
- Spine Road Drainage Strategy
- Design Technical Note

These documents can be viewed in full in advance of the meeting by prior arrangement with the case officer.

6. The planning application has been screened under Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. It was concluded that the proposal is not 'EIA development' and an Environmental Statement has not been requested.

RELEVANT HISTORY

7. A summary of the site's history is that until 1976 it formed the major part of the HMS Ganges naval training station. After closure various commercial and other uses were proposed, but the only one that materialised was a 'Eurosports Village'. In the mid 1980s two planning permissions were granted on separate parts of the overall site (paragraph 13 below) and its ownership was split along the same lines. One permission allowed the construction of a retirement community on a large part of the HMS Ganges site; the other allowed the construction of 130 homes and a Marina on the cliff and land at its foot. Of these, only the marina has been constructed (although work has commenced to construct the dwellings adjacent to the Marina). The permissions for the retirement community and the Marina housing (subsequently increased to 150 houses) have been renewed and *remain extant*. Between the late 1980s and 1999 part of the application site was used as a police training facility and a certificate of lawfulness of existing use has recently been granted for this (paragraph 20 below). Planning permission was not required because this use fell within the same Use Class as the previous naval training use. Finally in 2001 a proposal was made to use the existing buildings on site for the accommodation of asylum seekers, but this was not implemented.
8. 1978: Change of use to various commercial uses (such as shops, offices, workshops, museum/exhibition hall and sporting and recreational uses) REFUSED. B/78/01007 refers.
9. 1979: i) Demolition of ceremonial mast REFUSED. (B/79/00006/GD).
- ii) Change of use to motor transport museum and boarding school GRANTED. (B/79/01055).

10. 1980: Use for recreational and leisure facilities with associated living accommodation GRANTED with S106 Agreement (this was the "Eurosports Village"). (B/80/00346/FUL).
11. 1982: Erection of extension to gate house GRANTED. (B/82/00365).
12. 1985: Use of parade ground for occasional caravan rallies GRANTED. (B/85/00788).
13. 1986: i) Erection of buildings to form a retirement community (404 dwellings), care hotel, associated facilities and coastal observation area associated with existing Eurosports village. GRANTED with S106 Agreement. (B/84/00665).
ii) Marina (350 berths) and holiday housing (130 apartments) and facilities associated with existing Eurosports village and proposed retirement community GRANTED with S106 Agreement. (B/84/00924).
14. 1989: Erection of a three-storey building for use as a 44-bedroom police accommodation block GRANTED. (B/89/01463).
15. 1997: Erection of retirement community (404 dwellings) with nursing home and associated facilities GRANTED. (B/88/01560/OUT).
16. 2000: Extension (by three years) of the period provided for in 4.9 above for the submission of details. *No progress was made on this application in the absence of an Environmental Impact Assessment.* The application remains undetermined. (B/00/00813/ROC).
17. 2000: i) Submission of reserved matters under planning permission B/88/01560/OUT (paragraph 14 above) – this application was held in abeyance for a number of years at the then-applicants' request and has not been determined. The current site owners have progressed the application by submitting amended plans. These will be reported to committee in due course (unless the applicant decides to withdraw the application). (B/00/01318/RES).
ii) Erection of 150 dwellings, including public open space, and access road to B1456 (adjacent Marina site) GRANTED. (B/91/0723/OUT).
18. 2005: Reserved Matters under planning permission B/91/00723/OUT (paragraph 17 ii) above) approved for 150 dwellings (adjacent Marina site). (B/03/01744/RES).
19. 2006: i) Outline planning permission refused for erection of 325 dwellings, local retail (classes A1-A3) and employment units (Classes B1 a-c), public open space access and internal roads. The application was refused by the Secretary of State following a public inquiry. (B/03/01085/OUT).
ii) Planning permission granted to vary conditions 4, 5 and 6 of planning permission B/91/00723/OUT to allow the commencement of development without the need to construct a new roundabout junction to the B1456 and provision of a road through the former HMS Ganges site. (B/06/00606/ROC).

- iii) Planning permission granted for improvements to King Edward VII Drive *(to facilitate alternative vehicular access to the 150 dwellings approved at the Marina site under B/91/00723/OUT)*. (B/06/00607/FUL and B/06/00608/FUL).
20. 2007: Certificate of Lawful Development issued for the use of the land and buildings as a residential training centre within Class C2 of the Town and Country Planning (Use Classes) Order 1987. (B/07/00597/CEU).

NATIONAL GUIDANCE

21. PPS1 (Delivering Sustainable Development) - relates to achieving sustainable development and high quality layout and design.
22. PPS7 - (Sustainable Development in Rural Areas) – sets out the Government’s policies for rural areas.
23. PPS9 – (Biodiversity and Geological Conservation) relates to planning decisions affecting biodiversity and geological conservation issues.
24. PPG13 (Transport) – includes national planning policies and guidance for transport issues.
25. PPG15 (Planning and the Historic Environment) – includes guidance relating to new development affecting the setting of listed buildings.
26. PPG16 (Archaeology and Planning) – sets out Government policies for archaeology.
27. PPS25 – (Development and Flood Risk) – sets out criteria for considering the risk of flooding to and from development proposals.

PLANNING POLICIES

28. The following Development Plan policies are applicable to the proposal;

Babergh Local Plan (Alteration No.2)

EN01 (SSSI's)
EN03 (Protected species)
EN04 (Retention of existing semi-natural features)
EN08 (Stour and Orwell estuaries)
EN15 (Surface water run-off)
CR01 (Landscape quality)
CR02 (Areas of Outstanding Natural Beauty)
CR07 (Landscaping of development in the countryside)
CN01 (Maintaining local distinctiveness)
CN06 (Listed buildings – including their settings)
CN16 (Ancient Monuments)
CN17 (Archaeology)
TP01 (Walking)
TP03 (Cycling)
TP09 (Traffic calming)
TP17 (Transport assessments)

This report only includes policy references. For further details please see Page 4.

OBSERVATIONS

29. PC (Shotley) – objects to the application on the following grounds;

- The partial development of the land will be a significant barrier to other potentially more attractive proposals for the site coming forward. Approval of the road may prejudice the comprehensive redevelopment of the site and future preservation of the listed buildings on it. It is also contrary to the local planning policy for this site.
- The proposed design of the road will, if agreed, be a significant factor in the determination of the design of both the Reserved Matters application and the proposed “paragraph 29” planning application in that the principle access points, emergency access and on site junctions will have been fixed. This is in effect asking the LPA to determine these important matters in advance of seeing the plans for any future application. It could also lead to the potential for piecemeal development contrary to the express wishes of the Inspector. Piecemeal development would significantly reduce the possibilities for compensatory and/or amelioration measures to offset the impact of the development.
- The siting of the principle roundabout and the western part of the road is too close to the existing properties at Gate Farm Road and Battery Cottages leading to a loss of amenity for those residents.
- The application is supported by a Traffic Assessment that relies on old data that was shown to be inaccurate at the recent Public Inquiry. Any presumptions/projections based on these figures are not sustainable. The application takes no account of additional development on the peninsular since the data projections were formulated and so presumptions are inaccurate: these additional developments include, day pupils being admitted to the Royal Hospital School, B Class developments at Freston and Harkstead and the Suffolk Food Hall. The TA proposes measures for road safety improvements along the B1456 that have not been subject to local community involvement and which are in our view inadequate and may be even more so once a plan for the whole site is proposed.

30. PC (Erwarton) – has no observations to make.

31. PC (Chelmondiston) – object for the following reasons;

- The road is too large for the stated needs.
- The road runs too close to the Ceremonial Mast
- It would bring unacceptable urbanization of the Gate Farm area: street lighting and loss of bushes and trees, including those with a TPO.
- There is no information about how the lost trees and hedgerow will be compensated for.
- It cuts through potential amenity land (AVRA)
- This road is designed to service an undefined development.
- The separation of pedestrians and cyclists from motorised traffic is inadequate.

- The access to the Marina will be unsafe for vehicles moving boats because of its steep slope.
 - The technical data does not properly address significant concerns about the impact of additional traffic to the whole of the B1456.
32. PC (Harkstead) – has strong objections to removing TPO’s and other mature trees and hedgerows. There is also a combined cycleway and footway. The PC would prefer to see a separate cycle path. No speed limit is decided – 20mph would be good if plans go ahead.
33. PC (Woolverstone) – object to the application on the following grounds;
- Any decision to build the spine road would curtail and/or preclude potential future uses of the Ganges site other than the current residential Master Plan.
 - The application contributes to a scenario of multiple separate planning applications for one site. We do not believe this is an acceptable way to proceed with such an important and contentious site.
 - The spine road is designed to fit into a future residential development with roundabouts and spurs which has yet to be agreed.
 - There is no construction phase management plan included with the application and this is a serious omission. Such a plan should be made available before any decision is taken.
 - The application is supported by old data that was shown to be inaccurate at the recent Public Inquiry. Any presumptions/projections based on these figures are therefore unjustified.
 - The application takes no account of additional development on the peninsular since the data projections were formulated and so presumptions are inaccurate: these additional developments include: office space at Freston and Harkstead and the Suffolk Food Hall. Furthermore, there is additional planning creep with the additional housing on the Marina Development which has moved from an original application for 130 to 150 given permission ’07 and a proposed increase to 175 units.
 - The application is contrary to Government guidance and the findings of the Inspector at the recent Public Inquiry into the use of the former HMS Ganges site, that any development should be part of a Master Plan and not piecemeal development. We believe the application for the Spine Road is piecemeal development of this site and therefore contrary to guidance.
34. PC (Freston) – object to the application on the following grounds;
- There is no construction phase management survey included. This we believe is essential before any decision is made. We are concerned about the safety of our residents that have to cross or join the B1456.
 - This application appears to be part of a multiple application as it has spur roads and roundabouts on it. Any decision would therefore curtail or preclude future use of the Ganges site other than those being proposed by the applicant. We therefore believe that it should not be dealt with in isolation from the other applications that we understand the applicant intends to submit.
 - The application is supported by old data that we understand is shown to be inaccurate at the Public Inquiry. Therefore any assumptions or projections based on those figures is unsubstantiated.

- The application takes no account of additional recent development on the peninsular particularly at the Suffolk Food Hall and office space at Harkstead and Freston. We also understand that there is additional planning creep at Shotley Marina that has not been taken into consideration.
 - We are concerned that this development is a piecemeal development and in our opinion should be part of the master plan for this site.
35. PC (Holbrook) – no objections.
36. PC (Tattingstone) – no objection.
37. PC (Stutton) – no objection but comment that the whole development needs to be seen in its entirety, not piecemeal.
38. LHA – i) Initially the LHA objected to the application on the following grounds. In particular the Highway Officer commented that:
- Regarding the new roundabout access to B1456, I consider that, as this forms the interface between the estate development and the public highway (i.e. 'movement' priority), it shall be designed in accordance with DMRB i.e. desirable minimum 'y' distance of 90 metres for the design speed of 60kph. It would appear that the presence of existing Tree Preservation Order trees will fall within this visibility splay and therefore a reduction in standard to one step below desirable, i.e. 70 metres, may be necessary. The approval of this would be subject to actual vehicle speed surveys and a Stage 2 Safety Audit. It does appear that the roundabout position as shown will be acceptable subject to the above comments.
 - With respect to the proposed 20mph section of the proposed Spine Road, a 20mph speed limit cannot be approved unless it has been considered by the SCC Speed Limit Panel. A 'Statement of Reasons' for the 20mph speed limit is required. The current design does not appear to provide effective speed reduction measures. Any 20mph speed limit would be required to be implemented as a Zone with self-enforcing measures.
 - Regarding the proposed Spine Road horizontal alignment, I consider the straight section between Access Road 2 and the B1456 roundabout, not to be consistent with the rest of the sinuous alignment and may result in increased vehicle speed approaching the roundabout and the proposed 20mph limit.

Following extensive negotiations with the developers advisors the Highway Officer has commented that:

I am satisfied that previous concerns are now resolved providing that the following are achieved through Planning Conditions and any alterations deemed necessary included in the S278 agreement:

- Speed monitoring and a Stage 2 Safety Audit is undertaken on the proposed B1456 roundabout.

- Stage 1/2 Safety Audit is undertaken on the proposed Spine Road.
- The proposed Spine Road is considered by the Speed Limit Panel.

The LHA recommend that any planning permission granted is subject to a series of controlling conditions to ensure detailed designs are submitted for approval (including traffic calming measures, planting, estate roads and footpaths).

39. EA – i) initial comments – It is important that, prior to the instigation of any development, a surface water management scheme is proposed and agreed at the earliest possible stage in the planning process. As this submission has not definitely indicated what is intended to be constructed we have to object to the proposal on the grounds that there is insufficient information to assess the implications of surface water run-off from the development. The agency goes on to provide comment on the type of drainage system that ought to be applied to the development.
- ii) comments received following receipt of the Spine Road Drainage Strategy and percolation test results – we maintain our objections at this stage on flood risk grounds. The agency accept the principle of surface water drainage being discharged into the Stour Estuary via sewer and that the pipes will be sized to accommodate the 1 in 100 year storm, but they require some further information regarding the capacity of the system.
40. EH – English Heritage has assessed the application and do not think that the proposal will have a significant detrimental impact upon the setting of the nearby scheduled ancient monuments and listed buildings. The proposed spine road has been designed to avoid direct impacts on the scheduled monument and listed mast. The scheme may however disturb important below ground archaeological sites and remains in view of this prominent site having been of likely strategic importance in prehistoric and historic periods. We would therefore advise that the scheme should be subject to a condition to secure appropriate archaeological investigations take place as part of any development proposals.
41. SCC Archaeology – The HMS Ganges site has not been the subject of systematic archaeological survey and its precise archaeological content is not known. However, this proposal crosses the historic site of HMS Ganges which contains the remnants of some buildings of interest to military history, and may contain underground structures associated with military use. Additionally, the site has very high potential to contain extensive prehistoric and later occupation as it lies adjacent to known areas of archaeological cropmarks. The proposed road will have high potential to cause significant damage to below ground archaeological deposits.

There are no grounds to recommend refusal of planning permission on archaeological grounds and a standard archaeological condition (programme of work in accordance with a written scheme of investigation) is recommended to ensure that an adequate record is made of any archaeological features or finds which would otherwise be destroyed by development.

43. NE – The application site lies close to the Orwell Estuary SSSI and the Stour Estuary SSSI. Together, these SSSIs for the Stour and Orwell Estuaries SPA and Ramsar site. The location of the proposal in relation to this European Site means that the application must be determined in accordance with the requirements of the Habitat Regulations 1994. Natural England has no objection to the proposed development, subject to the following condition;

An ecological mitigation plan, based on the survey information submitted with application number B/00/01318/RES/GD, should be drawn up and agreed with Natural England prior to the commencement of works.

44. SWT – No ecological information was submitted with this planning application. However, we have looked at the report produced by Mike Harding (Ecology, Land and People) August 2002, relating to B/03/01085/OUT, because he carried out surveys on land relating to the southern section of the road.

The south eastern end of the road route appears to run adjacent to areas highlighted as ‘semi-natural scrub/grassland mosaic’ in the 2003 report. Within this mosaic is acid grassland – a UK and Suffolk Biodiversity Action Plan habitat. Small numbers of common lizard and slow worm have been recorded within these areas. These reptiles are partially protected under the Wildlife and Countryside Act 1981 and have recently been added to the list of UK Biodiversity Action Plan species. The scrub will also provide roosting, nesting and foraging opportunities for a range of bird species.

Information should be provided describing the measures to be put in place to safeguard these habitats and species during road construction.

45. Ramblers’ Association – we have no comments to make on the proposed new spine road.
46. Environmental Health – No adverse comments.
47. Head of Contract and Asset Management

1) Trees

- i) (initial comments) - The close proximity of the proposed development to trees protected by TPO could compromise their health and safety. Analysis of this issue will therefore be required before it is possible to make an accurate assessment of the arboricultural implications of this proposal. Recommend refusal of the application as currently proposed subject to revision/additional information.
- ii) (comments received following receipt of the Tree Condition Survey) - Whilst the Tree Condition Survey compiled by Chris Rose dated 23 October 2007 is agreed as an accurate record, it will need to be supported by an arboricultural implications assessment (including method statement and tree protection plan). Until this information is submitted it will not be possible to make an accurate assessment of the arboricultural implications of this proposal. Recommend refusal of the application as currently proposed subject to revision/additional information

2) Countryside

My concern is the possible impact of the road on the AONB and general setting. I suggest that new landscaping proposals will be needed where the road meets the King Edward VII Drive.

REPRESENTATIONS

48. Seventeen letters of objection have been received from local residents and other interested parties. The relevant issues and objections raised are summarised as follows;

- The road would predetermine the layout of the site. It should be considered as part of a comprehensive scheme.
- Traffic would still use King Edward VII.
- Increased level of traffic, particularly construction vehicles, in the village.
- Dangerous for pedestrians crossing roads in the village. Additional footpaths should be constructed and local roads upgraded.
- It is not clear what the road is intended to serve.
- The traffic assessment and audit is fundamentally flawed.
- Detrimental impact upon residential amenity from being surrounded by roads (Gate Farm Road).
- General adverse impact upon residential amenity of occupiers of dwellings adjacent to the B1456 (including health; increasing the risk of heart attacks and strokes).
- There is no Environmental Impact Assessment with the application.
- It would run too close to the listed mast and would be detrimental to its setting.
- The footpath/cycle way should be segregated from the road.
- Loss of trees, including some protected by TPO's.
- Urbanisation of the area.
- Increase in pollution and emissions.
- There are problems with the roundabout onto the B1456; lack of visibility for motorists.
- Landscaping should be provided adjacent to the roundabout to improve safety and provide a buffer to adjacent dwellings.
- Care should be given to the design and nature of the street lighting.
- The application is contrary to the findings of the Inspector at the recent public inquiry which stated that development should be part of a Master Plan and not a piecemeal development.
- The spine road would curtail and/or preclude potential future uses of the Ganges site other than for current residential proposals.
- There is no construction phase management plan.
- The sustainability issue is not adequately addressed.
- Roads on the peninsular are subject to frequent flooding.
- Why is a roundabout required? What is wrong with a simple T-junction?
- The route of the spine road (to the Marina) is inconvenient and indirect and contrast substantially with the route previously agreed.
- The route will create obstacles for HGV's boat movers and buses, being detrimental to highway safety.
- If the potential 'Master Plan' development were to proceed, this would result in substantial Marina traffic passing through a small housing estate prior to accessing the Marina.
- The road would be harmful to the visual amenities of the area and serves no useful purpose.

PLANNING ISSUES

49. The principal issues to be considered in the context of this application are broadly as follows;

- Reasons for the application and implications for other potential developments.
- Highway safety issues
- Impact upon residential amenity.
- Impact upon the SSSI, SPA and Ramsar site (wildlife conservation)
- Impact upon the landscape, including the adjacent AONB.
- Impact upon the setting of the Scheduled Ancient Monuments and Listed Buildings.
- Drainage and flooding matters.
- Protected trees and other natural features.

Reasons for the application and implications for other potential developments.

50. The principal reason for the submission of this application for the construction of a spine road is to provide vehicular access through the HMS Ganges site to the Shotley Marina. The planning permission granted for 150 dwelling units at the Shotley Marina site originally contained conditions which prevented the erection of any of the dwellings until vehicular access was provided through HMS Ganges with a roundabout connection to the B1456 (paragraph 17 ii) above). The terms of those conditions have since been amended (with planning permission) and vehicular access is now permitted along King Edward VII Drive (via Bristol Hill) to 70 of the 150 dwellings (paragraph 19 ii) above). The route through the former HMS Ganges site to the Marina is secured as part of the extant outline planning permission for a retirement community on the Ganges site (paragraphs 15 and 17 above). That planning permission (and hence the route of the road through to the Marina) covers only part of the former HMS Ganges site. The route of the spine road proposed in this current application is outside the boundaries of the outline planning permission (hence the need to submit this application). The main intention of this application is to provide a more suitable and appropriate route through the HMS Ganges site as an alternative to that previously approved and, in particular, to move the route away from the recently discovered Fort and residential areas within the reserved matters scheme.

51. The applicant has recently progressed the undetermined reserved matters application for the retirement community (paragraph 17 i) above) and has demonstrated that the proposed Spine Road could interphase with the reserved matters in a satisfactory manner.

52. Concern has been expressed that any consent granted for the spine road could prejudice any future development of the former HMS Ganges site. This is not considered to be the case. As already stated, the road could interphase with the reserved matters for the retirement community and does not lock land or preclude development from any other parts of the HMS Ganges site. Indeed, the road could cater for any potential future development/uses of the parts of the HMS Ganges site which sit outside the boundaries of the retirement community development and its design includes secondary junctions and a small roundabout. A plan has been submitted with the reserved matters scheme to illustrate potential future uses/developments of these areas (which would be subject to a grant of planning permission).

53. There is also potential for a further planning application to be submitted for a comprehensive redevelopment of the entire HMS Ganges site as an alternative scheme to that which was refused by the Secretary of State in 2006 (paragraph 19 i) above). Whilst this is by no means certain (the owners may opt to pursue the retirement community development instead) the proposed route and design of the Spine Road is such that it could facilitate such development. On the other hand an alternative road layout could be proposed as part of any application for a comprehensive scheme.

Highway safety issues

54. The proposed spine road and, in particular, the roundabout junction to the B1456 has been the subject of extensive pre and post application discussions and negotiations between the applicant and Local Highway Authority. The result is that the design and position of the roundabout junction and the design and route of the spine road is now agreed between the parties. Accordingly, there are no highway safety concerns arising from the design of the scheme. Conditions could be imposed upon any planning permission granted
55. Concerns have been expressed locally that the provision of the spine road would lead to an increase in traffic in the Shotley village and other villages on the approach road into the village. Whilst this may be the case (albeit marginal) during the construction phase of the development, there is no reason why the provision of the road in isolation from any other development (which this application proposes) would lead to an increase in vehicular movements. It must be understood that the 150 dwellings at the Shotley Marina and the 404 dwellings and other facilities in the retirement community are committed developments. The spine road is complementary to these and given the commitments in previous planning decisions (paragraphs 15 and 17 ii) above) both could potentially proceed even without the provision of the spine road. Accordingly, traffic generation/congestion issues are not material to this planning application.

Impact upon residential amenity

56. Concerns have been expressed by occupiers of some of the dwellings in Gate Farm Road (to the north of the site) which back on to the former HMS Ganges site that the provision of the roundabout and spine road would be detrimental to their enjoyment of their properties by virtue of traffic noise and general disturbance. If planning permission is granted for the proposed spine road and it is built with the retirement community, the new road would actually be sited further away from the boundaries of these dwellings than a route through the retirement community scheme. If planning permission is granted for the spine road, it is likely that the reserved matters (paragraph 17 i) above) will be amended so that all traffic entering the retirement community would be moved away from the boundary with the dwellings in Gate Farm Road. The provision of the proposed road would therefore be of net benefit to the occupiers of these dwellings in comparison to the committed retirement community scheme. A refusal of planning permission on grounds that the proposed road would be detrimental to residential amenity cannot be sustained.

Impact upon the SSSI, SPA and Ramsar site (wildlife conservation)

57. The proposed development is close to a protected European Site (The Stour and Orwell Estuaries Special Protection Area and Ramsar Site). However, given the nature and location of the development proposed it is not likely to have a “significant effect” on that site. Indeed, this is confirmed by both Natural England and the Suffolk Wildlife Trust whom have not raised objections to the application. Accordingly, the provision of Regulations 48 and 49 of the Conservation (Natural Habitats, &c.) Regulations 1994 which require that an “appropriate assessment” of the implications for the site be undertaken by a “competent authority” and consideration of “overriding public interest” before a decision is taken do not apply to this development proposal.
58. The development proposal could affect protected species which may be present on the former HMS Ganges site. Indeed this possibility is identified by Natural England and the Suffolk Wildlife Trust. The development proposal is unlikely to threaten protected species and their habitats in the longer term because large areas of the site would remain undeveloped and available. However, vulnerable species could be under threat during construction phases and if the road is not designed with features to aid movement of species. Natural England has referred to ecological survey information submitted as part of the reserved matters application for the retirement community development (paragraph 17 i) above) and has suggested that a condition is imposed upon any planning permission granted requiring that an ecological mitigation plan is drawn up and submitted for approval. This is a reasonable request and such a requirement would address the concerns identified above and could be imposed via a suitably worded planning condition.

Impact upon the landscape, including the adjacent AONB.

59. The provision of the proposed spine road would not be readily visible from outside of the site. However, it is likely to be seen from the south, particularly where it traverses down the banking on the south boundary to the Marina. The road is likely to be visible in longer views of the site from Harwich on the south bank of the Stour estuary. This visual impact could be adequately mitigated with new soft landscaping, which could be secured by condition. The proposed spine road would not have a significant detrimental impact upon the countryside or Areas of Outstanding Natural Beauty such that a refusal of planning permission could be justified on these grounds.

Impact upon the setting of the Scheduled Ancient Monuments and Listed Buildings.

60. There are three Scheduled Ancient Monuments (SAM’s) and two listed buildings on or close to the former HMS Ganges site. The two Martello Towers (SAM’s) would not be affected at all by the proposal given their distant separation. Furthermore, the Fort (also a SAM) would not be adversely affected by the road for similar reasons. Indeed, if planning permission is granted for the spine road, the committed alternative route through the retirement community development (paragraphs 15 and 17 i) above) which would run adjacent to the site of the Fort could be downgraded to a footpath/cycle way/emergency vehicle access. Such an amendment would be of considerable benefit to the setting of the SAM.

61. The route of the proposed spine road runs adjacent to the ceremonial mast, which is a Grade II listed structure. The road also links up to the existing vehicular access to the site from Caledonia Road. It is intended that this access would be downgraded to emergency vehicle access only. The gates, piers and railings adjacent to this vehicular access are Grade II listed.
62. The provision of the new road adjacent to the ceremonial mast would not be harmful to its setting. The mast currently has an open setting and is, for the most part, surrounded by areas of hardstanding which previously formed the parade ground. Furthermore, there is an existing internal access road adjacent to the mast in a similar position to that which would be taken by the road. In light of the above, the setting of the mast would not be significantly altered or compromised such that a refusal of planning permission could be considered. Indeed, English Heritage has not raised concerns to the route of the road being adjacent to the mast (paragraph 40 above).
63. The existing vehicular access to the Ganges site via Caledonia Road (through the listed gates) is currently the sole access into the Ganges site and has been for many years. As such the provision of a link to the proposed spine road to provide secondary emergency vehicle access into the site does not raise concerns about potential impacts upon the listed gates (etc.) and their setting. However, any planning permission granted for the spine road should ensure the access is retained for pedestrian/cycle and emergency vehicle access only and to prevent its use by construction vehicles (which give the size of construction vehicles could place the listed gates, piers and railings under threat from accidental damage). These matters can be secured via the imposition of suitably worded conditions.

Drainage and flooding matters.

64. The Environment Agency has expressed concerns that the applicant has not adequately demonstrated that the surface water drainage from the development and the site would not pose a risk of flooding in extreme weather conditions (paragraph 39 above). The issue boils down to the whether or not there would be sufficient capacity in the surface water sewers which are proposed to discharge storm water to the Stour Estuary. Discussions are ongoing between the applicant and Environment Agency and the recommendation at the end of the report is worded to ensure the matter is satisfactorily resolved before a planning permission is granted.

Protected trees and other natural features

65. No trees protected by Tree Preservation Orders would need to be felled to enable the spine road and roundabout junction to be constructed and provided with suitable visibility. There are some TPO trees, particularly to the north boundary adjacent to the roundabout access, which could be physically affected by the development proposal because of their close proximity to the road. The applicant is yet to provide a report outlining the implications and potential impacts upon the long term health and viability of the trees, including proposals for appropriate mitigation. This matter is far from insurmountable and the recommendation is worded to ensure the implications for these trees are fully considered before any planning permission is granted.

66. The provision of the proposed roundabout junction onto the B1456 will necessitate the removal of a length of hedgerow containing some (unprotected) trees. In considering this issue, it must be borne in mind that there is already a commitment to the provision of a roundabout junction to the B1456 at this point of the HMS Ganges site as a consequence of the planning permissions reported at paragraphs 15 and 17 ii) above. Accordingly, the hedgerow will be removed with or without a planning permission for this spine road. However, the loss of the hedgerow can be mitigated if new planting is secured as part of a landscaping scheme for the site.

Other Issues

67. Concerns have been expressed that the proposed spine road would lead to the urbanisation of the village (particularly the provision of a roundabout junction with the B1456) and no construction traffic management plan has been submitted with the application. The design and form of street lighting has also been raised. The roundabout junction is unavoidable given the commitments and requirements of the planning permissions referred to at paragraphs 15 and 17 ii) above (both of which require a roundabout junction onto the B1456). Furthermore, a roundabout junction is the preference of the Local Highway Authority who are concerned that a less formal junction could give rise to highway safety concerns. A roundabout junction is therefore considered appropriate for the committed development of the Ganges and Marina sites and a roundabout junction at this point already has planning permission in outline form. A construction management plan and details of street lighting can be secured/controlled by conditions.

Conclusions

68. The provision of a spine road through the former HMS Ganges site is acceptable and does not give rise to concerns of highway safety, residential amenity, biodiversity, arboricultural or landscape concerns. The provision of the road would safeguard the setting of the Fort (SAM) and would not adversely affect the setting of listed buildings. Furthermore, the grant of planning permission for the development would not set a precedent for further development of the former HMS Ganges site, nor would it lead to unacceptable piecemeal development.

REASONS FOR APPROVAL

(subject to the satisfactory resolution of the outstanding surface water drainage and arboricultural issues)

The proposed construction of a roundabout junction from the B1456 onto the former HMS Ganges site and the construction of a Spine Road through the HMS Ganges site to link up with and provide (part) vehicular access to adjacent sites complies with the provisions of policies EN01, EN03, EN04, EN08, EN15, CR01, CR02, CN06, CN16 and CN17 of the Babergh Local Plan, Alteration No.2 (2006). These policies seek to ensure that (inter alia) development proposals are not harmful to biodiversity interests (including protected trees), the character of the countryside and Areas of Outstanding Natural Beauty, Archaeological sites, Ancient Monuments and Listed buildings (including their settings). Furthermore, they seek to ensure that development proposals would not increase the risk of flooding from surface water drainage. In this case, the application proposal and restrictions imposed by the planning permission would safeguard important sites of ecological interest and protected species

(including their habitats). All important trees on the site will be retained and protected against the potentially adverse impacts of the development (including the construction phase). The proposed development would not have a significant adverse impact upon the setting of the Scheduled Ancient Monuments and listed buildings in its vicinity, nor any other sites of archaeological interest and, with some mitigation, would not be harmful to the character of the countryside, nor the designated Areas of Outstanding Natural Beauty. The risks of flooding posed by surface water discharge from the development has been adequately considered and mitigated. Finally, the proposal would not have any adverse impacts upon issues not addressed by the aforementioned policies insofar as it would not have a significant adverse impact upon the amenities enjoyed by occupiers of nearby dwellings and would not give rise to highway safety nor traffic generation concerns.

RECOMMENDATION

A. Subject to the satisfactory resolution of the issues surrounding drainage and the impact of the proposal upon TPO trees, the Chief Planning Control Officer be authorised to grant planning permission subject to conditions, including;

- As recommended by LHA
- As may be recommended by EA
- As may be recommended by Head of Contract and Asset Management
- Ecological mitigation plan
- Landscaping scheme.
- Archaeology
- Withdrawal of permitted development rights for means of enclosure
- Street lighting scheme
- Construction management plan

Otherwise

B. Refuse planning permission. Reasons (as may be appropriate)

- Flood risks posed by surface water drainage not adequately assessed/mitigated.
- Potential impact upon the long term health and viability of the protected trees not adequately assessed/mitigated.

DECISION

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