

Item No: 1

Reference: B/00/01318/RES/GD

Parish: SHOTLEY

Location: Former HMS Ganges, Shotley Gate

Proposal: Submission of details under outline planning permission B/88/01560/OUT - the siting design and external appearance of, the means of access to and the landscaping of the site for a retirement community of 404 dwellings, nursing home and associated facilities.

Applicant: Haylink Ltd

Case Officer: Gareth Durrant

Date for Determination: 2/11/00

A panel of Members visited the application site on 5th August 2009, following a request from the local Member. The Committee (15th October 2008) resolved to visit the site in order to assess the impact of the proposal on Shotley and the surrounding areas and the impact on health, housing, transport and environmental issues and the amenity of the surrounding area.

THE SITE

1. The HMS Ganges site, as a whole, extends to circa 24 ha, and is a substantial 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 site consist of the former sports fields, now unused and overgrown.
2. The reserved matters submission relates to part (approximately 16.5 hectares) of the HMS Ganges site and is contained within the application site boundaries set by the granting of the parent outline planning permission (Ref: B/88/01560/OUT)
3. The application site consists of mainly level land on top of steep banking to the east and north. It is bounded by the B1456 and existing residential development (including a residential caravan park) on its western side, by open land (including a small recreational caravan site) and by the dwellings of Gate Farm Road to the north, and by Shotley Cliff and Shotley Marina to the south and east. Planning permission exists (and work has commenced) for the erection of 150 dwellings on land forming part of the marina complex.
4. A number of buildings remain at the site (amounting to circa 25,000 square metres) from the former naval training use. All of the remaining buildings at the Ganges site are the subject of a Certificate of Lawful Use which confirms their lawful use for Use Class C2 (Residential Institutions) purposes (see paragraph 88 below). Some of these are situated within the reserved matters site, but the majority are outside. In particular there is a ceremonial mast, a listed building, and a Martello Tower, which is both a listed building and ancient monument. A further Martello Tower lies just outside the site boundary to the east, and the remains of a mid-19th century fort (also a scheduled ancient monument) straddle this boundary also. The gates, piers, railings and lamp standards at the site entrance in Caledonia Road were added to the Statutory List only a few years ago.

5. Along the north boundary of the site, there is an area of trees protected by a Tree Preservation Order (TPO BT 211). The Order was made in 1991. A second Tree Preservation Order covering other trees on other parts of the Ganges site was made in 2006 (TPO BT00401).
6. The site lies outside but abutting the built-up area of Shotley Gate as defined in the Local Plan (Alteration No 2). The Shotley peninsular and the adjacent Orwell and Stour estuaries are subject to national and international designations, although none of these includes any part of the application site itself. These include part of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (which abuts the site on its northern boundary), the Orwell and Stour Ramsar Site (wetland of international importance), which occupies land below or slightly above high-tide mark, the Orwell and Stour Special Protection Area (SPA), and the Orwell and Stour Site of Special Scientific Interest, which has similar boundaries to the Ramsar Site.

THE PROPOSAL

Background

7. The application seeks final approval of the Reserved Matters relating to outline planning permission B/88/01560/OUT which was granted in 1997. The outline planning permission was granted subject to conditions and a legal agreement under S106 of the Town and Country Planning Act 1990. Further details of the Agreement and the outline planning permission are provided below within the 'Relevant History' section of this report.
8. The Reserved Matters were submitted to the Council in 2000 and were held in abeyance whilst the then new owners (Haylink) pursued alternative proposals for a development of the site (culminating in the submission of a planning application in 2003 for what ended up as a proposal for the erection of 325 dwellings). Following refusal of planning permission by the Secretary of State in 2005, the owners returned their attention to the application for reserved matters and in 2007 submitted an Environmental Statement and amended plans to the Council. The amendments were, in part, proposed in light of the conclusions of the Environmental Statement and, in particular, to re-locate proposed buildings away from a fort which had been discovered since the outline planning permission was granted (and following submission of the Reserved Matters in 2000). The fort is now a Scheduled Ancient Monument.
9. The revised plans illustrate a development within the boundaries and restrictions of the outline planning permission and are accepted as legitimate amendments to the application.

The Environmental Statement

10. The Reserved Matters submission is accompanied by an Environmental Statement (ES). In England, the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) set out the law regarding the requirement for and the minimum content of Environmental Impact Assessments. Following a decision of the European Court of Justice and subsequent ruling in the House of Lords, the Regulations were amended in 2008 to allow Environmental Impact Assessment to be carried out at later stages of the planning process, including Reserved Matters submissions. Previously, it was uncertain whether the content of the Regulations applied after the granting of a parent (detailed or outline) planning permission.

11. The purpose of an ES is to identify, assess and provide proposals to mitigate potentially significant adverse environmental impacts arising from development proposals. In the context of this submission of Reserved Matters, the ES enables the decision maker (in this case, the Council as Local Planning Authority) to ascertain a more detailed understanding of the impact of the development upon the environment when considering whether or not to approve the details that comprise the reserved matters proposals.
12. The submission of the Environmental Statement at this stage of the planning process does not enable the Council to re-visit matters of principle (for example the numbers of dwellings proposed, or issues of traffic generation) which were considered and approved as part of the outline planning permission. Proposals/works/schemes of mitigation identified in the ES can be secured by agreement with the applicant/landowner and to enable this to occur the original S106 Agreement (attached to the outline planning permission) will need to be supplemented with an additional S106 Agreement.
13. The ES has been the subject of two rigorous reviews by the Institute of Environmental Management and Assessment (IEMA). The outcome of the first review was that, following a formal direction by the Council under Regulation 19 of the 1999 Regulations, the first ES (submitted in 2007) was completely replaced with a new document (September 2008). Parts of the document were subsequently amended by the applicant (April 2009) following IEMA's second review. Full public consultation has been carried out at each stage and following every submission to the Council, the results of which are summarised within the Consultations and Representations sections below.
14. The full ES is too lengthy to be reported in detail within the body of this report. The Non-Technical Summary of the ES (prepared by the applicant) is attached to this report as Appendix 1 and provides a summary of the environmental issues and mitigation proposals in plain English. Members can view the full ES (including figures, appendices and drawings - some of which will be presented to the Committee meeting) by prior arrangement with the case officer, or by referencing the documents on the Council's website:

<http://www.babergh.gov.uk/Babergh/Home/Planning+and+Building+Control/Planning/HMS+Ganges+-+Revision/>
15. The full ES and the Non Technical Summary contains a description of the site and proposals, considers alternatives (in light of the fact that there is an extant outline planning permission for the development), discusses the scope of the assessment and methodology before going on to the environmental issues (air quality, archaeology and cultural heritage, drainage and flood risk, ecology, ground conditions, landscape and visual assessment, noise & vibration, micro-climate, socio economics and transportation).
16. The adequacy of the ES document and its compliance with the 1999 Regulations is discussed below within the Planning Considerations section of this report.

The Reserved Matters

17. The reserved matters detail a scheme of 404 (no.) retirement dwellings, a 60 (no.) bedroom care facility, a community building and a leisure building.
18. The 404 dwellings would be comprised of 350 (no) 1-5 bedroom homes, 53 (no.) assisted living apartments and 1 (no.) managers home. The schedule of accommodation is as follows;
 - 47 (no.) 1-bed retirement homes.
 - 226 (no.) 2-bed retirement homes.
 - 69 (no.) 3-bed retirement homes.

- 5 (no.) 4-bed retirement homes.
 - 3 (no.) 5-bed retirement homes.
 - 53 (no.) assisted living units (28x1 bed, 24x2 bed and 1x3 bed).
 - 1 (no.) managers home.
19. There are two principal areas of the site which would accommodate the 404 dwellings. Approximately 43% (190) would be provided at the southern part of the site and the remaining 57% (214) provided in the north parts, generally following the route of the main access route. The remaining facilities, namely the care home, leisure building, community building and bowling green would be accommodated within the central area of the site which is currently the parade ground and supports the listed ceremonial mast.
20. The care facility contains 60 bedrooms over 3-storeys (approximately 12.6 metres to ridge) and also provides 9 (no.) rooms for emergency/overnight accommodation for staff and/or relatives of the occupants. These rooms are ancillary to the functioning of the care home and are not permanent 'self-contained' dwellings. The leisure building is 2-storeys (approximately 9.6 metres to ridge) and contains a swimming pool, salon, fitness studio, gym and treatment rooms. The community building, to the southeast, is a single-storey structure (approximately 8.1 metres to ridge, excluding the sail feature) and would provide restaurant, community shop and library facilities.
21. A small palette of materials is proposed for the buildings with red brick and render prominent. Some timber elements are also proposed, particularly to the outer facing elevations towards the site boundaries.
22. The reserved matters (2007) were accompanied by a design and access statement to explain the design strategies and philosophies. This is summarised as follows;
- The site is currently accessed via Caledonia Road off the B1456. The site entrance is marked by an attractive listed pair of iron gates with tall brick piers. Its presence on a residential street means that it would be advantageous to have the main vehicular access to any new redevelopment relocated elsewhere.
 - The prominent location of the site on the tip of a peninsular mean that it is both highly visible and enjoys excellent views out of the site in several directions.
 - Existing trees on the site provide a valuable screening and shelter and will assist in integrating any future development into the site.
 - There have been dramatic changes to the character of the landscape in the Shotley Gate area over the past century. The arrival at this location in 1905 of the HMS Ganges Royal Naval Training Establishment saw a sudden appearance and constant expansion of new buildings, facilities and residences associated with this use - it was the largest such enterprise within the UK.
 - The Shotley and Shotley Gate settlements grew rapidly in size during the 20th Century as a consequence of the arrival of the Naval Establishment in 1905. As such, the dominant architectural presence in the area is of 20th Century buildings. There are also a significant number of listed buildings on the peninsular which contribute positively to the area. Their character and forms could influence the design of any proposed new buildings.
 - Immediately adjacent to the site are residential streets and cul-de-sacs. This housing is predominantly of late 20th Century date in a mixture of detached, semi-detached and terraced types.

- The site contains one Martello Tower. The sensitive retention of this structure is essential to any redevelopment of the site. This tower (to the south) and a second Martello Tower outside the north-east boundary were built as part of a wartime defensive system on England's east and south coasts during the Napoleonic wars. Some 105 towers are believed to have been built in England during the period.
- Shotley Fort was designated as a Scheduled Ancient Monument in 2004. The structure, of which little remains above ground, dates back to 1862 when it was built to supplement the existing defences of the two Martello Towers.
- A distinctive layout has been generated which links the proposals to the existing community whilst limiting any additional traffic burdening existing residential streets. The layout consists of a number of distinct areas each with its own scale, density and character.
- A new main access road is proposed connecting the site to the B1456 road. This route has been designed to be able to accommodate not only traffic generated by the current proposals but also to adequately serve Shotley Marina to the east of the site.
- The northern housing area forms a distinctive linear group evident along the left hand side of the main access road.
- The north-eastern housing area addresses the 90-degree turn in the main access road. As with the broader architectural strategy across the proposals, the buildings addressing the road are more formal whilst those addressing the estuary are looser in their arrangement in order to preserve views into and out of the site.
- The centre of the site incorporates a square with a bowling green at its centre which is addressed by three key note buildings (care home, leisure building and community building). The open eastern side of the square allows long distance views out across the estuary.
- The southern Martello Tower is the primary focal point in the southern part of the site. Its presence is acknowledged by the creation of a curved circus of houses addressing the tower around three quarters of it. The frontage addressing the tower is not solid, but rather incorporates gaps and spaces to move in and out of the area. A space is left open between the tower and estuary to maintain views into and out of the site.
- We have used traditional forms of massing, materials and architectural detailing in order to design a high quality scheme which will blend into its setting.
- The general approach to the architectural design is to complement the Suffolk vernacular by producing a contemporary interpretation of it. Dwellings are generally of gabled form. The key materials employed are brick and render reflecting local precedent. The style and design of front porches, canopies and balconies are alternated to add variety to the streetscene.
- Contemporary features will include large floor to ceiling windows and balconies to many of the living areas.
- The approach taken with landscaping has been to employ a small palette of traditional landscape elements to tie the scheme together and give continuity to the pleasant variety of spaces and routes which the scheme incorporates.

23. In December 2007 the Council received additional information from the applicant in support of their application. In particular, an arboricultural report, surface water drainage strategy and further noise surveys were submitted. At the same time, amended plans were received relating to the southern parts of the application site to re-configure some of the dwellings in light of concerns expressed to the applicant by officers. The surface water drainage strategy has since been incorporated into the Environmental Statement (as a supporting document to chapter 7) and will not therefore be summarised here. The arboricultural assessment and noise survey report made the following conclusions/recommendations;

24. **Arboricultural Impact Assessment**

- A tree survey of the reserved matters application site identified that there are 128 individual trees, 20 main groups and 1 area of woodland located along the east boundary.
- The site contains a tree stock of variable quality. It is the intention that as many trees as possible be retained on site.
- A number of important tree features are evident, including a strong boundary line of beech and silver birch in the north-west corner running east to west along the boundary and covered by TPO. In addition, there are a number of TPO trees located throughout the reserved matters site and these were protected after the granting of outline planning permission. These include a line of limes with a single English elm located along the western boundary. There is also a selection of oak species.
- For reasons of sound arboricultural management, 21 trees and 5 groups were identified for removal and, where appropriate, replacement.
- As a result of their condition, 10 trees require bi-annual inspection to enable safe retention.
- Four trees under TPO BT00401 fall within the construction footprint. However, the proposals have sought to retain all the key boundary trees across the site. Furthermore, where reasonably practicable, key individual trees within the site have been retained to provide landscape maturity.
- A further 16 trees and one group of trees fall within the construction footprint of the proposals and require removal.
- Proposed footpaths, access roads and car parks fall within the root protection areas of trees (21 specimens). The use of reduced dig construction method should be used to enable retention. Proposed finished levels are critical.
- Foundations of proposed buildings fall within the root protection area of 5 trees. Foundations in these areas should seek to minimise the need for extractions.
- There are 5 pinch points on site where the proposals and trees have significant interface. In these areas, the retention of trees, though possible, will present challenges and therefore may employ the usage of special measures and will depend upon existing site levels being maintained and built up from wherever possible.
- Protective fencing is to be installed as per BS5837:2005 "Trees in relation to construction - Recommendations" prior to construction commencing.

- Overall, development would have a beneficial impact upon the tree stock. Important tree lines will be retained and enhanced with new planting where constituent parts have failed/died. A programme of remedial works should be undertaken where required, with diseased, decayed, and dying trees removed as appropriate and replaced where necessary. In addition, the site will be subject to a landscaping scheme to enhance the development with appropriate planting.
25. **Further noise surveys (supplementary to chapter 11 of the Environmental Statement)**
- As part of the previous assessment (set out in the Environmental Statement), a noise survey was undertaken at locations around the development site in 2003.
 - In response to comments from the Local Authority regarding noise from Felixstowe Port, further measurements were undertaken in 2007 at the north-eastern corner of the site.
 - The purpose of the survey was to establish noise levels from Felixstowe Port and their impact on the suitability of the site for residential development. These surveys were undertaken in an easterly wind, representing the worst case, down wind noise levels from the Port experienced at the nearest part of the proposed development site.
 - The results indicate noise levels in NEC* A during the day and NEC* B at night. Felixstowe port operates continuously over a 24-hour period hence there is little change in daytime compared to night time noise levels.
 - Future noise levels with the Felixstowe South Reconfiguration and the Bathside Bay Container Terminal developments (both consented schemes) are not expected to change significantly at Shotley. The Public Inquiries into both schemes established that there will be no significant cumulative impact at Shotley from the two schemes operating together.
 - * *NEC is a Noise Exposure Category. The guidance set out in PPG24 'Planning and Noise' introduces the concept of Noise Exposure Categories, ranging from A-D, to help local planning authorities in their consideration of applications for residential development near to noise sources. Category A represents the circumstances in which noise is unlikely to be a determining factor, while Category D relates to the situation in which development should normally be refused. Categories B and C deal with situations where noise mitigation measures may make development acceptable.*
26. In 2008 a draft Integrated Ecological, Heritage and Landscape Management Plan was submitted to the Council. Following consultation (which included the public and specialist bodies such as Natural England and English Heritage) a second version was submitted to the Council in 2009. It is proposed that the implementation the mitigation proposals within the Management Plan are secured by means of a Legal Agreement. The key matters arising from the document are as follows;
- Archaeology/Heritage Assets**
27. With regard to Martello Tower 'L', the key archaeological issues revolve around the need to;
- Guarantee the long term stability and integrity of the structure.

- Preserve and maintain the stability and integrity of the structure.
 - Enhance presentation to the public.
 - Restrict uncontrolled access.
28. With regard to Shotley Fort, the key archaeological issues revolve around the need to;
- Reverse the deterioration in the condition of the surviving historic fabric.
 - Conserve and protect original features, fixtures and fittings.
 - Enhance presentation to the public
 - Restrict uncontrolled access.

Key ecological issues

29. The construction phase of the development at HMS Ganges will result in destruction, disturbance and damage to habitats. The impact, however, will be mainly to habitats evaluated as having limited botanical value, although there will also be impacts upon animals (reptile and bat habitats).
30. During the occupation of the proposed residential development, impacts will be primarily associated with human disturbance of habitats and/or other species. There will also be other impacts (disturbance/predation by domestic pets and altered lighting levels).
31. The retention of large areas of semi-natural grassland/scrub habitats will help to minimise any impact on the ecosystems within the local area and ensure that the overall integrity of the habitat types remains unaffected.
32. Tree clearance around the fort will need to be kept to a minimum.
33. Internal repair works may damage hibernating crevices for three bat species (Natterer's, Daubentons and brown long-eared bats). Hibernating bats have a high reliance on cool, humid brick structures, such as those found on the first-floor of the Martello Tower. Any lowering of humidity levels in the hibernation area has the potential to reduce its favourability for hibernating bats.
34. In addition to any direct impact on the tower, construction works within 30m, as well as habitat clearance around it, has the potential to cause disturbance to hibernating bats.
35. The management of the habitats around the site, to provide structurally diverse habitats favourable for invertebrates and therefore foraging bats, will help to ensure the population of bats within HMS Ganges is maintained at a favourable conservation status.
36. The appropriate management, aimed at enhancing the existing habitats of ecological value, will serve to offset any significant adverse impacts caused by the proposed development. A long-term commitment to site habitat enhancement and management is required, with detailed management prescriptions for the protection, maintenance and enhancement of existing plant and animal communities of ecological value.
37. It will be necessary to translocate the reptile species within the proposed development to a safe area within the site, which will remain unaffected by construction. The scrub/grassland habitats around Shotley Fort are considered to be the most suitable since this area has been identified as a potential nature reserve within the site.

38. The preservation of Martello Tower L and Shotley Fort will ensure that bat hibernation sites are retained within the site. The improvement of these areas for hibernating bats is likely to enhance the bat population within the local area. It will also help to offset the negative impact resulting from the loss of other underground bunkers, which offer potential hibernation opportunities, within the proposed development area.

Management Proposals: Martello Tower L

39. The long term stability and integrity of Martello Tower L is already assured.
40. Access to the tower hibernation area during the winter months will be restricted to personnel with a Natural England license to disturb hibernating bats.
41. Any exclusion of water leaking into the Martello Tower may change the humidity conditions within the tower hibernation area. Natterer's and Daubenton's bats, in particular, have a high reliance on the type of cool, humid brick structures found in the Martello Tower. To ensure temperature and humidity conditions remain favourable to bats, the environmental conditions will be monitored inside the hibernation area.
42. Sufficient crevices within the brickwork will be retained to provide hibernation sites for the bats. The bat population will be monitored prior to development and post-development. Any reduction in population levels will require action to correct the cause of the decline.
43. There will be no lighting, which could directly impact on a bat roosting/ hibernation area, and no light spillage affecting bat flight dispersal routes. There will be no lighting directed towards the tower, no up-lighting of single trees and no lighting directed towards tree lines. The narrow proposed track access road around Martello Tower L will be kept dark. To delineate the road, low level Mushroom lighting bollards, controlled by intelligent lighting systems, will be used.
44. There will be no uncontrolled public access to the interior of the tower, as a result of its known importance as a bat hibernation site.

Management Proposals: Shotley Fort

45. On the whole, the fort is in a relatively sound and stable condition.
46. It is not proposed to undertake any substantive works within the interior of the fort, but rather to maintain stable conditions and ensure that the fixtures and fittings do not deteriorate any further. A priority will be to address the drainage of surface water within the magazines.
47. To safeguard hibernating bats within the expense magazine, any structural surveys and building works will be undertaken during the summer months.
48. The fort offers considerable potential for enhancement as a hibernation site for bats. Enhancement of the area (particularly the long tunnel) for bats forms part of the mitigation strategy for the development of the site.
49. To safeguard the cave spiders, the chambers within the southern 1891 magazine, which the spiders favour, will need to be protected and dark and humid conditions maintained.
50. The internal environmental conditions of the fort will require careful monitoring and management to ensure that the built structures remain favourable for bats and cave spiders. These works will be required during and after completion of the development.

Management of semi natural habitats

51. To minimize any impact on bats hibernating in the fort, and foraging along the wooded slope to the east and north, the scrub and trees will require sympathetic management.
52. Tree and scrub management operations should avoid the bird nesting season, generally March to the end of August
53. Bat boxes and bird boxes (including at least 1 barn owl box) will be erected on suitable mature trees within the area.
54. To compensate for the loss of the pond by the Martello Tower, a new pond will be created within the grassland south of the Fort and log piles will be created around the banks as refuge areas for the grass snakes that inhabit the area.
55. To ensure the habitats within the Shotley Fort Nature Reserve area can support the reptiles removed from the development area, habitat enhancement work specific for reptiles will need to be undertaken to provide favourable basking, foraging, breeding and hibernation areas.
56. The south facing slope of the fort itself (area of southerly gun emplacement) and the open grassland to the south, east and west of the fort will be managed to provide favourable basking sites for reptiles.

Presentation

57. Appropriate interpretative materials will be provided around the fort to enhance the presentation of the monument to visitors. Interpretive boards will provide a greater understanding of the historic and natural history features of the fort and peninsula including the nearby SPA. Signs will also be required regarding the need to keep dogs under control and on a short lead, particularly during the bird breeding season, to minimize any disturbance to sensitive species.
58. The interpretation boards will form part of a “riverside” walk around the perimeter of the HMS Ganges site, which will maintain the historic connectivity between the fort and Orwell Haven.

Access

59. It is not proposed to have any formal public access to the existing earthworks, and other above ground remains, of Shotley Fort. However there is scope for controlled and restricted public access.
60. Access to the above ground remains of Shotley Fort will be restricted by the construction of an appropriate fence around the perimeter.
61. In contrast to the “above ground” remains of Shotley Fort, there will be full and open public access to the remainder, which has previously been leveled to create space for the accommodation blocks, and other associated structures, of the Royal Naval Training Establishment. This area of the fort will become public open space. Its provision will not only benefit the residents of the site, post-construction, but will reduce disturbance within the adjacent SPA through informal recreation, such as walking and dog-walking. People walking through the area will be encouraged to keep to the footpaths around the site.

Basic Methodology for monitoring the recreational behaviour at HMS Ganges and footpath entrances to the Stour and Orwell SPA.

62. Information gained through monitoring (surveys, questionnaires, feedback) will be passed to (inter alia) the Local Planning Authority. Necessary, agreed restorative action and mitigation will be undertaken to address any issues arising from the results of monitoring. This will ensure there is no impact upon the SPA.
63. Mitigation proposed within the revised Environmental Statement includes the provision of a range of educational material, recruitment of volunteer wardens for the SPA and the provision of alternative walking areas within HMS Ganges. Additional mitigation provision (if identified by monitoring) will be the responsibility of the Ganges Management Group.
64. Mitigation measures will include;
 - Additional signage
 - Leaflet drops to residents (to encourage use of the Ganges site as opposed to the SPA)
 - Website communication
 - Restricting access from the Ganges site to the SPA by securing site boundaries (closing gaps and planting defensive species).
65. During the on-going monitoring surveys consultation with local stakeholders will include;
 - Suffolk Coasts and Heaths Project
 - Estuary Management Group
 - Suffolk Wildlife Trust/BTO surveyors undertaking wintering bird counts.
66. With the proposed encouraged involvement of the new residents to assist in the conservation of the SPA, it is expected that the habitats and wildlife within the SPA could benefit in the long term.

Constraints

67. There is dual ownership of the fort and part of it is outside the control of the applicants.
68. It is recognised that there is a need to complete a full and detailed survey of the surviving archaeological features of the site, prior to the implementation of the management plan. This will comprise an earthwork survey showing the locations and extents of the key features, both of the Martello Tower and Shotley Fort, followed by an appropriate record of their condition prior to work on site commencing.

RELEVANT HISTORY

69. 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 (paragraphs 77 and 78 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 dwellings adjacent to the Marina under a later planning permission – paragraphs 83 and 84 below).

70. 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 the use of the entire Ganges site and buildings as a residential training centre (Use Class C2) Planning permission was not required for the police training use because it fell within the same Use Class as the previous naval training use (Use Class C2). 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.

The following planning history relates to the site of the reserved matters, the remaining parts of the HMS Ganges site, and relevant consents relating to the Marina.

71. 1978: Planning permission refused for change of use to various commercial uses (such as shops, offices, workshops, museum/exhibition hall and sporting and recreational uses) (B/78/01007).
72. 1979: The Council objected to a notification received from the Ministry of Defence to demolish the ceremonial mast. (B/79/00006/GD).
73. 1979: Planning permission granted for change of use to motor transport museum and boarding school. (B/79/01055).
74. 1980: Planning permission granted for use for recreational and leisure facilities with associated living accommodation (this was the "Eurosports Village"). (B/80/00346/FUL).
75. 1982: Planning permission granted for erection of extension to gate house. (B/82/00365).
76. 1985: Planning permission granted for use of parade ground for occasional caravan rallies. (B/85/00788).
77. 1986: Planning permission granted for erection of buildings to form a retirement community (404 dwellings), care hotel, associated facilities and coastal observation area associated with existing Eurosports village. (B/84/00665).
78. 1986: Planning permission granted for Marina (350 berths) and holiday housing (130 apartments) and facilities associated with existing Eurosports village and proposed retirement community (B/84/00924).
79. 1989: Planning permission granted for erection of a three-storey building for use as a 44-bedroom police accommodation block. (B/89/01463).
80. 1997: Planning permission granted for erection of retirement community (404 dwellings) with nursing home and associated facilities. (B/88/01560/OUT). This is the host outline planning permission against which this application for approval of reserved matters is to be considered. The application was not accompanied by an Environmental Statement. The planning permission is subject to a S106 Agreement and 17 controlling conditions. The S106 Agreement provides for the following matters;
- The care home becoming operational when the number of homes completed and occupied has reached 200
 - Restriction upon the age of the occupants of the retirement community to people 55 years of age and over (and the spouse consort partner or carer of such persons, notwithstanding that the spouse consort partner or carer may be under the age of 55 years) save for any dwellings which are identified by the Owner as wardens or staff dwellings.

- To use the retirement community as a single entity and that all subsidiary and component uses shall take place as to operate for the benefit of the retirement community.
 - Setting out the manner in which the retirement community will be operated and maintained.
81. The key conditions attached to the outline planning permission (B/88/01560/OUT) require;
- The submission of the Reserved Matters (siting, design and the external appearance of the buildings, the means of access thereto and the landscaping of the site) and the commencement of development within prescribed time periods (3 years for the submission of reserved matters and 2 years following final approval of the reserved matters for development to be commenced on site).
 - Phasing of the site (to be agreed).
 - Precise details of foul and surface water drainage to be submitted before the development is commenced.
 - Landscaping and protective fencing (for existing planting).
 - The provision of an access corridor (including a link from any spine road with the promenade) to allow for the possible construction of an access road to serve the marina.
 - Removal of permitted development rights for extensions, fences, outbuildings (including garages and car ports).
 - Details of areas to be provided for the parking and manoeuvring of vehicles.
 - Access to the site to be from the provision of a new roundabout access junction onto the B1456 and Caledonia Road only (no other access points permitted).
 - Submission of details of the new roundabout to the B1456, estate roads and footpaths (including layout, levels, gradients, surfacing and means of surface water drainage).
 - Construction of relevant carriageways and footpaths to dwellings before they are occupied.
 - Provision of the new roundabout and first 50 metres of local distributor road from the roundabout before any other building works commence.
 - All construction traffic to use the new roundabout junction and no other access point/s.
 - Car parking shall be provided in accordance with the Suffolk Advisory Car Parking Standards.
82. 2000: Extension (by three years) of the period provided for in paragraph 81 above for the submission of details in pursuance of the outline planning permission (B/88/01560/OUT). *No progress was made on this application in the absence of an Environmental Impact Assessment.* The application remains undetermined to date. (B/00/00813/ROC).

83. 2000: Erection of 150 dwellings, including public open space, and access road to B1456 (development of the marina site) GRANTED. (B/91/0723/OUT).
84. 2005: Reserved Matters under planning permission B/91/00723/OUT (paragraph 83 above) approved for 150 dwellings (adjacent Marina site). (B/03/01744/RES).
85. 2006: 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).
86. 2006: 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). This planning permission relates to the Marina housing.
87. 2006: 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).
88. 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).
89. 2008: Planning permission granted for the construction of a spine road across the former HMS Ganges site to connect the B1456 Bristol Hill to the King Edward VII Drive and includes a new roundabout junction on the B1456, to give access to Shotley Marina. (B/07/1237/FUL).

NATIONAL GUIDANCE

90. **PPS1** (Delivering Sustainable Development)
91. **PPS3** (Housing)
92. **PPS7** (Sustainable Development in Rural Areas)
93. **PPS9** (Biodiversity and Geological Conservation)
94. **PPG13** (Transport)
95. **PPG14** (Development on Unstable Land)
96. **PPG15** (Planning and the Historic Environment)
97. **PPG16** (Archaeology and Planning)
98. **PPG17** (Planning for Open Space and Recreation)
99. **PPS23** (Planning and Pollution Control)
100. **PPG24** (Planning and Noise)

101. **PPS25** (Development and Flood Risk)

PLANNING POLICIES

102. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and saved policies in the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

(n.b. the following Development Plan policies relate to the reserved matters proposal and/or the extant parent outline planning permission)

East of England Plan - 2008

- SS1 (Achieving Sustainable Development)
- SS2 (Overall Spatial Strategy)
- SS3 (Key Centres for Development and Change)
- SS4 (Towns Other than Key Centres, and Rural Areas)
- SS9 (The Coast)
- H1 (Regional Housing Provision 2001-2021) Babergh is specified as having a requirement to build 4,260 dwellings to March 2021
- T1 (Regional Transport Strategy Objectives and Outcomes)
- T2 (Changing Travel Behaviour)
- T7 (Transport in Rural Areas)
- T8 (Local Roads)
- T9 (Walking, Cycling and other Non-Motorised Transport)
- ENV1 (Green Infrastructure)
- ENV2 (Landscape Conservation)
- ENV3 (Biodiversity and Earth Heritage)
- ENV6 (The Historic Environment)
- ENV7 (Quality in the Built Environment)
- ENG1 (Carbon Dioxide Emissions and Energy Performance)
- WAT2 (Water Infrastructure)
- WAT4 (Flood Risk Management)
- WM1 (Waste Management Strategies)
- WM6 (Waste Management in Development)
- HG1 (Strategy for the Sub-Region) (Haven Gateway)

Suffolk Structure Plan 2001

- T10 (Cycle Parking)
- T14 (Control of Development)

Babergh Local Plan (Alteration No.2) 2006

- LP01 (Planning Obligations)
- EN04 (Semi Natural Habitats)
- EN06 (Habitat Creation)
- EN09 (Conservation of Energy)
- EN13 (Water Conservation)
- HS02 (Villages)
- HS03 (Sustainable Villages)
- HS04 (Protecting the Countryside)
- HS27 (Density and House Type)
- HS34 (Smaller Dwellings)

- HS39 (Special Needs Housing)
- CR01 (Landscape Quality)
- CR02 (Area of Outstanding Natural Beauty Landscape)
- CR07 (Landscaping Schemes)
- CN01 (Design Standards)
- CN04 (Design and Crime Prevention)
- CN06 (Listed Buildings – including settings)
- CN08 (Development in or Near Conservation Areas)
- TP01 (Pedestrians)
- TP02 (Public Rights of Way)
- TP03 (Provision of Cycle Routes)
- TP15 (Parking Related Standards - New Development)
- TP16 (Green Travel Plans)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

A. Submission of the Reserved Matters in 2000

103. PC (Shotley) - No objection to the retirement community in principle, but has serious reservations about the design submitted and the potential impact on the village infrastructure. Reservations were stated as follows (summarised);

- Regimented, uniform prison like appearance of the buildings.
- Three-storeys (although not universally applied) is excessive.
- 404 dwellings are excessive - 300 would be reasonable.
- The proposed development would inevitably lead to an increased volume of traffic in Caledonia Road - should be one-way or restricted to emergency vehicles only here.
- The promenade is unsuitable for access (if it is proposed).
- Extra load placed on the sewerage system.
- The B1456 already bears a heavy volume of traffic and the development could lead to a need for an upgrade to 'A' Class (with associated upgrading).
- There is a lack of amenities on the site (no shops).
- What is the realistic possibility of restricting occupancy to the retired?
- Question the layout of the units with 3 (double) bedroom apartments and are suspicious the buildings would be occupied as holiday apartments or weekend retreats by users of the marina.
- Care facilities across the site are sparse.
- Fire escapes are impassable for wheelchair users and there is a shortage of lifts.
- Appears that a number of protected trees will be lost.

- Why are existing buildings being retained?
 - The mast is in a poor state of repair. Will it be refurbished?
 - The applicants intentions with regard to the sports field should be made clear
104. LHA - Indicated the need for a traffic assessment and detailed some aspects causing concern, namely;
- Revisions to the proposed roundabout to match recently prepared design proposals
 - Revisions to the main access route into the site and the connection with Caledonia Road to incorporate traffic calming facilities.
 - Visibility issues at the junction of School Road with Caledonia Road and Caledonia Road with Bristol Hill and new junctions within the estate road layout.
 - Revisions to the internal road layout to reflect current standards for road adoption and car parking standards etc.
 - Introduction of facilities to accommodate future bus services.
105. EA - submit advisory comments.

B. 2007 Amendments (August 2007 consultation)

106. PC (Shotley) - provide the following comments (summarised);
- The reasons why the extant permission has not lapsed and has been left undetermined for so long should be explained.
 - The Inspector at the recent Public Inquiry found that if the extant permission was implemented *"This would lead to an inferior form of development ... that would bring with it no benefits to the local community by way of contributions and other obligations. The problem of dealing with the remainder of the application site that is not embraced within the fallback scheme would also persist."* That a wholly unsustainable proposal has been allowed to remain unresolved for seven years, acting as a barrier to more appropriate and sustainable proposals coming forward, and contributing to the continuing deterioration of the scheduled ancient monument must be of concern to elected members. Members need to satisfy themselves that officers have acted lawfully on these points.
 - We contend that as the purpose of an Environmental Statement is to identify adverse effects of development it is reasonable, not only to amend the original application, but also to consider mitigation and/or compensation measures by way of further conditions and/or obligations should they be considered reasonable.
 - We consider there are two procedural reasons that this application should not be approved - i) The application differs substantially from the extant permission and the 2000 application (the changes go beyond meeting the findings of the Environmental Statement) and would alter the whole character of the application, and ii) the Environmental Statement is inadequate (insufficient information or detail on a number of issues). The Committee may wish to decide to either reject the application on these grounds or defer until the information is adequate.

- It is our view that were the Environmental Impact Assessment to identify negative impacts that are so substantial that they cannot be resolved through amelioration or compensatory measures then the application must be rejected. The applicant has brought forward only one major amendment to the original application to mitigate the effect of the development - the re-routing of the access road.
- The measures proposed to the road infrastructure amount to a few cosmetic additions to those that accompanied the 325 dwelling scheme and which were found inadequate by the Secretary of State. Since the Inquiry, there have been further developments along the B1456 such that the cumulative impact will be greater.
- In the Local Plan, Shotley is identified as an unsustainable village and as such development should only take place on infill and small windfall sites. The application should fail because it does not adequately address the issues of sustainability and the nature of the development would make Shotley even more unsustainable.
- There are a lack of employment and economic development opportunities.
- No health assessment has been carried out and no mitigation is proposed, also including poor response times of the emergency services and access difficulties when the road is blocked.
- Community facilities are already at capacity.
- There are inadequate measures to protect and enhance the SPA and meagre mitigation proposals.
- The loss of part of the playing field with no compensatory or mitigation measures.
- No affordable housing provision.
- The effect on the public footpath at Marsh Lane.
- If committee are minded to approve, a number of conditions and obligations are recommended.

107. PC (Chelmondiston) - recommends refusal of the application for the following reasons (summarised);

- Unsustainable form of development.
- Overdevelopment of a poorly situated site at the end of a winding, narrow rural cul-de-sac.
- No account is taken of recent Government planning advice or the Local Development Framework.
- It takes no account of the recommendations made by the Secretary of State following the Public Inquiry in 2006.
- Does not deal adequately with significant increase pressures it would place on the infrastructure (water, sewage, medical services, transport etc).
- It does not address housing needs of the local community.

- No mention of incorporating eco-friendly measures and features.
 - The following suggestions have been received (from the local community) for alternative, more acceptable, proposals for the site - hall of residence/leisure use for Suffolk College/Schools, a residential training centre, a maritime heritage centre, a wildlife park/information centre/sanctuary/restaurant, or an alternative energy park.
108. PC (Woolverstone) - recommends refusal and provides the following comments (summarised):
- The site is not the same site as that originally given planning consent. This can be seen by comparing red boundary lines.
 - The housing mix is entirely different (increase in numbers of 2, 3, 4 and 5 bed units).
 - The layout of housing is entirely different.
 - The phasing of construction is entirely different.
 - The description/nature of the development is entirely different from that originally given outline planning permission.
 - It was originally for a retirement community for those aged 55 and over. It is now looking more like a mixed housing need development.
 - Babergh has a statutory duty to "preserve and enhance" the Woolverstone Conservation Area and has to pay special attention to the impact of volume of traffic on it.
 - The Secretary of state and Inspector made the following comments in their respective reports;
 - a significant increase in traffic in a conservation area could well fail to preserve its character.
 - increase in traffic flows ... would be sufficient to justify the conclusion there would be a failure to preserve the character of the Woolverstone Conservation Area.
 - the (325) scheme would lead to a deterioration of environmental conditions along lengths of the B1546 as a result of noise, vibration and emissions.
 - There would be significant negative impact in terms of the effect of the Woolverstone Conservation Area.
 - The application should be refused because the applicants have paid very little attention to the Inspector's comments and this amended proposal would be every bit as damaging to Woolverstone Conservation Area as the 325 proposal, if not more so.
 - While the amended scheme claims to reduce traffic by 10% this is qualified by "at peak hours" and does not cover the 24-hour period. The issue of predicting traffic flow for a retirement development is unreliable and the figures might be even worse.

- There is a real likelihood that the areas of the Ganges site outside of the reserved matters scheme will be used for additional housing which would increase traffic volume still further.
 - We are surprised that a Transport Assessment was not required by Babergh and is lacking in this application. The Transportation chapter in the Environmental Statement does not give details of the impact of traffic in a Conservation Area which is a serious omission.
 - There is no construction management plan in the Environmental Impact Assessment. There is no provision made to bring materials to the site or remove them by alternative routes to the local road network. This is a missed opportunity.
 - At 55 years many people are well below retirement age and this represents an unrealistic position on 2007 compared with the original intention in 1988 when many people were retiring at this age.
109. PC (Freston) - make the following comments about the application and Environmental Statement (summarised):
- Freston Parish Council is of the opinion that this should be treated as a new application and not dealt with under reserved matters.
 - The application was submitted in 1988. Since that date there have been changes in planning regulations and the introduction of the Human Rights Act 1998. There have also been many changes on the peninsula, including the introduction of a day school at Woolverstone, day pupils at the Royal Hospital School, a new food hall at Wherstead and infill development in many of the villages.
 - We do not believe that it is desirable to site a retirement village of this size at the far end of the B1456 now it is known that at times the emergency services will have difficulty getting through.
 - Ref: potential improvements to Freston crossroads - SCC highways department have admitted to us that there are safety problems now at this junction and there will still be when improvements are made.
 - Babergh should not agree to a development of such a magnitude until they are satisfied that a solution has been found to this junction (Freston cross roads).
 - There is no construction management plan. This is important as construction traffic will use the B1456 through Freston.
 - There is nothing in the ES that refers to Freston - there are houses on both side of the B1456 and residents have to cross this road. There is a listed building which abuts the pavement and there are no speed restrictions at this location.
 - There is a lack of understanding about the 'Buzabout' initiative. A development of this magnitude could not expect to rely on this form of transport.
 - There is no health impact survey and impacts upon health resources and services are not clear.

110. PC (Stutton) - The Council is concerned about the following factors:

- Traffic
 - significant increase along the B1456 and B1080 which are minor roads with narrow corners and visibility.
 - necessary increase in bus traffic on these narrow roads.
 - increased demand for parking at Manningtree station.
 - Increased danger at the Freston crossroads (recommend a roundabout here and extension to the 30mph zone).
- Schools
 - Increased class sizes and lack of resources to cope with increased residents.
 - Increased car journeys to schools and extra peak time parking pressure
- Doctors
 - Increased demand on limited resources.
 - Increased waiting time for appointments.
 - Increased pressure of pharmacies for supply.
- Sustainability
 - Lack of viable public transport into Ipswich.
 - Lack of sustainable travel method by train (no buses to Manningtree station).
 - Use of train necessitates car journey to station along narrow country roads with no parking provision on arrival.
 - Impact upon resources of local community with no suggested improvements to infrastructure.
- Listed buildings at the Ganges site are deteriorating at a rate such that they may well not be able to be saved.

111. PC (Harkstead) - recommend refusal and maintain that there will be traffic problems, being only one road in to Shotley.

112. PC (Holbrook) - supports the usage of the site but for this, or any other application, are concerned specifically about the impact on the highway and traffic issues, particularly at Freston cross roads.

113. PC (Tattingstone) - makes the following comments;

- Refusal is recommended as the proposed plans do not show adequate provision for services to sustain a 404 house retirement village, no extra provisions have been made for doctors, public transport, electricity and sewerage. The Council also felt that there were not enough leisure facilities that should be available within a retirement village and were concerned about the increase of traffic during non-peak times.

114. SCC Archaeology - provides the following comments (summarised)

- The Environmental Statement fails to address some aspects of the heritage background.
- In my opinion, the 20th Century use of the site alone potentially justifies a grading of either national or regional importance.
- The Environmental Statement gives very slight consideration to Ganges (apart from the listed gates and mast) and dismisses the standing structures as without 'intrinsic architectural or historic interest' without description, objective assessment or illustration.
- Demolition of the buildings should not be considered until adequate assessment is provided.
- Known underground bunkers are not illustrated, mapped or their value assessed. Adequate identification and assessment should be provided before development areas are identified.
- The potential for medieval and earlier archaeological levels is recognised but is undervalued and the levels of disturbance to the site are not identified, quantified or objectively assessed.
- I advise that the probability is that impacts on the archaeology can be accommodated by the scantily defined mitigation works in the Environmental Statement. However, the scope of these works are likely to be significantly more extensive than those implied and consequently of greater cost.
- I am content that English Heritage should take the lead in commenting on the 19th Century defences (the Martello's and the fort).
- Overall, the Environmental Statement offers an unsatisfactory exposition of the Archaeology and Cultural Heritage aspects of the site. This makes the overall development unsatisfactory in planning terms as the Masterplan for this development is potentially in conflict with the heritage value of the site. This part of the Environmental Statement should be re-addressed by the applicant.

115. SCC Strategic Development Division - provides the following comments (summarised)

- The County Planning Authority does not object to the grant of planning permission, subject to appropriate provision being secured for the necessary supporting infrastructure and services through S106 planning obligation contributions.
- As a valid outline planning permission exists for this proposal, the principle of this development of a retirement community on the former Ganges site has been established and there is no basis for an objection in strategic planning terms.

- When examining previous proposals on the Ganges site, one objective of SCC was to ensure that a comprehensive solution to the whole of the site was achieved and that, once implemented, no further significant development should be permitted. This was primarily to limit potential additional demand on the local transport network and, in particular, the B1456. The District Council should seek to ascertain the applicants' intentions for the outstanding areas of the Ganges site (outside the reserved matters site) and the scope for achieving an early and comprehensive development solution for the whole of the site.
 - The outline planning permission was granted in 1997, subject to a S106 Agreement. The County Planning Authority stresses the need to do everything possible to mitigate the impact and compensate for loss or damage caused by this major development proposal by securing appropriate planning obligations. To fail to do so could leave the local community with inadequate infrastructure and/or service provision which would not be consistent with the principle of sustainable development, would have a negative impact and leave a lasting legacy, the cost of which would fall on the public purse. The mitigation measures suggested in the Environmental Statement (Socio-Economic section) are questionable. Other infrastructure issues should be properly addressed, including; Libraries, Waste, Fire, Adult and Community Services.
116. EH - (n.b. comments received following submission of the Integrated Ecological, Heritage and Landscape Management Plan in October 2007) provide the following comments (summarised);
- The application affects nationally important historic sites and features, including the remains of Shotley Fort, Martello L and its associated battery as well as the setting of Martello M. The scheme also includes the listed mast of HMS Ganges, as well as buildings and remains of the training base itself. The site also has good potential for the discovery of important hitherto-unknown archaeological sites and features.
 - The outline permission was granted prior to the scheduling of the Shotley Fort in 2004 and the listing of the gates, gate piers, railings and lamp standards in 2005.
 - EH welcome the provision of an Environmental Impact Assessment as part of the Reserved Matters submission and greatly welcome the amendments which avoid a road crossing the scheduled Fort and creation of a buffer zone around the monument which will ensure that development avoids this nationally important site.
 - We are keen to see the development of a master plan for the whole site.
 - We would expect that revisions would be needed to the S106 Agreement to secure the safeguarding, conservation and management of the nationally important heritage assets contained within the site.
 - We are concerned that the heritage importance and significance of the former HMS Ganges site has not been given sufficient weight when balanced against the other interests of the site. The impact of the development on the site involves major change and potentially major damage which in our view could be only in part mitigated by careful design of buildings and surrounding spaces, surveys and conservation as well as archaeological evaluation and excavation studies.

117. NE - objects to the application and provides the following comments (summarised);
- The site lies close to the Orwell Estuary SSSI and the Stour Estuary SSSI. Together these SSSI's form the Stour and Estuaries SPA and Ramsar site. The location of this proposal in relation this European site means that the application must be determined in accordance with the requirements of the Habitat Regulations 1994.
 - Based on the information provided, Natural England objects to the proposed development for the following reasons:
 - The application contains insufficient survey information to demonstrate whether or not the proposal is likely to have a significant effect on the European site.
 - The application contains insufficient survey information to demonstrate whether or not the development would have an adverse effect on bats.
118. EA – object to the application on flood risk grounds. The Agency suggests that details of proposals for surface water management should be submitted and a fit-for-purpose scheme secured. They are also concerned that measures proposed to mitigate potential adverse impacts upon ecology (including legally protected species) are appropriately secured. There are no concerns regarding ground water or contamination.
119. SWT - objects to the application for the following reasons (summarised);
- Insufficient information in the Environmental Statement to assess the impacts of increased recreational disturbance upon the Stour and Orwell Estuaries SPA and Ramsar site.
 - Inconsistencies and errors within the Environmental Statement regarding assessment of impact of increased recreational pressure on the SPA, Ramsar and SSSI site.
 - Insufficient information provided in the Environmental Statement to assess the impacts of increased levels of lighting on bats hibernating in the south Martello Tower and loss of bat foraging habitat around the tower.
120. RSPB - provide the following comments;
- A number of issues raised in Babergh's Scoping opinion (letter of 31 July 2007) have not been addressed and the Environmental Statement contains errors that materially affect the nature of the assessment.
 - The RSPB is of the opinion that the Council is unable to discharge fully its obligations under both the EC Directive 92/43 and the Conservation (Natural Habitats &c) Regulations 1994 to carry out an Appropriate Assessment of the application. The RSPB therefore objects to the application for the following reasons;
 - Insufficient information provided to adequately assess impacts to the designated features of the SSSI/SPA/Ramsar site.
 - Cumulative and in-combination impacts not addressed within the Environmental Statement.
 - Insufficient data presented to allow judgements to be made of likely impacts.
 - Effects on breeding birds not adequately addressed.

- Errors within the Environmental Statement, meaning that impacts on the designated site from this proposal cannot be quantified.
121. AWS - There is insufficient capacity within the existing public foul network to accommodate flows from the development. Therefore the foul drainage strategy would be for flows to be taken direct to the Sewage Treatment Works. Improvement would also be required to the Works outfall pipe to accommodate flows and this may require a significant lead time. We would therefore request that a condition be attached to any permission granted that no works take place until improvements have been carried out to the sewerage system. Funding is not likely to be available until the latter part of 2011-2016.
 122. There are no public surface water facilities in the vicinity of the proposed development and the applicant will need to investigate alternative methods of surface water drainage disposal. There must be no discharge of surface water to the foul system. AWS also recommend imposition of a standard condition requiring details of foul and surface water drainage for the site.
 123. HSE - From the plans it is clear that the development falls within the consultation distances of the nearby explosives facility licensed by the HSE, the northern edge region will fall within the Band 2 safeguarding distance and therefore if an explosion was to occur at the licensed site these developments will not be afforded the appropriate level of protection.
 124. Based on the information provided, the Explosives Inspectorate has considered the effect that the explosive operations allowed under the licence might have on the new development. Our conclusion is that whilst the probability of a major accident involving explosives is low, the consequences to people at the development could be serious. Should planning permission be granted for the development, the Explosives Inspectorate would review the explosives facilities licence. This review may result in the facilities explosives capacity being significantly reduced, possibly putting its commercial viability into jeopardy. As far as the rest of the development is concerned the proposed development falls within the outer (Band 3) consultation zone of the nearby licensed explosives facility. Therefore there is no objection to it proceeding provided that the development is no more than three storeys (12 metres) high and is of traditional brick construction.
 125. Suffolk Primary Care Trust (PCT) - Suffolk PCT reaffirms our commitment to the project and requests that consideration be given to a S106 obligation to offset the assessed health impact if the Ganges Development proceeds.
 126. (Second letter) We have had several exchanges with the local primary care provider on the Shotley peninsular and have formed a view that there would be a health impact posed by the Ganges development, but that this would not be significant enough to warrant development on site. The health demand created by the development would therefore be served through expanding existing capacity on the peninsular. We understand the original Environmental Impact Assessment does not accommodate health as a consideration and we feel this must be challenged given the inevitable health demand this will generate.
 127. Ramblers Association - have no observations or representations to make but comment that the adjacent public footpaths must not be obstructed at any time during the development of the site.
 128. Suffolk Coastal District Council - does not wish to comment on the application.

129. Suffolk Coasts and Heaths Unit - express the following concerns;

- The possible impact of increased public use of the surrounding sensitive sites - Current research is suggesting that recreation disturbance is one of the factors causing declining bird levels on the estuary. Improved access across the site and cumulative impacts with the Marina developments is of significant concern. The applicant should look in more detail how it can be managed.
- The detailed landscaping on the site needing to reflect local character and relate to the designations abutting the area - The applicant's suggestion that the topography of the site limits any impact upon the AONB is broadly correct. It will be essential that any landscaping proposals take appropriate consideration of the AONB Landscape Guidelines. I would expect to see a condition on any permission granted requiring further work to be done on landscape proposals.
- The provision of future interpretation/information and management of the site - I would wish to see a clear mechanism of how this future site management work will be implemented, overseen and resourced. The same applies to interpretation/information regarding the sites. The AONB unit should be involved.
- The developers may wish to consider how they could make a greater contribution to the adequate care of the landscape and setting for this development. The abutting landscape is of national importance and biodiversity of international importance. This development will have impacts through the number of people being brought in and someone has to manage those impacts. Imaginative use of commuted sums and/or planning gain contributions linked with the needs and aspirations of the local community could see an enhancement of the surroundings and better provision for the community.

130. Head of Contract and Asset Management;

- i) (Arboriculture) - recommends refusal and advises that the arboricultural information submitted with the application is not sufficient and it is not possible to make an accurate assessment of the arboricultural implications of this proposal.
- ii) (Landscape) - I have assessed the proposals from a strategic landscape point of view, taking the adjacent Suffolk Coasts and Heaths Area of Outstanding Natural Beauty into consideration. As verbally advised, structural landscaping to screen the development in the wider landscape setting is missing. This is particularly the case on the south-west and north-east aspects.

131. Environmental Health - Relatively minor contamination has been identified in the surface soils at the site. However, further sampling will be required once the above-ground storage tanks and associated pipeworks are removed. No groundwater monitoring or gas monitoring appears to have been undertaken. The Environment Agency should be able to confirm what, if any, groundwater monitoring is required. An up-to-date noise survey should be undertaken and a further assessment of the impact of noise undertaken, including assessment of the cumulative impact of the Felixstowe South Reconfiguration and the Bathside Bay Container Terminal.

C. Submission of additional information (amended plans, arboricultural assessment, noise surveys and drainage strategy – December 2007 consultation)

132. PC (Shotley) - have commented on the various documents submitted as follows (summarised)

- **Arboriculture report** - It should be noted that consent to fell a preserved tree will normally involve a condition requiring replacement planting with the same species in the same location.
- **Noise impact of the ports** - The survey was taken over one 24-hour period at a single location and concluded there would be no impact upon residents. We consider the sample period is too small to provide any useful data to assess impact. Night time noise levels from Felixstowe were found to be above the World Health Organisation guidance threshold levels for sleep disturbance which leads to the conclusion that there will be an adverse impact for future residents. The noise report is misleading about the cumulative noise impacts from Felixstowe South Reconfiguration and Bathside Bay. The Council should conclude the ES is inadequate and contrary to Local Plan policy EN24 and in the absence of noise mitigation/compensatory measures, is a further ground for refusing the Reserved Matters application.
- **Overlooking** - we note the amendments to the south western parts of the development to lessen the intrusion on existing properties.
- **Drainage strategy** - The applicant is too imprecise in saying at what point in the construction phase they and Anglian Water will address foul drainage issues. The system may have served the Naval Base well however, it needs to be seen in the context of the developments built in the 1980's, the 150 homes on the marina and the recent approvals for the boatyard and Shotley Lodge. The Development Committee need to be satisfied that foul drainage and treatment are adequately provided for when they determine the Reserved Matters application.

133. PC (Shotley) - The Parish Council requested sight of a copy of the review of the Environmental Statement undertaken on behalf of the Council (review undertaken by the Institute of Environmental Management and Assessment - report dated April 2008). The Parish Council made the following comments in light of the review document (summarised);

- This independent review confirms our view that the Environmental Statement is inadequate.
- Of the 12 criteria assessed, the Environmental Statement was found to be "unsatisfactory because of omissions and/or inadequacies" on five counts and "poor, significant omissions or inadequacies" on one count. Not a single section was found to be without fault.
- It is open to the Local Planning Authority to request further information. However, we would suggest that no further information should be requested, in accordance with the guidance.
- If the Development Committee chooses to reject this application then they should also determine that the outline planning permission be rescinded; that the developer has chosen to allow this matter to remain undetermined for a number of years would in our view be reasonable grounds for such a decision.

134. PC (Chelmondiston) - continue to object to the application and refer to their objections submitted against the earlier planning application for the construction of a spine road (ref B/07/01237/FUL). The Parish Council made the following comments regarding the spine road application;

- *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.*

135. PC (Woolverstone) – continue to object to the application and offer the following additional comments (summarised);

- Insufficient time provided to properly consider the information.
- It is a failure in law if the TPO trees cannot be protected against a planning permission that pre-dates them.
- The Council should not rush to a decision; the precautionary principle should apply.
- The Environmental Statement for the previous application (325 dwelling scheme) demonstrated the undesirable impact of a development of this size on Woolverstone.
- One of the key reasons for refusing the previous proposal at the public inquiry, namely the failure to “enhance and preserve” the Woolverstone Conservation Area has not been addressed in any meaningful way at all. Therefore, the objection remains.

136. PC (Holbrook) – Our concerns still relate to highway issues. The site detail we leave to Shotley Parish Council.

137. PC (Stutton) - Site detail should be decided by Shotley Parish Council. Given the extra pressure on the infrastructure (roads, doctor's surgery, schools, shops etc.) this development is not sustainable.

138. EA - still not satisfied that the flood risk associated with surface water run-off will be adequately managed on the site.

139. Suffolk Coasts and Heaths Unit – Wish to point out that the unit has never discussed the site/proposals with the Council or applicant. They note the offer of a commuted sum to be used for visitor management and interpretation and welcome an opportunity to discuss the details. The situation on the estuaries is ever changing, with significant new research being undertaken within the last 2 years about the impacts of disturbance from recreation. It is important for any development proposals (in particular in combination with other developments) to be set against the latest knowledge and wrong to rely on judgements in the past.
140. Environmental Health – Have studied the noise assessment and consider that noise (particularly construction noise) is not a material consideration. They note that the applicant is proposing to submit details of construction noise control measures to Environmental Health under the provisions of the Control of Pollution Act 1974.
141. Head of Contract and Asset Management (Arboriculture) – The Arboricultural Impact Assessment provides comprehensive and satisfactory analysis of the impact of development on existing site trees. Although four TPO trees are proposed for removal, none of these are high 'A' category classification, so removal will have minimal impact upon local amenity. All other trees proposed for removal are of insufficient amenity value and/or poor condition to warrant being considered a constraint on development. A condition is recommended to ensure development is carried out in accordance with the conclusions/recommendations of the Arboricultural Impact Assessment.

D. Replacement Environmental Statement (Consultation September 2008)

142. PC (Shotley) - request that the following comments (summarised) are considered alongside their earlier comments about the application (paragraph 106, 132 and 133 above);

Background to the Environmental Statement

- The developer has not carried out any public consultation on any of the matters contained in the Environmental Statement. This was a major deficiency identified by the independent review and contrary to your Statement of Community Involvement.
- The developer states that the "redevelopment of existing buildings for a residential institution" is a material consideration is assessing the cumulative impact. We can find no references in the body of the report that identify these effects, particularly in these areas where they would be substantial (traffic, sewage, health etc.).
- Proposals at the boatyard and Shotley Lodge have been overlooked in the applicant's consideration of the cumulative impact.

Air quality, noise and vibration

- No additional information on the cumulative impact of Bathside Bay and the expansion of Felixstowe Port has been made.

Socio economic

- The data and information presented in the assessment of the baseline conditions is often misleading. To properly identify and address the effect on the community where the development is located a rigorous analysis of the most up-to-date and appropriate data should have been made particularly in regard to "services on the ground" at Shotley.

- One effect is to underestimate the need for general housing in Shotley and inflate the need for the type of housing proposed in the application.

Healthcare

- The Health Impact Assessment has not been revised from the 325 application, is out of date and relates to a totally different demographic.
- The conclusion that "there is likely to be some capacity issues in health and social care" whilst true, is not quantified. The issue of increased need for specialist medical services *(i.e. gerontology) is not addressed. No assessment of the impact on, social care, emergency services, dentistry or other medical services has been assessed.
- The applicant's conclusion that 734 people "are likely to be resident" is flawed. There is no comparison to similar schemes elsewhere. Without any realistic population projection no meaningful assessment of impact can be made.
- Having determined, erroneously, that no young people will be resident we have no assessment of the impact on local education services, pre-school provision or their health requirements.
- Mitigation for the health impact of the development is not deliverable (ref: representations received from the Shotley surgery).
- Impact upon demand for emergency services may well be significant and the PC would wish to see S106 obligations for improvements to the police service and for a community paramedic.
- Impact upon community services in the village has not been assessed and therefore no mitigation is proposed. The PC would wish to see a S106 obligation for a sum of money to secure improvements to the community infrastructure and to promote community cohesion.
- The assessment of the impact on the local economy is speculative and no quantitative analysis has been made.
- No analysis of the impact upon the retail and service sector has been made.

Transportation

- We believe the applicant has underestimated the cumulative affect of traffic movements in their calculations.
- The effects of increased traffic movements on Shotley have not been adequately assessed.
- The Inspector into the 325 application was particularly concerned about flooding of the B1456 at The Strand and considered this to be a major adverse impact of the development with regard to issues such as access for emergency services. This application does not seek to mitigate this adverse impact.
- The proposed content of a travel plan is below the absolute minimum one would expect to see for a development of this size in an unsustainable location.

Drainage

- There is no evidence that the drainage plans have been approved (Environment Agency/Highways Authority).
- The issue of slope stability has been raised. It would seem a sensible precaution for such a report to be conditioned in this case.

PPS1 - Delivering Sustainable Development

- We do not feel that the design has taken the opportunity to "improve the character of the area". Nor does it reflect the character of the area. There is little integration with the existing community, nor with the marina development. Linkages to the AONB and leisure and recreation have not been fully explored. Designs are required to create "well mixed and integrated developments which avoid segregation"; this application does not.
- The design of the buildings do not reflect in any way the unique history of the site and would conflict visually with existing local architectural styles, contrary to Local Plan Policy CN01 and EN08 relating to the strict control of development on the Orwell Estuary. Where these designs seem to have been built in other locations they seem to be in predominantly urban settings. Apart from a sail sun shade at one building there is no a single feature of the design relating to naval history.
- The design has not considered whether there are any opportunities for local habitat creation (policy EN06).
- The finishings proposed for the great majority of the buildings: red brick, weatherboarding and clay tiles do not lead you back to the history of the site and are, therefore, poor design.
- The buildings that are three-storeys high will impact on local vistas, contrary to policy CN03.
- Policy CN04 requires new developments to be designed so as to deter crime and provide for public safety. The design of this development with most elements ending in cul-de-sacs, local junctions with no visibility splays, narrow pavements and a lack of linkages between elements does not meet this requirement.
- The majority of the site seems to be enclosed by fencing and those dwellings closest to Shotley Gate face away, which does not promote inclusiveness with the rest of the community. There are no "green edges" where development meets open countryside.
- Children are likely to live in this development and are highly likely to visit yet there is no provision to meet their needs. Policy HS31 states that all new developments must include play equipment.
- There is a lack of information on access for people with disabilities (policy CN02). This presents further grounds for refusal.
- PPS1 requires developments to maximise the use of sustainable and renewable energy sources and promote high standards of waste management. Detail is lacking in the Environmental Statement and energy is only referred to only in regard to reducing consumption.

- It is our view that the proposed design and layout does not meet the test in Policy HS30 nor does it conform to local Supplementary Planning Guidance.
- The proposed actions in the Integrated Ecological Heritage and Landscape Management Plan propose to preserve the monuments and stabilize the environment for wildlife. No assessment of improving public access to the sites and of developing their economic, tourist or educational potential has been made. It is therefore difficult to assess that what is being proposed is the most sustainable solution.
- We are still not able to find an assessment of why buildings have been chosen for demolition rather than being brought into purposeful re-use.

Construction and Environment Management Plan

- We would wish to see restrictions on lorry movements during the "school run" with no deliveries between 8-9am and 3-4pm.
- We wish to see reference to sustainable energy sources being used for the construction period.
- Regular reporting to the Council and complaints procedures should be included.
- The PC would wish to be involved with the proposed contingency and emergency plans.
- Before and after surveys of the B1456 should be undertaken and any damage made good.
- Waste re-cycling target should be 80% (minimum) and only moved by a registered carrier.

Integrated Ecological and Landscape Management Plan

- Repairs and restoration are welcomed. We noted there is no analysis of any options other than preservation as a wildlife habitat. This makes it impossible to assess if this is the most sustainable option for these nationally important monuments.
- There appears to have been no consultation with adjacent landowners who own equally significant historic land and buildings.
- The position with regard to the mast is confusing and extremely damaging.
- The applicant and Shotley Marina (and any subsequent owners) should have a duty to consult and co-operate on maintaining, enhancing and improving the totality of the site.

Conclusion

- The Regulation 19 request has resulted in some additional information yet the Environmental Statement still has many serious shortcomings in methodology, analysis, conclusions and proposals for mitigation.
- We can find no objective reason why this application should be granted; we have detailed many reasons why it ought to be refused.

- The applicant has sought to amend the original application and the reserved matters application submitted by the previous owners to an extent that it bears only passing resemblance to what was agreed some 20 years ago.
 - Mitigation can be identified but the extent and depth that would be required would in effect be seeking to make an unsustainable development sustainable and the cost is likely to make the development uneconomic.
 - Babergh has a duty to promote sustainable development and only through refusing the application and allowing more appropriate developments to come forward guided by a planning brief can this duty be discharged.
143. PC (Chelmondiston) - re-affirm their objections to the application and provide the following comments (summarised);
- The proposals have changed so greatly from the outline approval that it should be considered as an entirely new planning application.
 - The recent Public Inquiry (2006) considered this to be a poor development.
 - The projected number of residents is seriously underestimated.
 - It is believed that a significant number of these properties will be marketed for families.
 - It is noted this is now to become a community for people over 50 and not 55. It is understood that only one person in a household has to be over 50 to qualify for retirement status; so each retirement family could easily be made up of several people, including very young children.
 - The current proposals now include (in addition to the 404 homes) a leisure building, a community building, a 60-bed care facility and 9 staff accommodation units. These numbers must be seen in conjunction with other extant permissions and Shotley.
 - A retirement community is completely inappropriate to meet housing needs.
 - No provision for affordable homes.
 - It will seriously exacerbate the population imbalance.
 - The peninsular already experiences an ageing population - young people cannot afford to live where they grew up.
 - The social impacts of the development have been seriously underestimated.
 - Impact upon local health services will be huge and has not been properly addressed. This will adversely affect all residents on the peninsular.
 - Access to our hospital from such a distance is already difficult and could jeopardise the lives of the elderly residents.
 - No consideration about the enormous impact upon Shotley school and education planning.

- No consideration about the impact of traffic generated by the development, including construction traffic.
 - The Local Inquiry found that traffic impact would be unacceptable for the 325 dwelling scheme.
 - The developer's travel projections do not include staff and visitor journeys and underestimate the activity levels of the young retired.
 - No account has been taken of the fact that everyone living at Shotley is dependent almost entirely on Ipswich (retail).
 - The Environmental Statement acknowledges that changes will be necessary to the A137/B1456 junction by 2012 and that this increase in traffic will have a significant adverse effect even without the proposed development.
 - Local public transport services are inadequate for the current population so there would be heavy use of cars. The developers' travel plan lacks any details and is unlikely to have a serious impact upon car use.
 - The B1456 in several locations is narrower than a B class road should be and is therefore already inadequate for current traffic levels.
 - The developers Environmental Statement has been found by IEMA to be seriously flawed and inadequate.
 - No consideration has been given to the deleterious effects the increase in traffic will have on the Woolverstone village Conservation Area and Chelmondiston's AONB status, along with some knock-on effects on the Pin Mill Conservation Area.
 - The Ecological Report highlights the likely adverse impact the development will have on the wildlife in and around the site.
 - Access to the peninsular is frequently affected by flooding at The Strand, which brings traffic to a standstill causing grid lock in the network of lanes. This has dangerous implications for emergency services access.
 - Chelmondiston Parish Council agrees with the findings of the 2006 Public Inquiry that this is an unsustainable site for the size and nature of the development proposed. Furthermore, the design features of the development fail to meet environmental standards appropriate to the 21st Century. We strongly feel it is time that this long standing application is overturned on these grounds. This will give local communities the opportunity to participate in bringing forward a more appropriate and sustainable use of this historically significant site.
144. PC (Woolverstone) - repeat and summarise their previous objections to the application (paragraph 135 above) and provide the following additional comments (summarised);
- There has been no public consultation over the new Environmental Statement. We believe there should be (to gain local views about the B1456 and the impact of traffic upon the Conservation Area).
 - Babergh's position should be to support and protect its rural communities, including Woolverstone. There is a statutory duty to "preserve and enhance" our Conservation Area.

- The principles and criteria of sustainability (PPS1) should apply to this application.
 - We would like to see a genuine audit of the need for a retirement complex of this size on the Shotley peninsula.
 - We would like to support the concerns expressed by the health care professionals of Shotley Surgery about the impact of the retirement community.
 - We find it hard to understand why Babergh District Council sees fit to engage in the piecemeal development of the former HMS Ganges site and why the process of addressing the reserved matters has been so protracted. Our view is that this discredited scheme should be rejected once and for all.
 - Our view is that this flawed, amended application should be refused. The Shotley peninsula is a unique, peaceful and beautiful place. Once lost, it will be lost to us, and those that come after us, forever.
145. PC (Freston) - does not alter their previous comments (paragraph 109 above) and wish to add the following comments;
- The applicants have not taken into consideration that many of those people living in the retirement home will need to go to work when they first move in. Due to the recent "credit crunch" only the affluent will be able to retire at 55. Also the pension age of women is going up to 65 and the new Employment and Support allowance is work focused. This will mean more trips along the B1456 during peak hours.
 - We are concerned about the safety of our residents. Two people were killed at Freston crossroads in 2003. We were fortunate that no-one was killed following a recent accident (December 24th 2007). The developer has not come up with a safe plan for this junction. SCC has admitted that it is unsafe now and the planning inspector referred to this junction in his report.
 - The GP practice covers the whole of the peninsular. We are concerned that the health services in this area will not be able to cope with the extra people particularly as they become frail. We already have a number of care homes in this area. Babergh have granted planning permission for a number of these since 1988. We do not think the medical services can cope with this one now.
 - We urge you to refuse this application.
146. PC (Stutton) - provide the following comments;
- We would like to see further evidence of infrastructure to support a development of this size, in terms of water, power, sewerage, drainage and flooding. Also an increase in facilities - shops, dental, doctors, surgeries etc.
 - Of considerable concern is the impact on the single access road to Shotley and the increase in traffic that this must bear. This road has been described as a '10-mile cul-de-sac'. Although these developments are for retired individuals and it can be expected that car usage will be lower than for normal residential dwellings, there will still be an extra burden of traffic on this road from visiting relatives, delivery services and the like. Of greater concern is the accessibility for emergency services to access this development. The Parish Council would like to see the cross roads at Freston better laid out in order to cope with this increased flow of traffic.

147. TC (Felixstowe) - does not wish to comment.
148. SCC (Archaeology) - our previous comments suggested the Environmental Statement was weak and failed to address some aspects of the heritage background. The revised document is based on discussions with SCC Archaeological Service and English Heritage and is supported by further investigative work. We are now satisfied that archaeological investigation of the HMS Ganges site can be completed post-determination and secured by a standard condition to ensure that an adequate record is made of any archaeological features or finds which would otherwise be destroyed by development (PPG16).
149. NE - Provide the following comments (summarised);
- The application site is close to the Orwell Estuary SSSI and the Stour Estuary. Together, these SSSIs for the Stour and Orwell Estuaries Special Protection Area and Ramsar site.
 - We note from the revised Environmental Statement that with the proposed mitigation against disturbance caused by increased recreational pressure, there remains an adverse impact on the interest features of the Special Protection Area/Ramsar site.
 - The Environmental Statement states "It is accepted that some of the mitigation may not be 100% effective, this is identified within the tables under Residual Impact after Mitigation."
 - Given that the applicants own Environmental Statement recognises that there might be a residual risk of adverse impact even after the proposed mitigation is implemented, we would advise that this proposal is likely to have a significant effect on the Special Protection Area.
 - An Appropriate Assessment is therefore required in accordance with the Habitat Regulations.
 - We are of the opinion that an adverse effect on integrity of the Special Protection Area could not be avoided unless an additional appropriate package of monitoring and mitigation measures is agreed over and above the mitigation proposals currently submitted.
 - The monitoring must assess the effects of recreational disturbance on the Special Protection Area features over a reasonable timescale and the mitigation package must provide for additional measures undertaken to control disturbance if the monitoring is unable to demonstrate no adverse effect.
150. SWT - We have limited our comments to the two areas relating to our objection letter of 22nd October 2007 (paragraph 119 above);
- **Impact upon bats** - the survey work for bats is detailed. We are pleased the service road around the Martello Tower M is to be relocated to 30 metres from the tower and that road lighting will be strictly controlled, as well as security lighting on dwellings within 40 metres of the tower. Areas to the south and west of the tower are defined as 'dark zones' as well as other dark zones defined elsewhere on the site, including the fort. It is vital that all these measures are carried out if the bat population is to be retained. Monitoring of the bat populations in hibernation is also included which is important for on-going assessment of favourable conservation status.

- **Impacts of increased recreational disturbance upon Stour and Orwell Estuaries SPA and Ramsar site** - We note that the Environmental Statement now indicates that an increase in the number of disturbance points at Shotley Point is likely as a result of the development proposal, with also possible effects on the more sensitive locations arising from more enthusiastic walkers. A more detailed package of mitigation is proposed, but an important omission is the absence of monitoring. Post development monitoring should be undertaken to assess the effectiveness of the mitigation package. Should monitoring work indicate that the increased numbers of people arising from the development are causing increased recreational disturbance within the international site then a contingency must be built in to address this. The one-off payment of £10,000 to the Suffolk Coasts and Heaths Project towards a wardening presence is insufficient to deliver anything of this sort and should be increased to a more meaningful figure.

151. EH - provide the following comments (summarised);

- We welcome the preparation of a draft Integrated Ecological Heritage and Landscape Management Plan for the site which has helped inform decision making for this important site.
- The scheme will have an impact on the settings of the monuments and listed buildings although the design of the development has been amended to help preserve their immediate settings. It is however, important that inter-visibility is maintained between the two scheduled Martello towers and the Fort.
- We are keen to see the completion of the Management Plan for the whole site. We would expect that revisions would be needed as part of the Management Plan which could feed into a Section 106 Legal Agreement or be underpinned by appropriate planning conditions to secure the safeguarding, conservation and management of the nationally important heritage assets contained within the site.
- We are satisfied that the heritage importance and significance of the former HMS Ganges site has now been given sufficient weight against the other interests of the site. The impact of the development on the site involves major change and potentially major damage which in our view could be only in part mitigated by careful design of buildings and surrounding spaces, survey and conservation as well as archaeological evaluation and excavation strategies.
- English Heritage recommend that appropriate conditions are applied or a S106 Agreement secured to ensure conservation works are carried to the site, that appropriate mitigation is secured to preserve the settings of buildings and monuments and appropriate archaeological investigation and recording is undertaken.

152. HSE - repeat their previous comments (paragraph 123 and 124 above).

153. RSPB - confirm that their objections to the application still stand as previously stated (paragraph 120 above). They provide the following additional comments (summarised);

- We are disappointed with the level of mitigation proposed within the Environmental Statement which will not prevent adverse effects on the Stour and Orwell Estuary Special Protection Area.

- We strongly disagree with the statement in the Environmental Statement that the Special Protection Area is "becoming downgraded in wildlife terms, therefore Appropriate Assessment is not considered to be required". We believe the proposal will have an adverse effect on the Special Protection Area and should be the subject of an Appropriate Assessment.
 - It is the RSPB's opinion that a comprehensive examination of the potential impacts of the proposal on the Stour and Orwell Special Protection Area is required.
 - There is no survey data to support the statement within the Environmental Statement about the quality and environment of the Special Protection Area.
 - We fully support the notion of creating a Ganges Management Group and are pleased that the developer is proving a contribution towards this. However, this does not take away any of the obligations to follow due legal process.
 - The RSPB is supportive of the educational material that will be made available to the residents and the interpretation boards that will be implemented on site regarding disturbance to the Stour and Orwell Special Protection Area.
154. Suffolk Primary Care Trust - has provided the following comments (summarised);
- NHS Suffolk requests that consideration be given to a S106 obligation to offset the assessed health impact of the development.
 - The assessment attracts revenue costs but will also require capital input to reconfigure local infrastructure to accommodate the health activity generated by the development.
 - NHS Suffolk currently submits S106 requests for all developments of 15 or more dwellings.
 - The sum [commuted payment] will be used to develop local health infrastructure to accommodate increased risk to health delivery.
 - This process is aimed at submitting a calculated, evidence based Health Impact Assessment giving the implications over a 3-year period post development. The model used is an accepted and tested process that is reasonably aligned to the specifics of a development and is regarded as a realistic appraisal of the requirement.
155. SCDC - state that the proposed development is unlikely to have any significant impact on the Suffolk Coastal District and does not intend to comment.
- E. i) Amendments to the replacement 2008 Environmental Statement, ii) version 2 of the Integrated Ecology, Heritage and Landscape Management Plan, iii) draft heads of terms document and iv) Applicants proposals for off-site highway works (Consultation for i, ii and iii - April 2009, Consultation for iv - May 2009)**
156. PC (Shotley) - provide the following comments (summarised);
- We have given further consideration to the "new" ES and are concerned that many of the issues we have raised in previous consultations have not been addressed.
 - The sum of £10,000 [for wardening of the Special Protection Area] is derisory and the remaining mitigation lacks any meaningful substance and cannot be enforced.

- Very little landscaping has been proposed and what has, amounts to shrubs and small trees at the edge of dwellings. It is difficult to relate this to the open agricultural land to the west of the site and the marshland to the northwest and there are no wildlife corridors proposed (contrary to policy CR07).
- The majority of the development are cul-de-sacs which do not allow the free-flow of pedestrians and cycle users through the whole of the development and the winding nature of the street layout would not allow public transport coverage across the whole site (contrary to policy TP01).
- There are no linkages to the existing public footpath network and no proposals to extend the network (contrary to policy TP02).
- There are no cycle routes and facilities, as required by policy TP03, nor are there any traffic calming and pedestrian safety measures which are required by TP09 to be integral to the development.
- As fresh information is coming to light on the extent of underground workings at the site, it seems to us that it would be prudent for the Local Planning Authority to require that the developer undertakes an investigation and appraisal (PPG14).

157. PC (Chelmondiston) - provide the following comments (summarised);

- The Integrated Ecology, Heritage and Landscape Management Plan make no mention of the ceremonial mast. Its absence from the document is, at best, a gross oversight, at worst a worrying example of the lack of real concern about preserving the local heritage.
- That the restoration of historic assets will not begin until construction is an inadequate response. Listed monuments should be kept in good repair by their owners and Babergh has a duty to ensure that they do this. The mast is currently in a lamentable state of disrepair and work to restore it should be happening now.
- A sum of £33,266.70 has been suggested by way of mitigating the impact of this development on Chelmondiston. A consequence will be a very significantly increased number of vehicle journeys through our main road.
- The [highway] measures will not meet with the approval of local residents who could find far more useful projects. We protest that we still have not been consulted in this and would prefer to see the monies contributing to schemes such as, for example, the re-furbishment of our car park, the provision of a safe off-road cycle route or community path and not squandered on unnecessary signage and "gateways" - which will have no measurable impact on traffic.

158. Second letter (following receipt of details of the off site highway works) (summarised) -

- Concerned about the suggested traffic calming measures for Chelmondiston.
- We have not been consulted and our views and suggestions are being totally ignored.
- Slowing the traffic down is not the only problem; it is the volume of traffic that everyone is concerned about and we are yet to see any evidence the the "gateways" and signage will have any measurable impact upon speed or the volume of traffic generated by the proposed development.

- The money could be better spent.
 - What measures can be taken to assist pedestrians in crossing the road (zebra crossing or raised surface possible? would speed 'light-ups' be useful?)
 - Given our desire to be fully involved in the decision making on traffic calming in our village, we would suggest a site visit with those who are making decisions so that all parties reach a mutually agreed solution.
159. PC (Woolverstone) - continue to object to the application, repeat the comments made in their previous letter (summarised at paragraph 144 above) and provide the following additional comments (summarised);
- We believe the proposed development does not meet the criteria for sustainable development as outlined in PPS1. Therefore, it should be rejected.
 - We expect that the highest level of quality Environmental Statement should be the accepted benchmark for such a sensitive and controversial proposal (rather than IEMA's grade C).
 - In the current economic climate we are unsure how many people will retire at 55. The applicant should demonstrate the need for the facility. There has been a massive shift in approaches to an ageing population since this plan was first put forward in 1988.
 - We remain gravely concerned that the response time for emergency services to Shotley is, at 20 minutes on a straight run, right on the outside of what is expected and safe. Any hold-ups could obviously have repercussions with respect to recovery and/or survival. The idea of placing a community that is more likely to need this sort of service at the edge of acceptable response time could put people's lives at risk.
 - When we have an accident on the B1456 access to the peninsula is almost closed down: there is one road on and off.
 - We believe that the applicant should present updated accident statistics in the Environmental Impact Assessment.
 - The noise from traffic already spreads into the Area of Outstanding Natural Beauty and detracts from and damages the peace and tranquillity of the countryside. Further intrusion would exacerbate this damage.
 - Furthermore, it is our view that the proposed development at Shotley will have impacts upon the AONB adjacent to the site, yet the impacts are not adequately assessed in the Environmental Impact Assessment. Until these impacts are properly assessed in the Environmental Impact Assessment, given the Council's statutory responsibilities under the Countryside & Rights of Way Act, we will continue to object to the Reserved Matters application and request that further detailed assessment is carried out.
 - Monitoring of impacts upon the Special Protection Area proposed within the Environmental Statement is an inadequate response given the international importance of this area.
 - The precautionary principle must apply to this application.

160. Second letter (following receipt of details of the off site highway works) (summarised) -

- It is not possible to mitigate the "significant impact" the volume of traffic that this development will bring to our village.
- There is nothing feasible to reduce the impact of huge numbers of trips through the village.
- We urge you to refuse planning permission in favour of your statutory duty to "preserve and enhance" the Conservation Area.
- The siting of the Woolverstone gates is inaccurate. They should be sited at the beginning of the village, not part way through.
- There are additional measures that could control traffic flow - average speed cameras - we would welcome consultation with Suffolk County Council to explore our options.
- Our village is not protected in its entirety by a 30 mph zone; all of the village should be included.
- Woolverstone does not have a footpath that runs the entire length of the village - such a path should be constructed for pedestrian safety reasons.
- Consideration should be given to the provision of a quieter road surface.
- Consideration should be given to extending the 40mph restriction between Chelmondiston and Shotley (to include restrictions between Chelmondiston and Woolverstone and from Woolverstone through Freston).
- We urge you to reject this application and replacement Environmental Impact Assessment as totally failing to address the concerns of our village and the recommendations of the Planning Inspector and Secretary of State.

161. PC (Freston) - wish to add the following comments (summarised) to those they have already made;

- During the last 20 years there have been many changes including the Ipswich High School for girls moving from Ipswich to Woolverstone. This and other developments have greatly increased the traffic on the B1456 through Freston and Woolverstone.
- The extra traffic from this proposed development will exacerbate the safety problems at the Freston crossroads junction.
- Our residents need to be able to safely use the bus stops at this location (the crossroads).
- The Environmental Statement uses traffic data from April 2004 - March 2007. There were 2 deaths at the crossroads junction in 2003 and since 2008 we have had our bus shelter run into and recently an elderly driver was seriously injured at this junction. The figures in the Environmental Statement are therefore misleading.

- The capped figure of £35k offered for works to the crossroads junction in the S106 is derisory. We consider that Development Committee must take into consideration the Inspectors findings [that a safe stopping location for a bus had not yet been identified, that increased traffic would exacerbate safety conditions and doubt as to whether an adequate and environmentally acceptable scheme could be achieved] and therefore must refuse this reserved matters application as a safe plan for this junction has not been submitted.
 - We are surprised there is no provision for financial contribution to 'Buzabout'. The Environmental Statement states that "Bus access to Shotley has been significantly harmed by the Buzabout initiative". It also goes on to mention the community car and Dial-a-ride. These services are significantly subsidised so a substantial sum would be required if, as indicated, they are relying on using this service.
162. Second letter (following receipt of details of the off site highway works) the Parish Council provide the following comments (summarised) about the proposed alterations to the B1456/B1080 -
- We are disappointed the developer persists in putting forward plans similar to those that were found to be unsafe at the planning inquiry.
 - It is unsafe to cross from a north bus stop as this was highlighted in a safety audit that JMP obtained in 2006 and was presented at the planning inquiry. We cannot see that encouraging people to cross further north on the B1456 helps. The problem is not being able to see vehicles coming from Shotley.
 - By removing the 'V' in the middle of the junction and marking only two bus stops they are compounding the problem. This village has a number of let properties which are inhabited by people who do not have cars.
 - When turning left from Freston Street onto the B1080 there is now no room on these plans to for a vehicle to stop before joining the B1456. We do not understand why the applicant has decided to undo alterations that were undertaken some years ago for safety reasons.
 - The plans do not allow adequate space for vehicles to turn safely into the Freston Street junction.
 - The plans do not address visibility problems for vehicles joining the B1456 from the B1080.
 - We urge the Development Committee to refuse this reserved matters application as a safe plan has not been produced for this junction.
163. PC (Wherstead) - have no objections.
164. PC (Holbrook) - wish to make the following comments;
- In relation to the improvements at the junction at Bourne Bridge roundabout, the Parish Council wish to ensure that priority is given to the 1038 to ensure that with the increase volume of traffic there does not become a tail back.
 - At Freston crossroads, we are of the opinion that the only true solution is to install an adequately sized roundabout. The hedging on the eastern side also needs removing to improve visibility. The 30mph limits to the north need extending.

165. PC (Stutton) - provide the following comments (summarised);

- No specific concerns regarding the Environmental Statement or Integrated Ecology, Heritage and Landscape Management Plan.
- General discussion centred on concern for the overall sustainability of the development, provision for healthcare and the expected increase in traffic through villages along the B1456.
- Stutton village could also see an increase in vehicle throughput should the B1456 between Freston crossroads and Wherstead roundabout become impassable.
- The Heads of Terms measures were noted and the Councillors were pleased to see S106 funding to improve the B1456/B1080 Freston crossroads, which, even now is a notorious accident black spot.

166. Second letter (following receipt of details of the off site highway works) (summarised) -

- Particularly concerned with the increased impact of increased traffic at Freston crossroads junction due to the development of the Ganges site.
- The proposed improvements to Freston crossroads are totally inadequate at this accident black spot.
- We would like to see a complete re-design of the junction and consider a roundabout to be more appropriate.

167. PC (Tattingstone) - object to the application on the following grounds;

- The number of dwellings is far too great for the site.
- Inadequate facilities in Shotley for this size of development.
- Increased pressure will be put on all services, i.e. doctor's surgeries.
- The road connection to Ipswich, the B1456, is overcrowded now and is only single carriageway and is totally inadequate for the amount of traffic a development of this size will make.

168. Second letter (following receipt of details of the off site highway works) (summarised) -

- These proposals are totally inadequate to cope with the expected extra traffic flow along the B1456. As the lower age of the retirement complex is 50 years a proportion of these people will still be working, thus adding to an already full capacity road at the peak times.
- Most of the proposals are superficial and do not contribute any relief to an already overcrowded road.

169. TC (Felixstowe) - has no specific comments to make at this stage and is pleased to be kept updated.

170. LHA – n.b. these are the first formal comments submitted since the amendments to the reserved matters were received in 2007, although the LHA has been in regular discussions about the submission with both the Council and representatives of the applicants. LHA comments are summarised as follows;

Draft S106 Heads of Terms

- 1997 outline consent did not contain highway improvements.
- The Environmental Statement submitted with the Reserved Matters submission identified issues and as a consequence the applicants have made an offer of a suite of contributions.
- Whilst off site improvements cannot be legally enforced through the Reserved Matters scheme they are, however, considered necessary today.
- The County Council would prefer to enter into a S278 Agreement with the developer to provide for the developer to carry out the highway improvement works.
- Other transport measures are being discussed with the applicant and need to be included (bus flags and review stands, speed restriction signage and SLOW markings, Travel Plan, Cycle routes provision, public transport enhancements and Shotley/Harwich/Felixstowe ferry).
- Public consultation raised further matters that would have merit in being explored by the applicant.
- The construction management plan should prohibit access via Caledonia Road.

Transport section of the Environmental Statement

- The reserved matters application is not accompanied by a Transport Assessment as this was not a condition of the outline consent. The assessment methodology was agreed with Suffolk County Council in 2007. The transportation section is considered satisfactory from a highway point of view.

Reserved Matters Plans

- Some issues are raised with regard to the widths of some of the roads.
- The circular road is not acceptable and may result in anti-social behaviour.
- Caledonia road is proposed as a one-way entry for vehicles and emergency services due to the close proximity of the gates. Usually where developments need two access points they should both be to adoptable standards and available for general use. However, Caledonia Road has a width restriction by virtue of the gates and adoptable standards cannot therefore be achieved. We are prepared to consider a one-way shared surface on Caledonia Road into the development. This provides the essential secondary emergency route.
- Some footpaths require amendments.
- Parking standards have now been achieved in accordance with Suffolk Advisory Parking Standards
- Minimal parking provision has been achieved in some clusters of dwellings
- Parking in the paved feature areas should be dissuaded or appropriately designed to maintain visibility.
- Some of the minimum dimensions for parking spaces in front of garaging have not been achieved.
- Minimum manoeuvring space has not been achieved to one of the plots.

- Issues with the width of spaces located at the end of a row, against a fence or wall of a building (should be 3.2 metres as opposed to 2.4 metres).
- Parking in front of two of the plots will obstruct the block paved square.
- Shared space for 2 plots is shown at minimum width and has poor accessibility.
- Some parking spaces affect visibility.
- Block paving (as opposed to resin bonded gravel) should be used in the shared surface areas.

Conditions

- Conditions are recommended (some of which repeat those already imposed upon the outline planning permission) – parking manoeuvring areas, travel plan, plan for the management/maintenance of communal parking areas, provision of the off-site works details of the estate roads (etc).
171. SCC (Archaeology) - do not wish to amend or add to their previous comments (paragraph 148 above).
172. NE - provide the following comments (summarised);
- The changes to the Integrated Ecology, Heritage and Landscape Management Plan cover our discussions and agreement of a way forward. I can now confirm that Natural England are satisfied that the mitigation strategies included within this report will offset any adverse effects of the proposed development on the notified features of the Stour and Orwell Estuaries Special Protection Area.
173. EH - provide the following comments about the Integrated Ecology, Heritage and Landscape Management Plan (summarised);
- English Heritage welcomes the further work that has been carried out in the area and the commitment to undertake restoration of the historic assets. Repairs may be more extensive than anticipated in the report. We would therefore expect that appropriate repairs and conservation would be guaranteed by an effective S106 Agreement.
174. EA - provide the following comments (summarised);
- Information supplied in respect of contaminated land fully complies with PPS23 and confirms risks are low (recommend imposition of a condition to cover the possibility of contamination being subsequently found).
 - Have no objection to the application on ecology grounds, subject to mitigation being secured.
 - The submitted information demonstrates that adequate volumes of surface water storage can be provided on site to accommodate the 1 in 100 year storm and this meets the requirements of PPS25. We therefore have no objection to this proposal in flood risk grounds.

- The developer is yet to confirm whether there is sufficient capacity within the existing foul drainage network to accommodate the development. The Council should confirm with the water company whether there is sufficient capacity to take foul drainage from the site.

175. SWT - provide the following comments (summarised);

- We are pleased there is now a methodology for monitoring recreational behaviour at HMS Ganges and the footpath entrances to the Stour and Orwell Special Protection Area. We recommend that should planning consent be given, monitoring should commence and an annual report summarising the findings to date should be supplied to the Local Planning Authority.
- We are disappointed that Haylink [the applicants] have not contacted the Marina to investigate the possibility for creating a holistic approach to recreational land use in this area. This would have resulted in more security for habitats on the eastern boundary of the site and allowed them to be considered as an overall package of ecology and recreational use combined. This is a missed opportunity.
- Regarding Martello Tower L, we are not aware that any monitoring of the bat numbers has been proposed after the management proposals to preserve the structure have been implemented. We strongly recommend that any planning consent also includes a requirement for monitoring of the bat populations, to establish whether the modifications and housing has resulted in continued use of the hibernation site.
- We agree that the Fort offers considerable enhancement opportunities for bats, but this too requires future monitoring. Further reports should be submitted post construction. Should there be a decline in numbers then proposals for mitigation should be included. This information is required so it can be assessed whether the outcome is as predicted.

176. SCDC - state that the proposed development is unlikely to have any significant impact on the Suffolk Coastal District and does not, therefore, intend to comment.

F. Submission of amended plans to address comments received from the Local Highway Authority (August 2009 submission) and amendments to the Integrated Ecology, Heritage and Landscape Management Plan (September 2009 consultations)

177. PC (Shotley) - refer to previous correspondence where we drew attention to serious failings in the design and layout of the internal roads and specifications "with most elements ending in cul-de-sacs, local junctions with no visibility splays, narrow pavements and a lack of linkages between elements" gave us serious cause for concern and led is to our conclusion that the proposal was contrary to Local Plan policy CN04. The revised plans are not accompanied by a revised surface water drainage strategy or an explanation from the applicant as to why no revisions are needed. This makes any assessment of the changes impossible and grounds for refusal. It is our view that the effects on the SPA cannot be addressed post development. In the absence of a proper assessment of the impact on the SPA the precautionary principle must be upheld and this application be recommended for refusal.

178. PC (Chelmondiston) - have no further comments to make.

179. PC (Freston) (summarised) - A planning application sent out for consultation should be such that a reasonable person is able to comprehend it and, in this instance, see how these recent changes to the reserved matters application relate to the original planning application and the subsequent revisions to it. I do not understand how the District Council failed to determine the reserved matters application in 2000. This application with all its amendments is substantially different to the extant planning permission and the 2000 reserved matters application and goes far beyond what is desirable to meet the findings of an Environmental Statement. I do not understand why SCC highways department appear to have agreed to the latest minor amendments to the Freston junction (B1456/B1080) when the Inspector considered a solution had not been reached for the junction in 2006. I do not consider that this complex rural junction can be assessed using software that is designed for urban roads. SCC should not have disregarded the advice of the Planning Inspector. The changes to the plan to Freston junction do not address points I have raised. There is no safe crossing for pedestrians. I do not understand why the Environmental Statement does not look at the impact upon Freston residents. If the amended reserved matters are judged to be a valid approach, the development committee should take into account the planning inspectors findings re this junction and refuse this application, as a safe plan has not been submitted.
180. LHA - requested clarification from the applicants regarding various highway related issues regarding the layout of the site. These matters included access for refuse vehicles, parking spaces, vehicle manoeuvring into parking spaces, visibility at junctions/corners and road widths [NB - The receipt of these comments led to the submission of further amended drawings and a public re-consultation].
181. SCC (Archaeology) - Recommend the imposition of a standard archaeological condition to secure a programme of agreed archaeological work and recording of the buildings proposed for demolition.
182. EH – Do not object to the application and have asked that the following recommendation is taken into account in determining the Reserved Matters;
- We welcome the preservation of the glacia and open spaces around the Martello. However, we recommend that further consideration is given to the design of structures adjacent to Martello L to reduce as far as possible the impact upon the setting of the monument.
183. EA - We have reviewed the amended Integrated Ecology, Heritage, and Landscape Management Plan and recommend that the development is carried out in line with the amended document. This should be made a condition on any planning permission granted.
184. NE - Natural England are pleased to acknowledge the amendments to the Integrated Ecology, Heritage and Landscape Management Plan to take into account the 'in combination' impact of the development with the Marina development on the designated sites. The amendments cover all points raised previously and we have no further comments to make on the matter at this stage.
185. SWT - We find the proposals in the Management Plan satisfactory but query how this will be enforced. We consider it essential that this becomes part of a S106 Agreement so that it is legally binding between the parties involved, rather than left to a planning condition.

186. Police Architectural Liaison Officer - I have met with the applicants to discuss the layout of the development. I raised a number of issues and concerns during the meeting and most of these were answered to my satisfaction. I also made a number of suggestions and recommendations. I have since received a letter from the applicants, a copy of a S106 Agreement [from the outline planning permission] and some revised drawings from the architect. I can confirm the content of the letter gives a fair indication of the issues that I identified at the meeting. The content of the letter, the revised drawings (albeit minor amendments) together with sight of the S106 Agreement have gone a long way to answer my concerns and to a great extent will have met with the suggestions and recommendations I made at the meeting.
187. Health and Safety Executive - repeat their earlier comments (paragraphs 123 and 125 above).
188. Waste Strategy (Babergh) – no objections and offers the following comments;
- the vehicle dimensions used in the modeling diagrams adequately represented those of our refuse vehicle fleet. Our contractors do not envisage any access problems for refuse collection vehicles. Our contractor did have some concerns about the maximum length of pull from the bin stores to the nearest point that the vehicles could reach (up to 25 metres). However, he has found that there is no HSE guidance on this and given the fact that the number of bins involved is relatively small, this should not pose a problem. Added to this, the developer has offered to provide the service of getting bins to within 10 metres of the nearest point of vehicle access, if 25 metres becomes an issue.
189. Suffolk Coasts and Heaths Unit - provide the following comments (summarised);
- **Visual Impact** - We wish to emphasise the relevance of this development proposal to the AONB and its setting and wish this to be fully taken into account. In accordance with Regional Spatial Strategy ENV2 we would like to see much more thought given to how any development of the site can be sympathetically integrated with the surrounding landscape, particularly the AONB. The developers proposals should propose adequate greenspace and information on the surrounding environment within the development, amounting to more than the proposed planting and open space at the Fort. This would recognise the responsibility in terms of the impacts on the area, particularly the AONB and SPA's and more fully researching and evidencing the landscape and visual impacts of the development.
 - **Comments on plans** - planting and retained trees/shrubs do not appear to be shown in any detail. We are concerned about the height of some of the development; three-storey units are shown which would make reducing the visual impact to an acceptable level extremely difficult. Visualisations of the development have not been provided which makes it difficult to comment on the likely landscape impacts. The Unit would be keen to explore the possibility of removing selected buildings from the proposal. Any fences and other structures should be kept to a minimum and controls exercised over colour and design.
 - **Traffic and Transport** - The AONB management plan seeks a reduction in the impact of car use and realistic alternatives to this form of travel. A travel plan is therefore essential. There will be an increase in traffic and such an increase must be seen in the context of the existing scale of car use and the fact that this is a quiet corner of the AONB. The fact that a road network may be capable of absorbing increased traffic does not address the impacts on the quality of life of the communities of the Peninsular or on the character of this area which is renowned for its peace and tranquility. Any alterations of the B1456 must have minimal impact on the character of the area.

- **Lighting** - No indicative lighting design is provided. We would expect the development to be kept to the lowest lighting possible, given its AONB setting. Only essential lighting should be proposed. We have serious concerns about light pollution in the AONB.
- **Conclusion** - the Unit does not feel it has enough information to decide whether the development is likely to have a significant visual impact upon the quality of the AONB and its setting. We have concerns about the impact of traffic in this special area. If more information is not forthcoming and appropriate measures are not suggested to help mitigate these impacts we will have little choice other than to object to the proposals for the Reserved Matters.

190. Ramblers Association - do not wish to make any further comments.

G. Further amended plans to address comments received from the Local Highway Authority and Police Architectural Liaison Officer (October 2009 submission)

191. Any further observations received will be reported at the meeting.

REPRESENTATIONS

A. Submission of the Reserved Matters in 2000

192. Two letters were received from local residents objecting to the application. The issues and objections raised are summarised as follows;

- Spillage from roundabout lighting to adjacent dwellings.
- Increased noise from dwellings in Gate Farm Road (from the new road).
- Emergency services access is unpredictable in the area.
- The B1456 is frequently submerged which cuts off the peninsular.
- The roundabout junction [into the site] will create a new accident black spot.
- It will lead to a further deterioration of services.
- Will lead to the loss of some Tree Preservation Orders within the site.
- Health care and shops are lacking at the site.
- The roundabout junction is out of scale with the rural nature of the village.
- The proposed buildings are not attractive.
- The scale of building (3 and 4 storeys) will not blend into the landscape.
- Detrimental impact upon listed buildings.
- Will double the size of the village and provide no amenities.
- Will diminish the size of the playing field.

- Will create a blind bend on the B1456 leading to highway dangers close to where school buses collect and drop off children.
- No provision for pedestrian crossings or pavements on the B1456.
- Will lead to traffic congestion between Shotley and Ipswich.
- The 24-hour services required will overload an over-burdened road and cause aggravation for people living in the villages along it.
- An elderly age group invariably drive slowly, causing others to take unnecessary risks to pass them, inviting accidents.

B. Amendments to the reserved matters submission (August 2007 consultation)

193. Tim Yeo MP - is concerned about the reserved matters submission for the following reasons (summarised);

- The scheme is considerably larger than the 325 development which was turned down as unsustainable and is very much larger than was conceived for a retirement village back in 1997.
- The plans include more 3, 4 and 5 bed dwellings and if the 55 years age restriction was to be removed it would effectively make this merely an alternative but larger scheme to that which was rejected by the Minister.
- All the factors which made the last application for this site unacceptable remain and always will do; namely that Shotley is at the end of a peninsula with poor transport access which includes the conservation area of Woolverstone.
- I am further concerned that for the developers to have seen fit to propose this scheme at all suggests to residents that Babergh Council officers may have been giving the developers and the local community mixed messages about what will now be considered acceptable development of the site.

194. Hutchison Ports (UK) - The Port of Felixstowe is strategic to the UK economy. It is an industrial area, handling dangerous cargoes, explosives, chemicals and other hazardous substances. The proximity of the Ganges site and its topography presents some level of hazard for future residents and the site lies within a potential area of devastation should a major incident occur involving explosives being handled at the port. Approximately 10-15 of the proposed homes would be within the exclusion zone. This risk can be mitigated to some degree by appropriate design and we believe that it would be essential to include such measures as a condition of permission. The port emits a background noise level of noise and light 24 hours a day, 364 days a year. We endeavour to adopt "best practice" and update our equipment and working methods to reduce impact. Again, appropriate design methodology for housing layout and landscaping is required. Immediately south of the site on the opposite side of the Stour at Bathside Bay, a planning application has been approved for a new container terminal. The development should recognise this possibility and allow for similar issues.

195. A second letter was received after the port owners obtained a copy of the HSE's comments. The following representations were made (summarised);

- If permission is granted there will be a probable review of the explosives license by the HSE. It is not in the interests of HPUK, the local economy or the wider national interest for planning permission to be granted if properties within the site boundary fall within the band 2 safeguarding distance, thus triggering a review. HPUK has three broad arguments that support the need to retain an explosives license in its present form at the port:-
 - A. Importance to the UK economy - there is a shortage of deep sea container vessel handling facilities in the UK. The port of Felixstowe is the largest such facility in the UK. Restricting the Port of Felixstowe's ability to handle cargoes in any way will thus affect the health of the UK economy.
 - B. Importance to the prosperity of the port of Felixstowe - Restricting the ability of our customers to import Class I containers presents a significant problem to our customers which could lead to them withdrawing vessel calls affecting the prosperity of the port and the jobs associated with it.
 - C. Importance to national security - In the event of a substantial conflagration the Port of Felixstowe is one of a handful of ports able to handle large amounts of containerised ordnance quickly. Minor ports are unable to accommodate deep sea vessels. Any restriction on the ports explosives handling license could significantly impair the UK's ability to move ammunition in large quantities on commercial vessels at short notice. It follows that HM Government's ability to respond quickly and efficiently to its international commitments will be curtailed should a restriction be placed upon the port.
 - HPUK formally objects to the proposed Ganges site development as currently set out.
196. 56 letters were received from residents objecting to the application. The issues and objections raised are summarised as follows;
- Issues have already been decided following the public inquiry and there is a precedent for refusal.
 - The proposed development is not sustainable
 - The B1456 is not able to carry the additional traffic and the development will make the road even more dangerous
 - In accordance with the Secretary of State's decision, the number of dwellings should be reduced in order to reduce impacts
 - Insufficient transport options for residents of the scheme (dependency upon the car)
 - Increase in mobility vehicles on the roads will increase hazards
 - The recreation and retail infrastructure in Shotley is insufficient
 - The health centre at Shotley is already at full capacity
 - Circumstances have changed significantly since the outline planning permission was granted
 - Significant traffic increase will affect Wherstead Road, Ipswich, Freston, Woolverstone, Chelmondiston and Shotley and seriously erode quality of life in these villages
 - Increase in traffic would be detrimental to the Woolverstone village conservation area.
 - The B1456 has no footpaths and can be hazardous at peak travelling times
 - The current application totally ignores the Secretary of States recommendations regarding the unsustainable location of the site and harm to the environment from increased traffic.

- Shotley Marina and Ipswich Docks housing schemes will meet local housing needs
- There is no definition of a 'retirement home'
- There are some large, three-storey buildings, some with 5 bedrooms, with garages and car ports
- The site is remote
- Poor access for emergency vehicles
- A site at Ipswich would be better equipped to provide a retirement community development
- The additional influx of residents could almost double the size of Shotley.
- Concerned about impact upon water supplies
- No mention about affordable housing for local people
- Development is outside the historic building footprint and will alter the historic character of the site
- Who will be responsible for the listed structures?
- The Ganges site should be used for alternative purposes; nature reserve & field centre, satellite for the University of Suffolk, returned to agriculture, maritime heritage centre, holiday village and energy park were suggested.
- Some of the proposed houses would be alien in their design
- The listed mast is in a poor state of repair and is deteriorating further. It must be repaired and retained.
- Owing to the nature of the dwellings there will quickly be pressure for the emphasis on 'retirement' to be dropped and the development to evolve into just another housing estate
- It is understood the site has to be developed, but it could be used for other purposes not generating traffic on the B1456.
- What assurances are there that the houses would remain for those over 55 years?
- The amendments to the application are so significant that it should be considered an entirely new application, not an amendment
- The inclusion of large family houses in the scheme is contrary to the spirit of a 'Retirement Community'
- It would be morally wrong, following the Secretary of State's decision, to allow this application to proceed.
- 404 dwellings represents over-development of a site in a totally unsustainable location
- The application does not address serious issues such as limited fuel and water resources.
- The design and materials of the buildings do not make the best use of limited resources for heating and light, nor conform to principles of sustainable building.
- Such a development fails to meet the housing needs of the local community.
- Approval of the application would severely damage the well-being and way of life of the other residents of the whole Shotley peninsular.
- The access problems have not been addressed
- Local services would be placed under strain, especially medical services
- The proposals do not use any of the existing buildings, leaving concern that these areas will be the subject of further development applications
- No serious account has been taken of the cumulative effect of this development with the Shotley marina development.
- Would contribute to the urbanisation of the Area of Outstanding Natural Beauty
- The Environmental Impact Assessment is out-of-date and deficient
- The impact of these proposals upon the Woolverstone Conservation Area will be so detrimental that the District Council could be considered negligent of its duty to 'preserve and enhance' the Conservation Area.
- Insufficient thought was given [at outline stage] to the consequences of traffic generation from a development of the scale proposed

- Since the outline consent was granted, traffic has grown to the point that parts of the B1456 are now regularly at or over capacity at certain times of day.
- In considering impact upon the Woolverstone Conservation Area, the Inquiry Inspector pointed out that the current 404 application is of "comparable scale" to the 325 plan. Logic must dictate that this application must be equally unacceptable.
- Woolverstone faces an additional 612 two-way trips during the AM peak hour alone, with no realistic prospect of traffic being reduced.
- Suffolk County Council Highways, the Inquiry Inspector and the Secretary of State all maintain the road does have capacity but the 325 scheme was nevertheless still rejected because of the negative impacts of the volume of traffic in conservation areas.
- A new medical centre will be required
- The villages of Chelmondiston, Woolverstone and Wherstead (Strand) need to (and should) be by-passed.
- A sewage system needs to be developed to cater for the peninsular
- Water and electricity supplies will need to be upgraded.
- There should be a water taxi service along the Orwell into Ipswich
- Construction traffic will have a detrimental impact upon the villages
- Although a brownfield site, HMS Ganges does not meet the recommended criteria set by Government in determining the location of sites for development.
- The application offers no benefit to the local community
- Three-storey houses are unsuitable for retired/elderly people
- More houses generates a need for a supermarket where an affordable shop is possible
- It would be 'ultra vires' to determine the reserved matters submission
- The application is a smoke screen for an alternative application of the site to be seen in a better light
- Policing of the over 55's restriction would be haphazard and unreliable.
- Significant environmental damage and impact upon the fragile Shotley peninsular
- Because of the mix of housing, the proposals no longer fall within the description of the development which was granted outline planning permission
- There are no clear commitments to mitigation, with mitigation measures simply being suggested or recommended in the Environmental Statement. However, the impacts are assessed on the basis that these mitigation measures will be implemented. This approach is contrary to all EIA good practice and provides no certainty as to what mitigation will be implemented and hence what the impacts will be.
- There will be overlooking from 3-storey buildings into our rear garden and windows (Bristol Hill Park)
- When there is an accident on the B1456 it can be closed for hours - there is no other access to Shotley
- There will be an adverse impact upon the landscape qualities of the Area of Outstanding Natural Beauty.

C. Submission of additional information (amended plans, arboricultural assessment, noise surveys and drainage strategy – December 2007 consultation)

197. Hutchison Ports (UK) – re-iterate their concern that any modification to the Port's explosive handling limits following approval of this application would have a material impact upon the UK's security position. The Ministry of Defence has expressed concern [in dialogue with the port] that, in times of conflict it requires use of all available explosives handling facilities and the UK's defence related explosives handling capacity has been compromised in recent years by the encroachment of neighbouring development, particularly at major MOD logistics bases at Marchwood and Portsmouth.

198. Currently there is no protective national policy on this issue and it is up to an individual Port to present its case. With the Port of Felixstowe being the UK's largest deep-sea container handling port, its handling limits are of significant benefit to the overall defence logistics planning and we can only re-iterate that the potential impact of this development must be carefully considered by the Council taking into account this wider national strategic issue.
199. Four letters of objection were received from residents objecting to the application. Many of the issues/objections raised following the August 2007 consultation (reported at paragraph 196 above) were stated.

D. Replacement Environmental Statement (Consultation September 2008)

200. Hutchison Ports (UK) - comment that whilst the Environmental Statement does address noise and light effects it does not appear that the concerns of HPUK as outlined previously (paragraphs 194 and 195 above) have been fully addressed. HPUK's concerns over the design of houses within and proximate to the explosives handling SD2 have not been addressed. This serious shortcoming must be addressed prior to the granting of planning permission.
201. The Holbrook and Shotley Practice - are concerned about the type and number of units proposed for the retirement village and provide the following additional comments (summarised insofar as they relate to the reserved matters submission and related Environmental Statement)
- It is likely the number of elderly residents at Ganges would exceed 1000, all of which are likely to have significant health care needs. The Partners are dismayed at the amount of work this development would represent, particularly as the practice already serves four large nursing/residential homes.
 - It is unlikely the practice could be enlarged adequately to support this concentration of elderly patients.
 - Our colleagues in community health care (i.e. District Nurses) would be severely affected also.
 - It is likely the standard of care to existing residents would be hard hit and the development would be of detriment to current patients.
 - The reality of NHS funding is that the Local Health Authority, in following Government formulae, would not pay the practice any more to look after these patients.
 - There is no other practice with which we could share this load.
 - Haylink themselves say that their proposals would increase the practice population by 10% and if the actual numbers were 1000 additional residents this would be an increase of 12%.
 - The promise of S106 monies would not compensate the practice for the huge disruption, staffing and accommodation problems arising from this development. The PCT has made it plain that it would not support the increased revenue arising from a new, larger building.
 - Although the 1988 planning permission was granted, the Practice does not support its realisation.

202. 23 letters were received from residents objecting to the application. The representations largely repeat the issues summarised above (paragraph 196) with the following additional issues and objections raised (summarised);

- The proposal talks of a contiguous development but the proposal is for two separate communities connected by central community and leisure area. The development is also disconnected from the Shotley Gate community.
- The application should demonstrate the need for this type of housing and Babergh should ensure that the properties contain covenants to restrict occupation.
- Over 55's often travel to work and the applicants provide no assessment of the number of residents of its retirement homes which may choose to continue working.
- The traffic analysis is focussed almost entirely on traffic flow at junctions and ignores adverse effects that the increased traffic will have on the Woolverstone village Conservation Area, the proximity of the Area of Outstanding Natural Beauty the narrowness of the B1456 as it passes through Chelmondiston and the consequent environmental degradation for all those living adjacent to the road.
- A retirement community should be restricted to 1 and 2 bedroom houses
- Adverse impacts upon habitats and wildlife on and adjacent to the site. How will impacts be mitigated and important areas managed?
- Minimal traffic calming measures are being offered but this will not overcome the underlying problem of too much traffic, travelling too fast, along a road that is too narrow.
- Frequency of bus services has recently been reduced to 2-hourly and is unlikely to persuade many people to leave their car at home.
- A dedicated, tarmacadamed, cycle route between Shotley Gate and Ipswich is clearly needed and the developers should be required to make a substantial contribution towards this, should the Ganges development go ahead.
- Increase in noise from traffic will be detrimental to health.

E. i) Amendments to the replacement 2008 Environmental Statement, ii) version 2 of the Integrated Ecology, Heritage and Landscape Management Plan, iii) draft heads of terms document and iv) Applicants proposals for off-site highway works (Consultation for i, ii and iii - April 2009, Consultation for iv - May 2009)

203. Hutchison Ports (UK) - do not wish to comment on the specific documents submitted, and make the following comments;

- In respect of our previous comments regarding light and noise concerns for future residents from existing and future Port operations, we note that the applicant has written to the Council referring specifically to these matters. If the Council is satisfied that the applicant has taken appropriate measures to mitigate light and noise intrusion from the Port operations that might otherwise lead residents to raise nuisance complaints then HPUK does not maintain its objection on these grounds.
- It should be noted that HPUK believes this could be a potential future issue which the Council should consider, and ensure is mitigated for, at this stage.

204. 22 letters were received in objection to these consultations. A number of the issues and objections already reported above (paragraphs 196 and 202) were repeated or re-affirmed. The following additional issues and objections were raised;

- Note has not been taken (in the Environmental Statement) of the 'human activity' and the impact of this extensive development on those living in it and their use of the B1456 road.

- The Integrated Ecology, Heritage and Landscape Management Plan fails to address the issue of the maintenance of the listed ceremonial mast and other listed structures on the site.
- The suggested [highway] measures are risible and a lack of consultation with affected Parish Councils leads me to question the democratic process at Local Government level.
- Surprised that signs and gates have been suggested as these have been discouraged in recent years because of their intrusion on the natural landscape.
- I fail to see how these measures will reduce the additional traffic passing through the villages.
- The northern section of the old Ganges site is now deteriorating rapidly into an eyesore and something has to be done.
- The proposed development of 400+ homes will serve to perpetuate the linear development of Shotley Gate and Shotley village.
- A larger development coupled with a new transport plan and the improvement of basic amenities - water, power and sewage would be more acceptable in that greater amounts of finance would be released to achieve these points.
- A tiny development like the one proposed would be wrong in the wider context - wrong mix of buildings and wrong position.
- Would like to see a broader based independent report on the entire Harwich harbour catchment before tiny schemes like this are authorised.
- The wildlife areas and the AONB should be preserved as such. The development is bound to interfere with wildlife.
- However many new signs are provided will not alter the fact that the B1456 is inadequate as a B Class road in terms of width and is at or near capacity at peak times and crucial junctions.
- Early discussions are underway with Sustrans to establish a community path between the B1456 villages. Babergh should support this project, which has potential to reduce local vehicle movements, by seeking larger S106 payments for this purpose.
- Development and wildlife interests at Ganges are polar opposites, whatever remedial, superficial measures are taken to show willing.
- Any housing development at Ganges will not safeguard the quality of land, air and water, reduce greenhouse gas emissions, encourage sustainable forms of energy production, safeguard human health and avoid any significant adverse impacts created by the cumulative effect of the above, simply because the site is a dead end at the end of one main narrow access road.
- The proposal to locate a bus stop downhill from the Post Office stores [Bristol Hill, Shotley Gate] before the staggered junction above Battery Lane and Estuary is misconceived and littered with latent negative consequences (will negatively affect ability to park on-street for which demand is high).
- The proposals for the junction of the B1456 and B1080 are inadequate for this busy and dangerous spot. A proper roundabout is required here.
- With the increase in traffic caused by the development it will be very dangerous for pedestrians crossing the road in the villages - pedestrian crossings should be provided at various points.
- The proposals do not address other dangerous parts of the B1456 where the road is winding and narrow and visibility restricted by high hedgerows and banks. The road should be widened at various points.
- The proposed improvements to the B1456 will have no effect on the increased amount of traffic which will pass through the villages if the development is allowed.
- Any additional traffic passing through the villages along the B1456 will reduce the level of safety for drivers and pedestrians.

- There is no assessment of the effect of the increased traffic this proposed development will create on the Stoke Bridge Interchange [Ipswich].
- One change that would make an enormous difference for drivers using the Freston junction would be to change the right of way from the B1456 to the B1080.
- The 30 mph zone should be extended [from the west of Woolverstone] further down towards the Freston Boot pub, so the junction is well inside it.
- The proposals for works to Bourne Bridge Roundabout should be extended.

F. Submission of amended plans to address comments received from the Local Highway Authority (August 2009 submission) and amendments to the Integrated Ecology, Heritage and Landscape Management Plan (September 2009 consultations)

205. Four letters of objection were received. A number of the issues and objections already reported above were repeated or re-affirmed. The following additional issues and objections were raised;

- The applicant is tinkering with the plans without tackling the fundamental flaws in the proposals.
- It is essential that pedestrian crossings and adequate footpaths are provided outside Shotley, Chelmondiston and Woolverstone schools.
- Will make the Freston crossroads junction worse.
- No clear indication as to what will happen at the Wherstead roundabout junction.
- Our main concern is that of the well being and the preservation of the Grade II listed building; the HMS Ganges Mast [*HMS Ganges Association*]

G. Further amended plans to address comments received from the Local Highway Authority and Police Architectural Liaison Officer (October 2009 submission)

206. Any further representations received will be reported at the meeting.

PLANNING CONSIDERATIONS

207. The application seeks approval of reserved matters following the grant of outline planning permission for the development described in the title of this report. In other words, the Council is being requested to consider the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site relevant to a scheme which already has the benefit of outline planning permission.

208. In this case, however, the reserved matters submission is accompanied by an Environmental Statement (ES) which seeks to investigate and evaluate the potential environmental effects of the development and put forward appropriate proposals for mitigation. The application for outline planning permission was not accompanied by an ES. Despite the submission of an ES with the application, there are no grounds to re-visit matters or issues relating to the principle of the development, which has already been established by the granting of the parent outline planning permission (B/88/01560/OUT). The purpose of the ES in this case is to aid the decision makers' understanding of the environmental effects of the development proposals and to agree and secure appropriate mitigation measures with the applicant.

Environmental Issues

209. The ES is also discussed within the 'Proposals' section towards the beginning of this report and a copy of the applicants Non-Technical Summary (NTS) of their ES is attached at Appendix 1. The main environmental effects are identified and proposals for mitigation are included within the main ES document and are summarised within the NTS. Mitigation can be secured via a Supplemental Agreement to the existing S106 Agreement attached to the outline planning permission and such measures to achieve this are detailed within the recommendation section at the end of this report.
210. The Local Highway Authority has accepted, in principle, the package of off site highway works along the B1456 corridor proposed by the applicants. All works proposed within or to the highway fall under the jurisdiction of the County Council as Local Highway Authority and the precise detail of the works to be undertaken will need to be the subject of an Agreement under S278 of the Highways Act 1980, but a general agreement to provision of this mitigation can be secured within the Supplemental S106 Agreement.
211. Following two independent reviews (undertaken by the Institute of Environmental Management Assessment) the ES, in its amended form, is considered to address all of the relevant environmental issues and the environmental information is considered to be presented accurately, clearly and systematically and proposals for mitigation arising from the assessment can be secured. The scope and content of the ES is considered to meet minimum legislative requirements. In particular, the ES contains all of the information required by Part II of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 (as amended) and all of the information that is reasonably required of the applicant from Part I of Schedule 4.
212. The ES does not identify any significant adverse environmental effects arising from the siting, design and external appearance of the buildings, means of access thereto and the landscaping of the site and should not act as a barrier to the discharge of the Reserved Matters. Indeed, in light of the findings of the ES, the Local Planning Authority is able to secure mitigation measures from the development at the reserved matters stage that it otherwise might not have been able to.
213. The application site is within 100 metres of two Sites of Special Scientific Interest (SSSI's) which together comprise the Stour and Orwell Estuaries Special Protection Area (SPA) which is a European site. The ES identifies potential adverse effects on the SPA from increased recreational pressures placed upon it by the future residents of the development (particularly from dog walkers). Natural England has advised that the impacts of the scheme upon the SPA are potentially significantly adverse and that the Council should carry out Appropriate Assessment under Regulation 48 of the The Conservation (Natural Habitats, &c.) Regulations 1994. The Regulations require a competent authority, before deciding to give consent for a plan or project which is likely to have a significant effect on a European site in Great Britain, to make an appropriate assessment of the implications for the site in view of that site's conservation objectives.
214. An appropriate assessment of the Reserved Matters application and, retrospectively, of the parent outline planning permission (under Regulation 50) has been made by the Council as the competent authority. The Assessment was prepared on behalf of the Council by a qualified ecologist and has been approved as a robust assessment (subject to securing mitigation measures) by Natural England. A copy of that assessment is attached to the report at Appendix 2. The assessment concludes that provided the mitigation proposals are implemented as described in the ES and Management Plan, then the project will not adversely affect the integrity of the Stour and Orwell Estuaries SPA. Provision is made within the recommendation to accommodate the mitigation proposals as part of the Supplementary S106 Agreement.

The Reserved Matters

215. Outline planning permission has been granted for the development described at the beginning of this report. This application addresses the matters which were reserved from consideration at the outline planning stage. Accordingly, the relevant material considerations are limited to considering the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site. These details are required to be submitted by condition 2 of the outline planning permission (B/88/01560/OUT).
216. The provisions of Government planning policies set out in PPS1, PPS3, PPS7 and PPG15 are of particular relevance to this application insofar as they relate to matters of good design and layout, the preservation of Scheduled ancient monuments and listed buildings (and their settings) and the conservation of landscapes (including national AONB designations). PPS3 seeks to (inter alia) achieve high quality design and layouts from new housing developments which is appropriate in its context. It goes on to state that authorities should aim to;
- i) create places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character.
 - ii) Promote designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes.
217. PPS1 also promotes good design and applies this principle to all development types. The statement also discusses (inter alia) the Government's commitment to protecting and enhancing the natural and historic environment in both rural and urban areas. PPS7 addresses rural areas and places a particular emphasis upon conserving the natural beauty of the landscape and countryside, with particular regard given to nationally designated areas (including AONB's). Policies contained within PPG15 seek to safeguard and promote the Historic environment and (inter alia) preserve the setting of listed buildings (including scheduled ancient monuments).
218. These national planning policies and requirements are reflected at the local level in the saved policies contained within the Second Alteration to the Babergh Local Plan. The provisions of policies CR01 and CR02 (Countryside and AONB), CR07 (Landscaping), CN01 (Design standards) and CN08 (Listed buildings - including settings) are of particular relevance to these reserved matters proposals.
219. The historic assets at the application site are central to the layout of the proposed development (siting of the buildings). All of the listed structures and scheduled ancient monuments are provided with high quality environs and ample settings and vistas/spaces are provided to ensure visibility is retained of these important structures both from within and outside of the site. The layout is considered acceptable with regard to the impact upon the heritage assets at the site and their settings.
220. The layout of the proposed retirement community is defined by four key development spaces. In the north corner, adjacent to the new roundabout access to the B1456, the housing development takes a loose linear form. Housing in the north-west corner follows the 90 degree turn in the spine road and provides a denser concentration of development. The remainder of the housing is provided to the south of the site and focuses upon the Martello tower which is also located here. The development proposals at this part of the site include a circular road around the Martello tower, with housing development provided on the outside of the road providing ample space for the Martello tower to retain its position and important status at the site. A vista is created between the internal roundabout and the Martello tower with new development positioned on either side of this

approach road providing an attractive street approach to the tower. Furthermore, an area to the south of the Martello tower is to be retained free from development to enable views of the tower to be retained from the estuary and beyond.

221. The larger 'community based' buildings proposed as part of this submission are to be located within the central area of the site currently forming the hard surfaced former parade ground. At this location it is proposed to provide the 60-bed care home, leisure building and community building to provide an 'open square' centred around a new bowling green. The provision of these larger buildings at this part of the site complements the scale and nature of the existing (former naval) buildings which are to be retained outside of the boundaries of the reserved matters site.
222. The Health and Safety Executive has confirmed that part of the reserved matters site is situated within the Band 2 consultation distance for the hazardous substances handling facility based at Felixstowe Port. The Band 2 distance, which is defined by a concentric ring around location of the facility, clips the north-eastern corner of the site. According to information supplied by the applicants, twelve of the 404 dwellings proposed in the application are located inside the Band 2 consultation distance with a further five straddling the boundary. The remainder of the reserved matters site (and indeed the remainder of the Shotley Gate settlement) is within the Band 3 Consultation distance. The Health and Safety Executive has not objected to the application, nor recommended alterations to the layout, but they have stated that if the reserved matters are approved they will have to review the Port's explosives license. This has led to the Port operator submitting objections to the application on these grounds. The Health and Safety Executive has also confirmed that the remainder of the development (within the Band 3 consultation distance) does not raise concerns on the proviso the buildings are no more than 3-storeys and are of traditional construction.
223. The twelve dwellings which are located within the Band 2 consultation distance are only just inside the boundary. Their relocation a few metres south would mean that they would be deemed acceptable by the Health and Safety Executive. Discussions with the applicant have revealed that in order to accommodate all of the dwellings within the Band 3 consultation distance area it would lead to significant requirements to re-model the layout and change the concept of the design. The applicants have therefore asked for the application to be determined in its submitted form.
224. This issue has been given careful consideration. The presence of a planning permission (which has been commenced) for housing development comprising 150 houses at the nearby marina site, which is closer to hazardous substances handling facility than any part of the development proposed on the Ganges site will mean that, based on the Health and Safety Executives advice relating to this reserved matters application, the license at the Port will have to be reviewed, whatever decision is taken on this application. The owners of the Marina have recently confirmed in writing that it is still their intention to build out their development when the current housing market is more favourable and have pointed to significant investment they have made in upgrading vehicular access to the Marina (a condition of their planning permission) as evidence of their intentions. In light of this, and for the following reasons, officers consider that the reserved matters should be approved and it would be wholly unreasonable to seek to refuse the application on the basis that twelve of the dwellings are situated within the Band 2 consultation distance (with a further five straddling the boundary);
 - The dwellings are on the cusp of the 'boundary' dividing Band 2 from Band 3. The banding is a concentric ring around the source of the potential blast and is an arbitrary designation. It would be perverse to suggest that these 17 dwellings are at significant risk and those located a few metres away are not. The overall level of risk posed to the Ganges site would not be significantly reduced by re-locating these dwellings a few metres.

- The risk of an incident is low (as confirmed by the Health and Safety Executive).
 - No provision for exclusion of development from this part of the site was made as part of the outline planning permission for development (and, indeed, this was not an issue of contention at the public inquiry in 2005 for the previous application for 325 dwellings at the site (paragraph 85).
 - A condition could be imposed at this stage to help mitigate against any perceived risk. The condition would require a design strategy to be submitted and scheme of works to be undertaken to the affected dwellings to increase their resistance to a potential incident at the port (a precautionary approach).
 - There is a live development for the erection of 150 dwellings on the adjacent Shotley Marina site which is closer to the Port's explosives handling facility than the proposals for development of the HMS Ganges site.
 - The relevant District Council (Suffolk Coastal District Council) for the Port have not objected to the proposals.
225. The development is well connected to the Shotley Gate settlement with pedestrian movement provided via Caledonia Road, the new access roundabout onto the B1456 and further provision to be made via Laundry Hill to link the site to the future housing development at the marina site. Furthermore, the large open spaces within the site will be accessible to local people at and outside of the retirement community for recreational purposes.
226. The Local Highway Authority has commented on the detail of the layout and has raised some issues, in particular (and amongst other things) regarding the widths of some of the proposed internal roads, parking spaces (specifications, not numbers) and materials. Further discussion with the Highway Authority and the applicant has led to the submission of two sets of amendments to the road/footpath/vehicle parking layouts for the development, and these were the subject of further public consultation. It is understood that the layout of the site is now acceptable to the Local Highway Authority and Members will be advised at the meeting of any further comments received. There are no concerns about the Reserved Matters from a road safety/traffic convenience point of view.
227. The site is adjacent to one of the boundaries of the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB). The AONB designated landscape follows the river estuaries of the Stour and Orwell rivers. In this case, the reserved matters application site abuts the part of the AONB which follows the south banks of the river Orwell to the west of the site. Views into the site from the AONB are restricted and the topography of the site, which is raised in comparison to the adjacent land within the AONB means that the proposed housing development to the north-east corner of the site is likely to have the greatest potential impact upon the AONB.
228. Given the scale of buildings proposed at this part of the site (3-storey max scale), the presence of existing dense 'scrub' and other landscaping on and beyond the site boundary any potentially adverse impacts upon the special landscape qualities of the AONB will be adequately mitigated. Furthermore, proposals for new landscaping throughout the site will help to soften the wider impacts and aid the integration of the development into the wider landscape. The landscaping proposals, which are considered acceptable, will also contribute towards the quality of streets and spaces within the development.

229. The proposed buildings are of a traditional form and would utilise a vernacular palette of materials. Some of the detailing is contemporary in nature, including tall windows and balconies. There is a strong architectural theme running through the entire development which will serve to bond the 4 main areas of development. However, each area of development within the site provides individual character and there is also variety in design features and detailing between neighbouring buildings which would help to create attractive street frontages.
230. Means of access to the buildings is provided via a new roundabout junction from the site onto Bristol Hill. The location and design of the roundabout junction has long been agreed between the applicant and the Local Highway Authority and even formed part of the planning permission for the development of the Marina. Members may also recall the proposals for the erection of a spine road through the Ganges site (and largely outside of the reserved matters site) which was granted planning permission in 2008. The spine road was proposed to provide a more convenient traffic route through to the Marina. That planning permission is yet to be implemented (paragraph 89 above).
231. The reserved matters submission includes its own spine road through the site to enable vehicular access to the Marina. The provision of a corridor for this route is required by conditions of the outline planning permission for this development. There is also provision for a link to the promenade (also a conditional requirement).

Other matters

232. A number of objections have been received against the proposals, predominantly from the Parish Councils and residents along the B1456 approach to the site. Many of the matters raised in objection to the application (for example, traffic generation, congestion, impact of traffic upon the conservation area, highway issues away from the site, ground/slope stability – there are too many issues to list here) are relevant to the principle of the development proposed. The extant outline planning permission (B/88/01560) established the principle of the development and many of the issues raised during public consultation periods actually relate to that permission and cannot be revisited at this time. Accordingly, many of the issues and objections raised are not material to the determination of this application for approval of Reserved Matters (which is restricted to the siting, design and external appearance of the buildings, means of access thereto and the landscaping of the site).
233. Anglian Water Services and Shotley Parish Council have both raised issues with the application regarding proposals for the drainage of the site. Drainage proposals were approved in principle at outline planning permission stage; surface water was to be disposed to sea outfalls whilst foul sewage was to be discharged to the public gravity sewer via a pumping station and rising main. A condition was attached to the outline planning permission which required the submission of details of the drainage proposals and these details would need to be submitted for approval in advance of the development commencing if the Reserved Matters are approved.
234. The Shotley Parish Council has also objected to the application on the grounds of potential adverse impacts upon the occupiers of the development from noise generated at Felixstowe Port. The applicants have provided further information to demonstrate there would be no significant adverse impacts during day time hours and impacts at night could be mitigated through the design of buildings (please refer to paragraph 25 above and to paragraph 140 for comments received from the Council's Environmental Health Officer regarding noise).

235. Concerns have also been expressed that families with children would be able to live on the development and that it might not be entirely populated by retired persons. The Planning Obligation attached to the outline planning permission establishes that all occupants of the retirement community must be aged over 55 years (with the exception of a spouse or carer whom may be under 55 years of age). Accordingly, occupation of any of the dwellings by families with children would be in breach of the terms of the Obligation and open to formal action being taken by the District Council.
236. The Woolverstone Parish Council has expressed concerns (paragraph 108 above) that the application site for the Reserved Matters submission is not the same as that originally given outline planning permission. This point has been checked and all of the buildings proposed in the application are within the boundaries of the site relating to the outline planning permission. There is a 'red-lined' plan accompanying the Reserved Matters submission and whilst this illustrates slightly different boundaries to the outline planning permission, the plan has illustrative status only (there is no requirement to submit a 'red-lined' plan with a Reserved Matters submission) and thus only limited weight has been attached to it.
237. The Shotley Parish Council has stated (paragraph 142 above) that the developer has not carried out any public consultation on any of the matters contained in the Environmental Statement. Whilst the absence of such 'pre-submission' public consultation with the public by the applicant about the environmental issues of their development is perhaps regrettable, there is no requirement in law compelling them to undertake public consultation in advance of preparing an Environmental Statement. Furthermore, a number of full public consultation exercises about the Environmental Statement submitted with the Reserved Matters have been carried out by the Council since 2007, the results of which are summarised in the 'Consultations' and 'Representations' section of this report.
238. The Suffolk Wildlife Trust has expressed concerns (paragraph 150 above) that the monies proposed to be provided by the developer to fund a wardening presence in the Special Protection Area is inadequate. However since those comments were received (in response to a consultation undertaken in 2008) the applicant's Integrated Ecological, Heritage and Landscape Management Plan has been developed and contains additional measures (over and above the financial contribution) to mitigate against the impacts of the development upon the adjacent European wildlife sites (SPA's SSSI's and Ramsar). Furthermore, the potential impacts upon the European sites and proposals for mitigation have been fully considered as part of the Council's Appropriate Assessment (Appendix 2) of the proposals to develop the former HMS Ganges site, which was undertaken in consultation with, and the findings were accepted by, Natural England.

Planning Obligations

239. It is unusual for planning obligations to be secured as part of application for approval of Reserved Matters because these are normally secured at outline planning stage. Accordingly, Local Planning Authorities are not able to require planning obligations at Reserved Matters stage that do not relate directly to the reserved matters under consideration (i.e. it cannot re-visit the principle of the development). However, the circumstances for this application are unusual insofar as it is accompanied by an Environmental Statement. The Environmental Statement identifies various impacts (and potential impacts) of the development and suggests proposals to mitigate those impacts. Given the findings of the Environmental Statement, and as there is no provision to secure appropriate mitigation in the existing Agreement under S106 of the Town and Country Planning Act, the applicant's have offered a package of mitigation measures and have indicated a willingness to enter into a supplemental Agreement to obligate them to deliver the measures.

240. The matters to be secured as part of a supplemental planning obligation are as follows;
- Healthcare contribution – to be used towards the provision of new and/or extended health facilities serving the Development.
 - Suffolk Coasts and Heaths Wardening Contribution – to be used to investigate or monitor the impact of the development upon wildlife and/or provision of warden services.
 - To provide details for the restoration and future maintenance of the Historic Assets and thereafter to restore the historic assets in accordance with the approved scheme.
 - To undertake a recreational monitoring exercise before and at various points during the initial occupation of the development and undertake restorative action and mitigation measures and fully implement the all works described in the Ecology and Heritage Management Plan.
 - To name the streets of the development to reflect the naval heritage of the site (in consultation with the HMS Ganges Association).
 - Public open space provision – details of a scheme for the laying out, grading, contouring, landscaping, planting and ongoing future maintenance of the open space and to allow public access of the open space.
 - To submit details of a construction management plan and thereafter adhere to the approved construction management plan.
 - Not to demolish any buildings until a full photographic survey has been carried out and a copy sent to the District Council.
 - To prepare and agree a Green Travel Plan for the development with the Council.
 - To pay financial contributions to the County Council for the following;
 - i) Household recycling contribution
 - ii) Waste services payment
 - iii) Waste disposal contribution
 - iv) Library contribution
 - v) Public transport contribution (for bus flags and review stands)
 - vi) Traffic management contribution (for speed restriction signage and/or road markings)
 - vii) Transport and traffic safety contribution
 - Highway improvement works*;
 - i) the upgrade of the B1456/B1080 Crossroads
 - ii) the provision of additional traffic management signage and gateway treatments (etc) in the village of Woolverstone
 - iii) the provision of additional traffic management signage and gateway treatments (etc) in the village of Chelmondiston

- iv) the upgrade of the Bristol Hill/Caledonia Road/Lower Harlings junction at Shotley Gate.

*(precise details to be finalised as part of an Agreement between the applicant and Suffolk County Council under S278 of the Highways Act 1980, but generally in accordance with the description given above and the illustrative plans already submitted).

Conclusions

- 241. The proposals for the siting design and external appearance of the buildings, the means of access thereto, and the landscaping of the site are acceptable and officers are satisfied that the scheme will deliver a high quality development should the proposals be approved and thereafter be implemented. The Environmental Statement that accompanies the application (in its amended form) has identified mitigation to off-set potentially adverse effects of the development and these can be secured, by agreement, as part of a formal Obligation under S106 of the Town and Country Planning Act 1990 (as amended).

REASONS FOR APPROVAL

- 242. The Local Planning Authority has had regard to the provisions of the Development Plan comprising the East of England Plan (2008) the saved policies of the Suffolk Structure Plan, 2001 and the saved policies of the Babergh Local Plan, Alteration No.2, 2006, so far as material to the application and to all other material considerations. The Local Planning Authority is satisfied that the Reserved Matters are in accordance with the Development Plan.
- 243. The Local Planning Authority is content that the proposals are acceptable with regard to the siting design and external appearance of the buildings (PPS1, PPS3, policy ENV7 of the East of England Plan and policy CN01 of the Local Plan), the landscaping of the site and the impacts of the proposals upon the character and appearance of the countryside, including the nationally designated Area of Outstanding Natural Beauty (PPS7, and Local Plan policies CR01, CR02 and CR07) and the means of access to the buildings (PPG13). Furthermore, the proposals are acceptable in terms of the impact upon the setting of the listed buildings and scheduled ancient monuments which are located at and close to the site (PPG15, ENV6 and CN06), car parking provision, which accords with the Suffolk Advisory Parking Standards (PPS3, PPG13, Structure Plan policy T10 and Local Plan policy TP15) and nature conservation interests at the site and within the adjacent European wildlife sites (designated SSSI, SPA and Ramsar sites) (PPS9, and Local Plan policies EN04 and EN06). The Local Planning Authority is also content that the development is not at significant risks from a potential major disaster incident at the hazardous substances handling facility located at Felixstowe Port.
- 244. Having regard to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended) insofar as they are applicable to the application, the relevant environmental considerations and the mitigation measures set out in the Environmental Statement, the Local Planning Authority considers the Environmental Statement demonstrates that there would be no significant environmental impacts arising from the development, which is acceptable in environmental terms.
- 245. Summary of policies and proposals in the Development Plan (and national guidance) relevant to this decision to approve the reserved matters pursuant to outline planning permission B/88/01360/OUT;

1. East of England Plan 2008

ENV6 (The Historic Environment)

ENV7 (Quality in the Built Environment)

2. Saved policies in the Suffolk Structure Plan 2001

T10 (Cycle Parking)

3. Saved policies in the Babergh Local Plan, Alteration No.2

EN04 (Semi Natural Habitats)

EN06 (Habitat creation)

CR01 (Landscape Quality)

CR02 (Areas of Outstanding Natural Beauty)

CR07 (Landscaping Schemes)

CN01 (Design Standards)

CN06 (Listed buildings)

TP15 (Parking Standards – New Development)

4. National Guidance

PPS1 'Delivering Sustainable Development'

PPS3 'Housing'

PPS7 'Sustainable Development in Rural Areas'

PPS9 'Biodiversity and Geological Conservation'

PPG13 'Transport'

PPG15 'Planning and the Historic Environment'

RECOMMENDATION

- (1) That Members note the content of the Environmental Statement (summarised at Appendix 1) and the Appropriate Assessment (attached at Appendix 2) before making a decision on the reserved matters submission.
- (2) That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to provide:
 1. Developer contribution to be used towards the provision of healthcare
 2. Developer contribution to be used for off-site nature conservation (wardening)
 3. Implementation of the proposals and recommendations contained in the Integrated Ecology Heritage and Landscape Management Plan
 4. Street naming.
 5. Open spaces (being provided and open to the general public)
 6. Developer contribution towards library services
 7. Developer contribution towards waste services
 8. Provision of a package of highway works, to include works to Wherstead roundabout, Freston crossroads, Woolverstone, Chelmondiston and Shotley villages, new bus flags and review stands and new 'SLOW' road markings (combination of commuted payment and direct provision).
 9. Submission of and compliance with a construction management plan (proposals and implementation).
 10. Submission and implementation of a Green Travel Plan
 11. Such other Obligations (or variations to the above Obligations) as the Chief Planning Control Officer considers appropriate.

- (3) That, subject to the completion of the Planning Obligation referred to in Resolution (2) above to the satisfaction of the Solicitor to the Council, the Chief Planning Control Officer be authorised to grant planning permission subject to conditions, including:
- Submission of details/samples of materials for buildings and hard surfaced areas.
 - Design and construction measures to mitigate against a potential incident at the explosives facility at Felixstowe docks for the relevant plots situated with the Band 2 consultation distance (HSE)
 - Withdrawal of permitted development rights for to extend or alter the dwellings within (or partly within) the Band 2 consultation distance.
 - Design and construction measures to mitigate against the potential adverse impacts of noise from the port during the night.
 - Archaeological works and recording.
 - Details of means of means of enclosure (site and property boundaries)
 - Relatives/workers accommodation within the care home to remain ancillary and incidental to the operation of the care home facility.
 - Implementation of the recommendations and strategies contained within the arboricultural report.
 - Provision of fire hydrants.
 - As recommended by LHA.
 - Contamination (further investigations).
 - Details of lighting to roads and parking areas.
 - Details of provision for fitness and leisure equipment
 - Ground floor windows and door openings to be provided to 'Secured by Design' standards.
- (4) That in the event of the Planning Obligation referred to in Resolution (2) above not being secured, the application be returned to Committee for further consideration.

EIA Environmental Statement (Regulation 19)

HMS Ganges, Shotley Gate, Suffolk

Non-Technical Summary

On Behalf of Haylink

September 2008



Haylink

HMS Ganges

Shotley Gate, Suffolk

Environmental Statement

Non-Technical Summary

September 2008

In accordance with:

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended)

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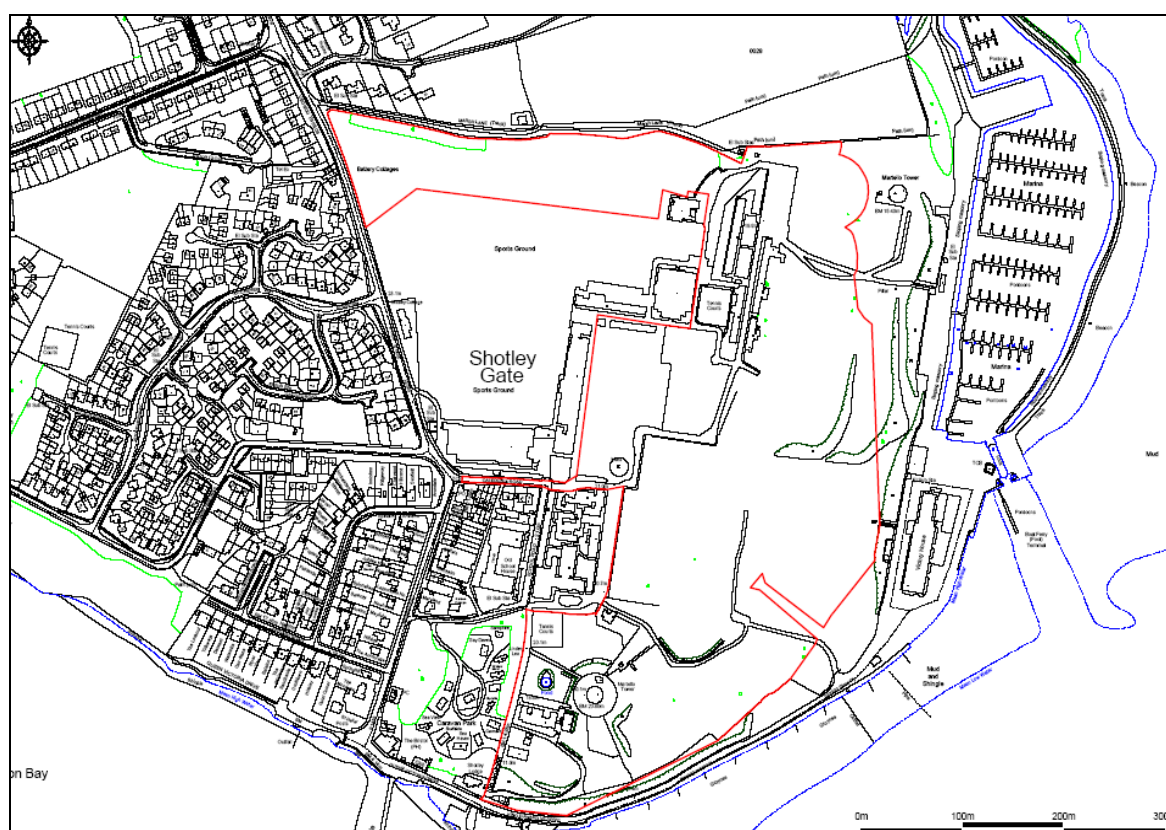
Environmental Statement (**Regulation 19**)
Non Technical Summary

1. Introduction

Haylink has commissioned Savills incorporating Hephher Dixon to co-ordinate a formal Environmental Impact Assessment (EIA) including the preparation of an Environmental Statement (ES) and Non-Technical Summary (NTS). This document comprises the main report of the ES. **This document is a summary of the findings of the EIA set out using non-technical language.**

Haylink proposes the redevelopment of HMS Ganges, Shotley Gate, Suffolk (Figure 1.1), to provide up to 404 retirement homes, ~~a 330m² Clubhouse~~ **a leisure building and a community building**, and a 60 bedroom care facility including nine units of staff accommodation. ~~Further details are given in Chapter 4.~~

Figure 1.1: Extent of the Proposed Development Site



Source: **Promap**

Note: Indicative location of the proposed development site may not exactly correspond with the planning application red line.

Figure 1.2: Context to the Proposed Development Site



Note: Redline denotes 2km radius from the centre of the proposed development site

2. Background

The ES has been produced as part of a package of information to amend the details submitted on 30th August 2000 in respect of all reserved matters pursuant to an outline planning permission on the HMS Ganges site (ref: B/88/1560). The outline planning permission relates to the erection of a retirement community development (404 dwellings), a nursing home and associated facilities, which was granted outline planning permission on 8th September 1997.

3. The Site

The proposed development site is located in the village of Shotley Gate at the southeast tip of the Shotley Peninsula, Suffolk. It is bounded to the north by the Orwell Estuary and to the south by the Stour Estuary. The proposed development site extends to approximately 16.5ha within the entire masterplan area covering HMS Ganges site which covers an area of 24ha.

Shotley Gate lies within Shotley Parish, which is centred on the village of Shotley approximately 1,800m (1.1 miles) to the northwest of the proposed development site. Shotley Gate is made up of about approximately 600 dwellings, a garage, a post office and shop and two pubs. Shotley itself has approximately 300 dwellings, a post office/general store, primary school, garage including petrol filling station, village hall, doctor's surgery, fish and chip shop, football pitches, children's playground and a pub.

The main road to the proposed development site is the B1456, known as Bristol Hill in Shotley Gate and just as the Street in Shotley. The road continues northwest through various small towns and villages, including Chelmondiston, before passing under the A14 close to the Orwell Bridge and joining with the A137 on the outskirts of Ipswich.

The proposed development site forms part of the larger HMS Ganges former naval training base a wider masterplan area. The site itself forms the northern boundary of the masterplan area. It is relatively flat, gently sloping from the northwest corner to the southern boundary. The masterplan area however varies to a greater degree with the site largely sloping surrounding area varies to a greater degree sloping southeastwards towards King Edward VII Drive. Beyond this road are mudflats of the Stour Estuary with various piers, slipways and jetties.

~~The masterplan area covers~~ The reserved matters site comprises approximately two thirds of the former HMS Ganges naval training station, which closed in 1976. The area is still occupied by a number of institutional buildings and infrastructure, including playing fields, tennis courts and a large indoor swimming pool, that remain following the closure of the training facility, although other parts have been demolished. ~~The proposed development site itself is located on an area that has been previously used as playing fields.~~

~~Shotley Gate and the masterplan area are not located with~~ is located adjacent to the Suffolk Coast Heaths Area of Outstanding Beauty (AONB); which includes the rest of the Orwell and Stour estuaries. Both estuaries are also designated as Sites of Special Scientific Interest (SSSI), a Ramsar Site and a Special Protection Area (SPA). Their importance largely relates to over-wintering wildfowl and waders. The boundaries of these extensive areas fall just short of the masterplan area. The masterplan area is not located within the Environment Agency's indicative floodplain for the Stour or Orwell. However, areas immediately to the east of the earth ramparts of the former coastal fort are at risk of flooding during a 1 in 100 year event.

Along the northern boundary of the proposed development site and masterplan area is an area of trees protected by a 1991 Tree Preservation Order (TPO). In addition, the former playing fields on the site have been designated as an Area of Visual or Recreational Amenity in the Local Plan. An additional TPO covering the whole site was made in 2006. ~~The masterplan area also includes three~~

~~Scheduled Ancient Monuments – Martello Tower ‘M’, Mertello Tower ‘L’ and a coastal battery.~~ The site also includes two Scheduled Ancient Monuments: Martello Tower L and Shotley Fort, with a third located beyond the site boundary to the north east.

A plan showing the locations of these ecologically important areas, the AONB and the boundaries of the three Scheduled Ancient Monuments is attached at the back of this document.

4. The Proposed Development

The proposed development is for a retirement village comprising 404 retirement homes, ~~a clubhouse,~~ leisure building and community building, a 60 bedroom care facility and leisure facilities. It is also proposed to undertake associated highways and landscaping works on the site. A plan showing the layout of the buildings across the site is attached at the back of this document.

Retirement Homes

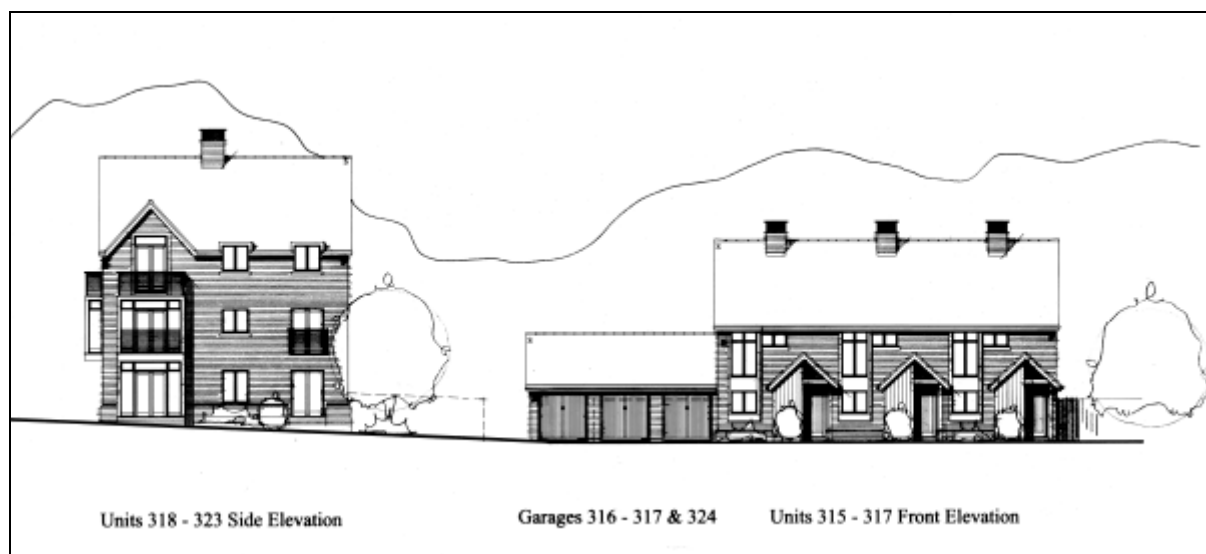
It is proposed to provide a range of housing types and sizes to accommodate for the needs of different groups of elderly. The 404 homes proposed will be split to provide 360 one to five bedroom homes, 53 assisted living apartments and 1 managers home. ~~The majority of the houses will be built in the southern part of the site north of King Edward VII Drive.~~

Table 1: Schedule of Accommodation

Unit Size	Number of Units
1 bed retirement home	47
2 bed retirement home	226
3 bed retirement home	69
4 bed retirement home	5
5 bed retirement home	3
Assisted living units	53 (28 x 1 bed, 24 x 2 bed, 1 x 3 bed)
Manager's home	1

214 of the retirement houses will be built in the southern part of the site, with the remaining 190 in the northern part of the site. The care home and leisure and community buildings will be built centrally within the site. The dwellings will be constructed in a traditional style of architecture comprising one, two and three storey buildings with pitched roofs and gable ends. External facing materials for the walls will use a mixture of render, red brick, weather boarding, and timber boarding. Roofs will be finished in either plain clay tiles or slate. A typical elevation is shown at Figure 3 below:

Figure 3: Typical Streetscene elevation



The 60 bedroom care facility will be accommodated within a redbrick and render building. The red brickwork will be complemented by matching plinths and cast stone cills to the windows. Natural timber boarding, plain tiles and slate are also proposed for the care facility elevations.

Figure 4: Care home north elevation



In order to safeguard the views from the marina onto the peninsula, the marina facing buildings will use timber to improve their aesthetic appearance. Furthermore, high quality landscaping and boundary treatments are proposed for the site including the planting of native plants and trees.

Leisure Facilities

The leisure facilities will be located central to the site, and will include a ~~clubhouse, a bowling green, swimming pool and pavilion~~ leisure building containing a swimming pool, gym, fitness studio and a salon; a community building containing a restaurant, community library and shop; and an outdoor

bowling green. These will be in close proximity to the 60 bedroom care facility which is proposed to be located immediately north of the leisure facilities. Leading north from the care facility along the eastern and northern site boundary more homes are proposed aligning the access routes.

Access to the site will be derived via a new roundabout junction with the B1456. An access road will then wind through the site, along the northern boundary before heading south past Shotley Fort towards Martello Tower L.

~~The outline planning permission has already established the principle of a new roundabout to the north west boundary of the site and an access road through the site which will link the B1456 to Shotley Marina. The amended information includes further details on these proposals.~~

Landscaping

The landscape layout incorporates a small range of boundary types and conditions. Contrasting paving such as a row of stone setts are employed in areas of shared surface paving to visually delineate footways from vehicular routes. Raised kerbing is employed on the main routes to clearly separate the vehicular carriageway from the pedestrian pavements. Grass strips and verges are also proposed to create a further visual separation of routes from other areas.

Low brick walls (750mm in height) are proposed as a traditional boundary to front gardens and provide screening. Estate railings (1m in height) are proposed as fencing on semi public areas and adjacent to footpaths.

Construction

Implementation of the proposed development will be carried out in accordance with a Construction and Environmental Management Plan ~~or a Code of Construction Practice~~ to be agreed with the Local Authority. The developer will also join a local 'Considerate Contractors Scheme'.

It is anticipated that hours of working would be 8.00am to 6.00pm (Monday to Friday) and 8.00am to 1.00pm on Saturday. No working would be undertaken on Sunday or bank holidays.

On Site Traffic and Dust Management

To reduce dust ~~and particulate matter~~ emissions from the site a number of measures would be implemented including the watering of site access routes as necessary; vehicle wheel washing facilities; regular inspection of local highways and site boundaries and cleaning if necessary; observations of wind speed and direction; windbreak nettings etc. Further measures will be undertaken on the construction machinery to manage construction practices. It will be ensured that

site clearance materials, which may contain contamination due to previous uses of the site, are safely removed from the site.

Implementation and Phasing

The redevelopment will be undertaken in a ~~44~~ **3 construction** phase programme with works starting following a programme of site preparation which will commence in the Spring or Summer following any grant of permission by the Council. Construction will begin in the south-west and central areas of the site with development of 93 dwellings, construction of the access road from the B1456 and development of the care home, community building and leisure building. The works to enhance the listed HMS Cordelia Mast and Martello Tower L will be undertaken during this first phase. Construction will then follow a phased basis generally developing from south to north, with the final phase being undertaken in the north-west corner of the site. Currently, the construction process is anticipated to take approximately 5 years. ~~in Spring 2008. Construction will begin in Phase 1 with 50 units being constructed and on site demolition of the existing buildings will begin in Phase 1a in Summer 2008. Landscaping will be undertaken throughout all of the stages. The final stage of the development is due to commence in Spring 2013 and will involve the improvements to the setting of Shotley Fort.~~

5. Alternative Considered

Alternatives are normally considered primarily in terms of location. However, in this case the proposed development site already benefits from an outline planning consent. Therefore it is not appropriate in this instance to consider the selection of an alternative site. There are two realistic types of alternative, **alternative layouts, or alternative land uses, including the 'do nothing' land use where the existing use is retained.** ~~'do-nothing' with the existing land use retained or an alternative layout of development to that proposed. Each of these will be considered in the ES.~~

The 'do nothing' scenario would involve the continued operation of the existing use as a training centre. The key advantages of this scenario are that the ecological effects on bat roosting sites and habitat arising from the demolition of buildings and development of currently open space would not be realised.

In 2003 Haylink submitted an application for 325 new dwellings (as eventually amended) which was refused planning permission by the Secretary of State. The key environmental disadvantages of this scheme were that it did not incorporate the dark corridors for bats that are now proposed, and no management plan was put forward for Martello Tower L and Shotley Fort.

There are two alternative layouts for the proposed reserved matters development that have been submitted to the Council. In 2000 Potton Developments Ltd. submitted a scheme for the retirement

community. This layout would have resulted in greater impacts on Shotley Fort the majority of which would have been destroyed during construction of housing; greater impacts on the landscape, as the development was proposed around the south-east boundary where it would have been prominent in views across the estuaries; and a greater impact on the setting of the Martello Tower, by positioning buildings next to it and intruding into its setting. However, this scheme had a key environmental advantage in that it retained several of the existing buildings in the north of the site which are identified as bat roosts.

The layout of the scheme has been amended since the original submission in August 2007. The key change to the current plans has been to increase the size of the buffer zone from 16m to 32m around Martello Tower L. This amendment to the layout of the proposal has the advantages of enhancing the setting of the Martello Tower by creating a wider open space around it, and increasing the available space for bat foraging; and creating larger dark corridors linking the hibernation site in the Martello Tower with the foraging grounds around the site boundaries.

~~The alternative type of layout for the proposed development site is at a masterplan stage and at the time of this report entering the public consultation exercise. The development proposals include the development of the whole HMS Ganges, which could potentially include approximately 200 market homes and 30 affordable homes. The alternative masterplan development will integrate the reserved matters application, by incorporating the retirement village (although reduced in size from the 404 homes), along with some commercial, employment and leisure floorspace.~~

6. Scope of the EIA

The process of identifying the issues to consider within an Environment Statement is known as scoping. The formal Scoping Opinion of Babergh District Council was sought and discussions were held with the Council and Statutory Consultees on the information the EIA should include.

Information considered in formulating the scope includes the Scoping Reports from previous development proposals on the site and a resulting Environmental Statement. The assessment topics that have been identified are:

- Air Quality
- Archaeology and Cultural Heritage
- Drainage and Flood Risk
- Ecology
- Ground Conditions

- Landscape and Visual Assessment
- Noise and Vibration
- Micro-Climate
- Socio-Economics
- Transportation

7. Methodology

Effects that have been identified in the ES have been described as beneficial or adverse depending on whether they will improve or worsen the environmental resource. In order to provide an indication of the degree to which the environmental resource will be affected, effects have been described as Negligible, Minor, Moderate, Major or Extreme. A generic description of these terms is provided below¹:

- **Negligible Effects:** Effects which are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error.
- **Minor Effects:** These effects may be raised as local issues but are unlikely to be of importance in the decision making process. Nevertheless, they are of relevance in the detailed design of the project.
- **Moderate Effects:** These effects, if adverse, while important at a local scale, are not likely to be key decision making issues. Nevertheless, the cumulative effect of such issues may lead to an increase in the overall effects on a particular area or on a particular resource.
- **Major Effects:** These effects are likely to be important considerations at a regional or district scale but, if adverse, are potential concerns to the project, depending upon the relative importance attached to the issue during the decision making process.
- **Extreme Effects:** These effects represent key factors in the decision-making process. They are generally, but not exclusively associated with sites and features of national importance and resources/features which are unique and which, if lost, cannot be replaced or relocated.

¹ Environmental Impact Assessment: A guide to good practice and procedures; A Consultation Paper; June 2006

8. Air Quality

An assessment of the potential impact on local air quality has been conducted as part of the planning process. The aims of the assessment were to examine and discuss:

- ~~Baseline~~ Existing air quality pollutant concentrations in relation to the UK's air quality criteria;
- The potential nuisances caused by dust during construction of the site; and
- The potential impacts on local air quality of arising from the introduction of additional vehicles onto the surrounding network.

The site and the Shotley area in general are rural and coastal in character, located away from major conurbations and associated industry. The roads are not heavily trafficked and the area benefits from on- and off-shore coastal breezes. As a result the site does not fall within a designated Air Quality Management Area and the existing concentrations of air pollutants do not breach defined limits.

The assessment concludes that there will generally not be a breach in air quality obligations arising from increased traffic for the proposed development, and therefore no specific mitigation measures for air quality are necessary.

9. Archaeology and Cultural Heritage

~~This section considers the impact of the proposed development on archaeological remains and built heritage resources within the site and the immediate surrounding area. In particular, the chapter considers the impact of the proposed development at both the demolition and construction phase and at the completed development phase.~~

~~Relevant legislation, policy and guidance is set out within this section including Central Government guidance in the form of the Ancient Monuments and Archaeological Areas Act (1979); Planning (Listed Buildings and Conservation Areas) Act (1990); Planning Policy Guidance Note 15: Planning and the Historic Environment and 16: Archaeology and Planning; as well as statutory development plan policy including regional, structure and local plans.~~

A preliminary archaeological and heritage desk based assessment of the site was completed in July 2007. This was supplemented by desk based assessments of underground bunkers at the site and crop mark remains in the area in 2008. The nature of known archaeological remains and built heritage resources, as well as the potential for further as yet undiscovered sub-surface archaeological features

and deposits has been confirmed and a professional judgement has been made regarding their importance.

The proposed development site contains two recorded post-medieval archaeological sites within its boundary, both of which relate the establishment and development of coastal fortifications on Shotley Point from the early 19th century onwards.

Martello Tower L is located in the south west corner of the proposed development site and was built between 1810 and 1812. It is designated as Scheduled Ancient Monument and a Grade II listed building. Shotley Fort is located north east of the Tower and was built between 1862 and 1863. It was designated as a Scheduled Ancient Monument in June 2004. A third recorded post-medieval archaeological site – Martello Tower M – is located adjacent to the northern site boundary. It is also a Grade II Listed building. Two further Grade II listed buildings are located within the site, **the gate piers at the Caledonia Road entrance and the ceremonial mast of the HMS Cordelia. Housing has been set back from the Martello Tower by over 30m in order to create a large open space around the building that echoes the historic setting. The destruction of archaeological remains of the fort during construction would be a major adverse effect.**

No archaeological remains of definite prehistoric and medieval date are recorded within the site boundary on the Suffolk SMR. However prehistoric and medieval remains have been identified in the sites surrounds. The earliest recorded remains within the study area relate to the findspot of a Bronze Age barbed and tanged arrowhead at Kirton Close, approximately 500 metres west of the site.

For the most part, recorded archaeological remains of modern date, within the site boundary, relate to the construction, operation and subsequent closure of the Royal Navy Training Establishment at Shotley Point, which was otherwise known as HMS Ganges. HMS Ganges took its name from a ship, which was launched in 1821. It subsequently became a training ship for boys and was moored in Orwell Haven, just to the east of the site, from 1899 to 1906. However, from 1905, the training facilities that it provided were moved ashore to sit alongside the Royal Navy Hospital that had been established at Shotley Point. Further sites of modern interest include barrage balloon tethering points, pillboxes, anti-aircraft battery and air raid shelters.

~~During construction, the proposed development may have negligible or a minor adverse impact on the scheduled ancient monuments, listed buildings and conservation area. During operation however, in the absence of appropriate mitigation measures, the proposed development would potentially have a permanent moderate adverse impact on Martello Tower L at the completed development stage through the erection of units within its setting. In addition, the destruction of archaeological remains associated with the scheduled fort, which is of national importance, would represent a permanent~~

~~major adverse impact. There would be a minor beneficial impact on the remains of the ancillary battery to Martello Tower L.~~

Mitigation measures have been proposed to maintain and enhance Martello Tower L and Shotley Fort. A draft Integrated Management Plan submitted with this application outlines how these structures will be altered and managed to ensure that their historic value is maintained, whilst preserving the favourable internal conditions that allow bats to hibernate. The applicant is also prepared to undertake a Archaeological Mitigation Strategy, agreed in consultation with Suffolk County Council and English Heritage, to investigate further the potential for archaeological remains at the site prior to construction. During the construction process fencing and hoardings will be used to protect the Scheduled Ancient Monuments and Listed Buildings from accidental damage. The assessment finds that the resulting residual impact from the proposed development will be negligible or minor/moderately beneficial once the mitigation measures outlined ~~above in the section~~ are undertaken. However a minor adverse long term residual effect would remain on the Woolverstone Conservation Area given that mitigation measures can not reduce the number of vehicular numbers but can only manage the flow of vehicles.

The proposed development site is not located within a conservation area and does not include any part of one within its boundary. Chelmondiston (Pin Mill) Conservation Area is the nearest conservation area located approximately four miles to the north west of the site. The proposed development of the site will have no impact upon its setting. A second conservation area, located approximately 5.5 miles from the site ~~in Woolverstone~~, straddles the B1456, which is the primary means of vehicular access to the site. ~~Increased traffic from the development will have a minor adverse effect on the setting of this Conservation Area.~~

~~The cumulative effects of developments within the area in particular at Marina Frontage will result in a permanent moderate adverse impact on the setting of Shotley Fort. The majority of proposed dwellings at Shotley Marina however, will not impact on the settings of the designated archaeological and built heritage resources within it.~~

10. Drainage and Flood Risk

An assessment of the potential impacts of the proposed development in relation to surface run off and flood risk was undertaken. The flood risk assessment considered whether the ~~existing/proposed~~ site is situated within a 1 in 100 year flood plain, as recorded by the Environment Agency. The probability of flooding occurring on site from other sources ~~will~~ **has** also be considered. In addition, consideration has been given as to whether the proposed works would have any significant impact to the flood risk elsewhere, including flood flows and flood storage capacity.

The site is not within the defined floodplain. The floodplain of the Stour/Orwell estuaries is contained within the low lying land along the south and east boundaries and is therefore outside the proposed development area. There are no overt signs of any groundwater issues affecting the site. No springs are recorded in the vicinity and there are no nearby watercourses and features other than those noted above. There are no evident sources of local flooding caused by run-off from adjacent land. The land to the west and north west is at similar levels to the site and is generally grassland or wooded areas. The land to the north, south and east of the site is well below the proposed site and there are marsh areas with ponds.

The assessment goes onto consider how residual effects resulting from the proposed development may be mitigated or compensated. **A drainage strategy has been completed for the development that proposes to use soakaways for the northern area of the site adjacent to Marsh Lane and the south east of the site close to the estuary. Where space on the development site is more constrained and soakaways are not appropriate it is proposed to use underground storage tank systems or oversized pipes to control the rate of discharge to greenfield rates. Run off from these tanks will be discharged to a drain under the central access road where it will then discharge into the estuary. As such the proposal will not increase the rate of run off from the site and will avoid causing a greater risk of flooding elsewhere, and is not in itself at likely risk of flooding. As such the proposal will have a negligible effect on drainage and flood risk.** ~~it is. The measures include the use of Soakaway Design to deal with run-off from roads and buildings, the use of permeable paving; ponds/wetlands; swales; French drains; and onsite water storage. The assessment recommends that in the detailed design of the drainage scheme, consideration should be given to the method of drainage of the remaining sections of the site out with the scope of this application. The outfall route for this site would also be the obvious route for drainage from the adjacent areas and appropriate design would obviate the need to duplicate or replace the site drainage in the future.~~

11. Ecology

The technical scope of the assessment covers impacts on statutory and non-statutory designated sites; habitats and rare or protected species. ~~Reference is made to the planning and legislative context of ecological protection, in particular to PPS9: Biodiversity and Geological Conservation and various legislations including the Wildlife and Countryside Act (1981 as amended), Countryside and Rights of Way Act (2000) and the UK Biodiversity Action Plan (BAP).~~

Much of the site is a developed brownfield site supporting abandoned disturbed habitats. The interior of the site supports generally artificial habitats with more established semi-natural habitats around the periphery of the site, particularly along the eastern edge by the estuary shoreline. Artificial habitats within the site include: buildings, roads, lawns, ornamental plantings, playing fields and ruderal short and tall herb vegetation with buddleja scrub growing on rubble spoil. The semi-natural habitats around

the periphery include semi-natural scrub/grassland mosaic with patches of semi-improved neutral/acid grassland. ~~Mature trees are also present within the mosaic habitat, around the periphery and scattered across the site.~~

Both the mature tree components and semi-natural scrub/grassland mosaic form the most important ecological habitats within the site. A semi-natural boundary to the proposed development area is formed by the mosaic of scrub, mature trees and semi-improved neutral/acid grassland lies on the eastern and southern fringes of the site. There are also areas of acid grassland habitat supporting sheeps fescue, common bent grass, sheeps sorrel, sweet vernal grass and common bird's foot trefoil. Acid grassland is a declining habitat of conservation concern and although no scarce plants were recorded within the habitat, the grassland within this area supports a good range of relatively common species typical of this type of habitat.

There are a number of mature trees established throughout the site. The majority are planted specimens, and are arranged as plantation, groups, or single trees. In plantations, they form a distinct environment that influences the ecological character of that location, and the associated plant and animal species. As groups, they provide a significant structural dimension to their environs that is exploited by associated faunal elements, such as birds, bats and many invertebrates.

Within the previously developed area (artificial habitat) are areas of more improved (nutrient rich) amenity grassland within the extensive playing field to the north and west and within the former lawns around the buildings. Since the site has not been occupied or intensively managed for considerable time, patches of more semi-natural rough grassland are developing.

An artificial pond was also recorded in the rough grassland to the west of the Martello Tower L. This forms an important area of standing water providing an important habitat for invertebrates, amphibians, reptiles and bats. ~~The pond is therefore of local neighbourhood value.~~

Reptiles

The long and varied history of the naval site has produced a range of habitats, many of which are favourable for reptiles. The habitats within the proposed development site provide structurally diverse ground vegetation capable of providing a range of thermal microhabitats favourable to reptiles for basking, and for breeding and hibernation. The habitats are also capable of supporting a range of invertebrates (prey items for lizards and slow worms) and also amphibians and small mammals (prey items for grass snakes). Surveys undertaken have recorded the presence of common lizard, slow worm, and grass snakes within the site.

Badgers

No badger setts were recorded within the survey area although a badger latrine was recorded on the north side of the site by the north Martello Tower M in both 2006 and 2007. Badgers are therefore crossing the northern section of HMS Ganges though outside the proposed development boundary.

Bats

The buildings within the proposed development site provide potential roosting habitat for bats. Many of the buildings provide potentially favourable roosting features such as pitched roof voids, suitable ridge roosting sites, potential crevices between roof tiles and sarking boards and gaps under the soffits. The bat surveys undertaken in 2002 and 2006 - 2008 found the buildings within the HMS Ganges site being used by common Pipistrelle bat, Brown long-eared bat, Natterer's bat and Daubenton's bat.

Most of the trees on the site have little potential to provide roosting habitat; their main value being the sheltered foraging and commuting habitat they provide for bats. Two trees however were identified as having a high probability of providing roosting habitat for bats at the northeast end of the site and should be treated as bat roosting trees. Important semi-natural habitats for bats include: the boundary hedgerows and mature tree lines, the scrub/woodland habitat adjacent to the Shotley Fort, the ruderal/scrub habitat around the north Martello Tower, the artificial pond and tree lines by the south Martello Tower, and the trees and scrub habitat along the south and east estuarine escarpment that provides shelter from the southeast prevailing winds.

Invertebrates

The proposed development site, particularly along the south and east fringes, includes a large area of habitat favourable to invertebrates that can be divided into bare ground, grassland, tall herb communities, scrub and wooded habitats with a small area of standing water. The significance of these habitats in terms of overall invertebrate communities supported on the site are directly related to the interaction and physical continuity of these habitat types to create a mosaic capable of maintaining predator prey relationships essential for invertebrate diversity.

During the investigation of Shotley Fort, cave spiders were recorded behind the door and in the shafts of the chamber on the south side of the fort. Greater stag beetle was identified along the hedgerow by the Marsh Lane track to the north of the survey area.

Birds

A barn owl was recorded using the far west end of the Vincent building during a survey in June 2007. Barn owl pellets were found inside the top storey of the building and liming was observed below where the owl had been perching. The owl gained access to the building through a broken window on the north side of the building.

A total of thirty bird species were recorded during the surveys including long-tailed tit, mallard, wood pigeon, robin, chaffinch, jay, black-headed gull, blue tit, tree sparrow, magpie, hedge accentor, woodcock, wren, song thrush and barn owl. The grassland/scrub mosaic along the east and south side of the site are considered to be the most valuable habitats for the birds within the site and also entering the site from the neighbouring estuary Special Protection Area.

Sites of Nature Conservation Interest

There are two national statutory sites for nature conservation situated approximately 100 metre distance from the proposed development site. The King Edward VII Drive, marina, piers and jetties separate the proposed development site from the statutory protected areas.

To the west is the Stour Estuary Site of Special Scientific Interest (SSSI). This site includes all of the inter-tidal areas of the River Stour down to Shotley, plus a number of freshwater marshes along the flanks of the estuary. The Stour Estuary SSSI includes Ewarton Bay to the west of Shotley Gate village. The Shotley Pier, 100m west of the development forms the eastern boundary of the SSSI. To the east is the Orwell Estuary Site of Special Scientific Interest (SSSI). This site covers 1204 hectares of inter-tidal mud and saltmarsh. In addition to the national designations, the two SSSIs have also been designated as sites of International importance.

The Stour and Orwell estuaries have also been designated as Special Protection Area (SPA). The SPA site has been designated as a wetland of international importance under the Ramsar Convention. The Ramsar site has the same boundaries as the combined Stour and Orwell SSSIs. At no point does the development site directly abut the estuary SSSI. Due to the geographical separation between the proposed development site and the SPA (Orwell Estuary SSSI and Stour Estuary SSSI), it is highly unlikely that there will be any direct effect on the sites of international nature conservation importance during the construction phase of the proposed development.

The quality of the inter-tidal habitat in the near vicinity of the development site is relatively poor. The inter-tidal habitat along the south margin is a mixture of shingle with silt and is of low productivity for invertebrates. It has limited interest for feeding birds. In addition, neither area has freshwater creeks flowing across them.

Impacts

If no mitigation is undertaken the construction phase of the proposed development could result in destruction, disturbance or damage to habitats, with the resultant disturbance or destruction of animals. During the occupation of the proposed residential development, impacts will primarily be associated with human disturbance of habitats and/or species, but other impacts such as the disturbance/ predation of protected animal species by domestic pets and altered lighting levels on the site associated with human occupation.

The most obvious potential impacts are the loss of habitat through areas being built over. The majority of the development is on artificial habitat (comprising former buildings, areas of hardstanding and amenity grassland) of low/no ecological value. The habitats of most importance (of district value) will generally be retained and unaffected by development. Large areas of semi-natural scrub/grassland mosaic habitat along the eastern side of the site and a smaller area within the south will be retained helping to minimise impact on the ecosystems within the local. A large proportion (80%) of the most

valuable semi-natural mosaic habitat, with acid grassland components, will be retained and unaffected by development.

72% of the brownfield spoil vegetation and brownfield open lawn/ scrub habitats will also be retained. The retention of these more artificial habitats will ensure that the flora and invertebrate interests of these areas are also protected and maintained.

The construction phase of the proposed development is likely to cause permanent destruction of reptile habitat and possibly reptiles themselves. The increased fragmentation of reptile habitat resource caused by the construction of buildings and access roads may result in isolation of populations and increase their vulnerability to extinction. The construction works are also likely to result in the loss of invertebrate habitat through the clearance of habitats.

Some of the buildings with bats roosts or high roost potential will be retained on the site, but the development will require demolition of confirmed bat roost sites. Buildings with high roost potential will also be affected. The demolition of the buildings within the site has the potential to have a high impact on bats. Demolition will result in the disturbance to pipistrelle bats and brown long-eared bats and the loss of their roosting sites.

Structural improvement works to the existing buildings (i.e. Martello Tower L), which are bat hibernation sites, may damage hibernating crevices and result in the loss of bat hibernation sites for three species of bats. Similarly works in close proximity to the tower and Shotley Fort has the potential to cause disturbance to hibernating bats. Disturbance is also likely from the increase in people across the site.

All breeding birds within the proposed development are at risk from disturbance, damage or destruction during the development construction phase. Post development there is a risk to birds on the site by predation by domestic cats. There may also be greater disturbance of bird habitats through use by the increased human population of the site and free ranging dogs. **Shotley Point is a popular recreational location and the birds within it are less sensitive to disturbance. However, owing to the international significance of the SPA, the effect of additional dog walkers on the SPA is likely to be moderate adverse.** Altered night time lighting levels may impact on nocturnal species using the site such as barn owls.

It is proposed to include mitigation and compensation measures as part of the development proposals including management plans and education material for the post development stage, and induction sessions for construction workers and temporary fencing of sensitive areas during construction phases. In addition, monitoring of wildlife corridors is proposed across the site or reptile dispersal. With regards to the mitigation of impacts on bats, building works will be appropriately times, and public access will be prevented to the retained buildings with bats. Enhancement of the hibernation site areas is also proposed.

- An Integrated Management Plan will be prepared for the site which reconciles the interests of the bat hibernation sites in the Martello Tower L and Shotley Fort whilst enhancing their historic value. The management plan will also set out measures to preserve and enhance the existing and proposed habitat within the application site.
- Prior to construction commencing reptiles will be relocated from the areas of construction to those areas which will not be developed;
- Demolition of buildings that are bat roosts will be timed to avoid the bats most vulnerable periods, taking place in Spring or Autumn. The proposed enhancement works to hibernation sites will take place in the summer, to avoid disturbance to hibernating bats.
- A range of replacement roosts will be provided on site including bat boxes on trees and buildings and bat roosts in the lofts to new buildings;
- Dark corridors are proposed to link the bat hibernation site in Martello Tower L with the foraging areas to the south and west. These area will remain unlit or subtly lit to ensure bats are not discouraged from using them;
- A management group will be set up for new residents of the development and Home Information Packs will be distributed to new residents advising them of the status of the SPA and how they can take steps to ensure that its ecological value is not harmed. Alternative footpaths will be provided within the development site for dog walkers.
- During construction a range of mitigation measures will be set out in a Construction Environmental Management Plan, which will set out measures by which the contractor will prevent adverse impacts on the ecology of the site. This is likely to include robust fencing of ecological areas and ecological toolbox talks for workers on site.

The following table summarises the residual impacts on other species/habitats and sets out the mitigation and compensation measures proposed:

Ecological Receptor	Impact significance no mitigation/ compensation	Impacts	Mitigation/ compensation	Residual impact after mitigation/ compensation.
Invertebrates	Moderate negative	Disturbance, damage or destruction of invertebrates and/or habitats.	Protection of important invertebrate sites. Retention of scrub and dead wood on site. Appropriate management of tree/ scrub/ grassland/ bare ground habitat for invertebrates.	Minor adverse.
Birds	Major negative	Disturbance, damage and/or destruction of birds and/or their habitat during construction	Execute works outside of bird breeding season. Undertake checks for nesting birds. Public access prevented to retained building with barn owl. Provision of barn owl boxes.	Minor adverse
	Major negative	Disturbance, damage and/or destruction of birds post development (people & pets)	Use of paths to guide walkers; signage, dogs on leads during breeding season. Distribution of educational material. Appropriate management of tree/scrub/ grassland habitats for birds	Minor adverse
Bats	Major negative	Disturbance, damage and/or destruction of bats and/or their habitat during construction	Demolition of buildings will take place at appropriate times of the year when bats are not present. Bat roost provision will be made on the trees and roost provision in new buildings suitable for the requirements of different bat species. Enhancement of hibernation site areas.	Minor adverse initially. Enhancement of the existing hibernation sites is likely to provide positive benefits over time.
		Altered behaviour due to changes in night light levels and/or tree flight lines.	Roosting areas and flight dispersal routes to remain dark with sensitive lighting. Foraging areas will be planted up where as appropriate.	Enhancement of Shotley Fort tunnel (currently not used for hibernation) to render the tunnel more favourable for hibernation will provide positive benefits over time

		Disturbance, damage and/or destruction of bats and/or their habitat post development	Distribution of educational material and display of notice boards with bat information within the site by the Fort and Martello tower. Controlled public access to ancient monuments.	
SPA	Major negative	Disturbance, damage and/or destruction of habitat during construction	No vehicles to enter the SPA. Access points to St Edwards Drive cordoned off. All waste water (storm and foul water) will be discharged to the main sewerage system. Measures taken to ensure no leakage of fuel or chemical onto the site. Materials available for emergency clean up of spills.	No impact
	Moderate negative	Disturbance caused by increased recreational pressure	A payment will be made to help provide a wardening presence at the SPA. A group within the Ganges development will be created dedicated to the SPA organising talks on the subject and creation of a website.. Information will also be provided to residents in the form of information packs together with leafleting and notice boards to advise of the need to preserve the wildlife value of the SPA. Maps around the site will identify the SPA and show the footpaths around Ganges and alternative dog walking areas	No impact The mitigation proposed will ensure any disturbance impact on the SPA caused by people from the Ganges development will be minimal (minor adverse).

~~The ecological assessment concludes that if ecological mitigation and compensation is carefully undertaken, the benefits of the proposal outweigh the ecological drawbacks of the proposed scheme. The long-term management plan for the site, in particular will ensure that the ecological resources of the site and surrounds are maintained sustainable.~~

Potentially adverse impacts on protected species and the adjacent Stour and Orwell SPAs have been identified in the EIA. Mitigation measures are proposed to reduce the magnitude of these effects.

12. Ground Conditions

This section addresses the potential effects that the proposed development may have on the land contamination of the site and surrounding area. Consideration is given to the impacts associated with potentially contaminated land and groundwater during ground preparation, construction and the operational phases of the development.

A review of published geological maps indicates that the site is underlain by superficial Glacial Sand and Gravel (Kesgrave Sand and Gravel) overlying London Clay. The desk study and supplementary intrusive investigations have confirmed the presence of elevated concentrations of contaminants within the Made Ground, and near surface natural soils, at the site.

The section outlines mitigation measures which should be incorporated into the development scheme to reduce the potential for negative impacts to occur and to promote long-term beneficial impacts. Measures include the re-use of excavated soil, removal of the above ground storage tanks, disposal of surplus soils, isolation of residual contamination, and protection of services and buried concrete. The drainage proposed as part of the drainage scheme will be isolated from any residual contamination using an impermeable membrane laid beneath drainage layers to minimise any potential for downward infiltration into any aquifers and prevent any residual pollutants from entering the SPA from the drainage outfall. The assessment concludes that once the mitigation measures are implemented, there should be no significant, adverse residual impacts from contamination.

Prior to the works, a Remediation Method Statement will be prepared which will detail the mitigation measures to be carried out. A Validation Plan will also be prepared, which will detail the type and frequency of inspection visits, the information to be provided and the testing to be undertaken.

13. Landscape and Visual Assessment

The landscape and visual assessment considered the effect of the proposed development on the built form and key views of the site and the landscape character of the area with particular attention on the conservation areas and listed buildings. The assessment takes into consideration the cumulative effects arising from the reuse or potential redevelopment of the buildings and land within this wider area.

This section reviews relevant planning policy related to landscape and heritage issues, and undertakes desktop and photographic surveys to analyse the landscape and visual effects arising

~~from the development and informed professional judgements about the significance of those effects based on the magnitude of change and the sensitivity of the receiving environment.~~

The proposed development site lies adjacent to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). Although the site does not lie in a Conservation Area, there are ~~understood to be~~ three Grade II listed buildings within the vicinity of the application site. Two of these are also Scheduled Ancient Monument's, ~~with a third Scheduled Ancient Monument located in the central/north-eastern part of the site.~~ The ceremonial mast originating from HMS Cordelia lies approximately at the centre of the site. Erected in 1907, this 43m mast is visible from areas to the north and south of the Stour and Orwell estuary although is rarely visible from the Shotley peninsula itself due to intervening topography and vegetation. It is, however, clearly visible from School Road at the existing entrance to the HMS Ganges site. Martello Tower L originates from the Napoleonic War and was built between 1810 and 1812. The building lies in the southern part of the application site. The structure has been heavily modified from its original form with the addition of a water tower, signal cabins and a signal mast. The physical extent and immediate setting of this structure is uncertain due to the level of land forming which has occurred in the intervening years. It is understood that the structure was originally encircled by a moat and outer glacis. Martello Tower M lies approximately 50m outside of the north-eastern edge of the application site. Built at the same time as Martello Tower L, the structure has also been greatly modified with a water tower placed on top. It should however be noted that this Martello Tower (M) is outside the application boundary.

Shotley Fort is located in the central area of the application site. It is understood that the fort was built to defend Harwich Haven and originally comprised a seven-sided wall and outer ditch. As with Martello Tower L, the physical extent and immediate setting of the fort is unknown although the extent of the Scheduled Ancient Monument is believed to have been configured to the line of the outer ditch.

The Landscape Assessment is comprised of a study of two separate but inter-linked issues:

- **Landscape character** is the physical makeup and condition of the ~~urban~~ environment. It arises from a distinct, recognisable and consistent pattern of physical and social elements, aesthetic factors and perceptual aspects.
- **Visual amenity** is the way in which the site is seen; views to and from the site, their direction, character and sensitivity to change.

~~The application site lies within the former naval training facility of HMS Ganges and is contiguous with that area.~~ The site has very limited intervisibility with immediately adjoining areas and is considered to be capable of accommodating significant change through redevelopment. As such, the site offers considerable opportunity to improve the fabric of the landscape through the removal of incongruous

features, the introduction of a long term land use and the provision of a landscape setting for the benefit of users and the public. There are also opportunities for greater public access and increased permeability for local residents and visitors alike through the provision of new public open space and in providing connectivity between the Marina and Shotley Gate.

The visual study of the site identifies that the majority of the 20th Century buildings and infrastructure associated with the former HMS Ganges site is of little landscape value.

Open areas currently contain a number of mature trees, scrub and over-mature grassland over building debris and foundations. The proposed combination of amenity grassland and rough grassland, with appropriate structures provided for reptiles, will provide long term landscape solutions to the mutual benefit of biodiversity, new residents and visitors to the site.

~~The retention, replacement and reinforcement of tree belts across the site should be given further attention in the consideration of the scheme as these features serve an important function in screening existing and proposed built form, and in preserving the sparse wooded character of Shotley Peninsula in views across Harwich Harbour.~~ The proposed development will retain the majority of trees on the application site and will not affect vegetation on the southern and eastern sides of the HMS Ganges site which significantly screen the development area and characterise the wooded nature of the Peninsula.

Public access to open areas offers a substantial benefit pursuant to the implementation of the proposed development. The application site is currently not generally experienced by visitors or residents and so the perceived landscape harm arising from the current condition of the site is limited to those accessing the site for maintenance purposes (and occasional training exercises). However, there are key features on site, principally the Martello Tower and Shotley Fort, which have the potential to offer residents and visitors a valuable resource through a greater understanding of the historical military significance of the Peninsula whilst enjoying the views associated with their strategic positioning across Harwich Harbour. The significant expanse of open space potentially available within the application site and wider HMS Ganges site offers the further potential for a significant landscape/ parkland resource.

The Scheduled Ancient Monument of Shotley Fort is to be retained and enhanced within the site layout. The restoration of the Fort is considered to be a significant benefit of the proposed development. The proposals will transform the Fort from a publicly unknown, physically damaged and deteriorating structure into a visitor attraction and local resource capable of offering public enjoyment for the long term, alongside the conservation and better understanding of a historical feature. Martello Tower 'L' is also to be retained and enhanced through the redevelopment proposals.

~~The original Martello Tower forms only the base of the current structure. It has been recommended that the water tower and associated brick structure be removed to restore the 18th Century Tower to its original proportions. This proposal will result in the loss of not only the water tower (serving as a local landmark), but also the signal cabins and mast on the southern side which once guided boats into the estuary. Whilst the loss of these features could be seen as undesirable, it is considered that the substantial benefit of restoring the Tower outweighs the loss and ensures its longer term integrity.~~

~~The assessment identifies significant long term benefits to the fabric of the landscape within and adjoining the application site which will follow the implementation of the proposed scheme. Whilst these benefits are tangible, the absence of an equivalent solution for the entirety of the HMS Ganges site suggests that these benefits could be further enhanced through the development of a masterplan for the whole site.~~

The two key views of the site from the surrounding area are from Harwich Harbour and Town; and the Orwell Estuary. The increased density from the development will be perceptible from Harwich. However, as the buildings will be of a similar size and scale to the former naval buildings. The mature trees along the southern boundary will also serve to break up views of the development from Harwich. The extension of built form towards Martello Tower M will increase the perception of the built form of the HMS Ganges site. Whilst the prominence of the site will be increased the scale of development is not incompatible with its context.

In general terms, visual amenity effects resulting from the construction stages are considered to be consistently adverse as there are few, if any, aspects of the construction process which could be considered positive. These effects will be temporary. Post construction, the scheme has been weighed against the existing context in the determination of the nature of effects. Generally, the buildings and their landscape setting is considered to be beneficial.

~~Despite the size and aspect of the application site, it is particularly well concealed by topography, vegetation and built form — no significant effects (either positive or negative) have been identified as a result of the proposed development. Where moderate and minor adverse effects are likely, these are not pronounced and are capable of conciliation with sensitive landscape design and retention of mature trees.~~

~~Whilst the redevelopment of the entirety of the site would increase the visibility of redevelopment activities from Shotley Gate, it is considered that the potential advantages of redeveloping the wide site are overwhelming in delivering a long term solution for the former naval training base.~~

In terms of the cumulative impact of the scheme in conjunction with the approved marina development, the scale and location of the proposed development will be prominent around, and in

views of, the Marina. It will also form a strong visual marker on the western termination of the Orwell Estuary and will be prominent in views from the AONB (Stour and Orwell Walk). The uncompromisingly modern architecture of the marina scheme will stand in contrast to the residential scale and traditional materials of Shotley Gate. It is not considered that there will be any direct landscape or visual conflict between the development proposals, the character of each befitting the context; the Marina development will strongly connected (both physically and in character) to the yachting and boating activities with the proposed development forming a extensive residential scale settlement pattern contiguous with Shotley Gate). Plans showing the winter views of the site with photomontages of the proposed development and the Shotley Marina scheme are attached at the back of this document.

The design builds on previous design development for the site. Landscape and visual issues have been extensively analysed and tested against planning policy in devising a scheme which addresses a number significant environmental issues. A significant degree of mitigation of effects has therefore been considered in the evolution of the scheme, however the assessment still recommends that a construction management plan be agreed with the planning authority in order to secure a range of primary mitigation measures for the construction period.

14. Noise and Vibration

The proposed development will involve some limited demolition, construction and enhancements to existing buildings on the site. ~~The potential effects of the proposed development on noise in the area surrounding the proposed development area are addressed in this chapter.~~ The assessment is based on previous work undertaken in April 2003, and it has been updated to take account of the changes in the quantum of development and updated transport assessment. The assessment considers the effect of the proposed development on the existing environment, as well as the effect of existing noise climate on the future occupants of the proposed development.

It is anticipated that the noise impacts on the site will be incurred from construction noise, operational mechanical plant noise, operational delivery vehicles and operational road traffic noise. The effect of construction noise on the nearest residential properties to the site boundary is likely to significantly negative, but temporary. However, a Construction Environmental Management Plan will be agreed with the Council to control and limit noise and vibration levels throughout the construction process. ~~During construction and upon completion the proposed development will generate road traffic.~~

The existing noise climate on the site is affected either by road traffic noise or with the background influenced by noise from the dockyards at Felixstowe and Harwich. Noise levels are also affected by Parkstone Quay and the sound of waves onto the shore.

The proposed development includes various facilities that will require deliveries. However, for the most part, these will use smaller flat bed trucks rather than heavy goods vehicles. This is due to the necessary regularity of the deliveries and the road links to the site. As such delivery vehicles are unlikely to make a discernible additional noise to that assessed as part of the general road traffic noise.

The potential effect on noise resulting from operational road traffic has been calculated using the traffic flow data generated by the transport consultants. Given that the B1456 will provide the main route to and from the site to the town centre of Ipswich or the A14 trunk road and beyond, the traffic flow has been predicted for a number of junctions along the B1456 and for two locations immediately adjacent to the site.

Houses along the route are located at various distances from the kerb of the road. There are very few immediately adjacent to the road and a number approximately 4m from the kerb with the vast majority further than this from the noise source. ~~At no location are the noise levels or the change in noise level such as to meet the requirements of the Noise Insulation Regulations for the award of grants.~~ **An assessment has been completed of the impacts of traffic noise on receptors near to the site on Caledonia Road and at the proposed site entrance, together with the main road junctions along the B1456 up to its junction with the A137. This assessment reveals that at only one receptor location is the change in traffic noise likely to be perceptible, with only a marginal increase in noise levels of 3.5dB. -**

There would be no significant source of vibration during the construction period, assuming conventional construction practices. The result of the vibration survey and predicted traffic flows indicates that vibration due to road traffic would not affect the amenity of future residents or their properties, or any commercial properties. Operational Noise impact on the proposed properties in the southern part of the proposed development will be mitigated through the appropriate design of the ~~dwellings~~ walls and windows to ensure internal noise levels.

15. Micro-Climate

An assessment of the likely pedestrian comfort and safety within the proposed development site was conducted. It is expected that the pedestrian level wind conditions will generally be dictated by exposure of the various zones because there is an absence of dominant structures on the existing site.

Wind conditions within the residential zones and long the tree lined avenues are expected to be comfortable and safe for pedestrians, although the northern zone is exposed to north-easterly winds, which are common in early spring.

The assessment concludes that the introduction of the buildings and hard and soft landscaping is expected to have a minor beneficial impact on wind conditions due to the increased shelter provided. With the introduction of recreational activities, pedestrians are however expected to be more sensitive to the local wind conditions although this perception may be slightly attenuated by expectation of the wind conditions associated with coastal areas. In order to ensure that the proposed development has no significant impact on the pedestrian level wind environment soft and hard landscaping proposals will be designed in order to provide an appropriate level of shelter.

The proposed development is not expected to significantly impact on wind conditions within the surrounding area.

16. Socio-Economics

The socio-economic assessment concentrates on the effects the proposed development may have on the area around the proposed development.

The community profile is has been examined based upon an updated analysis of a Health Impact Assessment Report (2003).

The HMS Ganges site is located within Berners and Holbrook wards on the Shotley Peninsula. The resident population of Berners, Holbrook and Babergh is currently just under 3900, 2600 and 83,500 respectively in 2001. Berners has a similar demography to Babergh as a whole, which is in contrast to Holbrook which has considerably greater numbers of children and young people (proportionately 50% more under 16s and two to three times the number of 16-19 year olds) with a corresponding lower number of 30-59 and 60-74 year olds.

The most recent population estimates from 2005 and 2006, show that the Babergh population is approximately 87,000, a 4% increase since 2001. However, the population of Berners and Holbrook have not undergone a similar increase and are estimated to be similar to that of 2001

The most recent population projections indicate that the population of Babergh will increase by approximately 2,095 people, 2.5% over the 20 years up to 2021 i.e. increasing at an average annual rate of approximately 0.1%.²

- The 0-19 age group is estimated to show a large overall decline (4,559; -23%) with the largest decline estimated to be between 2006 and 2011 (1,764; -9%).
- The 20-29 age group is estimated to show an overall increase (1,486; 19.3%) and as this age group is part of the age range that is likely to form new households this is likely to mean that new houses will be needed if this group are to stay in Babergh.

² David Couttie Associates (DCA), Babergh District Housing Needs Survey, Babergh District Council, 2004

- The 30-44 age group decreases in numbers, with 2,804 less individuals (-17%). The largest fall is projected to occur between 2006 and 2011 (2,262; -14%).
- The 45-64 age group shows a small decline in numbers. Over the forecast period there is a decrease of 164 people (-1%). A rise is seen up to 2011 (1,520; 7%), followed by a fall to 2021 (1,684; -7%).
- The over 65 age group shows a large increase of 52% (8,136 individuals) is seen over the forecast period, the largest increase is projected to occur between 2011 and 2016 (2,799; 15%).
- The 80 years and over age group increases by 74% (3,093 individuals) and this age group are likely to have significant health and social care needs.
- The proposed development site is located within the jurisdiction of Suffolk Primary Care Trust (PCT), which was formed following the amalgamation of the four within-Suffolk PCTs in October 2006. The PCT commissions primary healthcare from: 69 GP practices; 88 pharmacies; 82 dental practices; and 122 optician practices. Private sector suppliers provide minor injuries services, out of hours GPs and community outpatient services; care homes, rehabilitation and respite centres, continuing care beds; and voluntary sector providers.

Alongside appropriate accommodation for older people there is a need for affordable housing for young people and first time buyers in Babergh as a whole.

The proposed development site is located within the jurisdiction of the Suffolk PCT, which was formed following the amalgamation of the four Suffolk PCTs in October 2006. Consequently, there is currently no information available on how the PCT is doing in relation to national targets. However, for reference, the previous Suffolk Coastal PCT did achieve its target for ensuring that the population could gain access to a GP within 48 hours.

The total population generated by the proposed development is likely to be less than that of a standard open market scheme. This is because the demographic of the proposed development is focussed on those aged 50 and over, the likelihood of children is very limited. Also, there is a greater possibility of single person occupation. Therefore, given the current healthcare provision on the peninsula is sufficient to meet the needs of the existing population, and that the additional population is likely to be relatively small, the direct effects on existing healthcare services are not likely to be significant evidence that retirement villages play a role in maintaining and promoting health, and provide opportunities for more efficient delivery of community services and provision of interim and rehabilitative care. Moreover, the presence of a retirement village may support arguments for service developments, benefiting not just village residents, but other older people locally. Retirement villages can be integral to the development and successful implementation of local strategies and plans to meet national and local standards and targets. A key point is the necessity

of involving local health-service planners and commissioners at an early stage of the development of a retirement village, and ensuring that the different service providers' boundaries and responsibilities are clarified.

The key socio-economic and health impacts are therefore related to the increase in demand for health and social care services particularly over the longer term (10-20 years) from residents of the new development and the stimulation of the local economy as these new residents spend money locally on goods and other services.

Haylink Ltd will also consider providing some pump-priming funding, via a Section 106 agreement, to provide bridge funding whilst the needs of this community are taken into account in mainstream service planning and ensure that the health and social care needs of the new residents are met over the long term without compromising the health and social care provision for existing residents of the Peninsula. Key aspects of this agreement are likely to be the development of a range of outreach activities within the Retirement Village, the designing of community space where these kinds of outreach services can be delivered and some pump-priming revenue support funding for local primary care services for the first few years of the operation of the Retirement Village.

~~The proposed development may have on the area around the proposed development have been assessed. Due to the nature of the proposed development, the assessment focuses on the need for the proposed development and the potential for significant effects on social infrastructure (namely healthcare and education) associated with it.~~

~~The total population generated by the proposed development is likely to be less than that of a standard open market scheme. This is because the demographic of the proposed development is focussed on those aged 55 and over, the likelihood of children occupants is very limited. Also, there is a greater possibility of single person occupation.~~

~~The assessment concludes that the Retirement Village is highly unlikely to generate a population that would create an additional demand on school places, therefore no mitigation is proposed. Additionally an assessment on the demand on GP practices concluded that, given the number of GP Practices within the local area and the facilities provided with the proposed development it is not thought that there will be a significant impact on the health care system.~~

17. Transportation

This section discusses the transportation conditions prevailing around the proposed development site and changes to those conditions that can be expected to arise as a result of the proposed development.

Throughout extensive pre-application discussions with Suffolk County Council, the principal concern has been the potential impact of additional traffic on length of the B1456 corridor, from Shotley Gate to the its terminus at the A137 / B1456 roundabout junction at Wherstead, with specific reference peak hourly periods. Traffic count surveys have been carried out at seven junctions along the B1456 route.

Given the nature of the proposed development which comprises retirement homes, including assisted living apartments, and a care facility; it is expected that a much lower proportion of residents will be economically active and therefore the impact on trip generation characteristics are likely to be lower ~~in terms of~~ during the morning 'rush hour'. In addition, on-site facilities, such as the leisure facilities and club house are for retirement village residents only and as will only generate internal trips. These on-site facilities will help reduce the travel demands of the proposed development.

The existing vehicular access / egress to / from the site is via a gated point, located at the eastern end of Caledonia Road and the northern end of School Road. Caledonia Road is designated public highway; School Road is a private road. The site is currently not publicly accessible; it is fenced and gated. The western end of Caledonia Road, which currently gives vehicular access to the proposed development site, connects with the B1456 Bristol Hill, forming a priority junction (or T-junction) with vehicular priority given to traffic on the B-road. The B1456 Bristol Hill runs broadly north / south through Shotley Gate village, terminating to the south at the village's southern extremity, outside the Bristol Arms Public House and Shotley Pier.

The southern end of the B1456 Bristol Hill gives access to Queen Victoria Drive to the east, which in turn gives access to King Edward VII Drive. Queen Victoria Drive / King Edward VII Drive provides vehicular access / egress to the existing Shotley Marina; the carriageway design is low standard and, to all intents and purposes, forms a single track road with no segregated footway. For sections of Queen Victoria Drive / King Edward VII Drive, there is a vertical drop from the sea wall on the southern/eastern side, with no parapet fencing or safety barrier in place.

The B1456 is the principal vehicular route across the Shotley Peninsula, which gives access to a network of local unclassified roads on the peninsula. The B1456 is designated a District Distributor Road and comprises a single carriageway. The B1456 is a single carriageway road which runs from Shotley Gate village broadly north-westwards along the length of the Shotley Peninsula. The B1456 passes through the linear villages of (from south-east to north-west) Shotley Street, Chelmondiston and Woolverstone.

It is anticipated that the majority of construction traffic would access / egress the site via the B1456, given its District Distributor designation. The proposed development's temporary demolition and construction phase is likely to generate a significant number of heavy goods vehicle (HGV)

movements, as well as the movement of other specialist equipment. Although temporary, this could have a potential adverse impact on the operation and safety of the B1456 if this phase is not managed properly

Shotley is currently characterised by a low level of public transport accessibility. The nearest mainline rail station is located in Ipswich, approximately 17kms away to the north-west of the site. It is noted that mainline rail stations are located at both Harwich (Harwich Town Station & Harwich International) and Felixstowe, but from the site these are situated across the waters of Harwich Harbour.

Shotley is served by a local scheduled bus routes, Number 97b operates between Ipswich, Chelmondiston and Shotley Gate and Number 98 operates between Ipswich, Erwarton and Shotley Gate, both giving access to Ipswich Station. An existing bus stop facility is conveniently located within a minute's walk of the site. In addition, bus access in Shotley and the wider Shotley Peninsula has been significantly enhanced by the *Buzabout* initiative. The main purpose of the *Buzabout* network is to provide everyone with the opportunity to travel both within the peninsula and beyond. In addition, the Harwich Harbour Foot Ferry (hereon in referred to as the 'foot ferry') currently links Shotley, Harwich and Felixstowe. The foot ferry currently operates between Shotley Gate village, Harwich and Felixstowe connecting Suffolk and Essex. .

Walking is a potentially attractive mode of travel in the Babergh District, particularly given its relatively flat terrain. The site is positioned within a rural and coastal environment and there is significant potential for leisure-based walking trips or walk trips to nearby amenities, given the high quality local environment. Existing pedestrian links include a pedestrian footway along the B1456 route. Other designated walking routes around Shotley Gate, include bridleways along Lower Harlings and School Road just off the B1456 Bristol Hill and; the National Trail / Long Distance route which runs down the B1456 Bristol Hill towards Shotley Pier and then heads along King Edward VII Drive up to the Shotley Marina and heads up towards Chelmondiston and Woolverstone..

Currently there are limited cycle facilities in Shotley. The carriageway width of the B1456 generally precludes the introduction of cycle lanes (advisory or mandatory) along this route. There is however The Suffolk South Route B, which runs through Shotley Gate village, in close proximity to the site. The proposed development will have a positive impact on pedestrian, cyclist and public transport access in Shotley Gate village.

The site is currently fenced, gated and not publicly accessible. The proposed development includes pedestrian footways and a shared pedestrian footway / cycle way along the length of the proposed access road through the site, which will increase general accessibility, including access to local bus and ferry services operating within Shotley Gate. The proposed development also includes pedestrian / cycle links to / from Caledonia Road, which is also a proposed emergency access.

~~The results show a maximum RFC value of 1.023 (102%) and 0.962 (96%) in the AM and PM Peak hours respectively for the 2012 Do Something scenario with the existing highway configuration. This junction would therefore be over capacity in both the AM and PM Peak hours with the existing highway configuration and is considered to have a significant adverse impact even without the proposed development.~~

When considered together with the development at Shotley Marina and the existing use of the remainder of the HMS Ganges site as a residential training centre there will be a total of 612 trips in the AM peak (227 in and 385 out) and 377 PM trips (248 in and 129 out) with the retirement community accounting for 42% and 59% of the AM and PM trips respectively.

This trip generation has been used to assess the potential effects on the capacity of junctions along the B1456. Traffic levels as the new roundabout at the site entrance together with the junctions between the B1456 and Pin Mill, Woodlands, Glebe Lane and the B1080 will remain within the capacity of the junctions. The junction between the A137 and the B1456 is currently over capacity even without the proposed development. However, the signalisation of this junction mitigates this adverse impact.

A range of off site highway improvement measures are also proposed to accompany the development including traffic calming measures in Woolverstone and Chelmondiston and improvements to the road markings at the B1080/B1456 junction.

A Travel Plan is a process for managing change in travel behaviour and seeks to encourage and enable sustainable transport behaviour of the residents of the proposed development. It is anticipated that a Travel Plan condition will be imposed to require further details on the preparation, implementation and monitoring of a Travel Plan for the site to be submitted and full compliance with these details.

Furthermore, a Construction **Environmental** Management Plan for the proposed development will ensure that potential adverse traffic and transport impacts during the temporary construction phase are mitigated and monitored.

18. Conclusions

The assessment undertaken has identified a number of significant effects of the proposed development both adverse and beneficial. Where adverse effects are identified measures to address them are proposed which can be controlled through conditions on a planning permission or by legal

agreement to overcome or reduce the effects. A number of beneficial effects are identified principally relating to the cultural heritage and visual amenity.

Comments, queries or requests for information concerning the Environmental Statement should be addressed to:

Savills, Lansdowne House, 57 Berkeley Square, London W1J 6ER

Copies of the Environmental Statement are available from Savills at a cost of £300 per copy. Copies of this Non-Technical Summary are available free of charge.

Appropriate Assessment of planning application for the development of a retirement community at HMS Ganges, Shotley Gate, Suffolk

Executive Summary

This Assessment is prepared under the Habitat Regulations 1994. It assesses a planning application for the development of a retirement community at HMS Ganges, Shotley Gate, Suffolk, which could potentially have an effect on the Stour and Orwell Special Protection Area (SPA). Planning permission has already been granted for a housing development at the nearby Shotley Marina site.

It is expected that the Shotley Marina development will result in an increase in recreation pressure on the SPA and that the HMS Ganges project will also result in an increase in recreation pressure.

After considering the range of potential impacts on the SPA, and the proposed mitigation put forward in the project Environmental Statement, the Assessment concludes that there will be no significant effect on the SPA during the construction phase. However, due to a potential increase in visitor numbers to the area following development, an adverse effect on the SPA may result from recreational disturbance from land-based users, primarily walkers and walkers with dogs.

A programme of mitigation is proposed by the project proponent to offset these impacts, including the provision of alternative recreational areas on the HMS Ganges site itself and efforts to improve visitor behaviour through education. To reduce the impacts of the Shotley Marina development and the combined impacts of the projects, the mitigation package will also be directed towards these residents.

Although no quantitative data are associated with the mitigation package, it is considered that the education efforts will result in an average improvement in visitor behaviour. The mitigation for this project will also be of benefit in reducing the recreation impacts from the Shotley Marina development. Given the mature age of the residents that will occupy the HMS Ganges site and the provision of alternative areas for recreation there is also likely to be a net reduction or a relative low absolute increase in visitor numbers to the SPA. Overall, it is anticipated that the HMS Ganges project will not contribute to an increase in disturbance impacts.

This Assessment concludes that, provided the mitigation proposals are implemented as described in the Environmental Statement and management plan, then the project will not adversely affect the integrity of the Stour and Orwell Estuaries SPA.

1 Introduction

- 1.1 This report is an Appropriate Assessment under the Habitats Regulations 1994 which transpose the requirements of the 1992 EEC Habitats Directive into UK law.
- 1.2 The project site is in the village of Shotley Gate, on the south-east tip of the Shotley Peninsula in Suffolk. It extends over 16.5 hectares, covering approximately two-thirds of the HMS Ganges site. It is proposed to build 404 houses, including 360 one to five bedroom homes, with the remainder comprising assisted living units and additional staff units. The site is within 100 metres of two Sites of Special Scientific Interest (SSSIs), which together comprise the Stour and Orwell Estuaries Special Protection Area (SPA), which is a European site given protection under 'The Birds Directive' (Council Directive 79/409/EEC on the conservation of wild birds).
- 1.3 This Assessment is prepared on behalf of Babergh District Council by Dr Graham Hopkins BSc PGCE, PhD, MIEEM Senior Ecologist with The Ecology Consultancy. Babergh District Council is the Competent Authority under the Habitat Regulations 1994 in respect of the Shotley Gate project.
- 1.4 The need for an Appropriate Assessment is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in 2007). The ultimate aim of Appropriate Assessment is to "maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest" (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status. In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment (hereafter referred to as Appropriate Assessment) should be undertaken of the plan or project in question:
- 1.5 The Habitats Regulations require:
 - 48(1) A Competent Authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project, which:
 - a) is likely to have a significant effect on a European site in Great Britain (either alone or in combination with other plans or projects) and

b) is not directly connected with or necessary for the management of the site,

shall make an Appropriate Assessment of the implications for the site in view of that site's conservation objectives.

- 48(5) In the light of the conclusions of the assessment, and subject to Regulation 49, the authority shall agree to a plan or project only after having ascertained that it will not adversely affect the integrity of the European site.
- 48(6) In considering whether a plan or project will adversely affect the integrity of the site, the authority shall have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or authorization should be given.

2 The Assessment Process and Methodology

2.1 The Appropriate Assessment process is outlined in Table 1, presented for illustrative purposes, outlining the steps required to be undertaken by the competent authority when considering projects that may impact on European sites.

Table 1. The stages of the Appropriate Assessment

Task	Requirements
Evidence Gathering	Collation of documentation relating to the project Collecting information on relevant European sites, their conservation objectives and characteristics
Stage 1	The 'likely significant effect' test Establishing whether a plan is 'likely to have a significant effect' on a European site, and therefore requiring the Appropriate Assessment
Stage 2	Assessment of whether there is an effect on site integrity This is potentially a two-stage process, with <ul style="list-style-type: none"> • a consideration of whether there are likely to be effects, followed if necessary by • a detailed consideration of site-specific factors
Stage 3	If there is an effect on site integrity then the project should be re-assessed with the inclusion of mitigation and a repeat of stage 2

Evidence Gathering

2.2 **Project Documents** - Data on the project proposals are taken from the Environmental Statement (Haylink, 2008), hereafter referred to as the ES. This is the primary source of information for the proposed project, potential effects and mitigation. Additional information on mitigation proposals are taken from an Integrated Ecology, Heritage and Landscape Management Plan (Jones and Sons Environmental Sciences, 2009), hereafter referred to as the 'management plan'.

2.3 **Site Information** - The identification of European sites was undertaken utilising the online Multi-Agency Geographic Information for the Countryside database (hereafter referred to as MAGIC; www.magic.gov.uk). Data on the European sites, including qualifying features were taken from the Joint Nature Conservation Committee website (www.jncc.gov.uk); data on the component SSSIs, primarily the condition assessment, were taken from the Natural England website (www.naturalengland.org.uk).

2.4 Baseline data for the current condition of the Stour-Orwell SPA was taken from a report commissioned by the Stour and Orwell Management Group (Ravenscroft et al., 2007).

2.5 **Assessment Literature** - A scientific literature search was undertaken using both freely available search engines and academic databases to identify relevant research work on disturbance effects and examples of mitigation for disturbance.

Likely Significant Effect

2.6 As a first step in the likely significant effect test, the project is reviewed to establish if it is for the purposes of managing the site for nature conservation. If it is not, then the test is undertaken.

2.7 The potentially significant effects of the project are taken from the ES, drawing on both the information in the ecology chapters and following critical review of other relevant chapters.

2.8 The test for 'likely significant effect' is based on the assessments within the ES. Where an effect is considered to result in a negative impact then the test is considered to have failed and an Appropriate Assessment is required (English Nature, 1999).

Assessment Method for Determining Effect on Site Integrity

2.9 Guidance on determining site integrity is taken from English Nature (2004), and is potentially a two-stage process depending on whether there are impacts:

- First, the determination of impacts on site integrity is intended to establish whether there is an adverse effect on integrity. If there are no adverse effects then no further assessment is required.
- Second, if adverse effects are likely then a consideration of 'site specific integrity factors' is required.

Definition of Site Integrity

2.10 Following English Nature (2004) and based on definitions within Article 1 of the Habitats Directive, site integrity is defined below.

2.11 For habitats:

- Their range and area must be stable or increasing
- The species structure and functions necessary for long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- The status of the typical species is considered to be favourable

2.12 For species:

- The population dynamics data on species indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,
- The natural range is stable and likely to continue to be, and there is and will probably continue to be a sufficiently large habitat to maintain its population on a long term basis

2.13 Alternative definitions are available and used in other planning documents.

Integrity of Site Checklist

2.14 English Nature (2004) proposes a checklist of questions as a pragmatic approach to identifying likely effects and to potential mechanisms that may affect site integrity. Where each answer is 'yes', then it can be concluded that there are no adverse effects. Thus, for the assessment to conclude that there are no adverse effects then it is required to show that:

- The area of Annex I habitats (or composite features) will not be reduced
- There will be no direct effect on the population of the species for which the site was designated or classified
- There will be no indirect effects on the populations of species for which the site was designated or classified due to loss or degradation of their habitat (quantity/quality)
- There will be no changes to the composition of the habitats for which the site was designated (e.g. reduction in species structure, abundance or diversity that comprises the habitat over time)
- That there will be in interruption or degradation of the physical, chemical or biological process that support habitats and species for which the site was designated or classified

2.15 If the answer is 'no' to any of these or if there is uncertainty, then it is necessary to consider further site-specific factors in order to reach a decision.

Site-specific Factors

2.16 As presented by English Nature (2004), the key site-specific factors that need to be considered when forming judgments on site integrity are:

- Scale of impact

- Long term effects and sustainability
- Duration of impact and recovery/reversibility
- Dynamic systems
- Conflicting feature requirements
- Off-site impacts
- Uncertainty in cause and effect relationships and a precautionary approach

Assessment Method for Determining Effect on Site Integrity

2.17 Where no adverse effect cannot be concluded, then it is appropriate to re-consider the impacts on site integrity with the inclusion of mitigation measures.

Consultation with Natural England

2.18 Consultation with Natural England has highlighted increased recreational pressures from land-based visitors as the impact of concern with respect to the HMS Ganges project. This pressure is expected to act in combination with similar increases in pressure from the Shotley Marina development.

2.19 In response to Natural England's concern about the effects from the two developments acting in combination, the proposed programme of mitigation to be implemented as part of the HMS Ganges project has been extended to include measures to reduce effects from the Shotley Marina development also. These mitigation measures have identified and listed within the 'Integrated Ecology, Heritage and Landscape Management Plan', as revised on 9th September 2009 (version 3) (Jones and Sons Environmental Sciences Ltd, 2009).

3 European Sites

Scoping of Sites

- 3.1 The initial screening of sites for potential inclusion within the assessment was undertaken using the MAGIC database (www.magic.gov.uk) to identify European sites within 10km (Table 2). As noted within the site designation information, these sites are not necessarily isolated ecological units but rather there is an exchange of animals between them.

Table 2. European sites within 10km

Site	Location	Distance
Hamford Water SPA	Estuary on the Essex coast between Frinton and Harwich	6.3km south of site boundary
Stour and Orwell Estuaries SPA	Estuaries either side of the Shotley Peninsula	100m to both component SSSIs (Stour Estuary SSSI to south-west and Stour Estuary SSSI to north-east)
Deben Estuary SPA	Estuary reaching the coast to the north of Felixstowe	8km to the north-east

- 3.2 Based on the anticipated impacts and their extent, as described within the ES, it is considered that the Appropriate Assessment is only required to consider the Stour and Orwell Estuaries SPA. Effects on the Hamford Water SPA and Deben Estuary SPA are considered to be unlikely due to their separation distance from the HMS Ganges site.
- 3.3 Summary administrative information for the Stour and Orwell Estuaries SPA is provided in Table 3.

Table 3. Administrative and physical data for the Stour and Orwell Estuaries SPA

Attribute	Description
Unitary Authority	Essex, Suffolk
SPA status	Classified 13/07/1994
Latitude	51 57 15 N
Longitude	01 09 26 E
Area (ha)	3323.62
Component SSSI/ASSI	Orwell Estuary, Stour Estuary

Conservation Features and Objectives

- 3.4 The Stour and Orwell estuaries straddle the eastern part of the Essex/Suffolk border in eastern England. The estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold *Enteromorpha*, *Zostera* and *Salicornia* spp. The site also includes an area of low-lying grazing marsh at Shotley Marshes on the south side of the Orwell. In summer, the site supports important numbers of breeding avocet *Recurvirostra avosetta*, while in winter

they hold major concentrations of waterbirds, especially geese, ducks and waders. The geese also feed, and waders roost, in surrounding areas of agricultural land outside the SPA. Specific details of the qualifying features are summarised in Table 4, taken from the UK SPA review (Stroud et al., 2001).

Table 4. Qualifying species and features of the Stour and Orwell Estuaries SPA

Designation	Feature	Comment
Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:	Hen harrier <i>Circus cyaneus</i>	10 individuals representing at least 1.3% of the wintering population in Great Britain (Count as at 1996/7)
Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:	Black-tailed godwit <i>Limosa limosa islandica</i>	2,475 individuals representing at least 3.5% of the wintering Iceland - breeding population (5 year peak mean 1991/2 - 1995/6)
	Dunlin <i>Calidris alpina alpina</i>	23,940 individuals representing at least 1.7% of the wintering Northern Siberia/Europe/Western Africa population (5 year peak mean 1991/2 - 1995/6)
	Grey plover <i>Pluvialis squatarola</i>	3,660 individuals representing at least 2.4% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6)
	Pintail <i>Anas acuta</i>	878 individuals representing at least 1.5% of the wintering Northwestern Europe population (5 year peak mean 1991/2 - 1995/6)
	Redshank <i>Tringa totanus</i>	3,545 individuals representing at least 2.4% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6)
	Ringed plover <i>Charadrius hiaticula</i>	578 individuals representing at least 1.2% of the wintering Europe/Northern Africa - wintering population (5 year peak mean 1991/2 - 1995/6)
	Shelduck <i>Tadorna tadorna</i>	3,672 individuals representing at least 1.2% of the wintering Northwestern Europe population (5 year peak mean 1991/2 - 1995/6)
	Turnstone <i>Arenaria interpres</i>	836 individuals representing at least 1.2% of the wintering Western Palearctic - wintering population (5 year peak mean 1991/2 - 1995/6)
Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl	Over winter, the area regularly supports 64,768 individual waterfowl (5 year peak mean 1991/2 - 1995/6) including	Cormorant <i>Phalacrocorax carbo</i> , pintail <i>Anas acuta</i> , ringed plover <i>Charadrius hiaticula</i> , grey plover <i>Pluvialis squatarola</i> , dunlin <i>Calidris alpina alpina</i> , black-tailed godwit <i>Limosa limosa islandica</i> , redshank <i>Tringa totanus</i> , shelduck <i>Tadorna tadorna</i> , great crested grebe <i>Podiceps cristatus</i> , curlew <i>Numenius arquata</i> , dark-bellied brent goose <i>Branta bernicla bernicla</i> , wigeon <i>Anas penelope</i> , goldeneye <i>Bucephala clangula</i> , oystercatcher <i>Haematopus ostralegus</i> , lapwing <i>Vanellus vanellus</i> , knot <i>Calidris canutus</i> , turnstone <i>Arenaria interpres</i>

3.5 A number of the species on the Natura 2000 data form (JNCC, 2008) are not included in the SPA review (namely: Article 4.1 avocet *Recurvirostra avosetta*; Article 4.1 brent goose *Branta bernicla bernicla* and knot *Calidris canutus*). *Vice versa* a number of species on the SPA review are not included on the data form (namely: Article 4.1 hen harrier; Article 4.2 ringed plover, shelduck and turnstone).

Condition Assessment

3.6 The Stour and Orwell SPA comprises two component SSSIs - the Orwell Estuary SSSI and the Stour Estuary SSSI – both of which comprise a series of units with the main habitats in each being neutral grassland and littoral sediment (saltmarsh and mudflat).

3.7 For both sites coastal squeeze is listed as an important factor. 'Coastal squeeze' is defined as 'the reduction in habitat area which can arise if the natural landward migration of a habitat under sea level rise is prevented by the fixing of the high water mark, e.g. by a sea wall.'

3.8 Additional details on disturbance impacts on the SPA are provided in Table 5.

Table 5. Summary of condition assessment (from Natural England 2009a,b) Overall condition is presented as the percentage area meeting Public Service Agreement (PSA) target of 'favourable' condition or 'unfavourable recovering'

SSSI	Overall condition (PSA target)	Units in unfavourable condition (total number of units)	Causes of unfavourable condition	Comment
Orwell Estuary	75.49	8 (21)	Predominantly coastal squeeze and erosion	The units of littoral sediment closest to the project site (the south end of the west bank) are in unfavourable condition
Stour Estuary	0.28%	7 (9)	Predominantly erosion Recreational disturbance identified as a possible additional factor, with water quality factors and maintenance dredging	The only units in favourable condition are the two Earth Heritage units

4 Project Proposals and Site Layout

- 4.1 Planning permission already exists for a proposed development of 150 houses at the Shotley Marina site. This location lies to the east of the HMS Ganges project area.
- 4.2 The proposals under consideration here are to build a retirement community on the south-east tip of the Shotley Peninsula. The project will extend over 16.5 hectares, equivalent to approximately two-thirds of the HMS Ganges site. It is proposed to build 404 houses, including 360 one to five bedroom homes, with the remainder comprising assisted living units and additional staff units. It is proposed that the housing will be available only to people aged 55+.
- 4.3 At present the site is an unused training college. A public road runs along the southern boundary of the site, along the shoreline, to provide access to Shotley Marina; this section of shoreline is not within the SPA. The Suffolk Coast and Heaths long distance walking route runs along most of the shoreline of the Shotley Peninsula including much of the SPA. Public access to the shoreline of the SPA near the site is possible via this long distance path with other minor footpaths providing access from Shotley Gate at other points.
- 4.4 Site preparation works will be undertaken between the spring and autumn of year 1, with construction starting in the autumn of that year. The final phase of construction will start in the winter of year 3 (and presumably be complete in year 4). Access for construction traffic will be via the north-west corner of the site initially, with an access road being constructed to gain access to the remainder of the site from here. Construction works will be from 8am to 6pm (Monday to Friday) and finishing at 1pm on Saturdays. It is specified that piling will *not* take place.

5 Review of Major Background Documents

Project Documents

- 5.1 **Environmental Statement (ES)** - The ES outlines the current conditions of the site, the impacts of the project and their significance, with chapters for each of the key environmental receptors. The anticipated impacts of the project that may be relevant to the SPA, are summarised in Table 6.

Table 6. Summary of main issues covered within the ES not directly considered within the ecology chapters

Issue	Effects of potential relevance
Air quality	No breach in air quality regulations anticipated and dust suppression to be used during construction. No fires will be permitted during construction
Drainage	No anticipated effects from site drainage. However, any overtopping would probably discharge to the estuary
Noise and vibration	The construction phase is likely to be the most disruptive, although piling will not take place; a Construction Environmental Management Plan will be implemented to reduce noise. Impacts on nearby housing anticipated to be minor and effects on the SPA unlikely
Transportation	It is not anticipated that changes in traffic will affect the SPA

- 5.2 The ecology chapter assesses impacts on both on and off-site ecological receptors, though the ecology surveys undertaken for the ES were restricted to the project site itself.
- 5.3 **Stour and Orwell Estuaries SPA Recreation Study** - Data on the current levels of recreational usage and disturbance effects on birds within the SPA are provided by Ravenscroft et al. (2007) based on three winters of direct surveys (2004/5, 05/06 and 06/07). During this survey fifteen lengths of shore were surveyed to record the numbers of birds and activities, including shore and water based activities, and distinguishing events that did and did not cause disturbance. The events that may potentially be linked to recreational disturbance most relevant to the project are: walkers, walkers accompanied by dogs, joggers, cyclists and other people on the foreshore (such as bird watchers, fishermen, boatmen and horse riders).
- 5.4 Two sections of shore adjacent or near to the project area were included within the survey, the characteristics of which are summarised in Table 7. The different widths of the intertidal areas in the two sections is potentially an important factor determining disturbance impacts, due to the proximity of the feeding birds to footpaths.

Table 7. Characteristics of survey sections included in the disturbance study

River	Length	Shoreline extent (m)	Shape of shore	Mudflat width (m)	Feature of upper shore	Access/pressure points
Orwell	Shotley	1250	Straight, narrow shore and mudflat	125	Seawall separating mudflat from grazing marsh	Section incorporated paths around Shotley Marina and from Shotley Gate village immediately to the west. Concentration of boat activity due to the proximity of the Marina
Stour	Erwarton	500	Concave	500	Mudflat bordering field	Path along field edge from Shotley Gate 1km to east and from Shotley village 1km to north

- 5.5 The direct disturbance of birds along these two lengths from land based users is reported as being relatively low compared to some other sites (Table 8). For reference, the site with the highest number of walkers is also shown (Pin Mill on the mid and lower Orwell), as is the site with the highest total number of disturbance events (Bridge Wood on the upper Orwell). Relative differences between total disturbance events compared to the land-based disturbance events are attributable to users such as bait diggers, particularly at Erwarton Bay. It should be noted that Pin Mill is promoted as a convenient site for visitors to park when visiting the Shotley Peninsula (Tour UK, 2009).
- 5.6 Overall therefore, the numbers of disturbance events is a function of the numbers and types of users and the physical characteristics of sites. As discussed later, it should be noted that the measures of disturbance used in the study may underestimate the extent of disturbance.
- 5.7 The principal high tide roosts are at Levington and Freston on the Orwell and Stutton and Holbrook on the Stour (Ravenscroft et al., 2007). These are all located some distance upstream from the project site, the closest being Levington which is on the opposite shore of the Orwell some 4km+ distant from the project site. It is therefore highly unlikely that high tide roosts will be affected in any way by the proposed development.

Table 8. Summary of recreational activity at relevant sections and the most visited site from land based users ('e' is event and 'de' disturbance event, measured as number per 500m per hour)

Shore	Total disturbance events	People		Walkers		Walkers & dogs		Cyclists		Joggers	
		e	de	e	de	e	de	e	de	e	de
Shotley Point (River Orwell)	0.2-0.3	0.04	0.01	1.24	0.05	1.36	0.08	0.03	0	0.09	00
Erwarton Bay (River Stour)	1.0-1.2	0.03	0.03	0.70	0.27	1.03	0.03	0.03	0	0	0
<i>Pin Mill</i>	1.0-1.2	0.53	0.30	2.6	0.13	1.30	0.07	0.13	0	0.03	0
<i>Bridge Wood</i>	3.6	0.27	0.17	2.03	0.27	3.60	1.73	0.23	0.10	0.40	0.07

6 Overview of Disturbance Impacts on Wading Birds

- 6.1 There is an extensive research literature on the impacts of disturbance on birds including waders (see Ravenscroft et al., 2007; Liley, 2007; Lowen et al., 2008). However, there continue to be areas of uncertainty in the impacts of disturbance and particularly in the scaling of impacts to the population level, which is required when establishing effects on site integrity. The interpretation of disturbance effects is potentially confounded by a range of factors including differences in behavioural responses among species, the impact on individual condition or 'fitness' and consequent impacts on survival and reproduction. Effects are also dependant on the availability of alternative feeding areas and resource availability and weather (Goss-Custard et al., 2006).
- 6.2 Of particular note in interpreting observational studies of disturbance is the potential difference among species in their responses. Thus, some species may fly away or leave an area when disturbed but others may remain but nevertheless feed at a lower rate, with impacts on individual fitness. Some studies may interpret such an absence of an obvious response as tolerance or habituation to disturbance, while the opposite may be true (Gill et al., 2001a).
- 6.3 Within the context of this Appropriate Assessment the study of Gill et al. (2001b) is of particular interest. They undertook field surveys on a number of estuaries, including the Stour and Orwell, looking at the relationship between disturbance and resource availability with particular emphasis on the role of disturbance in reducing the numbers of birds at sites. This was a sophisticated study using direct estimates of food availability in relation to numbers of birds. It failed to establish disturbance as a factor in determining the numbers of birds at individual sites or for birds avoiding areas with high food availability due to disturbance.
- 6.4 Thus, in reviewing the impacts of disturbance on birds a precautionary approach should be applied, with an appreciation of the interplay of factors and difficulties in the scaling from behaviour to individual and population level effects.

7 Likely Significant Effects

- 7.1 **Relevance to Site Management for Nature Conservation** - The project is not connected with the management of the Stour and Orwell Estuaries SPA for nature conservation. A 'likely significant effects test' is therefore required.
- 7.2 **Additional Projects** – As a separate project, planning permission has been granted for 150 dwellings at the Shotley Marina site. There is no mitigation for impacts upon the SPA associated with this development. The principal effect of this development that may act in conjunction with the HMS Ganges project are recreation impacts.
- 7.3 **Effects That May Cause Impacts** - The ES lists a number of negative effects potentially arising from the project, both during the construction and the operation phases (i.e. when the dwellings are occupied). These effects are summarised in Table 9 with an estimate of the likelihood that they may occur.

Table 9. Potential effects of the project on the SPA

Event	Potential Threat	Implications	Projected likelihood of occurrence
Construction works – short term impacts	Works traffic or building materials/waste dumped on the inter-tidal mudflats of the SPA	Disturbance, damage to bird habitat of international importance	Low – no reason for vehicles to access inter-tidal areas
	Discharges to the estuary, particularly fuel and oil associated with plant, from accidents or accidental seepage	Contamination of feeding areas	Low – though consequences could be significant if a spillage were to occur
Post development occupation of houses	Discharges of effluent or sewage onto the estuary	Contamination of feeding areas	Considered low, as wastes will enter public sewerage system
	Increase in recreational pressure on the SPA by walkers and walkers with dogs	Direct disturbance of feeding birds	High

- 7.4 The effects identified as possibly arising from the construction phase are not considered further as they are projected to be unlikely to occur and measures are proposed in the ES that would reduce the likelihood of occurrence still further, including:

- Cordoning off of vehicular access points to the SPA during the construction phase to prevent accidental/careless damage
- The bunding of all fuel stores. These and chemical stores are to be located away from trenches/ditches that could leak materials into the estuary in the event of an accidental spillage
- Storage of materials for emergency clean up of spillages to be retained on site in a position close to the estuary. Procedures to be followed in the event of an emergency to be agreed in advance with the Environment Agency.
- The adoption of a 'Construction Environmental Management Plan' (CEMP), to be submitted and agreed with the Local Planning Authority in advance of construction.

7.5 Therefore, the key issue of concern is the increase in recreational impact when the houses are occupied. These impacts are understood to result from both the residents of the houses and their visitors. According to the ES, it is not expected that the project will attract substantial numbers of visitors from outside of the area to use it as a recreational resource.

Summary

7.6 Based on the low likelihood of occurrence following the implementation measures proposed, there is not considered to be a likely significant effect of the project during the construction phase. Construction phase impacts are therefore not considered further during the Appropriate Assessment.

7.7 However, during the occupation phase the high likelihood of recreational disturbance to the SPA in the absence of mitigation is likely to constitute a significant negative effect. This is considered in further detail in section 8.

8 Assessment of Potential Effects Without Mitigation

Effects

8.1 The impact types of the project against which the Appropriate Assessment are undertaken are restricted to:

- Disturbance impacts derived from land-based recreational use. This effect is attributable to the new residents and their visitors. The level of recreational use would be expected to be additive to increases in recreational use from the Shotley Marina development.

Effects on Site Integrity

8.2 The assessment of effects is undertaken as a two-stage process. First, there is a consideration of effects on site integrity; if there is an effect then a second step to consider 'site specific integrity factors' is undertaken.

8.3 Against the checklist of five questions proposed by English Nature (Table 10; cf Section 2), four of the answers are 'yes' and therefore these mechanisms will not affect site integrity. However, there may be an effect on the populations of the designated species. It cannot be concluded that any increase in recreation pressure will not have a direct effect on the qualifying features of the SPA, i.e. the individual species of bird may be affected and there may be an impact on the whole assemblage.

Table 10. Checklist responses to determine effects on site integrity

Checklist	Response
Has the information for Appropriate Assessment shown that:-	
The area of annex I habitats (or composite features) will not be reduced?	Yes
There will be no direct effect on the population(s) of the species for which the site was designated or classified?	Uncertain /No
There will be no indirect effects on the populations of species for which the site was designated or classified due to loss or degradation of their habitat (quantity/quality)?	Yes
There will be no changes to the composition of the habitats for which the site was designated (e.g. reduction in species structure, abundance or diversity that comprises the habitat over time)?	Yes
That there will be in interruption or degradation of the physical, chemical or biological process that support habitats and species for which the site was designated or classified?	Yes

8.4 Following the conclusion that an effect on site integrity cannot be discounted, further assessment needs to be undertaken utilising a consideration of site-specific factors (cf English Nature, 2004; Section 2). Such an assessment is included in Table 11 below.

Table 11. Consideration of English Nature’s ‘site specific integrity factors’

Site Specific Factor	Impact on Qualifying Feature
Scale of impact	The scale of impact is anticipated to be restricted to the shoreline, as effects are primarily from walkers and walkers with dogs The length of shoreline affected will extend along the lengths walked, decreasing with distance from the HMS Ganges site. Quantitative estimates of pressure are not available and neither are data available on the extent to which effects may be apparent elsewhere in the SPA, for example by displacing birds to lower quality sites or increasing competition for food at sites
Long term effects and sustainability	The effects of disturbance are likely to be expressed over short time scales, affecting either direct survival or fitness and breeding success of birds the subsequent season
Duration of impact and recovery/reversibility	The qualifying species are present in autumn/winter and impacts will be restricted to this period. The significance of impacts would vary with tidal height, weather and probably when food availability is less (in late winter). The impacts of disturbance would be reversed were the effect removed
Dynamic systems	Recreational use does not contribute to any ecologically dynamic features
Conflicting feature requirements	There are no conflicting feature requirements. Although impacts may differ among species, none are expected to experience a positive benefit
Off-site impacts	Recreational use is unlikely to have impacts on the use of habitats outside of the SPA used by qualifying species. However, if disturbance affects fitness and breeding success of species then these effects would be feasible in the breeding sites
Uncertainty in cause and effect relationships and a precautionary approach	There is good research showing the impacts of recreational disturbance on wading birds. Extrapolating from observed disturbance to individual fitness and population level effects is difficult and uncertain

8.5 The two major areas of uncertainty within the assessment of site-specific effects are:

- The extent to which recreational pressure will increase and the areas where this increase will occur
- The consequence of disturbance on the birds, in terms of whether: (a) alternative areas of feeding are available and the impacts of displaced birds on these areas; (b) whether there will be impacts at the population level of the species and an effect on site integrity

8.6 In the absence of mitigation, it is likely that there will be some increase in visitor numbers to the SPA. This effect would occur even in the absence of the Shotley Marina development. Because the extent of this increase has not been be quantified, an adverse effect cannot be discounted.

9 Assessment of Effects with Mitigation

Mitigation Proposals

- 9.1 The proposed mitigation is listed within the ES and the management plan. As understood, it is proposed that a programme of monitoring and mitigation are to be implemented. For this assessment it is necessary to assume that the mitigation is *not dependent* on the results of monitoring.
- 9.2 Thus, monitoring is proposed before works commence, during the construction phase when there is public access and after construction is complete and the housing is occupied. The monitoring will be undertaken at access points to the SPA and at Shotley Point and an equivalent location on the River Stour.
- 9.3 The mitigation proposals centre on three main actions:
- Provision of alternative recreational areas. It is proposed that a substantial portion of the HMS Ganges site will be open to the public, with footpaths, bins for dog waste and litter and safe areas for dogs to run loose. In total, some 1.5 km of walking routes will be created. It is suggested that these measures will encourage walkers and dog walkers to use the HMS Ganges site in preference to the SPA. Thus, it “will help to reduce the visitor pressure on the SPA” and be a benefit to the SPA.
 - Provision of educational materials to improve visitor behaviour. Signage and other information such as leaflets will be provided to educate residents and visitors on the importance of the SPA and the sensitivity of the birds to disturbance.
 - Encouraging local involvement with the SPA through the recruitment of volunteer wardens and the creation of a Ganges Management Group. It is proposed that a £10k donation will be made to the Suffolk Coast and Heaths Project to support a wardening presence. It is unclear as to how the Ganges Management Group will be funded.
- 9.4 To mitigate for the combined effects of the Shotley Marina developments, the management plan (version 3, as revised on the 9th of September 2009), includes additional measures to manage increases in pressure from the Shotley Marina development, namely:

- Guarantees that the residents of Shotley Marina will be able to use the footpaths within the HMS Ganges site.
- Including residents of the Marina development within the leafleting programme to notify residents about the SPA and the availability of the HMS Ganges site for recreational usage.
- Ensuring that the monitoring programme will be designed to ensure that changes in visitor numbers will include those originating from both developments and the wider area. This will include monitoring from set points chosen at the initiation of the monitoring programme and also additional points based on initial survey data.
- Ensuring that signage designed to improve visitor behaviour and to provide interpretation about the SPA will be located to ensure that they are visible to visitors from both the HMS Ganges and Shotley Marina developments.
- Including the Marina development, along with HMS Ganges and Shotely village, within the wardening scheme for the SPA. This will invite residents to become volunteer wardens to assist with educating and managing visitors to the SPA.

9.5 The mitigation will be secured by reserved matters.

Projected Success of Mitigation

9.6 No quantitative data or analyses are presented in the ES or management plan to support the projected success of the mitigation, in terms of direct recreational usage or disturbance of the SPA. As interpreted, the management plan anticipates that as a consequence of the project with the inclusion of mitigation:

- The absolute numbers of visitors to the SPA will decrease, with the HMS Ganges site itself used in preference by some visitors
- The average behaviour of visitors will improve following the education efforts

9.7 If, following the implementation of mitigation, monitoring shows an adverse impact then additional mitigation will be implemented by the Ganges Management Group. It is not stated what this additional mitigation will be.

9.8 Within the scientific literature there is some evidence that measures similar to the proposed mitigation may be of benefit to reducing disturbance. For example, it is suggested that on the Dee estuary a programme of volunteer wardening improved visitor behaviour and reduced disturbance (Kirby et al., 1993). However, as reviewed by Liley (2007), there is little evidence of the efficacy of such measures in directly reducing disturbance or their population level consequences. Recent guidance does not provide clear guidance on the type or scale of mitigation required to protect site integrity (Lowen et al., 2008).

Effects on Site Integrity with Mitigation

9.9 Against the checklist of questions to address impacts on site integrity, it cannot be easily concluded that there is not an adverse impact and it is appropriate to directly consider site-specific actions.

9.10 For many of these site-specific considerations, the impacts will continue to be neutral or of a similar magnitude. The key issue is that whether the mitigation will result in a net reduction in disturbance compared to the present situation.

9.11 It is considered that the education programme will have a beneficial effect on 'average' behaviour, including both visitors originating from the HMS Ganges project and other sources such as the Shotley Marina development. However, even with an improved level of behaviour any increase in visitor numbers may nevertheless result in a net increase in disturbance. It is expected that the HMS Ganges site will be offered as an attractive alternative site for visitors and the residents of the site will be mature and responsible. Thus it is considered reasonable to assume that the absolute numbers of visitors originating from the HMS Ganges project will be low and its presence may result in a reduction in recreational users originating from other sources including the Shotley Marina development.

9.12 It is therefore judged that the HMS Ganges project will result in both an improvement in behaviour and potentially a reduction in visitor numbers to the SPA resulting in a net reduction in disturbance.

9.13 With a net reduction in disturbance then it can be considered that the project will not have direct effect on the population(s) of the species for which the site was designated or classified. That is, the integrity of the site will not be detrimentally impacted by the project.

10 Conclusions of the Appropriate Assessment

- 10.1 An Appropriate Assessment of the proposed development of a retirement community at HMS Ganges, Shotley Gate, Suffolk has been carried out. The proposed development is located close to the Stour and Orwell Special Protection Area (SPA). The Assessment utilised information provided by the project proponent and other published and publicly available sources to determine whether any 'significant effects' on the SPA can be identified, and second, whether the SPA's 'integrity' is likely to be affected.
- 10.2 After considering the range of potential impacts on the SPA, and the proposed mitigation put forward in the project Environmental Statement, it is concluded that there will be no significant effect on the SPA during the construction phase. However, due to a potential increase in visitor numbers to the area following development, an adverse effect on the SPA may result from recreational disturbance from land-based users, primarily walkers and walkers with dogs. Visitor pressure on the SPA will also increase as a result of the nearby Shotley Marina development irrespective of any changes at HMS Ganges.
- 10.3 A programme of mitigation is proposed by the project proponent to offset these impacts, including efforts to improve visitor behaviour through education and the provision of alternative recreational areas on the HMS Ganges site itself. The mitigation will also specifically target residents of the Shotley Marina development.
- 10.4 Although no quantitative data are associated with the mitigation package, it is considered that it will target visitors originating from both the HMS Ganges project and the Shotley Marina development. Thus, through an improvement in the behaviour of visitors and only limited increases in the numbers of visitors it is anticipated that there will be limited change or possibly a reduction in the levels of disturbance.
- 10.5 It is therefore concluded that, provided the mitigation proposals are implemented as described in the Environmental Statement and management plan, then the project will not adversely affect the integrity of the Stour and Orwell Estuaries SPA.

I, N J Ward, Chief Planning Control Officer hereby adopt this Appropriate Assessment in respect of planning reference B/88/01560/OUT and B/00/01318/RES on behalf of Babergh District Council as the competent authority pursuant to the Conservation (Natural Habitats) Regulations 1994

Signed:

Date:

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