

# The Suffolk Coastal Local Plan

## Supplementary Planning Statement

# 12.10



### **Woodbridge Riverside Planning Brief December 2004**



On 1<sup>st</sup> April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council. Therefore this document applies to the part of the East Suffolk Council area formerly covered by the Suffolk Coastal District until such time that it is replaced.



Following the reforms to the Planning system through the enactment of the Planning and Compulsory Purchase Act 2004 all Supplementary Planning Guidance's can only be kept for a maximum of three years. It is the District Council's intention to review each Supplementary Planning Guidance in this time and reproduce these publications as Supplementary Planning Documents which will support the policies to be found in the Local Development Framework which is to replace the existing Suffolk Coastal Local Plan First Alteration, February 2001.

Some Supplementary Planning Guidance dates back to the early 1990's and may no longer be appropriate as the site or issue may have been resolved so these documents will be phased out of the production and will not support the Local Development Framework. Those to be kept will be reviewed and republished in accordance with new guidelines for public consultation. A list of those to be kept can be found in the Suffolk Coastal Local Development Scheme December 2004.

Please be aware when reading this guidance that some of the Government organisations referred to no longer exist or do so under a different name. For example MAFF (Ministry for Agriculture, Fisheries and Food) is no longer in operation but all responsibilities and duties are now dealt with by DEFRA (Department for the Environment, Food and Rural Affairs). Another example may be the DETR (Department of Environment, Transport and Regions) whose responsibilities are now dealt with in part by the DCLG (Department of Communities & Local Government).

If you have any questions or concerns about the status of this Supplementary Planning Guidance please contact a member of the Local Plan team who will be able to assist you in the first instance.

We thank you for your patience and understanding as we feel it inappropriate to reproduce each document with the up to date Government organisations name as they change.



## Foreword

This Supplementary Planning Statement was originally prepared as Supplementary Planning Guidance [SPG] and has been through a consultation process appropriate for that type of document. It could not however be adopted before the enactment of the Planning & Compulsory Purchase Act 2004 which took effect on the 28<sup>th</sup> September 2004.

The new Act replaces SPG's with Supplementary Planning Documents [SPD's] but it is not possible to convert SPG to SPD without significant reworking & a different consultation process.

The District Council has therefore decided to adopt this document as a Supplementary Planning Statement which has no formal status under the new legislation, but which, because it has been through a formal consultation process, will still be a material consideration in the development control process & at planning appeal

This Supplementary Planning Statement has been produced by the District Council to explain in more detail how it expects the policies of the adopted Suffolk Coastal Local Plan [incorporating the first alteration] to be implemented. This document deals specifically with part of the Woodbridge riverside.

It will assist those promoting development within the area covered by the brief and it will give local people a clearer understanding of what the District Council will take into account when determining planning applications within the area.

It draws upon a characterisation study of the whole Woodbridge riverfront. This study was undertaken by Michael Munt, a Planning, Building Conservation and Urban Design Consultant, who was commissioned by the District Council to prepare an independent assessment of the area, in order to promote a better understanding of its character

The draft of the document was subject to public consultation between the 19<sup>th</sup> July & 30<sup>th</sup> August 2004. In addition to contacting the consultees scheduled in appendix 7, the Council issued a Press Release on 20<sup>th</sup> July & this resulted in local media coverage. The Draft document was also made available on the Council's web site.

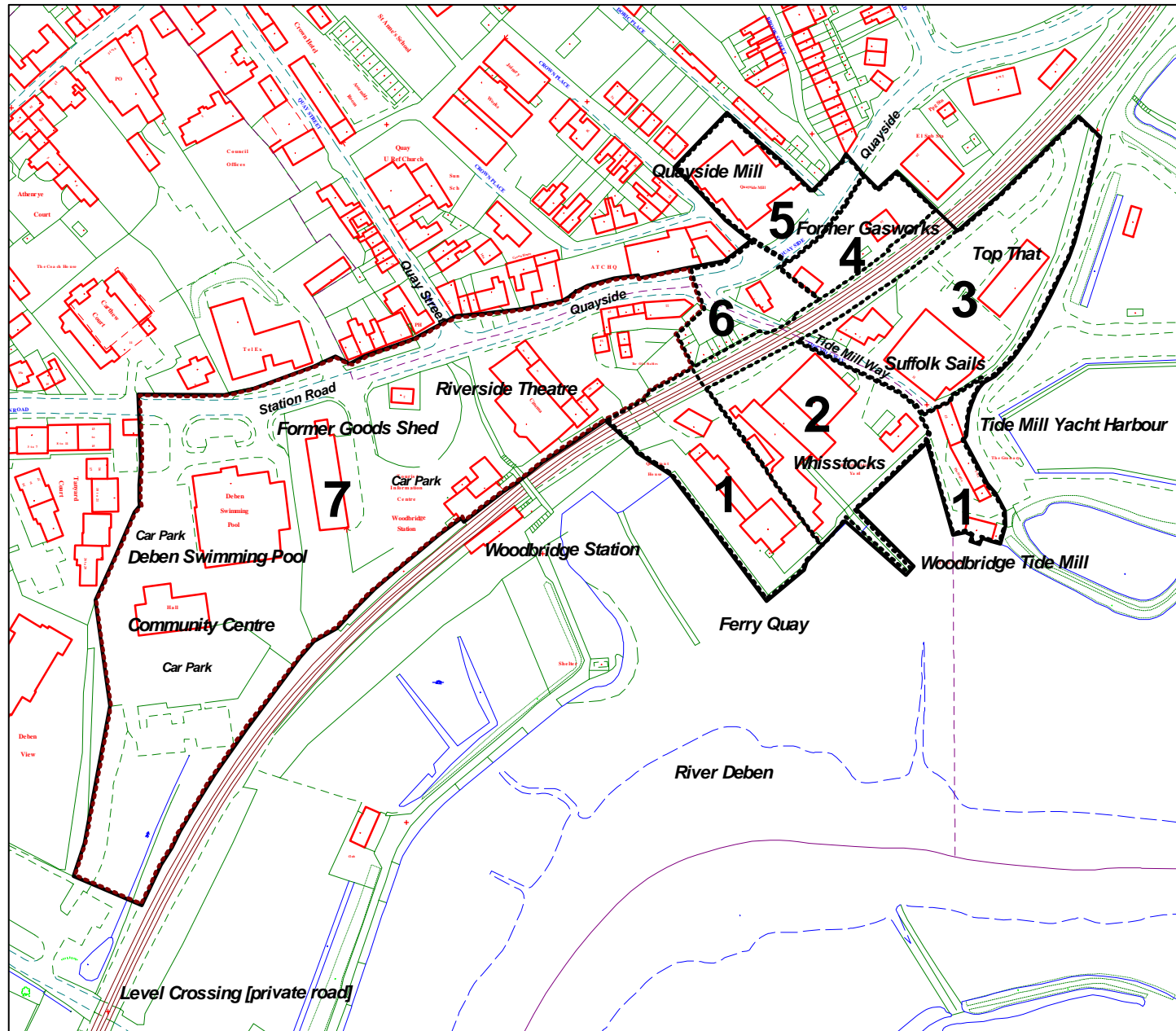
The Council's Development Control Committee were given an opportunity to comment on the document on 16<sup>th</sup> September 2004 and were provided with a summary of the consultation responses received at that time. The Committee endorsed the document.

The Woodbridge Riverside Supplementary Planning statement was adopted by the District Council's Cabinet when it met on 7<sup>th</sup> December 2004.


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# Woodbridge Riverside Planning Brief



**Key**

 Planning Brief Area

**Map 1  
Brief Area & Key Sites**

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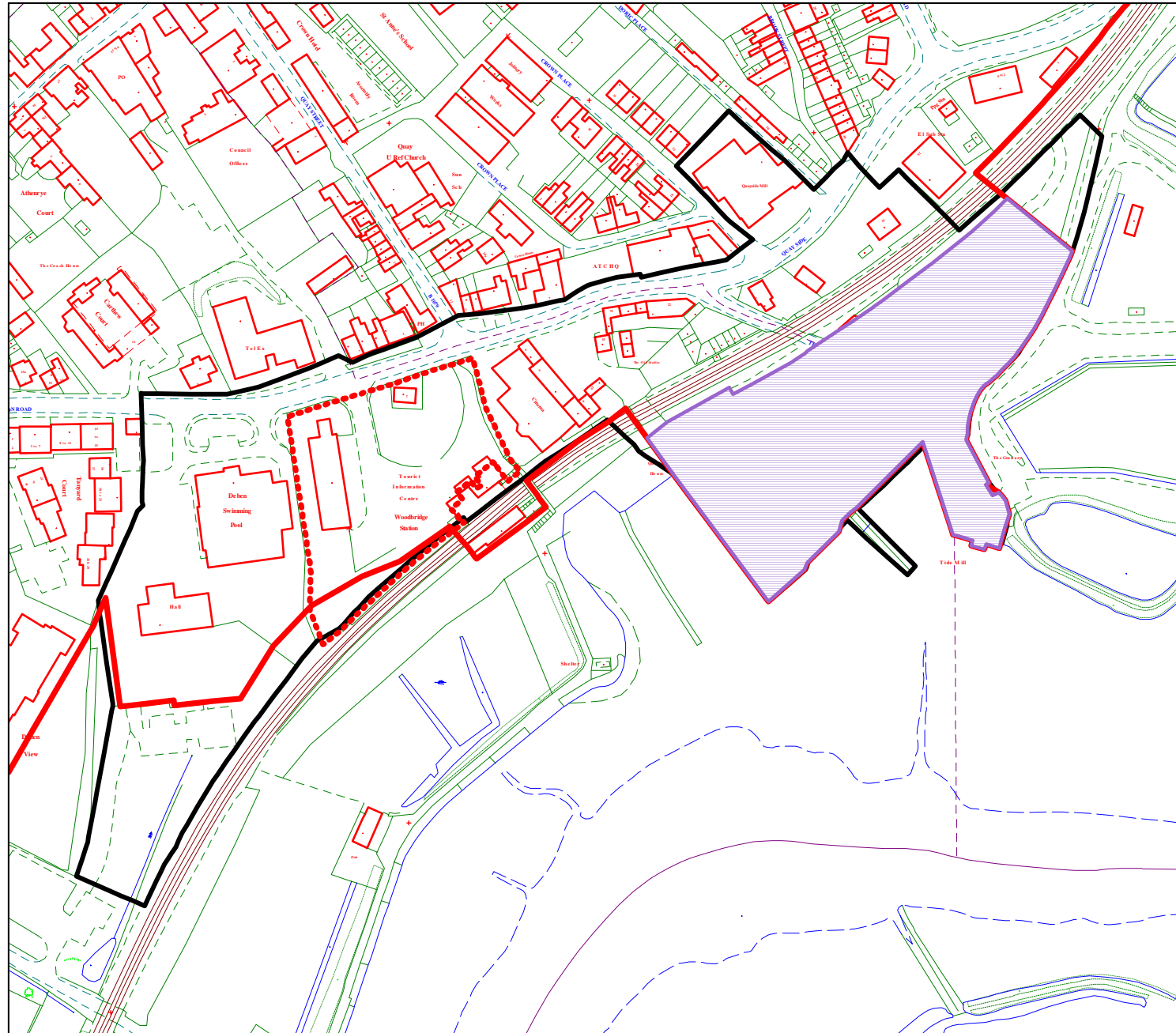
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# Woodbridge Riverside Planning Brief



## Key

-  Area of Planning Brief
-  Local Plan - Physical Limits (Town)
-  Local Plan - B1 Employment Area
-  Local Plan - Enhancement Scheme (Region)

## Map 2 Town Physical Limits Employment Policy AP245 Environmental Enhancement Policy AP246

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## **1. The Brief Area**

- 1.1 The area the subject of this brief is shown on map one. It comprises an area on the Woodbridge riverside to the east of the East Suffolk Railway line and north of Ferry Quay including the site of the former Whisstocks Boatyard. It extends north of Tide Mill Way to include the Suffolk Sails Site and adjacent premises, including the Tide Mill and Granary, but excludes the Tide Mill Yacht Harbour
- 1.2 West of the railway line it encompasses areas immediately to the north and south of Tide Mill Way and includes the former Gas Works site off Quayside. Opposite the gasworks site it also includes the site of the former Quayside Mill between Crown Place and Doric Place. It also includes the Riverside Theatre, Woodbridge Station and its car park, and the former railway goods shed.
- 1.3 Both the Whisstocks site and Quayside Mill have been the subject of planning applications which challenged policies in the adopted local Plan and were subsequently the subject of planning appeals where those policies were upheld.

## 2. Policy Context

### National Policy

- 2.1 The Government directs the way in which policy is interpreted through circulars and through Planning Policy Guidance Notes. Although these notes are classified as "guidance" the government expects the advice given to be heeded. Under the provisions of the Planning and Compulsory Purchase Act of June 2004 Planning Policy Statements [which replace Planning Policy Guidance Notes] will have the status of policy.
- 2.2 A number of Planning Policy Guidance notes [PPG's] are currently of relevance and will be referred to where appropriate.
- 2.3 One of the objectives of the adopted Local Plan is to secure sustainable development and is based on the advice in **PPG 1 "General Policy and Principles"**. This points out that the Government is committed to the principles of sustainable development set out in "Sustainable Development: *The UK Strategy (1994)*". Part of the area covered by this brief is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty and the guidance in paragraphs 21- 23 of **Planning Policy Statement 7 "Sustainable Development in Rural Areas"** is relevant.
- 2.4 PPG 1 recognises the important role of the planning system in regulating the development and use of land in the public interest and suggests that a sustainable planning framework should be based on meeting the nation's needs for a range of uses whilst meeting environmental objectives. This involves using land, which has previously been developed in the most efficient manner to provide an attractive living and working environment. It also requires the conservation of the natural and cultural heritage and achieving development patterns which minimise the need for travel.
- 2.5 Local planning authorities should include policies in their development plans to promote and retain mixed uses, particularly in town centres. It also emphasises the importance of the locational needs of business, which need to be taken into account during the preparation of local plans.
- 2.6 **Planning Policy Guidance Note 3** on Housing deals primarily with securing an adequate provision of housing land, particularly on Brownfield [previously developed] sites. It requires local authorities to undertake Urban Capacity Studies to determine the level of land available in each area and also suggests that they consider reallocating employment land for housing where the employment take up has been lower than anticipated.
- 2.7 Work on the Urban Capacity study in Suffolk Coastal is ongoing, but already suggests that there are a number of brownfield sites in Woodbridge appropriate for residential development.
- 2.8 Planning Policy Guidance Note 3 also seeks to promote higher housing densities in order to achieve a more efficient use of land. It also advises, however, that this should be achieved without compromising the quality of the environment.

- 2.9 Furthermore, whilst urging local planning authorities to consider reallocating employment and other land to housing, particularly in towns and cities, it also recognises the importance of creating more sustainable patterns of development. This it suggests can be achieved by building in ways that locate employment, shopping and other facilities in town centres and by planning for mixed use. Paragraph 51 of PPG 3 suggests that priority should be given to employment generating uses such as commerce and leisure in town centres.
- 2.10 On the issue of conserving the historic environment PPG 1 suggests that it is fundamental to the Government's policies for environmental stewardship that there should be effective protection for the historic environment. It points out that those aspects of our past which have been identified as being of historic importance are to be valued and protected for their own sake, as a central part of our cultural heritage. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness, which is so important an aspect of the character and appearance of our towns, villages and countryside. Their continued use is important if they are to contribute fully to the life of our communities.
- 2.11 The importance of protecting the historic environment is also covered in detail in Planning Policy Guidance Note 15 Planning and the Historic Environment, and will be referred to later in this brief.

### **The Development Plan**

- 2.12 The Development Plan for the Suffolk Coastal District consists of:

#### **Suffolk County Structure Plan [adopted 2001].**

- 2.13 The adopted Suffolk County Structure Plan does not include any specific policies for the Woodbridge Riverside. It does however, contain a number of policies of general relevance. These are contained in appendix 1

#### **Suffolk Coastal Local Plan 1<sup>st</sup> Alteration [adopted February 2001.]**

- 2.14 The area covered by this brief is within the Town of Woodbridge and significant parts of the area are not subject to any specific allocation in the adopted 1<sup>st</sup> Alteration to Suffolk Coastal Local Plan. The whole of the area is, however, within the physical limits for the town of Woodbridge.
- 2.15 The majority of the area to the east of the railway line and covered by this brief is subject to the following policy [See map 2]

#### **AP245 Woodbridge : Lime Kiln Quay and Ferry Quay**

**The area of Lime Kiln Quay and Ferry Quay, Woodbridge, as defined on the Proposals Map, is considered suitable for the establishment of new small-scale business (B1) uses or leisure / recreational uses only. B2 employment uses may be acceptable where the uses proposed relate to boat-building, marine engineering or associated activities related to the use of the river. They must also utilise any existing vacant premises.**

**Proposals which would result in serious injury to the amenity and environment of this part of the designated Area of Outstanding Natural Beauty will be refused.**

Note: [Policy AP245 also applies to Robertsons Boatyard, Lime Kiln Quay and Sun Wharf, which are outside the area covered by this brief, but are within the wider area covered by the Action Plan and the Characterisation Study.]

- 2.16 Within the area covered by this policy the District Council will seek to protect the sort of employment uses, which form part of its historic character, and will resist proposals for the redevelopment of sites for residential use. Priority will be given to the protection and promotion of uses associated with boat building, repair and maintenance, marine engineering and other similar activities associated with the river.
- 2.17 The vacant Quayside Mill, the former railway goods shed and the gasworks site, which for a number of years has been used as a storage and distribution centre by the gas company, are outside the area covered by Local Plan Policy AP245. They were, however, last in an employment use and the following policy will apply:

#### **AP50 Protection of Employment Sites**

**Unless otherwise stated in this Local Plan, a change of use or redevelopment of existing premises/sites with an employment use to non-employment uses, will not be permitted unless:**

**(i) such development would not cause or accentuate a significant shortage of land for employment use in the area concerned, both at the present time or in the foreseeable future; or**

**(ii) there would be substantial planning benefit in permitting alternative uses.**

- 2.18 The station forecourt and car park, together with the former goods shed [see map 2] last used by WR Refrigeration is also covered by Local Plan Policy:

#### **AP246 Woodbridge and Melton: Environmental Enhancement**

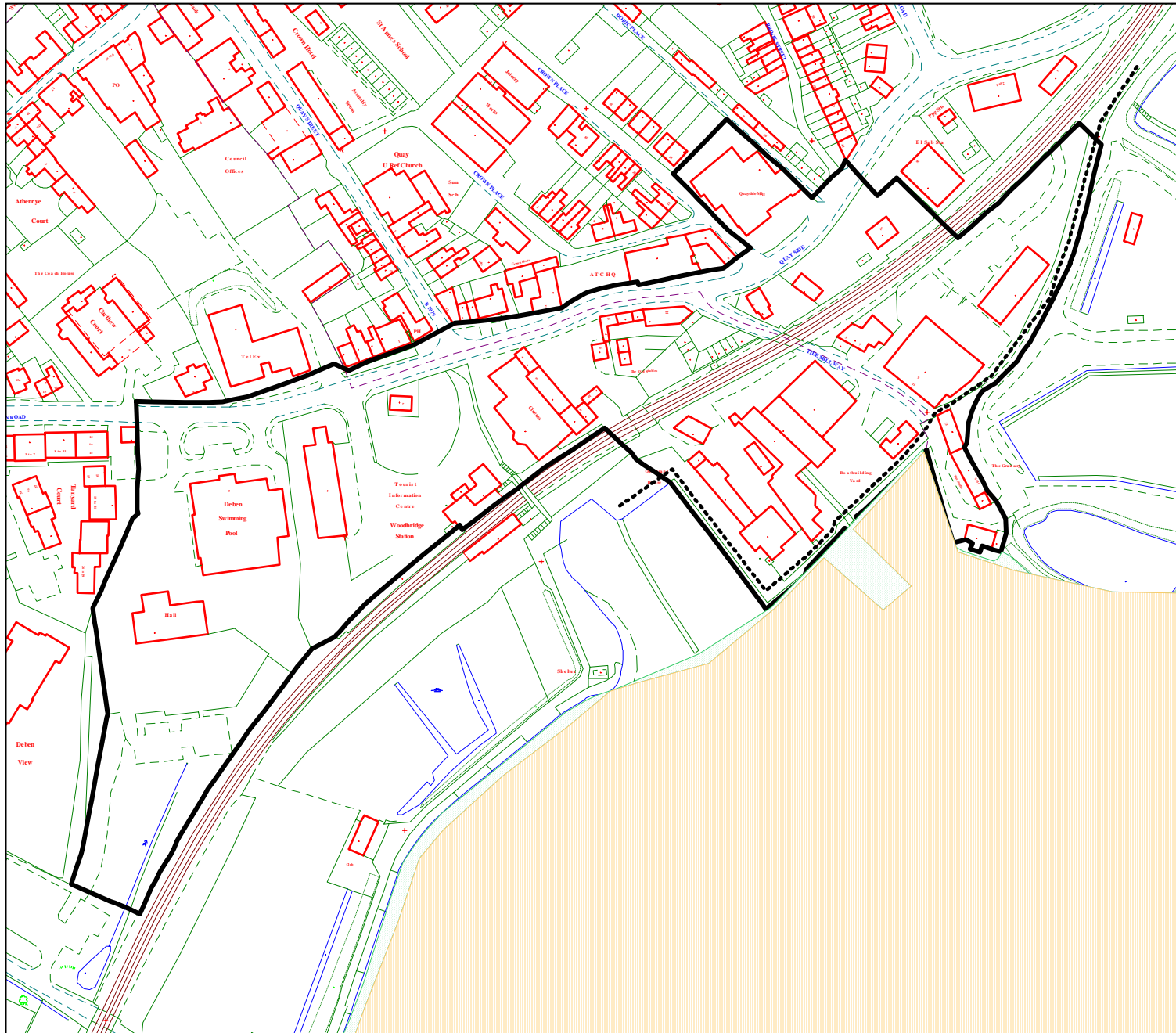
**In their control of development, the Council will not grant planning permission for proposals which would neither protect nor enhance the character or appearance of the following areas:**

**(i) The Street, Melton**






**(ii) Station Forecourt, Woodbridge**

- 2.19 Redevelopment of many of the key sites in the area covered by this brief will require the developer to enter into undertakings to achieve measures which cannot be controlled by planning conditions but by planning agreements. These measures are addressed in Policy AP117 Planning Obligations of the adopted Local Plan and by SPG 8 Planning Obligations.
- 2.20 Other policies of relevance to the area are contained in Appendix 1.

# Woodbridge Riverside Planning Brief



**Key**

-  Area of Planning Brief
-  SSSI - May 2003
-  Special Protection Area - May 2003
-  Ramsar Sites - May 2003
-  Woodbridge Footpath No 5

## Map 3 Nature Conservation Designations & Woodbridge Footpath No.5

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Scale  
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### **3. Planning History of Key Sites**

#### **Whisstocks**

- 3.1 The Whisstocks site had a planning consent [reference C98/1645] and a related Conservation Area Consent [reference C98/1644], both of which expired on 11<sup>th</sup> February 2004. These proposed the demolition of part of the existing boatyard buildings and construction of an office/catering/retail building and an office/workshop building and the renovation of an existing boat shed and ancillary works.
- 3.2 Further planning applications were submitted in 2002. Application [reference C02/0415 [for conservation area consent] and planning application C02/0414 both dated 15<sup>th</sup> March 2002, for the demolition of existing buildings and a redevelopment scheme comprising a mixed use scheme for residential [15 dwellings] and office/studio units.
- 3.4 Michael Howard Homes appealed against a failure of the District Council to give notice within the prescribed period on both applications and a Planning Inspector dismissed both appeals on 9<sup>th</sup> January 2003 [See Appendix 2 for the decision letter].

#### **Quayside Mill [Also known as Nunns Mill]**

- 3.5 In the case of Quayside Mill Quayside the District Council refused a planning application (reference C02/0855) for the redevelopment of the site to create eight town houses with garaging on 18<sup>th</sup> September 2002.
- 3.6 This decision was the subject of a planning appeal and the Planning Inspector dismissed the appeal on 13<sup>th</sup> January 2003 [See appendix 2 for decision letter]

#### **Suffolk Sails [Also known as East Bank House]**

- 3.7 The "Top That" publishing company's building is located on what was originally part of the Suffolk Sails site and consent was issued for the erection of the two storey building, to provide office accommodation, together with car parking, in September 1995 [reference C95/0830]
- 3.8 In respect of the main Suffolk Sails building, immediately to the north of Tide Mill Way there have over the years been a number of applications for alterations/reconfigurations. There is, however, no recent planning history.

#### **Woodbridge Station**

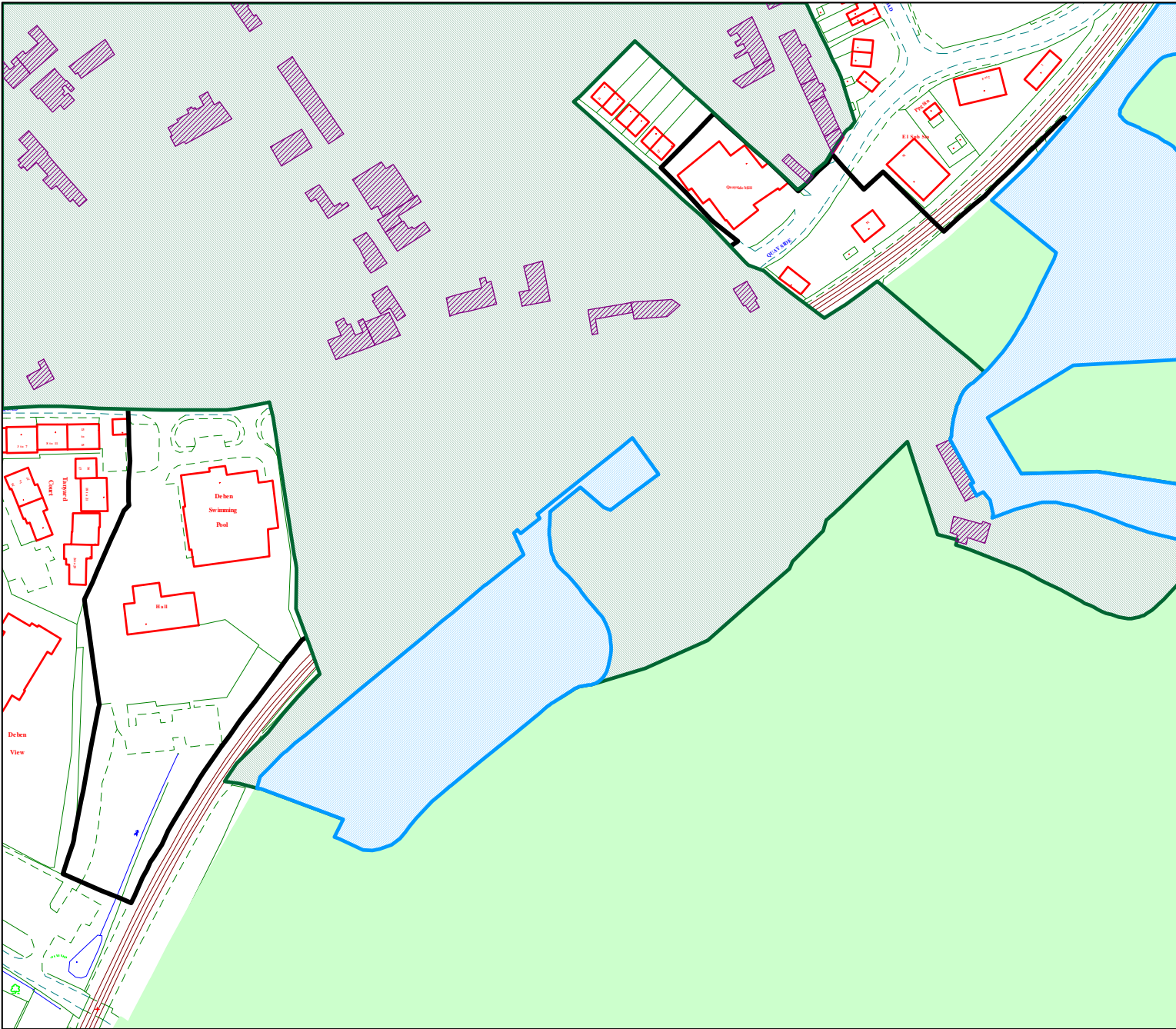
- 3.9 On the Woodbridge Station Site the District Council obtained planning consent in January 1996 [reference C95/1440] for use of part of the existing station and the erection of an extension to accommodate a Tourist Information Centre.
- 3.10 The dental surgery within the station car park was approved for office use in 1988 [reference C/88/1453] and then as a dental surgery in 1992 [reference C92/0267]. The building is still in use as a dental surgery, but has consent,

granted in 2003 for a change of use to two self contained flats [reference C02/1404]

### **The Former Refrigeration Site**

- 3.11 The former goods shed at the southern end of the station car park at the time of the preparation of this brief was the subject of a planning application [reference C04/0471] for the "Change of use / conversion of existing building together with extensions to form six self-contained two-storey office units and restaurant [single-storey extension to station Road frontage to be removed]". Following discussions between the new owner of the site and planning officers a new application was submitted [reference C04/1519] and following further negotiation the Council's Development Control Committee, at its meeting on 11<sup>th</sup> November 2004, gave officers authority to approve a modified proposal, which also secured the link between the car parks at the station and the Community Centre.

# Woodbridge Riverside Planning Brief



**Key**

- Area of Planning Brief
- Local Plan - Area of Outstanding Natural Beauty
- Local Plan - Conservation Area
- Listed Buildings
- Local Plan - Retention of Riverside Qualities

**Map 4  
Natural & Built  
Environment**

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Scale  
0 10 20 30 40 50 metres





## 4. Constraints

### Landscape

- 4.1 All those parts of the area covered by this brief to the east of the railway line are within the designated **Suffolk Coast and Heaths Area of Outstanding Natural Beauty** [AONB]. [See map 4].
- 4.2 This designation, which recognises the high landscape quality of the area, is not confined just to open countryside and it is recognised that the built environment also has a contribution to make. The character of the Woodbridge riverside is an important element of the Suffolk Coast & Heaths AONB and is viewed not only by users of the river, but also increasingly from the opposite bank with the increased access provided by the development of the Sutton Hoo site by the National Trust. The main policies, which apply to development within the AONB, are shown in appendix 1

### Wildlife and Wildlife Habitat

- 4.3 The estuary itself, which abuts the Whisstocks site, is also designated as **The Deben Estuary Site of Special Scientific Interest [SSSI]**.
- 4.4 Overlying the SSSI designation, but in some areas having a marginally different boundary, are [See map 3] **The Deben Estuary Special Protection Area [SPA]** and **The Deben Estuary Ramsar Site, [RAMSAR]**
- 4.5 The whole area covered by this brief is within the consultation area for the designations referred to in paragraphs. 4.3 and 4.4 The District Council has a duty under section 28 of the Wildlife & Countryside Act as incorporated into the Countryside & Rights of Way Act 2000 to take reasonable steps consistent with the exercise of its proper functions to further the conservation & enhancement of the SSSI. Proposals may need to be assessed under the Conservation [Natural Habitats] Regulations 1994. Any developer is advised to consult with the Environment Agency and English Nature on specific measures for the prevention of pollution, with particular reference to such matters as surface water run-off and the use / storage of oils and chemicals, and the impact of land uses on the estuary's habitats and bird life. Development should not affect the designated sites during construction or operation.
- 4.5 The main policies, which apply to the above designations, are contained in Appendix 1

**Note:** Stag beetles have been recorded in the area and developers should contact the Suffolk Biological Records Centre at Ipswich Museum, High Street, Ipswich IP1 3QM for details of these and other protected species.

### **Built Environment**

- 4.7 Much of the area covered by this development brief is within, or affects the setting of the **Woodbridge Conservation Area** - the most recent designation in December 1990. [See map 4]
- 4.6 There are a number of Listed Buildings in the area covered by this brief [see map 3]. The most notable is the Tide Mill, which has Grade I status with the adjacent Granary listed as a Grade II Building. Clearly any redevelopment within the area covered by the brief could have an impact on the setting of a Listed Building or Buildings and particular care will need to be taken, not only in what is proposed, but also what has to be demolished to achieve redevelopment. [See also Riverside Characterisation Study]

### **Flood Risk**

- 4.9 Much of the area covered by this brief is within an area at risk from tidal flooding, as shown on the Flood Zone mapping produced by the Environment Agency this year. [See map 5] This mapping is based on an assumption that no defence exists, when in fact a relatively modern flood defence wall protects the whole Woodbridge River frontage. It is, however, becoming a concern that with global warming, sea level rise and increasing storminess, the existing defences may not in future give a level of protection which is considered to be an acceptable risk.

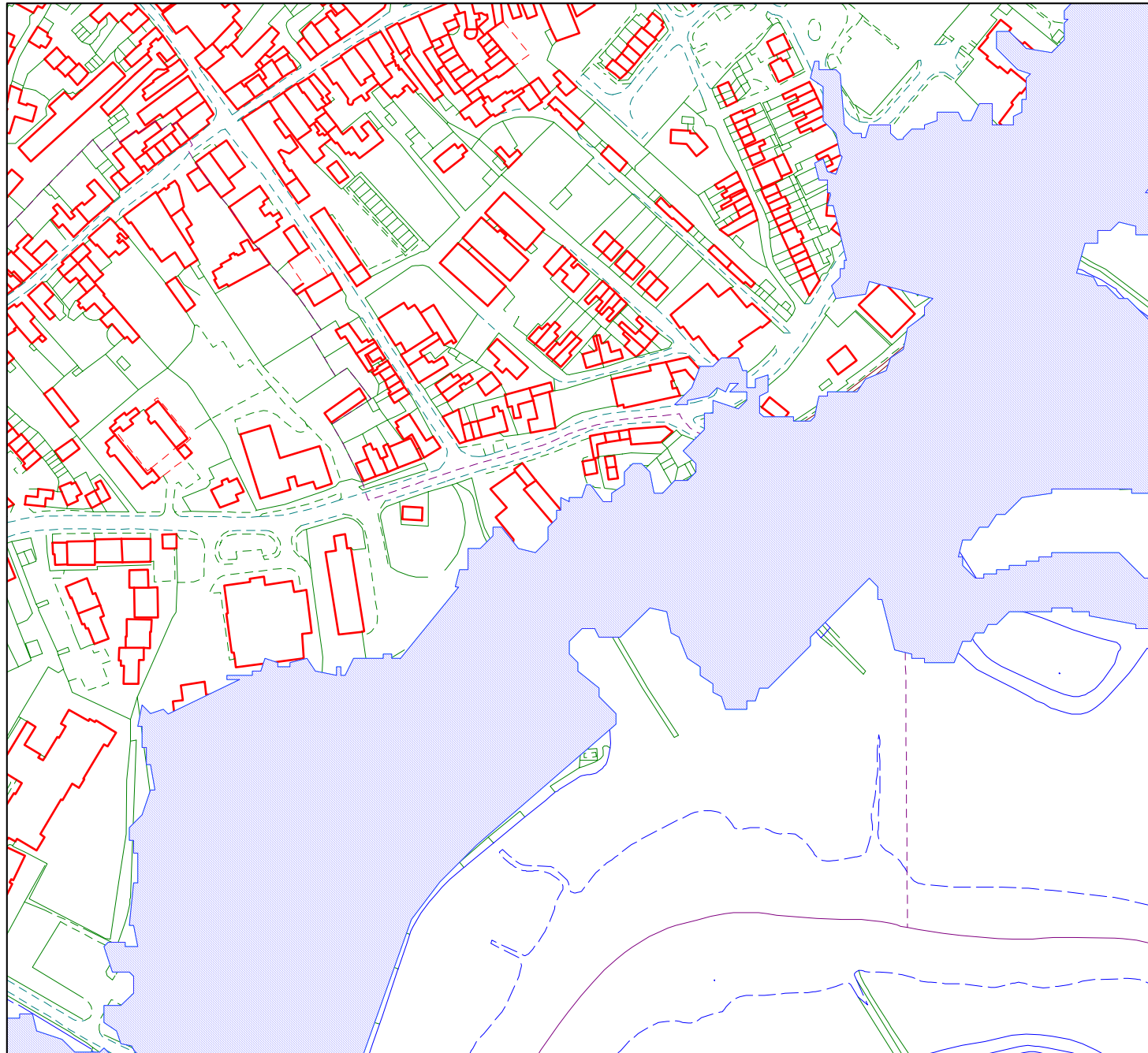
*Developers will need to reach agreement with the Environment Agency. This could include agreement on the operation of the floodgates where there would be clear environmental and access benefits if they were kept open except at times of risk.*



- 4.10 The Environment Agency is responsible for managing the flood risk from the river. It is preparing, during 2004, in consultation with interested and affected parties, long term strategies to manage the flood defences for three Suffolk Estuaries - the Blyth, the Alde/Ore and the Deben. The project will be known as the "Suffolk Estuarine Strategies".

### **The Environment Agency's flood defence wall**

- 4.11 Most of the area is protected by a substantial flood defence structure with limited openings. Any development proposed will need to take this into account and where possible improve the level of public access. [See also issue of public footpath overleaf]

# Woodbridge Riverside Planning Brief

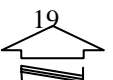
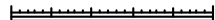


Key	
	EA Flood Zone 2 - July 2004
	EA Flood Zone 3 - July 2004

**Map 5**  
**Environment Agency Flood**  
**Zones**

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Scale  
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### **The East Suffolk Railway Line** [Ipswich to Lowestoft]

- 4.12 Parts of the area covered by this brief can only be accessed by using one of the two unmanned level crossings. Both these crossings already cause difficulties for traffic at peak periods with vehicles backing up from the level crossing and in Quayside.
- 4.13 Development adjacent to the East Suffolk Railway Line will also require early contact by developers with Network Rail on access and traffic generation and a satisfactory method of working in close proximity to a railway line. The level crossing may have to be upgraded at the developer's expense. The level of this upgrade will depend on traffic surveys & a risk assessment. [See also appendix 5 – advice from H M Railway Inspectorate on “Railway Level Crossings”.]
- 4.14 There is a perception that the railway line and Quayside help divorce the riverside from the town centre. This is particularly the case for visitors on foot who need to negotiate both these 'barriers' in order to reach the town centre from the riverside. This lack of an obvious and easy route between the town centre almost certainly has a detrimental impact upon the economy.  
[Note: Sustrans would like to achieve a route for cyclists and walkers along the rail corridor]

### **Station Road / Quayside**

- 4.15 This road, which passes through the north western part of the area covered by the brief and fronts the Railway Station car park, forms part of the south east link road for Woodbridge. It is effectively an inner bypass, built in the 1970's, which removes traffic from the main shopping street - the Thoroughfare. This road gives relatively good access to much of the area but, as mentioned above, problems can be experienced at some of its junctions and is seen by some as an obstacle to the integration of the town centre and the riverside.

### **The former Gas Works**

- 4.16 This site, very close to the railway, has recently been decontaminated, but to a level appropriate for continued employment use, and the frontage wall demolished. Further decontamination may be necessary

### **Utilities and services**

- 4.17 The potential development sites already have connections to main services, but redevelopment proposals are likely to result in a changed requirement. Developers will need to discuss these requirements with the service providers at an early date.

### **Silting of the River**

- 4.18 The upper Deben estuary, including the whole of the Quay frontage to the Whisstocks site and Ferry Quay [Bass Dock], has been subject to silt deposition over a period of many years. Many people find the ever-changing

scene, as mud is covered and then revealed by the tides, part of the attraction of the Woodbridge riverside. [See also Characterisation Study]

### **Archaeology**

- 4.19 The Archaeological assets of the area will need to be taken into account in any proposals for redevelopment. It is likely to be a requirement by the Suffolk Archaeological Unit that a watching brief is maintained where new development would involve the excavation of a site, or the development proposed would preclude subsequent evaluation of the area.

### **River Path and Rights of Way**

- 4.20 Public footpath No. 5 [Woodbridge] which is described in the definitive statement held by Suffolk County Council as having an average width of four feet, runs immediately to the rear of the flood defence wall and through the Whisstocks site. [See Map 6] It was however obstructed by previous development including the presence of a closed floodgate near the Metalfix Marine workshop. The public currently uses a relatively narrow route along the quayside in front of the floodwall. Whilst this provides good views of the river, it is not ideal.
- 4.21 Suffolk County Council advises that any proposed redevelopment of the area should either accommodate the legal line of the footpath, or include proposals to divert the route on to a new line. Diversion procedures can be complex, particularly where a route has clearly been obstructed, and the costs will need to be borne by the developer. [See Map 5]

## **5. Design Objectives**

### **Introduction**

- 5.1 Given the unique character of the Woodbridge riverside and the level of public interest in its future it is obviously important that the District Council as Local Planning Authority provides clear advice as to what form of development would be acceptable in the area.
- 5.2 The starting point for any design solutions should be the preservation or enhancement of the area. Proposals for change and new development should either preserve the existing character or appearance of the area or they should be an enhancement. Within the Conservation Area the preservation of the character and appearance of that area can be achieved either by development which makes a positive contribution to the area or which leaves the character and appearance unharmed. [See PPG15]
- 5.3 With the preparation of a characterisation study and as a result of the appeal decisions on the Whisstocks and the Quayside Mill sites, a relatively clear picture has been established as to how and why the area has developed the way it has, which elements should be preserved, and where opportunities for enhancement exist.
- 5.4 It is widely acknowledged that the built environment can influence criminal behaviour with many offences committed being actively aided or appearing through designs which create opportunities for crime. By carefully considering the development at an early stage in its creation, the potential for unlawful activity can be reduced. Developers and those seeking planning permission should enter into discussions with advice sought from the Police Architectural Liaison Officer in order that the opportunities for criminal and anti-social behaviour can be minimised.

### **History**

- 5.4 Woodbridge developed on a hill away from the low-lying waterfront, where from the middle-ages onward the riverside buildings were mainly for essential water-based industries including salt refining, boat and shipbuilding, warehousing, coal-yards, and the servicing of ships.
- 5.5 In the 1850's the separation of the town and riverside became more pronounced. The new railway line created a physical demarcation between town and riverside. The station made the area once more the point of arrival for visitors to Woodbridge. There were other advantages; new industry such as the gas works arrived and existing maltings, granaries and lime kilns required new buildings
- 5.6 Part of the riverbank below Ferry Quay became a promenade, and the Town Beach was made in about 1870. Boathouses, pavilions, shelters and other leisure structures became more common.

- 5.7 Today, the waterfront of Woodbridge can be described as the town's façade - a continuous, but unified sequence of elements, which stretches for over a mile along the west bank of the Deben. The low-lying quays, waterside buildings and masts form a plinth from which the built up town rises to form the main elevation. The riverside is a succession of linked spaces, mostly open ended and aligned at right angles to the water. Certain features, notably the Tide Mill act as a visual "anchor"

### **Character and Scale**

- 5.8 The surfaces to paths, roads and working areas between the river edge and the railway have been very simple, with a minimal dressing laid when the need arose. On the promenade and the town side of the tracks, however, hard surfaces, some kerbed separate footways, and boundary fences and walls have been present for many years.
- 5.9 The riverside has a varied scale that can surprise the eye, but never feels daunting, oppressive, or hostile. Most buildings relate well to each other, and form part of a group. The larger industrial buildings are still in context and one can comprehend why they are there. In long distance views there are, at present, none that "hog the limelight", and even the Tide Mill, recedes into the background in some views.
- 5.10 The working character of much of the riverside, even today means that a small or fussy embellishment or article that has no real function will look quite out of place with its surroundings.

### **AREA 1 Ferry Quay and Tide Mill Quay**

- 5.11 Like fingers, the quays, landing stages and many buildings stretch toward and into the river, mainly aligned at a tangent to the shore. The quays, jetties, and slipways formed a template for today's arrangement of spaces and the orientation of most buildings. The first of these, the Tide Mill Way stretching from the former Boat Inn to the ferry landing, has become built up along much of its length, so that it now feels almost like a street until, close to the Mill, long views suddenly open out.
- 5.12 The Ferry Quay dock is identifiable as an open-ended space. A similar space exists in the angle formed by Tide Mill Quay and Whisstocks Yard (once visually open, but now shut off from the river by the more recent flood-wall).
- 5.13 The sudden presence of the river can be an overwhelming contrast to the intimacy of the smaller spaces. There are long vistas downstream and across to the Sutton bank, which rises steeply from the water as a visual boundary to the Riverside space.
- 5.14 Most structures are still somewhat industrial in their appearance. The Tide Mill and Granary are dominant and this is reinforced by the adjacent single storey Art Club building. The cranes, hoists, storage containers, external stairs and ladders, mooring posts and wooden poles with electricity lines form a frenzy of

ribs and “wire-scape” that would be out of context in most conservation areas. Here, their functional feel is not out of place with boats, lines and rigging.

- 5.15 The ground surfaces in the area have always been informal, and not at all fussy. The working areas such as Tide Mill Quay had little more than compacted gravel and the robust materials used on the quay walls, sometimes brick and, later, concrete were eventually weathered by the tides.
- 5.16 There is a temptation to “beautify” areas such as this, with unnecessary or inappropriate schemes using alien materials or fussy “heritage style” street furniture. Care must be taken to keep to authentic structural details.

### **Design Objectives - Area 1**

- 1. It is essential that the exceptional character of both Ferry and Tide Mill Quay is retained. At Tide Mill Quay the relationship between the Tide Mill, Granary and the Art Club should be preserved. At Ferry Quay the traditional red brick and pantiled roofed buildings fronting the dock should be retained along with the activities associated with the quay itself. The paraphernalia of boats and boating equipment, cranes, jetties, steps, balconies and simple surface finishes are all important elements.

### **AREA 2 Whisstocks Boatyard and Surrounding Area**

- 5.17 After the Tide Mill, Whisstock’s Boat Yard is the most conspicuous built element in the area.
- 5.18 Any new buildings on the site, and replacement use should pick up conventions left by its predecessor. New development should retain the slipway and the open front, with perhaps the red store (or else a new replacement focal point), and also introduce some high quality new architecture to the site.

### **Design Objectives - Area 2**

- 1. The general appearance of the low-key, unobtrusive collection of utilitarian buildings that comprise the former Whisstocks boatyard should be retained in any redevelopment proposal. Due to their individual architectural quality the Council would not object to the demolition of any of the existing buildings on the site. It is essential however, that any replacement structures continue to convincingly reflect the character of what is there at present.
- 2. If the larger buildings are to be replaced then the design should have a simple horizontal emphasis which is low key and of a functional nature. They should not challenge or detract from the setting of the Woodbridge Tide Mill, the Granary, or from the character of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.

3. The use of lightweight materials such as steel for cladding and roof finishes would be more appropriate than heavy masonry and tiles. The use of large areas of glazing which allow views of the interior of the building may require special consideration depending on the appearance of the interior and the nature of the activities that are accommodated.
4. It may be acceptable for smaller replacement buildings to be designed with a more permanent feel to them, reflecting the character of the traditional buildings fronting Ferry Quay. Thick walls finished in materials such as red brick or render could support pitched roofs covered in clay tiles or natural slates.
5. A slipway and an open area close to the front of the Whisstocks site should be retained in order to ensure that the facility for launching boats is maintained for the future. Sufficient space should also continue to be provided to ensure that large boats can be transferred between the road network and the river.
6. The configuration of buildings on the Whisstocks site should continue to reflect the traditional pattern of the larger buildings being sited at right angles to the river. At the same time it may be appropriate to retain one or two smaller buildings parallel to the river. The former Chandlery building on the corner of the site adjacent to the Art Club and Granary presently fulfils an important townscape function by partially screening the flat roofed Suffolk Sails building when viewed from the river. Its prominent gable end also forms an interesting focal point when viewed from the south-west.
7. Surface and boundary treatments should reinforce the existing qualities of the area. New parking and circulation areas should blend with those that already exist. Fussy block paving or large areas of unrelieved blacktop with white lining should be avoided.
8. It is important that the historic relationship between the Whisstocks site and the river be reinstated. As a minimum any use should be such that the existing flood gates are able to remain open until protection is required. It would be preferable, however, for the existing flood wall and gates to be redesigned in a way that they do not create such an intrusive visual and physical barrier in the area.

### **AREA 3 Tide Mill Way – North-East Side, including the Suffolk Sails site**

- 5.19 The small scale of the buildings on the north-east side of Tide Mill Way provides an appropriate counterpoint to the prominence of the Tide Mill and Granary. Both the existing Sea Scouts building and the Art Club fulfil this function rather well.
- 5.20 The Suffolk Sails building is not a tall structure although, overall, the design of the building, its flat roof and elevational treatment, is somewhat discordant. In

townscape terms the flat roof does help to reduce the impact of what is in fact a relatively large two-storey structure.

### **Design Objectives - Area 3**

1. The historic character of the existing Sea Scouts building should be retained. The design of any replacement structure on the Suffolk Sails site, or alterations to the existing one should retain its inherent simplicity and recessive qualities and importantly, should not be significantly higher.

### **AREA 4 The Former Gas Works Site**

- 5.21 There has been some rebuilding on the south side of Quayside, and the fairly standard industrial boxes could be anywhere and do not positively contribute to the character. Apart from Quayside Mill, the scale in this part of Quayside is quite small. As well as some earlier Listed properties there are a number of small nineteenth and early twentieth century buildings close by.
- 5.22 The variety of the area is threatened if large-scale development occurs which involves the amalgamation of sites and uses standard building types.
- 5.23 Quayside was not always a major traffic route, with a street scene of gaps and bleak vistas. Redevelopment of the Quayside Mill / Gas Works sites could restore some interest and enclosure. Reducing the impact of traffic, repairing footways, tree planting at the Hamblin Road junction and high quality street furniture throughout would enhance it as a more pedestrian friendly street.

### **Design Objectives - Area 4**

1. This site has been cleared and de-contamination work has been undertaken. An opportunity therefore exists to create an interesting focal point in the streetscene thereby improving the overall quality of the built environment in Quayside.
2. The design of new buildings should respect the adjacent Listed Buildings and Conservation Area, particularly in terms of height and scale. Proposals should also relate satisfactorily to the single storey commercial buildings to the north east.
3. Whilst a high quality traditional design approach could be appropriate here, a modern innovative solution may also prove acceptable. The "Top That" building on the other side of the railway line is a successful example of the latter approach in the area.
4. Access, turning and parking facilities should not be dominant features in the streetscene. Design solutions should seek to reinforce the pattern of buildings and walls set close to or on the back edge of the footway.

## **AREA 5 The Quayside Mill Site**

- 5.24 Quayside has a number of low-key access roads off it, in particular Crown Place, Doric Place and Brook Street. Crown Place and Doric Place are unmetaled, unadopted roads giving access mainly to residential properties. These private roads also in fact give access to the town centre, but their intimate 'private' character limits the level of use. They are, however, an attraction in their own right and add to the character of the area. Care will need to be taken to ensure that the character of these areas is not degraded by over use, even by pedestrian traffic.
- 5.25 For vehicular use, their junctions with Quayside are not ideal. The eastern section of Brook Street also derives access from Quayside relatively close to its junction with Hamblin Road. This section of Brook Street accommodates one-way traffic away from Quayside and does not cause too many problems. It is however also well used as a pedestrian route into the town centre and as there are no footways, pedestrians and vehicles have to share the same area.
- 5.26 At the west end of the area the divisive character of the upgraded relief road is emphasised by the bleak forecourt in front of Quayside Mill (the recessive, unexceptional character of the Mill itself does not help).

### **Design Objectives - Area 5**

1. Both the Old Gasworks and the Quayside Mill sites present opportunities for improving the character and appearance of the Quayside, which is an important vehicular and pedestrian route in the town.
2. Until it was damaged by fire the brick built Mill formed an imposing survivor of Suffolk's 19<sup>th</sup> Century industrial development. Since then it has provided some useful employment space in what is an accessible location close to the centre of the town.
3. The existing structures on the site are of little architectural quality. The open frontage undermines any sense of enclosure and emphasises the dominance of the busy road in the area.
4. A traditional design approach may prove acceptable here even to the extent of recreating the character of the original Mill building. It is important however that the impact of the scale and height of any replacement structure does not adversely affect the amenities enjoyed by the occupants of adjoining residential properties, some of which are Listed Buildings. The creation of a pedestrian court between 11 Doric Place and a new building would also help to achieve this.
5. Alternative design solutions could involve a modern interpretation of the traditional industrial character or a wholly contemporary approach. In order to prove acceptable any contemporary solution would need to be of a very high standard of design, which satisfactorily enhances the



area by creating an interesting contrast and juxtaposition with the existing pattern of traditional buildings in the area.

6. Whilst design solutions should seek to create a focal point in the streetscene, the existing Quayside Mill building is particularly prominent in long distance views of the town, especially from the riverside. The appearance of the upper storey and roofline will therefore require special consideration. In particular, large areas of glazing, balconies and terraces are likely to prove intrusive and therefore unacceptable.

### **AREA 6 Garage Block, Tide Mill Way**

- 5.27 Tide Mill Way could be a real street but for a court of flat roofed garages. This, with other gap sites could be redeveloped at a small, sensitive scale.

#### **Design Objectives - Area 6**

1. Set close to important Listed Buildings, a group of lock-up garages occupy a prominent site adjacent to the railway line at the top of Tide Mill Way.
2. Whilst not capable of accommodating a large redevelopment scheme the demolition of this rather ugly group of buildings and replacement with a more appropriate design would significantly improve the streetscape in this part of the Conservation Area.
3. Clearly any proposals would need to have regard to the role the garages currently play in meeting the needs of local residents.

### **Area 7 Riverside Theatre to the Community Centre**

- 5.28 Area 7 has been included in this planning brief as the activities in it are very important to the continued health and vitality of the riverside area, particularly in respect of public access and enjoyment.
- 5.29 There is a significant element of residential use adjacent to this area with properties fronting onto the northern side of Quayside. The Railway Station sits at the heart of this area with the former station building accommodating the town's Tourist Information Centre, and a small hotel and café. These, together with the Riverside Theatre, ensure there is plenty of activity throughout the day. The Theatre and the Station Hotel both include open-air cafés and there is access, via a footbridge and level crossing, to the riverside. In fine weather the area is very busy and despite the barrier of the railway line, is often used by locals and visitors as part of the riverside area.
- 5.30 The District Council manages the Station car park, and owns and runs the Station Road car park including the area behind the Community Centre. Deben Pool is well used, and many families combine a swim with a walk by the river. Pedestrian access from the rear car park connects this area to the

Avenue car park and thence to Kingston Field and the riverside via a privately owned rail crossing and track.

- 5.31 Within Area 7, in front of the station building, is a building currently used as a dental practice, but which was originally constructed as a house and shop. There is also a large brick and slate building [formerly a railway shed] which until recently was occupied by a refrigeration company

### **Design Objectives - Area 7**

1. Architecturally the railway station, the theatre and the former railway shed are dominant features. The dental surgery is located in a particularly prominent position. The historic character and appearance of these buildings should be protected and enhanced.
2. Accessibility / permeability to and through these sites for pedestrians should be improved and enhanced.
3. Any changes of use of the former refrigeration building must respect and reinforce the character of the building as part of the original station complex. It will be important to provide good public / pedestrian access to the building and avoid conflict with vehicles using the car park and the accesses onto Quayside.
4. Development of the former refrigeration building should incorporate the opportunity to connect the Station car park with the car park to the rear of Deben Pool and the Community Centre, and should provide additional public parking spaces.
5. The Council is seeking ways of providing additional public conveniences in this area of Woodbridge and will work with property owners to provide such a facility. Public conveniences should, if possible be attached to or constructed within a building in this area although a site for a free-standing facility may also be acceptable. Care will need to be taken with any design solution which should contribute to improving the overall appearance of the area. As well as satisfying modern standards and safety and security criteria, they should be purpose-designed to suit the location. The Council is conscious of the residential and evening leisure activities in the area and recognises the concerns of residents and businesses about anti-social behaviour and aims to provide a much needed public facility that is designed and managed to avoid such problems.
6. The Council is examining ways of enhancing the Station car park and providing additional spaces. Key to this will be the ability to link this car park with the Councils own car parks at Deben Pool and the well used Community Centre which makes an important contribution to the area. A proposed skateboard facility will take some space from the under used coach and lorry park, and whilst the Council will endeavour to continue to accommodate coaches in this area, it may no longer be necessary or appropriate to continue to provide lorry parking.

## **6. Land Use**

- 6.1 The area the subject of this Brief is a vital one to the history and economy of the town.

### **The River Side of the Railway**

- 6.2 The riverside, as the inspector for the Whisstock's appeal has remarked, comprises an interesting composition of boatyards, marine industry and other water-associated buildings that relate well to each other and to the historic buildings, notably the Tide Mill. The predominant activity/land use is employment, but employment with a marine connection.
- 6.3 The District Council, through Local Plan Policy AP245, recognises that employment sites on the Woodbridge riverside cannot be replaced elsewhere. The apparent demand for and interest in maintaining riverside related employment use of the Whisstocks site has been evident not only at a planning inquiry into a refusal of planning permission, but also in subsequent work undertaken in the preparation of the Woodbridge Riverside Action Plan. People have expressed a strong desire to see boat building, maintenance and other marine industries/employment uses making use of the locational advantage this site offers. It is the only remaining vacant employment site on the riverside in Woodbridge with a slipway and access to the river.
- 6.4 Supplementary Planning Statements cannot change or add new areas to adopted local plan policies, but the context for this document includes the changes that have taken place in and adjacent to the area concerned, the pressure for development and redevelopment, and the recent planning history. This SPS is intended to offer guidance on the implementation of Suffolk Coastal Local Plan policies, especially policy AP245.
- 6.5 Policy AP245 seeks to protect site-specific river related employment uses. However, the local planning authority also recognises the changing nature of some of these activities and the fragile nature of some parts of the leisure marine industry. The policy covers two quayside areas where the character and appearance of the area is a product of the activities and uses that take place there. This character has contributed to an increase in popularity of the riverside area. Local people, visitors and tourists enjoy the vibrancy, the practical and historic nature of the area as well as the attractive built and natural environment. Policy AP245 aims to maintain and sustain the character of these areas.
- 6.6 Within the two areas covered by Policy AP245, there are a number of sites, which are different in size, location, previous or existing use, accessibility to the public, and in the contribution they make to the character of the area. The local planning authority recognise this and will deal with each case on its merits. Other factors which will be considered are how long any site has been vacant, its present condition, single and multiple ownership, viability and the sustainability of existing and proposed uses on the site and other sites in the policy area. If a mixed-use development is proposed on large sites (such as the

former Whisstocks boatyard) it should be comprehensive in nature and may need to be the subject of a legal agreement to phase development.

6.7 Policy AP245 provides for a mixture of uses. It identifies the following as appropriate in the area:

- B1 [i.e. offices, research/development, studios, laboratories, high-tech or light industry];
- B2 [general industrial] If related to boat building, marine engineering or river related activities.
- Leisure/recreation

These three uses provide a potentially wide variety and mix of uses. Any development that seeks to depart from this mixture of uses will be expected to demonstrate why it should be considered as an exceptional case.

Whilst PPG 3 promotes mixed use development [[see paragraphs 49 –51 in particular] PPG 24 states that noise can be a material consideration in determining planning applications and the planning system has the task of ensuring that wherever practicable, noise sensitive developments are separated from major sources of noise. Noise from existing B2 uses and the roads and railway are factors, which will need to be considered in the layout and design of mixed use developments. Developers are advised to consult the Council's Head of Health to discuss the practical implications.

### **The Former Whisstocks Boatyard and Adjacent Sites**

6.8 At the heart of the area covered by this SPG is the former Whisstock's boatyard. The Inspectors decision letter on the recent appeal describes in detail the enormous contribution this site makes to the riverside scene in terms of its appearance, its representation of the history of the area, and locational advantage of a riverside site and slipway. The proposal considered at the appeal, residential development, was considered to be sterile in character. The local planning authority appreciates the difficulties facing marine related uses and recognises the importance of retaining part of the site, with access to the river to maintain the opportunity for boats to remain part of the everyday life of the area, reflect its history and background, and importantly to continue to contribute to the special character of the area.

6.9 Any scheme on this site must respect and complement the existing uses on adjacent sites and the character and built form that results from these uses. Any development will be framed by the Tide Mill and Granary and buildings and uses on Ferry Quay. The local planning authority acknowledges the uniqueness of the Whisstocks site and the high level of local interest in its future use and development. Redevelopment proposals for this site must address physical and capacity constraints [such as the railway crossing and vehicular access], the nature and character of existing and proposed uses and

the contributions any scheme will make to the fabric, character, appearance and functioning of the area and the town as a whole.

- 6.10 What will not be acceptable will be the redevelopment of the site for large-scale suites of offices and units of light industry. This is because such development will not retain or contribute to the character of the area. If, as seems likely, the site is not used as a boatyard, it is difficult to imagine a single use that could replace the activity and retain the essential character of the riverfront area. A mix of uses from the list set out in Policy AP 245 that retains the slipway/access to the river with a related area and/or building where boats can be worked on, and which increases access to and penetration of the site by pedestrians would be most appropriate. The nature of the slipway and other marine related provision must be a matter for agreement between the owners of the site and those with a direct interest in retaining the facility.
- 6.11 The river front area is very popular with local people and visitors alike, and pedestrian activity has increased over the years. The river walk, which is a public right of way and part of the Suffolk Coast & Heaths Sandlings Walk, fronts both the Whisstocks and the Suffolk Sail sites. The right of way must be safeguarded, and as part of any redevelopment of the former Whisstocks boatyard. The local planning authority would expect to see pedestrian access to and routes through the site enhanced. Views of a working riverside from the river walk are very important.
- 6.12 Elsewhere on the riverside the pressure for development is not so apparent. The Suffolk Sails site is a large site with a presence that contributes to the character, history and level of activity in the area. Any redevelopment proposals would need to be comprehensive in nature and should follow the guidance set out in respect of the former Whisstocks boatyard. Although this site does not enjoy access to the river, its relationship with other buildings in the vicinity, particularly the Granary and Tide Mill, and the existing commercial uses contribute positively to the vibrant working character of this part of the Woodbridge riverside.

### **The Town Side of the Railway [ including Quayside]**

- 6.13 This is still a working area, with a number of small businesses in purpose built units or re-used buildings. There are small workshops, offices, an element of retail use, and some marine related businesses like Seedhouse's Boats. Until the 1970's The town's gas works stood opposite Quayside Mill on the south side of the since upgraded road.
- 6.14 Its location is important to the economy of the town being close to the town centre with good access via road, rail and bus. The loss of employment use in the area would be likely to increase the pressure for out commuting. This would be contrary to the aims of PPG3, the Structure Plan and Local Plan Policies, all of which have the goal of achieving sustainable development. Quayside Mill is also a relatively modern building, and it is understood to be in

a generally sound condition. There would not appear to be any reason in principle why the building should not be capable of reuse.

- 6.15 This has been upheld on appeal where the planning inspector supported the retention of the site in employment use in accordance with Local Plan Policy AP 50. In dismissing a proposal for 8 town houses on the site he reached the overall conclusion that:

*"...the appeal proposal would have a detrimental impact on employment and the local economy and that, even if that were not the case, the form of development would harm both the setting of a Listed Building and the living conditions of its occupiers."*

- 6.16 Elsewhere on Quayside the former Gas Works is considered to be an employment site to which policy AP50 will apply. Although smaller than the Quayside Mill site and situated between the road and the railway line, it shares the same locational advantages. It is important that development of the former Gas Works site includes a much-needed enhancement of the streetscene, and an improved environment for pedestrians.

- 6.17 It is recognised that both the Whisstocks site and Quayside Mill have recently been sold together to a new owner. The Council sees this as a unique opportunity to encourage a mix of uses on both sites, which would be unlikely to be forthcoming if they were to be considered separately.

- 6.18 Local Plan Policy AP50, in line with the Structure Plan Policies and PPG 3, encourages the retention of existing employment sites in sustainable locations. It also however, will allow alternative uses on existing employment sites, especially mixed uses, if there would be substantial planning benefit. The Council will therefore adopt a flexible approach to the redevelopment of the Quayside Mill site in terms of land uses if it secures a development on the Whisstock's site with a mix of uses which may not otherwise be economically viable.

- 6.19 In this context, although it will be necessary to retain an element of employment use at Quayside Mill, a mixed-use development which includes residential may prove acceptable dependent upon what is achieved the Whisstock's site. If such a comprehensive package of proposals is put forward then, as well as the normal development control criteria, the Council will take account of the following:

- The provision of community facilities.
- Improved public access to the area.
- Uses that create employment opportunities.
- Facilities for visitors and tourists.
- Provision for marine related activity.
- Preservation and enhancement of the character and appearance of the riverside, Quayside and the town as a whole.
- The impact of the proposals upon existing employment and other uses in the vicinity.

## **Riverside Theatre to the Community Centre**

- 6.20 This area makes an important contribution to the town as a whole by providing much needed leisure, community and transport facilities, and car parking. The area also provides access to the riverside and despite the barrier of the railway line is considered by many people as part of the riverside area.
- 6.21 The only buildings where changes of are likely to occur in the short to medium term are the dental surgery and the former Refrigeration building. Planning permission has been granted for the conversion of the dental surgery to two flats.
- 6.22 The former Refrigeration building was until recently in employment use and Policy AP50 will apply. However this building is capable of more intensive use and has potential for extension. Provision of additional floorspace, through extensions and/or installing further floors would enable the building to be used for a mixture of uses including employment and possibly leisure/community /tourist and educational "public access" uses [such as a field study centre]. Use of part of an extended building as a restaurant may also be considered favourably. The issue of noise [and in the case of the swimming pool chlorine odour] needs to be taken into consideration and developers are advised to discuss the matter with the Council's Head of Health.
- 6.23 In accordance with Local Plan Policies AP50 and AP246 relating to the enhancement of the Station forecourt area, a mixed-use development will be supported if it respects the character and prominent location of the building, and achieves substantial planning benefits such as enhanced access to and around the building and between the two adjacent car parks, and secures additional public car parking. It may then be appropriate for the scheme to include an element of residential use fronting Station Road.

## 7. Conclusion

- 7.1 An important objective of this statement is to set a context for any proposed redevelopment of that part of the Woodbridge riverside centred on the Whisstocks Boatyard, Quayside Mill and the former Refrigeration and Gasworks sites. It also outlines the planning policies for the area and provides a framework within which to consider proposals, whilst recognising that this must be without prejudice to the position of the District Council, as local Planning Authority, in respect of any particular planning applications.
- 7.2 The District Council wishes to encourage appropriate developments in the area, which make a positive contribution by providing for employment and leisure opportunities and uses appropriate to the riverside location. It is also necessary for proposals to preserve, or enhance the area in terms of its character and appearance. This does not mean that it has to be "tidied up" or "prettified", rather that changes should reflect its character as a working riverside environment.
- 7.3 Planning policies, particularly those in the Suffolk Coastal Local Plan as amplified by this brief provide a sound basis for controlling development in the area. This brief demonstrates how, in respect of the Whisstocks site and the Quayside Mill in particular, those policies have been thoroughly tested against national guidance and supported by the Planning Inspectorate at planning appeals.
- 7.4 The development criteria derived from the Characterisation Study suggest positive ways, in which redevelopment could occur in accordance with planning policy and in a way which fully respects the unique character of this area.
- 7.5 These suggestions can only be indicative and creative or innovative solutions will be welcomed provided they meet the basic objectives set out in this guidance. Potential developers are invited to discuss their ideas with the Local Planning Authority at an early stage to agree on positive ways forward.
- 7.6 This brief, following widespread consultation, has been adopted by the District Council as a Supplementary Planning Statement.
- 7.7 A parallel study of the wider Woodbridge riverside, involving all the stakeholders with an interest in the area has resulted in a Woodbridge Riverside Action Plan. A Working Group of the main interests will take this further in partnership with the District Council to produce and implement a Woodbridge Riverside Management Plan.
- 7.8 It must be stressed however that neither the Woodbridge Riverside Action Plan, nor any subsequent Management Plan, unless they are afforded SPD status by the District Council following appropriate consultation, will be the vehicle by which future development on the riverside is controlled. They may however influence policies in the evolving Local Development Framework, which will replace the current Local Plan.



## Appendix 1

### Structure and Local Plan Policies which may need to be taken into consideration

<i>ECON3</i>	<u><i>Redevelopment of existing employment sites</i></u>
<i>ENV7</i>	<u><i>Conservation of Designated Landscapes</i></u>
<i>AP12</i>	<u><i>Area of Outstanding Natural Beauty</i></u>
<i>AP21</i>	<u><i>Design in Areas of High Landscape Value</i></u>
<i>ENV17</i>	<u><i>Conservation of Ecological Assets</i></u>
<i>AP14</i>	<u><i>Wildlife and Habitats</i></u>
<i>AP15</i>	<u><i>Designated Areas and Habitats</i></u>
<i>ENV1</i>	<u><i>Conservation of the Built Environment</i></u>
<i>AP1</i>	<u><i>Conservation Areas – Control of Development and enhancement</i></u>
<i>AP3</i>	<u><i>Conservation Areas – Demolition</i></u>
<i>ENV1</i>	<u><i>Conservation of the Built Environment [which includes Listed Buildings]</i></u>
<i>AP 5</i>	<u><i>Listed Building Consent</i></u>
<i>AP6</i>	<u><i>Preservation of Listed Buildings</i></u>
<i>ENV15</i>	<u><i>Development in Areas of Flood Risk</i></u>
<i>ENV16</i>	<u><i>Impact on Tidal or Fluvial Defences</i></u>
<i>AP92</i>	<u><i>Areas at Risk from Flooding</i></u>
<i>AP7</i>	<u><i>Development of Archaeological Sites</i></u>
<i>AP83</i>	<u><i>Provision for Pedestrians.</i></u>
<i>AP251</i>	<u><i>Woodbridge &amp; Melton: Riverside Footpath</i></u>

**Note** *This list is not comprehensive and depending on the nature of particular proposals, other policies may need to be taken into consideration. The Local Plan can be found on the District Council's Web Site:*

[www.suffolkcoastal.gov.uk/planning/local\\_plan/LP\\_intro.html](http://www.suffolkcoastal.gov.uk/planning/local_plan/LP_intro.html)

### Appeal Decision Letters

Inquiry opened on 19 November 2002

by Mrs Ava Wood Dip Arch Architect

an Inspector appointed by the First Secretary of State

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#### **Appeal A Ref: APP/J3530/E/02/1091336 Whisstocks Yard, Tide Mill Way, Woodbridge**

- The appeal is made under Sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for conservation area consent.
- The appeal is made by Michael Howard Homes against Suffolk Coastal District Council.
- The application (Ref. C02/0415) is dated 15 March 2002.
- The demolition proposed is that of existing buildings to be followed by site clearance and redevelopment for mixed use scheme for residential and office/studio units.

**Summary of Decision: The appeal is dismissed and conservation area consent refused.**

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#### **Appeal B Ref: APP/J3530/A/02/1091270 Whisstocks Yard, Tide Mill Way, Woodbridge**

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Michael Howard Homes against Suffolk Coastal District Council.
- The application (Ref: C02/0414) is dated 15 March 2002.
- The development proposed is demolition of existing buildings redevelopment scheme comprising a mixed use scheme for residential (15 dwellings) and office/studio units.

**Summary of Decision: The appeal is dismissed and planning permission refused.**

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### **Procedural Matters**

- 1 The Inquiry sat for a total of five days on 19, 20 and 21 November, and on 3 and 4 December 2002. I undertook an accompanied site visit on 2 December 2002, when I inspected the appeals site and its surroundings.

### **Main Issues**

- 2 The main issue in Appeal A is the effect that demolition of the existing buildings would have on the character and appearance of the Woodbridge Conservation Area, within the boundaries of which the appeals site is situated.
- 3 There are four main issues in Appeal B as follows:
  - (i) Whether loss of existing employment floorspace would be in conflict with development plan policies that seek to protect employment opportunities in the area.

- (ii) The effect that the redevelopment proposal would have on the character and appearance of the Woodbridge Conservation Area and on the wider landscape, given the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) designation of the area.
- (iii) The effect it would have on the settings of the Tide Mill and the Granary, which are listed as Grade I and Grade II respectively.
- (iv) Whether occupiers of the new residential units would be unduly affected by noise and disturbance from the adjacent industrial premises.

### **Relevant Planning Policy Documents**

- 4 The development plan for the area includes the Suffolk Structure Plan 2001 and the Suffolk Coastal Local Plan (incorporating First Alteration), adopted in February 2001. National policy and guidance of relevance to the appeals are contained mainly in Planning Policy Guidance 1(PPG1), PPG3, PPG7 and PPG15.

### **The Appeals Site and Recent Planning History**

- 5 Having extensively viewed the appeals site, the existing buildings and the surrounding area, including views of the site from the opposite bank of the River Deben, I agree that the factual descriptions set out in the Statement of Common Ground (Document 4) are correct and I have little further to add to the site description. The Statement of Common Ground also sets out the existing use of the site and its planning history. The existing use relates to boat building and repairs. That is the main use and functions provided by the yard since 1926. In 1994 conservation area consent and planning permission were granted by the Council for demolition of part of the existing buildings and the erection of two new buildings to provide offices, workshop, tea room/restaurant, retail floorspace and car parking. The consent and permission were renewed in 1998.

### **Reasons**

#### **APPEAL A**

#### **Main Issue**

- 6 Policy ENV1 of the Structure Plan allows for the demolition of unlisted buildings in conservation areas but only if it can be demonstrated that redevelopment would preserve or enhance the area. The architectural quality and character of unlisted buildings to be demolished, their contribution to the conservation area in comparison with replacement buildings, the condition of the buildings and their potential for adaptation are factors against which proposals for demolition will be considered, under Policy AP3 of the Local Plan. Consent will not be given in the absence of detailed and acceptable replacement proposals.
- 7 The policy reflects advice in PPG15 with regard to buildings that make little or no contribution to a conservation area. Nevertheless, the demolition needs to be assessed against the statutory duty of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act requires a decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8 Whisstocks Yard occupies a prominent position on the north western bank of the River Deben. There are five discrete buildings within the yard; they are identified for the purposes of these appeals as Units 1, 2, 3, 4 and 5. The variety in the buildings' age, size, condition and method of construction reflects the growth in the boatyard since its formation in 1926, as well as the decline in the business over the years, with the yard and its buildings now lying unoccupied and unused. Given the utilitarian and neglected appearance of the buildings, they cannot be described as attractive in the conventional sense or of possessing architectural merit. On the other hand, in common with other functional structures in the immediate locality, the buildings reflect the purpose for which they were erected. Given the size and light colouring of Units 2, 3 and 4, they can be seen from some distance, even when viewed from the eastern bank of the river. However, they do not appear out of place, in the context of the wider business and commercial character of this part of the conservation area. Against the background of

compatibility with their surroundings, nor do they detract from the quality and attractiveness of the two listed buildings nearby.

- 9 That said, I agree with the views of the two main parties that the value and inherent interest of the buildings, either individually or collectively, are not such that their loss without a suitable replacement cannot be entertained. In other words, the buildings do not make a positive contribution to the conservation area. In saying this I am not assessing the contribution made by the industrial and commercial use of the site, but only the visual impact brought about by the buildings themselves. This is one of the situations described in PPG15 as being “less clear cut”. Under such circumstances, the policy advice directs me to look at the replacement redevelopment proposal, and to make a comparison with the original buildings, before consent for demolition can be granted. This leads me to Appeal B.

## **APPEAL B**

### **First Main Issue**

#### **Development Plan and Other Policy Context**

- 10 The provision of employment land is a key element of the Structure Plan, which considers it necessary to ensure a readily available supply of developable land in a variety of locations, scale and type. The Plan also seeks to direct employment uses to be located in or near to towns. Policy ECON3 is a pre-emptive policy in the overall employment strategy, in the sense that it seeks to prevent the shortage of sites for employment use against the recognised local and national desire for developing brownfield sites. To this end, Policy ECON3 will allow non-employment use of land currently or last used for employment purposes, or allocated for such a use, but only under the circumstances listed in the policy. Thus there needs to be adequate provision elsewhere; it can be demonstrated that the site is unlikely to be developed for employment purposes, because of access or other constraints; redevelopment would bring about urban regeneration or environmental improvements to a derelict or under-used site and the non-employment use would not bring conflict with residential amenity or with policies for transport or protection of the environment.
- 11 The Local Plan recognises that, since the previous Plan was adopted in 1994, there had been a low take up of employment land and points to the considerable pool of available land and vacant floorspace in the District. Consequently, in the current Plan no additional allocations were made. Policy AP50 seeks to retain employment sites that currently make a contribution to local employment. The policy recognises the financial attractiveness of redeveloping such sites, particularly for housing, but also accepts that there may be substantial planning benefits in redevelopment for other uses. To these ends, the policy applies a restrictive approach towards the redevelopment of existing employment premises for non-employment uses. Permission for redevelopment will be withheld unless such development would not cause or accentuate, both in the present time and the foreseeable future, a significant shortage of employment land in the area, or the alternative use brings forth substantial planning benefit.
- 12 Policy AP245, on the other hand, is an employment area based policy that applies to the Lime Kiln Quay and Ferry Quay areas of Woodbridge and therefore to the appeals site. The area in question is defined on the Proposals Map as suitable only for the establishment of new small scale B1 business or leisure/recreational uses. Employment uses falling under Class B2 may be acceptable where related to boat building or the marine industry. The policy is also slanted to the protection of the amenity and environment of the AONB.
- 13 National advice in PPG1 looks to the provision of mixed use developments, in the interest of sustainability, while PPG3 places significant emphasis on focussing new housing to previously developed land. PPG3 also urges local planning authorities, when reviewing their development plan, to consider whether some of the non-housing allocations might be better used for housing or mixed use developments. PPG4 advises the formulation of development plan policies to ensure that a variety of sites are available to meet differing needs.

### **Reasoning**

- 14 The appellants’ evidence test the redevelopment proposal against the criteria in Policy ECON3 of the Structure Plan and Policy AP50 of the Local Plan. One of the critical tests is the provision of

employment land to serve local needs. At the Inquiry, the Council and the appellant were able to agree the supply of allocated employment land within Woodbridge and Melton (6.20 ha), as well as the allocations at Martlesham and Rendlesham (46.18 ha).

- 15 The appellants' evidence suggests that the quality of the building stock, locational and other constraints of the site militate against the viability of a boatyard operating from the premises. It is also alleged that the river would require extensive dredging to allow a boat-related use to operate effectively from the site. Given the ready availability of good quality employment land elsewhere in the area, and little demand for or take up of such land, the feasibility of any employment uses locating at the appeals site is also questionable. Costs analysis provided on behalf of the appellants demonstrate the high level of investment required to bring the buildings to good environmental standards, as well as the non-viability of the mixed use for which permission was granted in 1994 and 1998. The argument concludes that the site is unlikely to be developed for employment or mixed use purposes.
- 16 In terms of quantity, I accept that there may be sufficient industrial or other employment floorspace to meet the employment needs of the Woodbridge and Melton area well beyond the life of the Local Plan. This fact, coupled with evidence of low take up rates, leads me to the view that loss of Whisstocks Yard would be unlikely to lead to or accentuate a quantitative shortage in the area.
- 17 However, it is not merely the quantitative floorspace contribution of the appeals premises that is of value. The riverside location of the yard, the slipway access, proximity to the railway line and good accessibility to the local highway network, as well as to the town centre, point to the high sustainability credentials of the site. The railway line and road configuration locally is no more inconvenient for employment purposes as for residential uses. The fact that other businesses in the area use the river, and that a boat was recently launched from Whisstocks Yard, gives little credence to the view that extensive dredging is necessary.
- 18 More importantly, the site differs from most allocated employment land, insofar as it provides a rare opportunity for riverside related businesses or activities to locate in an area that is traditionally dominated by such uses. What is more, the buildings, in terms of size and quality, provide the sort of variety needed to meet the needs of a diverse range of businesses. In my opinion, these are invaluable and unique assets that make a significant qualitative contribution to the employment land stock of the local area. Indeed, it was confirmed at the Inquiry that this was the only available riverside site in Woodbridge, which adds to the concerns about the loss of such an individual and valuable employment site.
- 19 Overall I consider that redevelopment of the appeals site in the manner proposed would remove from the local stock of employment land a unique and available employment opportunity, thus conflicting with part of Policy ECON3 and Policy AP50. Other tests in Policy ECON3 and AP50 are largely concerned with the protection of the environment and of residential amenity, which I shall consider as part of the next three main issues.
- 20 Meanwhile, Policy AP245 recognises that the employment uses form part of the historic character of the Lime Kiln and Ferry Quay areas. Protection of the employment and other associated river uses, particularly from residential proposals, is therefore a key function of Policy AP245. Although the proposed development is intended to provide an element of employment floorspace, these would be minimal and largely negligible when compared to the extensive areas of residential floorspace that would be forthcoming. Residential would be the predominant use of the site and clearly contrary to the wording and objective of Policy AP245, which categorically states that only Class B1, marine related Class B2 and leisure/recreational uses would be permitted on sites within the Lime Kiln and Ferry Quay areas.
- 21 I agree with the appellants' assertion that district-wide and area-based policies are not mutually exclusive. However, the particular and uniquely attractive circumstances of the Lime Kiln and Ferry Quay areas justify Policy AP245. The latter falls into a hierarchy where, even if the provisions of Policy AP50 were met by a proposal, it would be necessary to test it further against the more rigorous assessments designed to safeguard what is important in the areas to which Policy AP245 relates. In this instance, I find that not only does the proposed development fall short of part of the wider policies but also fails against Policy AP245. In my view, the policy deserves support, given the likely pressures for development in the area.

- 22 The differences in the viability or otherwise of bringing Whisstocks Yard back to employment or mixed use cannot be reconciled within the scope of the evidence before me. However, the stark fact is that disposal of the site for rent or sale for either employment or for employment combined with leisure/recreational uses has not been tested within the last five years by a marketing strategy. I recognise that market testing is not a requirement of development plan policies. Nevertheless, it cannot be claimed that there is no demand or need for this particular site for employment or mixed-use purposes, until the absence of potential interest can be unequivocally discounted through wide and extensive marketing of the premises. Although the present owner of the site states that the premises were advertised in a local newspaper and in a national boating journal in 1995, no evidence was provided of the advertisements placed nor were agents employed to extensively test the market for boat or even other employment related uses, nor indeed for the mixed use granted permission in 1994.
- 23 Mr McMillan, co-proprietor of a luxury yacht building company, was willing to appear on behalf of the Council to express more than a passing interest in the site, to enable his company to relocate to Woodbridge. The credibility of his interest was extensively tested under cross-examination, given the appellants' apprehension with regard to the financial viability of such a venture. Whether or not it is financially feasible for the particular business to purchase or lease the appeals premises is not a matter that can be resolved within the scope of the Inquiry. However, it has been demonstrated that there is potential interest in the site for a use that would be in keeping with the uses and activities for which the yard has operated for a number of years, albeit less intensively in recent years, as well as a use that contributes to the character and interests of this area.
- 24 In my opinion, the claim that there is no future for an employment or mixed use locating on the site, as required by Policy AP245, has not been substantiated to any meaningful degree.

## **Second Main Issue**

### **Development Plan and other Policy Context**

- 25 Under Policy ENV1 of the Structure Plan, new developments in conservation areas are expected to be in harmony with their surroundings. An overriding national need for a development and lack of alternative sites are the rigorous test applied to development likely to have an adverse impact on the AONB, under Policy ENV7 of the Structure Plan and Policy AP12 of the Local Plan. Policy AP1 of the Local Plan lists the matters to which special attention will be paid in the control of development within a conservation area. The matters include: building materials, form, scale, design and detailing of buildings as well as space about buildings, all of which are expected to harmonise with the surroundings. High standards of design are also expected to safeguard the quality of the AONB, under Policy AP12. The statutory duty under Section 72(1), referred to earlier, applies equally to the consideration of this issue.

### **Reasoning**

- 26 There is a distinctiveness to the river frontage at Woodbridge, which is due largely to the river related uses and buildings that occupy much of the developed stretch of the west, north western bank. In addition to industrial marine premises, the area comprises sailing clubs, other commercial uses, as well as some recreational and tourist attractions. There are a few residential units, though these tend to be either associated with commercial uses or have been created from the conversion of non-residential buildings. The number of residential units is limited and the overriding character of the area is that of a working environment, reflected in the functional buildings that contribute to the utilitarian but interesting appearance of the waterside frontage. This is in distinct contrast to the open undulating fields, cliffs and woods marking the eastern bank of the river. Much of the land opposite the site is owned by the National Trust and has footpaths traversing the coastal edge, which lead inland to the Anglo-Saxon site and newly opened museum of Sutton Hoo.
- 27 On my site inspection, I saw that the appeal buildings are visible from footpaths on the National Trust land of both Kyson Hill to the south and Sutton Hoo to the east. However, in common with other established buildings and functional sites, Whisstocks Yard does not appear out of place. To my mind, it forms part of an interesting composition of boatyards, marine, industrial and other water associated buildings and relate well to the nearby historic buildings, which are the focus of visual and tourist attraction around Tide Mill Quay. Future plans to upgrade the access and immediate surroundings of

the Tide Mill would add to the interest and attraction of the area, as would the future ferry service planned to operate between Tide Mill Quay and Sutton Hoo.

- 28 Against this background, the proposed redevelopment would bring about an unprecedented incursion of mainly residential properties that would jar with the working character of this part of the conservation area. Instead of an active and busy waterfront environment complementing marine activities, be it leisure, recreational or work related, the new dwellings with their apparent residential enclave would create a sterile, prettified environment that would detract from the informal, working character of this conservation area. I accept that in distant views the clear physical separation between the riverside area of Woodbridge and the historic residential and commercial areas located largely around Market Hill, Thoroughfare and Cumberland Street is not apparent. However, from the Woodbridge waterside area, the proposal would be clearly seen to be alien to the historic and traditional pattern of growth and evolution of the town.
- 29 The appellants argue that the new buildings are intended to emulate and evoke visions of waterside architecture in the form of warehouses, oasthouses and waterfront merchant's house. The traditional approach it is said would complement the listed Tide Mill and Granary. Although I do not doubt the genuineness of the designer, to my mind, the effect would be false and unattractive. The eclectic mix of supposedly commercial buildings would not have any of the appeal that is characteristic of genuine waterfront developments that have evolved over a period of time.
- 30 Instead, the proposal seeks to impose upon Woodbridge an instant waterside development of a scale and design more relevant to a large industrial port for which there is no recent historical precedence here. This would be seen for what it is: an ill-conceived composition of a mixture of styles and buildings; a development that would be stylistically overbearing in relation to the simplicity of the two listed buildings and irrelevant to its surroundings. The effect, in my opinion, would be severely damaging to the appearance of this conservation area and to the wider attractiveness of the AONB, as the development would be clearly seen from the footpaths to the east and south.
- 31 PPG15 recognises that replacements in a conservation area should be stimulus to imaginative high quality design and what is important is not that new buildings should directly imitate earlier styles, but that they should have respect for their context. In this case, I consider that the predominantly residential environment would be decidedly out of context with the mixed industrial, commercial and recreational character of the area. The wider consequences could be loss of appeal to tourists. The style of architecture proposed would be out of keeping with the modest, albeit rough and occasionally dilapidated, appearance of this mainly working environment. As the proposal would be harmful to both the character and appearance of the area, it would conflict with policies designed to prevent such harm.

### **Third Main Issue**

- 32 Development affecting the setting of a listed building must be in harmony with its surroundings, as expected under Policy ENV1 of the Structure Plan. The setting of a listed building is also given protection under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the setting of a listed building, among other matters.
- 33 The Tide Mill was refurbished and restored in 1972 and is an outstanding if not the only working example. After the Tide Mill was restored, the Granary was converted to provide mainly residential units. Despite the conversion, the building retains its rugged and working character. The two listed buildings occupy a promontory jutting out into the river and, as important focal points in panoramic views, have inspired many paintings and photographs over the years.
- 34 Apart from the obvious riverside setting, the wider environment of the listed buildings comprises the low-key and, to my mind, mainly unobtrusive collection of utilitarian buildings, none of which individually or cumulatively detracts from the prominence of the Tide Mill or the Granary. A residential environment is distinctly absent from the setting of the two listed buildings.
- 35 That perception would be altered as a result of the proposed development on Whisstocks Yard, which is prominently positioned en-route to the Tide Mill. Loss of industrial, commercial or erosion of a mixed character would be detrimental to the settings of the listed buildings. Furthermore, although only the oasthouses may extend in height above the Tide Mill, the over-stylised facades and elaborate detailing shown on the plans would make the proposed development appear overbearing, unacceptably drawing

the eye away from the listed buildings and diminishing their importance. Again, the harm to the settings of the buildings would be significant and not in keeping with local and national policies that urge the protection of listed buildings.

#### **Fourth Main Issue**

- 36 The main area of concern with regard to residential amenity is noise and disturbance generated by activities from the employment premises abutting the southern boundary of the appeals site. The Council alleges that the level of noise emanating from the industrial workings next door would affect the living condition of residents occupying the new development. Both parties took noise measurements. The Council recorded a maximum level of  $L_{max}$  of 103 dB(A) from working operations at the marine metal works that occupy the adjacent premises. On the other hand, the maximum levels recorded on behalf of the appellants are in the order of  $L_{Aeq}$  44 – 48 dB(A).
- 37 The appellant's witness agreed that the maximum level recorded by the Council is unacceptable and indeed those operating under such circumstances would have to take protective measures. I too accept that such high levels of noise on a frequent basis would attract complaints not only from the few residents that currently live in the area, but also from others that work locally.
- 38 Nevertheless, it is likely that there is no control over the type of industrial operations that could take place by the present or future occupiers of the adjoining building, either within the building or on the external operational areas. There is therefore scope for considerable conflict with noise or other forms of disturbance to the occupiers of the dwellings on the southern boundary. Measures, such as soundproofing, to protect the residents' amenities, would not be sufficient to prevent harm to their living conditions. The appellants' witness also accepted that an appropriate layout could overcome the concerns. However, that suggests that the appeal layout may not be satisfactory in that respect. Taken overall, I conclude on this final issue that the industrial and uncontrolled activities that could be generated from the adjacent premises would be unduly harmful to future occupants of the new dwellings.

#### **Other matters and Conclusions**

- 39 I believe that the matters raised by the many individuals and bodies making representations have been largely covered in my consideration of the main issues and need not be repeated.
- 40 The highways report produced on behalf of the appellants indicates that the vehicular traffic generated by the proposal would not alter the overall pattern of movements in the area. The concerns about increased danger at the railway level crossing are therefore unfounded. I note that the Environment Agency has recommended flood protection measures, but otherwise has not objected to the scheme. The Section 106 Agreement submitted to the Inquiry overcomes the Council's objection with regard to the provision of open space.
- 41 The appellants seek support in PPG3 and point to the benefit of locating housing on under-used, previously developed land. While it is true that there is an emphasis on directing new housing to previously developed land, I do not believe this should be at the expense of valuable employment land or where other interests may be compromised. Earlier I concluded that Whisstocks Yard is of considerable value for employment or mixed uses and releasing this land for housing purposes would not amount to a planning benefit, as required by Policies ECON3 and AP50.
- 42 Drawing together my observations on the four main issues in Appeal B, my conclusion on the first issue is that the proposal would lead to the loss of a valuable employment or mixed use opportunity. The harm to the environment, as well as to residential amenities identified under my consideration of the remaining issues, accentuate the conflict with Policy ECON3 of the Structure Plan and Policies AP50 and AP245 of the Local Plan. In my opinion, the adverse impact on the character and appearance of the area, as well as on the settings of valuable listed buildings, are of sufficient concerns in themselves to refuse planning permission for the proposal. In the absence of a satisfactory or suitable replacement scheme, it follows that conservation area consent for the demolition must also be withheld.
- 43 For the reasons given above and having regard to all other matters raised, I conclude that the appeals should be dismissed.



## **Formal Decisions**

- 44 In exercise of the powers transferred to me I hereby refuse conservation area consent for demolition of existing buildings to be followed by site clearance and redevelopment for mixed use scheme for residential and office/studio units. I hereby also refuse planning permission for demolition of existing buildings, redevelopment scheme comprising a mixed use scheme for residential (15 dwelling) and office/studio units.

## **Information**

- 45 A separate note is attached setting out the circumstances in which the validity of any of these decisions may be challenged by making an application to the High Court.

Inspector

# APPEAL DECISION

Inquiry held on 11 and 12 December 2002

by **Anthony J Davidson BA(Hons) LLB(Hons) MSc  
MBA FRTPI RIBA MLI**  
an Inspector appointed by the First Secretary of State

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## **Appeal Ref: APP/J3530/A/02/1099094** **Nunns Mill, Quayside, Woodbridge**

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Michael Howard Homes against the decision of Suffolk Coastal District Council.
- The application (Ref. C02/0855) dated 21 May 2002, was refused by the Council by notice dated 18 September 2002.
- The development proposed is redevelopment to provide eight town houses with garaging.

**Summary of Decision: The appeal is dismissed.**

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## **Procedural Matters**

- 1 The Council had also refused planning permission on the grounds that the development contained insufficient amenity space. However, the parties subsequently concluded a Section 106 Agreement whereby the Appellants would make a financial contribution towards the provision of alternative facilities elsewhere. During the Inquiry the Council confirmed that this satisfactorily overcame its objections on those grounds and that it therefore withdrew that reason for refusal.

## **The Proposed Development**

- 2 The appeal site lies on the edge of the town centre between Crown Place and Doric Place and with its main frontage on Quayside, which is the main route through Woodbridge. It contains a vacant commercial building (partly two-storey and partly single-storey) with car parking and service areas to the front and rear. The appeal site, along with a row of houses to the north west (21-31 Crown Place) forms a parcel of land enclosed on three sides by the Woodbridge Conservation Area. Within the Conservation Area and adjacent to the site is a late 18<sup>th</sup> century two-storey cottage, 11 Doric Place, which is a Grade II Listed Building.
- 3 The Appellants propose to replace the existing building with a terrace of four three-storey houses facing Quayside and another similar terrace fronting onto Crown Place. Car parking and garages for the eight four-bedroom houses so formed would be provided to the rear and would be served by a new access alongside Doric Place.

### **Main Issues**

- 4 I consider that there are three main issues in this appeal. The first is the effect of the appeal proposal on employment and the local economy. The second is its impact on the setting of the adjacent Listed Building and Conservation Area. The third its effect on the living conditions of occupiers of 11 Doric Place in terms of daylight, sunlight and outlook.

## **Planning Policy**

- 5 The development plan consists of the Suffolk Structure Plan 2001 and the Suffolk Coastal Local Plan incorporating the First Alteration. The Structure Plan was approved in June 2001 and the Local Plan was adopted in February 2001.

- 6 Structure Plan Policy CS7 requires that priority be placed on the use of vacant or underused land for housing development. Policy ECON3 says that the use for other purposes of land that is currently or was last in employment use will only be acceptable under certain circumstances. Policy ECON5(c) says that provision will be made for new employment taking into account historic rates of take up of land for employment uses.
- 7 Local Plan Policy AP50 says that the redevelopment of sites with an employment use for other uses will not be permitted unless it would not cause or accentuate a significant shortage of land for employment use or there would be substantial planning benefit in permitting alternative uses.
- 8 Structure Plan Policy ENV1 seeks to protect the character and setting of Conservation Areas and Listed Buildings and says, among other things, that new developments affecting the setting of Listed Buildings must be in harmony with their surroundings. Policy ENV3 seeks to achieve a good quality of design in new development.
- 9 Local Plan Policy AP1 says, in respect of development within or affecting Conservation Areas, that the form, scale, design and detailing of new buildings and the space around them should be in harmony with and relate satisfactorily to their surroundings. Policy AP19 says that proposals which comprise poor design and layout or otherwise seriously detract from the character of their surroundings will not be permitted. Policy AP236(a) says that new housing development in Woodbridge should have no material adverse impact on the Conservation Areas or Listed Buildings.

## **Appraisal**

### **Employment and the Local Economy**

- 10 Paragraph 42 of Planning Policy Guidance Note 3, Housing, (PPG3) urges local planning authorities to consider reallocating employment and other land to housing. This advice, however, needs to be seen in the context of the Government's overall objectives, which are set out in paragraphs 1 and 2 of PPG3. These include making better use of previously developed land and focussing on existing towns and cities as locations for additional housing. On the other hand, they also include creating more sustainable patterns of development by building in ways that exploit accessibility to jobs, shopping and other facilities and by planning for mixed uses. Paragraph 51 says that local planning authorities should promote additional housing in town centres, but should take into account the existing balance of uses. It adds that priority should be given to employment-generating uses.
- 11 The Structure Plan takes account of the advice in PPG3. In Policy CS7 it encourages the re-use for housing of vacant and under-used land in built-up areas but, in paragraph 5.28, it also stresses the need to ensure that the redevelopment of employment land or premises does not result in unsustainable increases in out-commuting through loss of local employment. Paragraph 7.8 says that most employment uses should continue to be located in or near towns which are the focus of labour supply, service provision and communication networks.
- 12 The Local Plan recognises, in paragraph 14.84, that there is already a significant amount of out-commuting from Woodbridge and says, in paragraph 14.86, that it is important to resist the loss of employment potential in the area. Although paragraph 14.86 says that no major employment is required in Woodbridge, that is predicted on the fact that no residential allocations are made.
- 13 Although an Urban Capacity Study has not yet been completed it is clear from the evidence before me that there is no shortage of housing sites in the Woodbridge area and that the percentage of outstanding residential planning permissions on brownfield land is high. While there is no dispute that there is an adequate supply of industrial land in the District as a whole, I consider that the District and Town Councils and the local business community put forward convincing arguments that the supply of employment land and premises in Woodbridge itself is limited. I consider that the evidence at the Inquiry showed that the loss of the appeal site to employment use and its redevelopment for housing would be likely to increase the pressure for out-commuting. In my view this would be contrary to the aims of PPG3, the Structure Plan and the Local Plan, all of which have the goal of achieving sustainable development.

- 14 The Appellants say that there is little demand for industrial land and premises in Woodbridge and argue that the supply of industrial land in the area is sufficient to meet demand for nearly fifty years. However, while Structure Plan Policy ECON5(c) does lend some credence to such an approach, the supporting text to that Policy, paragraph 7.13, points out that forecasts which rely on the extrapolation of historical data should be treated with caution. I consider that the variations in the pattern of local demand and the characteristics of individual sites and buildings (as demonstrated at the Inquiry) are likely to render such an approach of limited value at local level.
- 15 I have taken account of the Appellants' argument that, apart from the question of the general demand for such premises in Woodbridge, this particular building is unsuited to modern industrial or commercial use. The building is relatively modern and appears to me to be in a generally good condition. It is sited on a main road with what I would regard as reasonable access. Although its layout may impose some constraints on potential users the same could be said of many second hand buildings. I can see no reason in principle why the building should not be capable of re-use.
- 16 The Appellants have carried out a feasibility study which, they say, shows that the re-use of the building would not be viable. However, they have produced no evidence to show that unsuccessful efforts have been made to continue the present use by offering the building on the open market. The process of preparing a feasibility study is not an exact science but is based on informed professional opinion and involves a range of variables. While the Local Plan does not specifically require the carrying out of a marketing exercise in order to comply with Policy AP50, I consider that in the absence of such evidence the Appellants have failed to provide sufficient evidence to show that the building is unsuited to its use.
- 17 I see no reason to disagree with those local residents who say that redevelopment of the site for residential purposes would reduce the amount of noise and traffic (in particular heavy goods vehicles) in the area. However, the appeal site is not in a residential area but in an area of mixed uses on the edge of the town centre where a certain amount of noise and commercial activity is to be expected. Consequently, I do not regard this outcome of the appeal proposal as being a substantial planning benefit in terms of Local Plan Policy AP50.
- 18 In my view the Appellants have failed to demonstrate that there is an overriding need for housing in Woodbridge that would justify the loss of employment opportunity resulting from the appeal proposal. My conclusion on this issue is that the appeal proposal would be likely to harm employment and the local economy and would conflict with Policies ECON3 of the Structure Plan and AP50 of the Local Plan.

### **Impact on the Listed Building and the Conservation Area**

- 19 The Listed Building, 11 Doric Place, faces south west and the front of the building is a prominent feature of the street scene. It is clearly visible when approaching from the west and can be seen from as far away as the footbridge at the railway station. Doric Place is a narrow road and the prominence of the Listed Building is due to the fact that Nunns Mill is set back from Quayside with an area of open land in front of it. The proposed terrace would be nearer the road than the existing building and would be taller than 11 Doric Place. I consider that it would obstruct most views of the front of the Listed Building and would effectively replace it as the dominant element in the street scene in this part of Quayside. In my view it would, therefore, cause serious harm to the setting of the Listed Building.
- 20 I do not accept the Appellants' claim that the proposed development would enhance the character and appearance of the adjoining Conservation Area. The existing building on the site is discreetly positioned well back from the road and I therefore consider that, although it is of no great architectural merit it causes no harm to the Conservation Area. I consider the detailed design of the proposed houses, which would reflect some of the characteristics of the older houses in the area, to be inoffensive enough in a location outside a Conservation Area. However, I can see nothing in the design of the scheme that would lead me to the view that it would possess any intrinsic architectural merit or make a positive contribution to the appearance of the area. Indeed, I am of the view that the insensitive siting of one of the terraces in front of the adjoining Listed Building would harm the street scene. Furthermore, it would, in my view, detract from the character and appearance of the Conservation Area by harming the setting of one of the heritage assets within it.

- 21 My conclusion on this issue is that the proposed development would harm the setting of the Listed Building and would conflict with Policies ENV1 and ENV3 of the Structure Plan and AP1, AP19 and AP236(a) of the Local Plan.

### **Impact on Living Conditions in 11 Doric Place**

- 22 Because the existing industrial building on the appeal site is set back from Quayside and the portion nearest to 11 Doric Place is single-storey, it has only a limited impact on living conditions in that house. The proposed housing would be closer to Quayside and would present a gable end to the front of 11 Doric Place, which is a single aspect dwelling. In my opinion a building of the size proposed, in that position, would have a severely oppressive and overbearing impact on the outlook from the ground floor windows of 11 Doric Place with a consequent detriment to the living conditions of its occupants.
- 23 The Council has suggested that the development would also have an unacceptable impact in terms of loss of daylight and sunlight. Notwithstanding the presence of the boundary hedge the evidence suggests that the development might well result in a marginal loss of light to No 11, especially in winter when the hedge was not in leaf. Despite this, however, the evidence also suggests that the amount of light reaching 11 Doric Place would still be within acceptable limits and comply with BS8206.
- 24 My conclusion on this issue is that, although the proposed development would not lead to an unacceptable loss of daylight and sunlight, it would harm the living conditions of occupiers of 11 Doric Place as a result of its unduly overbearing and oppressive impact on the outlook from that building.

### **Conclusions**

- 25 My overall conclusion is that the appeal proposal would have a detrimental impact on employment and the local economy and that, even if that were not the case, the form of development proposed would harm both the setting of the Listed Building and the living conditions of its occupiers.
- 26 For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

### **Formal Decision**

- 27 In exercise of the powers transferred to me, I dismiss the appeal.

### **Information**

- 28 A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

Inspector

## Appendix 3

### Nature Conservation & Landscape Designations

[a] **A Site of Special Scientific Interest [SSSI]**. [See map 3] These are nationally important sites that are representative samples of all the major habitat types, or are important for their geological or physiological features, or support particular rare or threatened species. SSSI's are designated under and protected by the Wildlife & Countryside Act 1981 (as amended). All Local Plans have policies that protect SSSI's from damaging development & Local Authorities must consult English Nature on any proposed development that could affect such a site.

[b] **A Special Protection Area [SPA]** [See map 3] designated under the provisions of the European Communities Council Directive of April 1979 on the Conservation of Wild Birds. The designation is intended to conserve the habitat of certain rare or threatened birds and regularly occurring migratory birds. Significant pollution, disturbance, or deterioration of the designated areas must be avoided. The Deben Estuary SPA designation was confirmed by the then Secretary of State for the Environment in March 1996.

[c] **A Ramsar Site, [RAMSAR]** [See map 3] designated under the provisions of the 1973 Ramsar convention on "Wetlands of International Importance, especially as Waterfowl habitat, when the British Government committed itself to "using wetlands in its territory wisely". The Deben Estuary RAMSAR designation was also confirmed by the then Secretary of State for the Environment in March 1996.

[d] The estuary itself, together with land up to the railway line is included within the **Suffolk Coast & Heaths Area of Outstanding Natural Beauty [AONB]**. [See map 4] The former Countryside Commission designated Areas of Outstanding Natural Beauty under the provisions of section 87 of the National Parks and Access to the Countryside Act 1949. The Suffolk Coast & Heaths AONB was designated in October 1969.

The primary purpose of AONB designation as a national objective was to conserve the natural beauty of the area. Meeting the needs of recreation was not an objective of designation, but AONB's should be used to meet the needs of recreation so far as this is consistent with the conservation of natural beauty. In pursuing the primary objective of designation account has to be taken of the need to safeguard agriculture, forestry and other rural industries and of the economic and social needs of local communities.

There is a statutory requirement for all local authorities with an AONB to produce a Management Plan to reflect local policy. All public bodies must have regard to these plans in their work. A Project Team in partnership with 25 organisations each with responsibilities for or an interest in the area has produced a Management Strategy for the Suffolk Coast & Heaths AONB which was adopted in 2002. All the partners have regard to this strategy whilst carrying out their normal functions within the designated area.

## APPENDIX 4

### THE WOODBRIDGE RIVERSIDE ACTION GROUP

The District Council, in partnership with the Woodbridge Market Towns Initiative, has also produced an Action Plan for the wider Woodbridge Riverside, which led the formation of a Partnership in the form of an Action Group [The Woodbridge Riverside Action Group], to produce and implement a Management Plan.

Representatives from all the interests, from which the Action Group has drawn its membership, have also participated in workshops where they had the opportunity to debate a wide range of issues relating to the future of the riverside. The Project Officer found widespread concern that the unique character of the area is seriously at risk from inappropriate and uncoordinated changes and development.

The issues raised through the above consultation process and some suggestions for the future management of the area were exhibited in Woodbridge over a 3-day period at the end of November and the beginning of December 2003 and public comment was invited and received.

There was widespread public support for the formation of a Riverside Action Group which has produced a "Management Plan" for the wider riverside between Sun Wharf and south of the Deben Yacht Club slipway. Representatives from the Action Group have also held discussions with potential developers and undertook an "exit poll" when the new owners of the Whisstocks & Nunns Mill sites held a "concepts" exhibition in the autumn of 2004.

Shortly afterwards the Action Group also held its own exhibition, in the New Street Primary School, where it, as background, gave a brief history of the area, followed by examples of the main characteristics of the area which it seeks to protect.

Issues which arose from these parallel exercises and which are material to planning policy have been taken into account in the production of this Supplementary Planning Statement.

## Appendix 5

SE

Health & Safety Executive HM Railway Inspectorate

To the Chief Executive Planning Authority

Highway Authority

**Our ref R1/1/0106-2**

Date 1 May 2003

### **RAILWAY LEVEL CROSSINGS**

#### **1. General**

A) This guidance note is intended to advise those with responsibilities for highway and planning matters and is issued by HM Railway Inspectorate as a result of increasing and ongoing safety concerns on the matters described below. Please read all the document as the interaction between matters in the control of both Highway and Planning Authorities and level crossing safety is extensive.

B) Her Majesty's Railway Inspectorate (HMRI) acts for the Secretary of State for Transport in all matters relating to level crossing safety in England, Scotland and Wales, and is also the Safety Regulator for railway activities generally. When invited to do so, HMRI also acts for the Northern Ireland Government. HMRI are responsible for making recommendations to the Secretary of State in respect of any proposed changes to level crossings in England, Scotland and Wales.

C) Railway level crossings have a statutory status, often set down in the Act of Parliament authorising the railway to be constructed, and the protective arrangements for public level crossings are set down in that Act or a statutory level crossing Order. HMRI normally make level crossing Orders when requested by the railway operator and ensure that the protection arrangements are appropriate at the time of introduction. However, subsequent changes to road traffic levels usage or pattern can seriously affect the safety of a crossing, particularly if the crossing is an automatic one. The railway operator is often not informed of proposed changes and has difficulty in influencing proposals. Any changes to public level crossing protection are costly and are normally made at the sole expense of the railway operator (although there are rarely exercised provisions for Highway Authorities to contribute) and with recent changes in the ownership of the national railway network, they are ultimately funded by the public.

D) Level crossings now represent the most significant risk in railway operation, and most of the risks are generated by the behaviour of road users; the recent accident at Great Heck is an example of the catastrophic results that could occur at any level crossing.

E) HMRI does NOT support the creation of any new level crossings, or increasing the status of usage of crossings, and will object to all such proposals unless there are exceptional reasons and robust safety justifications produced. HMRI expects those proposing such schemes to provide alternative means of crossing the railway line concerned. Any proposal for a new public vehicular level crossing in England and Wales will require an Order under the Transport and Works Act 1992 and these are dealt with by the Transport and Works Act Processing Unit at the Office of the Deputy Prime Minister. HMRI *may* object to such proposals during the TWA Order consultation process. Similar arrangements apply in Scotland under earlier railway legislation.

**The permanent closure of any level crossing is, and will be, actively encouraged.**

F) All Planning and Highway Authorities have a general duty of care under the Health and Safety at Work etc Act 1974 to ensure that their decisions, so far as is reasonably practicable, do not



adversely affect the safety of those affected by such decisions. Decisions taken on development or highway projects in the vicinity of a level crossing of any type can have a significant effect on the safety of those using the level crossing, including the rail user, highway/footpath user and local residents. Where the planning development is relating to a place of work, Planning Authorities also have more explicit duties under Section 4(2) of the Health and Safety at Work etc Act 1974 when exercising their powers to ensure that means of access and egress are safe.

G) All Planning and Highway Authorities should note that, whilst Network Rail is the largest operator of level crossings in the UK, there are many other smaller railway companies (400+) in existence, many of which have level crossings. This guidance applies to all level crossings on any railway company system. The rights and obligations of railway operators other than Network Rail are identical in law.

H) There are two basic forms of level crossings, 'public' and 'private', although at some level crossings both public and private rights may exist.

**'Public' Level Crossings:** The railway infrastructure operator has a duty to seek a Level crossing Order under the Level Crossings Act 1983 for any level crossing on 'a road or other highway to which the public has access' when the railway needs, or wishes to, modernise or upgrade the level crossing. The railway company is statutorily required to consult with the Highway and Planning Authorities responsible for the area in which the level crossing is located before making any changes to the level crossing. The statutory consultation lasts for a minimum of 2 calendar months from the date of the railway company's letter to the authority. There is currently no statutory duty to consult with any other, body or to hold any public consultation meetings.

In many cases, however, the railway company will hold meetings in the locality for invited public representatives to attend when there are significant changes proposed. They will also consult with Parish, Town and Community Councils via the Planning Authority as a matter of courtesy. The Planning Authority forwards the documents and responds on behalf of the Parish Councils and similar bodies. Other bodies are consulted as and where appropriate. Any Authority who is consulted by a railway company who wishes to make any presentations to the Secretary of State should do so care of the address shown on this document.

**'Private' Level Crossings:** Such level crossings are legislated for within the Railway Clauses Consolidation Act 1845 (in Scotland -the Railway Clauses Consolidation (Scotland) Act 1845), the Transport and Works Act 1992, the Occupation Crossings Act 1995 and the Private Crossings (Signs & Barriers) Regulations 1996. The legislation outlines the basic requirements for equipment and signage to be provided. Consultation is restricted to HMRI, the railway company relevant landowners and authorised users if there is any need to change facilities at a private level crossing. The public generally has no right to use crossings of this type. Generally the authorised user has sole responsibility for ensuring safe use of the crossing.

**Planning Authorities should particularly note** that the railway company is not obliged to support any change of land use or development on land the 'wrong side' of the railway where a private level crossing forms the means of access and where this use increases the burden of easement on the railway company. Where additional protective measures are required by changes in use, and are over and above those provided when the railway was originally built, they are subject to the agreement of the railway operator and are normally at the cost of the user. The 'private' rights to use the level crossing may cease to exist if the land ownership changes to another party on one side of the railway. Any development or change of land use being proposed requiring access by the public should provide an alternative safe means of access, eg a bridge. A typical example would be a farmer selling off land for housing or diversifying into opening a farm museum/garden centre.

The public have no right or authority to use such private vehicular level crossings and can only do so as invited guests of the authorised landowner/resident on the 'wrong side' of the railway. A

farmer opening a museum as in the example quoted above will need to provide alternative access as the visitors to his centre would be considered as members of the public. Some private level crossings may have public footpaths or bridleways associated with them and public use of such crossings is restricted to footpath or bridleway users as defined in the relevant legislation. There is considerable 'case law' that supports this position and railway companies will be encouraged to seek injunctions against unauthorised users of crossings. HMRI will use its formal enforcement powers where appropriate to require railway operators to prevent unauthorised access across the railway, and may require vehicular gates to be locked. Unlawful use (by unauthorised users) cannot be used as an argument to alter the facilities at such crossings.

Such matters should be discussed in detail with the Railway Company concerned. Planning and Highway Authorities should seek legal advice and discuss such matters with the railway companies' legal advisers before making any decision in respect of any private level crossing.

I) HMRI will be pleased to discuss any matter with any Authority at the address/phone number shown on this note. Discussion on any specific level crossing is welcomed, however, an Ordnance Survey Grid Reference and correct level crossing name would greatly assist HMRI in identifying the correct location. Many level crossing names are not necessarily associated with the name of the road concerned.

General guidance on level crossings can be found in 'Railway Safety Principles and Guidance, Part 2E, Level Crossings', published by HSE Books (ISBN 0 71760952 9, Price £10.95). This publication is currently being reviewed and updated. A Guide to the Level Crossing Regulations 1997, ISBN 071761261 9, HSE Books, outlines the Level Crossings Act 1983 and the Level Crossing Regulations 1997.

## **2. Planning Authorities**

A) Regulation 10 of the Town and Country Planning (General Development Procedure) Order 1995 and Department of the Environment Circular 9/95 refer in England and Wales; a similar document issued by the Scottish Executive refers in Scotland reference No.15/1994. HMRI expects all Planning Authorities to consult the relevant railway infrastructure operator (see 1 F/G above) in relation to any planning application or development proposed in the vicinity of any level crossing. HMRI are becoming increasingly concerned about the failure to consult by some authorities and HMRI believes that such Authorities may, by failing to consult, be failing to comply with their general duties under Section 3 of the Health and Safety at Work etc Act 1974.

Consultation with HMRI is advisory and details are given in DoE Circular 9/95/Scottish Executive Circular No.15/1994 -note that the address has changed.

B) The duty to consult lies with the Planning Authority, not the developer seeking planning permission.

C) Your attention is particularly drawn to item 1H above in respect of private level crossings.

## **3. Highway Authorities**

A) Highway Authorities should note that level crossing accidents and incidents are statutorily reportable (by the railway operator) to HMRI and that their own accident databases are unlikely to show the-full record of accidents/incidents at any level crossing. Care should be taken when giving advice to any other party, particularly Planning Authorities.

B) Regulation 3(2) of the Traffic Signs Regulations and General Directions 1994/2002 placed a duty on those responsible for traffic signs to replace some signs by given dates where they have been superseded by new signs. Insofar as level crossings particularly are concerned, signs to former Diagram 537, etc should have been replaced with signs to Diagram 773 by 1 January 1999. The railway company is only responsible for the signs and signals that are stated within their statutory level crossing Order. The Highway Authority is responsible for all other signs associated with the level crossing, in particular the signs to Diagram 770, 771 and 773. The provision and maintenance of tactile pedestrian thresholds where required is also normally a Highway Authority responsibility.

C) Any requirement to undertake road works in the vicinity of a level crossing must be agreed in detail with the railway company before any work starts so that safe operation of the crossing can be ensured. The use of traffic control measures (eg portable traffic lights) particularly must be discussed with railway company.

D) Where the Highway Authority resurfaces a road or carries out alterations on the approach to a level crossing, alterations should not be made to any signs or road markings which the railway company has a statutory duty to maintain, including carriageway and footway width and centre of carriageway markings on the approach to the crossing. If there is a requirement to vary these, sufficient notice is required to permit the railway operator to request and obtain a revised Level Crossing Order. Regular evidence of altered road markings is found as a result of resurfacing works, etc.

E) Vegetation on highways is not being satisfactorily controlled in the vicinity of some level crossings and this can seriously affect the visibility of road signs or signals. Highway Authorities have powers under Section 154 Highways Act 1980 to address this matter. Where Highway Authorities fail to attend to vegetation to which their attention has been drawn by the railway operator, HMRI may consider whether formal enforcement action on the Highway Authority under the Health and Safety at Work etc Act 1974 is appropriate.

F) Highway Authorities should always consult HMRI before introducing or changing any traffic calming or control measure affecting traffic flowing over a level crossing. This includes traffic signals, roundabouts, road humps or chicanes and also includes features a significant distance away, which may cause traffic at times to 'block back' onto a crossing. HMRI recently took successful enforcement action against a County Council Highway Authority requiring the removal of traffic calming chicanes on the exit sides of an automatic level crossing, which HMRI had previously advised would cause critical railway and public safety concerns.

G) Cycleways require special attention and Highway Authorities are strongly advised to consult with the railway company and HMRI in respect of any proposal to introduce any form of cycleway in the vicinity of, or over, any level crossing irrespective of any legislative requirement. Any traffic signs at, or road and footway markings over, the crossing will need to be authorised in a revised Level Crossing Order.

HMRI would be grateful if Highway and Planning Authorities would advise us of specific personnel in their organisations responsible for level crossing issues.

HMRI contact details: Level Crossing Section, HM Railway Inspectorate, Rose Court, 2 Southwark Bridge, London SE1 9HS. Tel: 0207.717.6748, Fax: 0207.717.6523.

Network Rail has recently published a national Level Crossing Policy & Strategy document. Copies can be obtained by writing to the Level Crossing Strategy Manager, Network Rail, Floor 6, 40 Melton Street, London NW1 2EE.

# Appendix 6

## Environment Agency Flood Risk Mapping & Matrix

Map 5 shows those areas of the Woodbridge Riverside, which fall, within flood risk zones 2 & 3 [these zones appear to have the same boundary in the area covered by this brief]

*The following text is taken from the Environment Agency's Guidance.*

### 1.0 Introduction

The Environment Agency (the Agency) has produced this standing advice to enable local planning authorities (LPAs) to make decisions on low risk planning applications where flood risk is an issue without directly consulting the Agency for an individual response. It also identifies those higher risk development situations where case by case consultation with the Agency should continue. This standing advice should be treated as if it were advice provided by the Agency via a direct consultation response. It should be treated as a material planning consideration in determining the application. As with any consultation reply, it is a matter for the LPA what weight it decides to attach to this standing advice having regard to this and all the other material considerations involved.

To accompany this guidance note, the Agency has provided LPAs with the following:

- Maps showing the location and extent of flood risk areas
- A flood risk response matrix (the Flood Zones 'matrix')
- A series of four technical guidance notes on flood risk assessment for different types of development in different locations. (FRA 1-4)

### 3.0 What types of development are covered by this standing advice?

This standing advice is aimed at the planning application, pre-planning and post application stages. It is not intended for use in relation to development plan consultations.

### 4.0 Who in addition to LPAs should be aware of this standing advice?

Although the standing advice is aimed principally at LPAs it is also intended for use by developers and members of the public. It is intended to provide a guide to all parties in the development process on the Agency's approach to development and flood risk for any given type of development in any given location.

### 5.1 Check the relevant flood risk constraint mapping provided by the Agency

Does the proposed development site fall within:

- Bye-law distance of a Main River?
- Within Flood Zone 3 (high risk area-shown in blue)
- Within Flood Zone 2 (medium to low risk area shown in turquoise)
- Within Flood Zone 1 (no to little risk area shown un-shaded)

The answer to these questions determines where on the horizontal axis of the matrix the development will fall, i.e. into which flood risk zone.

The two principal constraints i.e. Main Rivers and Flood Zones have been made available to LPAs in a GIS format via CDs. These will be updated every three months and new CDs issued to those LPAs where the data has changed over the last three monthly period.

If we have not updated the information affecting an LPA in any three month period we will write to them to inform them of this. Currently, the location of Main Rivers is shown as a red centre line only rather than as a polygon based on the precise local bye-law distance Area Planning Liaison teams will inform their LPAs as to the bye-law distance which applies locally. Application of the bye-law constraint will require a judgement from the LPA as to whether or not development falls within the bye-law distance. If in doubt, the LPA should apply a pre-cautionary approach and consult the Agency

In addition to planning considerations, the matrix also indicates situations when consent may be needed from the Agency. Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA..

## **5.2 Determine the development type against the categories set out in the matrix**

The vertical axis of the matrix sets out the development type. Determining the development type should be straightforward in most cases. Where the definition of the development is open to question, a brief definition of the development type is contained within the relevant cell.

## **5.3 Determine which cell of the matrix the proposal falls into.**

Applying steps 5.1 and 5.2 above should indicate clearly what cell within the matrix a particular development falls into. However, where a proposed development falls within more than one possible development type or flood risk zone, following the precautionary approach, the consultation response should always be based on the higher risk response.

E.g. A proposed camping and caravan site falls on the boundary between Zones 3 (RED cell response) and Zone 2 (GREEN cell response). The precautionary approach should be adopted - treat as a RED cell response and consult the Agency with a flood risk assessment.

## **5.4 Interpret the information within the relevant cell of the matrix**

Having established which cell the proposal falls into this information can be related to the instructions in the matrix.

- If the proposal falls into a RED cell that represents the highest risk development type/location combination, the application can go straight to the Agency for consultation together with any Flood Risk Assessment (FRA) provided by the applicant.
- If it falls into a GREEN cell, which represents a lower risk development type/location combination the proposal will need to go to the LPA for consideration and application of a standard response in place of a direct response from the Agency. The LPA will need to ensure that a FRA appropriate to the nature and scale of the development is provided by the applicant. This will need to be assessed by the LPA without reference to the Agency.
- If a development proposal falls into a GREY cell, which represents generally the lowest risk the proposal will need to go to the LPA development control case officer for consideration without reference to the Agency. Development in this category falls outside the scope of formal standing advice but as an information aid to developers and LPAs, some basic surface water drainage guidance has been provided for larger development within this category. For development without significant surface water implications the response is 'no comment' as indicated in the matrix.

## **5.5 What happens where flood risk is not the only issue on which the Agency needs to comment?**

Where development falls within the GREEN or GREY cells and can be dealt with without reference to the Agency on flood risk grounds, individual consultation with the Agency may still be required in relation to other environmental issues. Where an application raises multiple issues some of which are lower risk and can be covered by a standard response and some which are higher risk and not covered in this way, please consult the Agency. The Agency will weave in the standard response into the overall response as required.

## **5.6 Provision of a FRA and refusal of planning permission**

For development proposals falling within the RED and GREEN cells if a FRA is not provided where the standing advice indicates that this is required, then planning permission should be refused. Important as provision of a FRA is in these cases, it should be stressed that the fact that a

FRA has been provided will not of itself necessarily make that development acceptable in flood risk terms. Where a FRA is submitted to the Agency for consideration, the Agency will still object in cases where it considers that the FRA does not or cannot adequately address the flood risk issues.

## **6.0 Flood Risk Assessments - what is the Agency expecting of LPAs?**

PPG25 makes clear that in preparing their proposals, developers will be expected to provide an assessment of flood risk including run off implications which is appropriate to the nature and scale of the development and the risks involved. This should be submitted to the LPA with the planning application (paragraph 60). This 'appropriateness' requirement means that FRAs will vary in their complexity and not all the possible factors set out in Appendix F of PPG25 will apply in every case.

For development within the GREEN cells, the Agency will generally expect LPAs to assess FRAs submitted to them with the planning application using the standing advice without direct consultation with the Agency. Specific exceptions apply to some of the categories of development within Flood Zone 2 where a FRA indicates that the proposed site lies within an historic flooding area. In these cases, once a FRA has been provided, the Agency will provide a bespoke consultation response to LPAs.

To assist LPAs in making the transition towards taking on this responsibility the Agency has taken the following measures:

- Set out the essential minimum requirements for a FRA to cover for the different types of development falling within the individual GREEN cells of the matrix.
- In addition, the Agency has provided four technical guidance notes on FRA which give guidance on what a FRA should seek to cover in a range of different circumstances, two of which are applicable to lower risk development situations.
- The Agency will continue to respond to pre-planning consultations for development within the GREEN cells, although input would be minimal on domestic extensions and minor commercial/industrial extensions

## **Letter of Compliance**

Addressing planning issues at the pre-application stage has long been recognised as good practice. It enables consideration of complex technical issues outside the constraints of the statutory planning application time frame. One approach to encourage pre-application discussion with the Agency on flood risk matters is the Letter of Compliance procedure referred to in more detail in this guidance note. This procedure is relevant to all development falling within the RED cells of the matrix and development between 1.0 and 5.0 hectares falling within the GREEN cells. The Letter of Compliance is intended to speed up consideration of the proposal at planning application stage by flagging up to the LPA and the Agency that flood risk issues have already been considered at the pre-application stage. The Letter of Compliance is NOT intended in any way as a general sign off of the acceptability of the proposal from the Agency. In many cases issues other than flood risk will be involved.

## **7.0 Local flood risk issues**

It is recognised that there are local flood risk issues which need to be addressed as part of this standing advice areas e.g. areas benefiting from defences where flood risk is modified and areas with local surface water runoff issues. The Agency will address these issues through mapping and issuing additional standing advice as this becomes progressively available. A suitable vehicle for securing agreement on how the standing advice can reflect local issues is the Planning Protocol. This is an annex to the umbrella Working Better Together document jointly produced by the Environment Agency and the Local Government Association.

## **8.0 Appeals**

Where the LPA considers flood risk to be a material planning consideration, and having referred to this standing advice has refused planning permission, the Agency will support its position, at any subsequent appeal.

## 9.0 Development Plan Policies

Local Authorities should adopt flood risk policies in their local development plans. The Agency will also expect LPAs to undertake Strategic Flood Risk Assessments when producing their Local Development Documents to aid application of the sequential test. These measures together will reduce the number of applications for development in flood risk areas.

### Annex 1: Case Studies

#### Scenario 1: Domestic Extension

Location: Within Main River bye-law distance

Outcome: Falls within RED cell. Refer to Agency for individual consultation response. FRA required. Agency minded to object. Agency bye-law consent required and likely to be refused.

#### Scenario 2: Commercial extension -footprint increase 500m<sup>2</sup>

Location: Within Zone 3

Outcome: Greater than 250m<sup>2</sup> Commercial/Industrial Extension size threshold for standard GREEN cell response in Zone 3. Treat as operational development less than 1 hectare in Zone 3 i.e. RED cell response. Refer to Agency for comment with the FRA. Agency recommends LPA refuse planning permission if no FRA provided.

#### Scenario 3: Change of use from office to residential

Location: Within Zone 3

Outcome: This is a Change of Use to a more Flood Risk-Sensitive development type. Falls within RED cell. Refer to Agency for comment with the FRA. Agency recommends LPA refuse planning permission if no FRA provided.

#### Scenario 4: Extension to domestic dwelling consisting of games room and large conservatory

Location: Within Zone 3 (coastal location)

Outcome: Check development definition for domestic extensions. Not separate dwelling within curtilage of existing dwelling. Treat as GREEN cell response. LPA determine application. Simple FRA required.

Minimum requirements - confirmation that floor levels won't be lowered and flood proofing considered or levels survey to Ordnance Datum/GPS confirming floor levels set 300mm above known or modelled 1 in 200 year (0.5%) flood level.

#### Scenario 5: Mixed use development including residential and commercial elements -4.0 ha site size

Location: Within Zone 1

Outcome: Treat as Operational Development 5.0ha in Zone 1 -GREEN cell response. LPA to determine application using standard response. FRA required to address surface water run-off issues. Agency recommends LPA refuse planning permission if no FRA provided and direct applicant to commence pre-application discussions with the Agency with a view to obtaining a Letter of Compliance and agreed FRA prior to re-submission of the application.

#### Scenario 6: Change of use from residential use to 0.75ha hospice

Location: Within Zone 2

Outcome: Falls within GREEN cell.

Outcome: This is a Change of Use to a more Flood Risk-Sensitive development type within Zone 2 which is the medium to low risk zone. GREEN cell response applies-LPA to determine application using standard response provided. Simple FRA required to cover risks accruing from the change of use and setting out any proposed mitigation. If an appropriate FRA is not provided, the application should be refused. If FRA shows that the sites lies within documented historic flooding area, Agency will need to be consulted unless the issue is dealt with to the LPAs satisfaction through the Letter of Compliance process.

#### Scenario 7: Camping site

Location: Within Zone 2. Small watercourse close to boundary of the site.

Outcome: Falls within GREEN cell. LPA to determine using standard response provided. FRA required. Main consideration -addressing flood risk to site from watercourse. If an appropriate FRA is not provided, application should be refused. If FRA shows that the sites lies within documented historic flooding area, Agency will need to be consulted unless the issue is dealt with to the LPAs satisfaction through the Letter of Compliance process.

#### Scenario 8: Proposed police station 0.75ha

Location: Within Zone 1

Outcome: Police station falls into the Civil Emergency Infrastructure development category. Because it lies within Zone 1, refer in the first instance to the relevant cell in Zone 1. Based on the scale of the proposed development the final response is a GREY cell response Operational Development less than 1.0ha in Zone 1-LPA to determine the application. Falls outside scope of formal standing advice. General surface water drainage information provided.

### **Scenario 9: Proposed granny flat within curtilage but not physically attached to existing domestic dwelling**

Location: Within Zone 3

Outcome: Check development definition for domestic extensions - "granny flat" falls outside definition of a domestic extension because it will provide independent living accommodation within a high risk area (and for a vulnerable occupant). Therefore treat as Operational Development less than 1.0ha i.e. RED cell response. Refer to the Agency for comment with a FRA.

## **Annex 2: Letter of Compliance procedure for Flood Risk Assessment of development**

(1) PROCESS - Proposed development within RED cells of matrix

Pre-Application Stage

- 1 Initial enquiry for information on flood risk from developer to Agency.
- 2 Submission of draft Flood Risk Assessment to Agency Planning Liaison Team.
- 3 Comments by Agency. Site visit and meetings if appropriate.
- 4 Submission of final FRA to Agency Planning Liaison Team.
- 5 Agency provides Letter of Compliance to developer.

Application Application Stage

Submission of FRA with Letter of Compliance to LPA with planning application. If flood risk is the only issue, LPA may determine application without further reference to the Agency. If there are other issues requiring consultation with the Agency, LPA consults with Agency.

Agency consider all relevant issues, including flood risk and responds within timetable.

(2) PROCESS - Proposed development falling within GREEN cells of matrix

The Letter of Compliance procedure is applicable to the following GREEN cell development situations:

- Operational development 1-5ha in Zone 1

AND to the following development types where the proposed development lies within a documented historic flooding area in Zone 2.

- Flood risk -sensitive changes of Use
- Camping & caravan sites
- Operational development less than 1ha

Pre-application Stage

As above for high risk development.

Planning application stage

1 Submission of FRA with Letter of Compliance to LPA with planning application.

2 LPA determine application on basis of FRA and Letter of Compliance and Agency standard response without consulting the Agency. If are other issues requiring consultation with the Agency, LPA consults with Agency.

3 If the LPA are not satisfied that the flood risk issues posed by the development have been addressed satisfactorily or a FRA is not submitted, the LPA should refuse planning permission. The applicant should be advised to commence pre-application discussion with the Agency prior to submission of a fresh application for planning permission with a Letter of Compliance

NOTE: The Letter of Compliance procedure does not apply to Domestic Extensions and

Commercial/Industrial Extensions less than 250M2 falling within the GREEN cells of the matrix for, or to any development within the GREY cells of the matrix



## Initial planning response matrix – Flood Zones v 1.0

<u>Development category</u>	<u>Within Main River bye-law distance</u>	<u>Within Flood Zone 3</u>	<u>Within Flood Zone 2</u>	<u>Within Flood Zone 1</u>
<u>Domestic extensions</u>	<b>Consult EA [RedCells]</b>	<a href="#">Standard response [Green Cells]</a>	<a href="#">Standard response [Green Cells]</a>	<a href="#">No planning comment - see consent note [Grey Cells]</a>
<u>Industrial/Commercial extensions less than 250m<sup>2</sup></u>	<b>Consult EA</b>	<a href="#">Standard response</a>	<a href="#">Standard response</a>	<a href="#">No planning comment - see consent note</a>
<u>Change of use to a more 'flood risk sensitive' use</u>	<b>Consult EA</b>	<b>Consult EA [RedCells]</b>	<a href="#">Standard response</a>	No Comment
<u>Camping &amp; Caravan Sites</u>	<b>Consult EA</b>	<b>Consult EA</b>	<a href="#">Standard response</a>	<a href="#">No planning comment - see consent note</a>
<u>Operational development less than 1ha</u>	<b>Consult EA</b>	<b>Consult EA</b>	<a href="#">Standard response</a>	<a href="#">General surface water drainage information</a>
<u>Operational development between 1ha and 5ha</u>	<b>Consult EA</b>	<b>Consult EA</b>	<b>Consult EA [RedCells]</b>	<a href="#">Standard response [Green Cells]</a>
<u>Civil emergency infrastructure less than 5ha</u>	<b>Consult EA</b>	<b>Consult EA</b>	<b>Consult EA</b>	<a href="#">Standard response</a>
<u>All operational development greater than 5ha</u>	<b>Consult EA</b>	<b>Consult EA</b>	<b>Consult EA</b>	<b>Consult EA [RedCells]</b>

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## APPENDIX 7

### The Public Consultation Exercise 19<sup>th</sup> July – 30<sup>th</sup> August 2004.

#### PART 1 – RESPONDENTS

The following submitted comments on the draft SPG:

Govt. Office for the East of England	Woodbridge Society
Environment Agency, Eastern Area Office	The Landscape Partnership
English Nature, Suffolk Team	Elsom Spettigue Associates
Head of Health, Suffolk Coastal District Council	Peacock Short
Network Rail	Woodbridge Town Centre Management Group
Strategic Rail Authority	Woodbridge and Melton Riverside Action Group
The County Director of Environment and Transport, Suffolk County Council	Mr Michael Beeton
The County Education Officer, Suffolk County Council	Mr Russell Geen
Woodbridge Town Council	Mr D F A Cowdry
CABE	Mr Richard Hare
Countryside Agency	Mr Fredrick Reynolds
Architectural Liaison Officer, Suffolk Constabulary	Mr Stan Hewitt
Area Manager, The National Trust	Professor Michael Bradbury
The Royal Society for the Protection of Birds	Susan Clark
East of England Tourist Board	Mr Martin Wenyon
Suffolk Preservation Society	Mr Hugh Callacher, Chairman of Glazing Vision Limited
STEER	River Deben Association [ <i>late response</i> ]
Sustrans [ <i>late response</i> ]	National Trust
Health & Safety Executive – HM Railway Inspectorate [ <i>late response</i> ]	

#### **PART 2 – NON-RESPONDENTS**

The following organisations & individuals were invited to comment but did not respond.

24Seven	Resource Management, Suffolk County Council
Anglian Water Services Ltd	Social Services, Suffolk County Council
British Telecom PLC	Suffolk ACRE
Civic Trust	Suffolk Association of Local Councils
County Fire Officer	Suffolk Chamber of Commerce
County Highways Department	Suffolk Coastal Business Forum
Crown Estates Commission	Suffolk Constabulary
Diocese of St Edmundsbury & Ipswich	Suffolk Heritage Housing Association
East Suffolk Coalition of Disabled People	Suffolk Local History Council
East Suffolk Local Health Services Trust	Suffolk Wildlife Trust
East Suffolk Travellers Association	The County Planning Department Archaeological Section
First Eastern Counties [bus operator]	The County Valuer & Valuation Officer
English Heritage	The Ramblers Association
Family Practitioner Committee	The Rt. Hon John Gummer MP
Federation of Small Businesses	Transco East Anglia
Herpetofauna Conservation Int Ltd	Woodbridge & District Chamber of Trade & Commerce Commerce *
HM Inspectorate of Pollution	
House Builders Federation	
Ipswich & Suffolk Small Business Association	
Mr N Barratt	
Planning & Transport GO-East	

\* Indicated a wish to respond but has not done so.

**PART 3 – SUMMARY OF RESPONSES RECEIVED & THE COUNCILS  
RESPONSE**

***[Note: The appendices A to E referred to are those in the Council's Cabinet Report for 7<sup>th</sup> December 2004.]***

<b>Respondent</b>	<b>Summary of Comments</b>	<b>Council Response</b>
Development Plans Team Government Office for the East of England	Initially responded that the brief will have to be A Supplementary Planning Document under the provisions of the new planning legislation, but subsequently confirmed in could be neither SPG or SPD.	The Brief, which has been prepared as SPG, cannot easily be converted to SPD. It is understood that Go-East & the Planning Inspectorate recognise that many documents of this nature will be caught by the new legislation. As they will have been subject to full consultation under the superseded legislation they will still be a material consideration at any planning appeal. <b><i>[See Appendix C]</i></b>
Environment Agency Eastern Area Office	New Flood mapping exists. Also provides details of the management of the floodgates. Will not agree to any additional floodgates, but would be looking for the risk of floodgates being eliminated by designing out existing gates by use of ramps etc.	Clearly the developer of any land alongside the river will need to discuss with the Environment Agency the suitability of any alternative Flood protection measures such as ramps. The new flood zone mapping will be included in the brief [map 5] & an explanation of the implication as appendix 6. <b><i>[See Appendix E]</i></b>
English Nature Suffolk Team	Highlights the nature conservation designations & the duties on the Council & developers to safeguard nature conservation interests. Indicated the presence of Stag Beetles in the area.	This will be clarified in a minor revision to the text. <b><i>[See Appendix C]</i></b>
Head of Health Suffolk Coastal District Council	Identifies possible conflicts relating primarily to noise where any residential development is proposed on the sites within the brief area. <ul style="list-style-type: none"> <li>• Has specific concerns about residential or hotel use on Whisstocks site in vicinity of existing B2 [general industrial use] If mixed use is permitted &amp; then complaints received about noise SCDC might have to use powers of Environmental Protection Act 1990 to consider action against the business.</li> <li>• An assessment of the Noise Exposure Category [as described in PPG24] should be carried out for every site likely to be affected by road/rail noise.</li> <li>• Quayside Mill is within an area of</li> </ul>	These concerns can be embodied in the Planning Brief [possibly as an appendix outlining Environmental Health issues]. Imposing constraints in the future on existing B2 uses could adversely affect the viability of those uses. If residential/ hotel uses are permitted the developer will need to work closely with the Head of Health to design out any conflict. <b><i>[See Appendix C]</i></b>

Respondent	Summary of Comments	Council Response
	<p>Noise category C where planning permission should not normally be granted for residential use. [If residential development is accepted, conditions would need to be imposed on a developer to ensure a commensurate level of protection against noise]</p> <ul style="list-style-type: none"> <li>• The former refrigeration building where noise from employment use &amp; the proposed skateboard park &amp; also chlorine odour from the swimming pool]</li> <li>• The need for sound insulation between business &amp; residential uses in mixed use developments</li> <li>• Also comments on the level of contamination remediation – [to industrial standard only] on the former gasworks site.</li> </ul>	<p>Consultants for the applicant have prepared a report on the level of remediation undertaken.</p>
Network Rail	<p>Concerns about increased usage of the level crossing, which may have to be upgraded at the developers expense. The level of upgrade will depend on traffic surveys &amp; a risk assessment.</p>	<p>A minor change to paragraph 4.13 can reflect this response. <b>[See Appendix C]</b></p>
Strategic Rail Authority	<p>Supports the enhancement of the station forecourt area.</p>	<p>Noted</p>
<p>Health &amp; Safety Executive [HM Railway Inspectorate]</p> <p><b>[late response 1<sup>st</sup> Nov 2004]</b></p>	<p>No Specific comments at this time, but would anticipate the District Council taking into account guidance issued by the Inspectorate in May 2003. [copy enclosed]</p>	<p>The potential impact of each proposal, which could have an impact on a level crossing, will need to be considered. The guidance is being included as appendix 5 to the brief. <b>[See Appendix D]</b></p>
<p>The County Director of Environment and Transport Suffolk County Council</p>	<p>Does not wish to take issue with the guidance provided.</p>	<p>Noted</p>
<p>The County Education Officer Suffolk County Council</p>	<p>No education sites affected, but refers to community education sites just outside &amp; wonders if any potential exists for permanent replacements as part of the redevelopment.</p>	<p>Noted</p>
<p>Woodbridge Town Council</p>	<p>Comments on the former use of the dental surgery, the rerouting of the footpath, concerns that the brief raises the hope value of Whisstocks. Suggests and that Whisstocks &amp; Nunns Mill need not be linked.</p>	<p>There has never been any suggestion that footpath 5 be re-routed to Quayside simply that the developer either has to accommodate it within the site, or go through the formal diversion procedure [probably onto the currently used permissive route at the waters edge] Part of the problem in the riverside</p>

Respondent	Summary of Comments	Council Response
		is that sites have been looked at in isolation. The fact that a developer is looking at two key sites together & also wishes to work with the local authority can only help to achieve a more co-ordinated approach.
CABE <i>[Commission for Architecture &amp; the Built Environment]</i>	Welcomes document & its aspirations. Suggests Architectural Competition & suggests reference be made to various CABE publications.	Whilst the architectural qualities of the area and any new development are important, there are so many other issues involved that it is difficult to envisage an architectural competition arriving at an entirely satisfactory solution.
Countryside Agency	Does not have resource to comment in detail & therefore does not wish to comment on the SPG.	Noted
Architectural Liaison Officer Suffolk Constabulary	Asks for a statement relating to the impact of design on criminal behaviour.	This can be accommodated in the brief. <b><i>[See Appendix C]</i></b>
Area Manager The National Trust	Disappointed brief does not give stronger design guidance & feels some parts give a negative emphasis. Should provide more guidance on requirements of Planning Obligations. Should be stronger regarding the qualities of the AONB. Highlight Council's obligations to safeguard & enhance Conservation Areas. Sets out the Trusts ambitions regarding a replica boat which could be launched & displayed at the riverside & could enhance the tourist potential of the area.	Stronger design guidance as suggested runs the risk of becoming too prescriptive and discouraging innovation. Reference will be made to Local Plan policy AP117 [Planning Obligations] Appropriate reference to the AONB is made in paragraphs 4.1 & 4.2. Appropriate reference to the obligations regarding conservation areas will be made. <b><i>[See Appendix C]</i></b>
The Royal Society for the Protection of Birds	Highlights nature conservation designation on the estuary & the potential impacts of development, which should be made clear in the brief. Feels the area has considerable potential as a visitor attraction.	Paragraph 4.5 will be modified to clarify this position. <b><i>[See Appendix C]</i></b>
East of England Tourist Board	Feels brief should be more specific on proposals which could act as a visitor attraction, and which could help regenerate the economy.	This brief is not intended to promote specific uses, but to clarify planning policy & offer guidance to potential developers.
Suffolk Preservation Society	Supports preparation of SPG. Asks if phasing & implementation is an issue. Suggests brief should indicate how much residential development the Council is prepared to accept. SPS does not support residential at the present time.	Phasing might be possible within a single site, but would not be appropriate within the large area covered by this brief. Suggesting in the brief an acceptable level of residential use could be too prescriptive, & is better dealt with in negotiations on individual mixed development schemes.
Barry J C Moore Chairman of STEER	[STEER is Sustainable Transport for the East of England Region] Accepts perception of separation of riverside	An additional footbridge over the railway [& presumably Quayside] is unlikely to change the perception &

Respondent	Summary of Comments	Council Response
	from town by railway & Quayside, which may increase with more regular rail service. Suggests footbridge.	is unlikely to be a viable or visually acceptable option.
Sustrans <i>[late response 04/10/04]</i>	Would like to see access routes for cyclists & walkers along the rail corridor provided as part of the developments in addition to the riverfront uses. These would have the advantage of offering more direct routes.	Only parts of this ideal could be accommodated within likely developments. It might be an issue for the Riverside Management Plan to take up.
Woodbridge Society	Welcomes brief but feels it does not provide inspirational guidance for the future. Cannot understand why brief does not include Robertson's Yard, Lime Kiln Quay & Sun Wharf. There is a need to consider the balance between residential & employment uses on brownfield sites [PPG3] – favours residential on Refrigeration site & Nunns Mill, but not Whisstocks, or the former gasworks, which it feels, should form part of the “greener” area of Woodbridge. Also suggests a landscaped park to the rear of the Community Centre. Provide detailed comments on many sections of the brief. Suggests Woodbridge deserves a Maritime Museum.	The brief covers the area under greatest pressure. It is not a function of the brief to change planning policy in respect of the sites mentioned. Given the demands to increase parking capacity [in parallel with making public transport more accessible] it is not feasible to consider making part of one of the most important parking areas in Woodbridge a landscaped park. A maritime museum could form part of the mixed development on one of the key sites covered by the brief.
River Deben Association <i>[late response 13/09/04]</i>	Feels brief is helpful to developers & hopes developments can be speedily progressed, but will require flexibility on all sides. Particular concerns relate to Whisstocks site, access to the river, footpaths alongside it, car parking & public conveniences. Whisstocks is crucial but there is some doubt about whether marine related industry can be found. Also potential problems with marine related display or museum because of seasonal nature. Suggests scale model for Whisstocks scheme, which can give better impression than architects drawings. Makes reference to flood defences & potential impacts of silt removal & fact that brief makes little reference to the river itself – changes to river bank would require full environmental assessment. Hopes the rapidly dilapidating Whisstocks site can be redeveloped soon. This will require flexibility on all sides & may mean some sacrificing firmly held opinions	Noted. The issue of siltation & river processes will hopefully be clarified by the modelling being undertaken by the Environment Agency as part of its Estuary Management Strategy. Discussions are already taking place between the developer of Whisstocks and officers from the District Council. The developers are also in discussion with WAMRAG in order to determine what local people want to see happen at the site.
The Landscape Partnership	Responds in respect of Whisstocks & Nunns Mill. Outlines recent history of sites & the public response to the “concept” exhibition. Appreciates wishes of local people and will try to take into account.	The planning brief cannot change policy, but has sought to interpret the policy in a positive manner. The developer was aware of planning policy constraints & the appeal

Respondent	Summary of Comments	Council Response
	<p>Developer needs to create enough income-generating uses to pay the high development &amp; infrastructure costs. The existing Planning Policy &amp; Supplementary Planning Guidance will not provide sufficient scope to finance the site development costs &amp; create the amount of open space needed to provide effective public access, visitor &amp; marine facilities. Retail/commercial leisure uses alone will not generate sufficient income on this site. Sees the importance of a continuing dialogue with officers &amp; members [if appropriate] by means of a formalised working group as the schemes are progressed.</p>	<p>decisions when he acquired the Whisstocks &amp; Nunns Mill sites. Officers will of course be willing to discuss options &amp; both officers &amp; members are keen to see an appropriate high quality development, which will enhance the area visually &amp; economically.</p>
<p>Elsom Spettigue Associates</p>	<p>Confirms that their clients &amp; their architects have been in discussion with officers at SCDC in respect of the former WR Refrigeration site &amp; will shortly be submitting an application along the lines discussed.</p>	<p>Noted. The application has been submitted.</p>
<p>Peacock Short</p>	<p>Has doubts about the value of the brief which offers no positive advice on specific design criteria for any particular site. Feels it does not accord with Government advice on the consideration of brownfield employment site for housing. Refers to lack of information from the Urban Capacity Study &amp; lack of technical information in the brief for the likely demand for the mix of development suggested in the brief. Has submitted planning application for the former gasworks &amp; maintains it has a "nil" planning use, not former employment as suggested in brief. Also claims the former gasworks has been decontaminated to enable residential development.</p>	<p>The brief gives considerable advice on design criteria without being prescriptive. The issue of Government advice on the reuse of brownfield sites in this particular area was addressed very clearly by the inspectors following the appeals on two key sites in the brief area [one immediately opposite the former gasworks]. The District Council does not accept that the former gasworks, which in its latter days was a reporting centre, has a "nil" use. Applying the logic used by Peacock Short any employment site which remains unused for a period would also have a "nil" use. Consultants for the owner now accept that remediation is to an industrial standard &amp; are seeking to establish what further measures may be required. The text will be revised accordingly <b>[See Appendix C]</b></p>
<p>Woodbridge Town Centre Management Group</p>	<p>Refers to the emphasis the government places on locating employment uses close to town centres to minimise the need for travel. Highlights the loss of employment sites in Woodbridge &amp; feels the key sites in the brief should be retained for employment &amp; meet the above criteria. Recognise the constraint imposed by the East Suffolk Line &amp; Quayside. Provide detailed comments on various sections of the brief. Wants slipway retained for larger vessels, with road access. Concerned about visibility implications of bringing Nunns Mill closer to the road edge. Highlights the importance of the station &amp; the need for improved parking provision in Woodbridge. Feels demand exists for marine related activities at</p>	<p>Noted. The paragraphs containing the statement, which suggests that finding marine related employment uses is unlikely, will be modified. <b>[See Appendix C]</b></p>

Respondent	Summary of Comments	Council Response
	Whisstocks & little has been done to market the site for these uses and the statement suggesting that finding such uses is unlikely should be deleted. Quayside Mill has a commercial history & should be used predominately for employment purposes, possibly as a Learning Skills Centre.	
Woodbridge & Melton Riverside Action Group	Provides details of the exit poll undertaken at the recent "concept" exhibition held by the developers of Whisstocks & Nunns Mill. High percentage wants preservation of marine character, boatbuilding & repair, the slipway & pedestrian access to Whisstocks. There was a strong opposition to residential uses on the site. Welcomes the high standard of design & materials suggested at the exhibition & feels the SPG should be clear on its expectation of this.	Noted. The brief includes considerable detail on what is expected in terms of design & materials & what the Landscape Partnership produced at its concept exhibition is a response to the draft – suggesting that it is already having a positive impact.

#### Responses from Individuals

Michaeleton By e-mail	Provides details of the history of the dental surgery on the station car park.	Noted. The text will be changed to reflect this. <b>[See Appendix C]</b>
Mr Russell Geen	Provides details of the history of the dental surgery on the station car park.	Noted. The text will be changed to reflect this. <b>[See Appendix C]</b>
Mr D F A Cowdry	Feels brief should include area down to Eversons. Suggests contact be made with the Environment Agency with regard to silting of the river.	The brief deals with key sites currently under pressure, a further brief may become necessary at a future date. The Environment Agency is a consultee and is looking at river processes including silting through its Estuary Management Plan
Frederick Reynolds By e-mail	Takes exception to what he considers to be criticism of the work undertaken to restore Tide Mill Quay. Feels the section relating to the station/swimming pool area should give appropriate recognition to the Community Centre which, through volunteer help, provides a lot for the community. Questions how officer know brief will be adopted – this is up to Members.	No criticism of the work at the Tide Mill Quay is intended & the wording is taken from the Characterisation Study undertaken by the Council's consultant. The section of the brief relating to Area 7 [Riverside Theatre to Community Centre] is intended to show the importance of co-ordinating access. Reference to the Community Centre will be added. <b>[See Appendix C]</b>
Stan Hewitt	Agrees with Fred Reynolds first point (above) relating to the restoration of Tide Mill Quay. Concerned about statement indicating that it is unlikely that the Whisstocks site will be used as a boatyard & refers to boatbuilding interest expressed at the Whisstocks Planning Inquiry.	Noted. The paragraph containing the statement, which suggests that finding marine related employment uses is unlikely, will be modified. <b>[See Appendix C]</b>
Professor Michael Bradbury	Writes as Quayside resident. Feels the brief is weak on design objectives for Quayside. Suggestions for enhancing Quayside are naïve – what is required is a reduction in the speed of traffic by making drivers feel it is not a bypass. Altering the surface & realigning kerbs could do this. Planning permission for all the key sites of Quayside should be withheld until	Noted. Discussions have already taken place with the highway authority & the Riverside Action Group on possible measures. The agent for the developer of Whisstocks & Nunns Mill is also interested in achieving, in partnership with others appropriate traffic calming measures.



	Suffolk County Council & the developers address this problem.	
Susan Clark	Supports the case for the retention of Whisstocks as a boatyard and recounts the 7 years of rebuilding "Ginger Dot" in the large Whisstocks shed	Noted. Seven years work restoring a single boat is however not an example of a viable use for a boat building yard the size of Whisstocks.
Martin Wenyon	Provides a detailed argument for the retention of boatbuilding & marine related uses at Whisstocks & the retention of the slipway. Produces an indication of the space required to accommodate, for example, the slipway and suggests that marine related industries are experiencing an upturn and that his proposed uses at Whisstocks would complement other Woodbridge riverside uses rather than compete with them. Provides detailed comments on many sections of the brief supported by material from the Riverside Action Group.	Noted. Mr Wenyon's detailed technical information on the operational requirements for a slipway and boatyard at Whisstocks clearly comes from a good working knowledge of the area. It is a fact however that the site is now in the hands of a developer, who appears willing to work with local people to achieve a high quality redevelopment. It remains to be seen however how much of what Mr Wenyon would like to see can be retained. It is not a function of this brief to change policy which seeks to retain employment uses & suggests that river related employment should be accommodated here.
Hugh Callacher Chairman of Glazing Vision Ltd.	Writes re quest for riverside site in Woodbridge for boatbuilding/industrial development, Has pursued both Whisstocks & Sun Wharf which are ideal, but priced upon residential/commercial development opportunism. Lists his options: <ul style="list-style-type: none"> <li>• To locate his business [specialist solar shading systems] by the riverside &amp; commence a new venture of restoring tjalk sailing barges – this would offer manual &amp; technical employment opportunities. This would require a site like Whisstocks or Sun Wharf.</li> <li>• To locate research &amp; development to a smaller riverside site &amp; use local manufacturing facilities for machining testing &amp; assembly – limiting barges just to the frontage &amp; riverside.</li> <li>• To rent space in an existing yard – an option he has been resisting for 4 years.</li> </ul>	Noted. Planning policy & the appeal decisions upholding that policy in respect of Whisstocks & Nunns Mill clearly did not deter the current owner from buying the sites. It remains to be seen whether development proposals for Whisstocks could accommodate Mr Callacher's needs.

