

**STATEMENT OF CASE**

**ON BEHALF OF THE SAVE SOUTH SEAFRONT SOAK AWAY GROUP  
RESIDENTS ASSOCIATION**

**CONTAINING A SUMMARY OF THE OBJECTIONS TO THE PROPOSED  
DEVELOPMENT SET OUT IN THE PLANNING APPLICATION UNDER  
REFERENCE NUMBER CO4/0300 FOR THE CONSTRUCTION OF A PUBLIC  
PARK INCLUDING AMPITHEATRE, PLAY EQUIPMENT, TOILETS,  
REFRESHMENTS CENTRE AND ASSOCIATED PUBLIC CAR PARKING  
TOGETHER WITH 209 DWELLINGS (INCLUDING 2-, 3-, 4-, 5- STOREY  
BUILDINGS) LAND BETWEEN ORFORD ROAD, LANGER ROAD, MANOR  
TERRACE, SOUTH SEAFRONT FELIXSTOWE FOR J S BLOOR (SUDBURY)  
LIMITED**

**WRITTEN OBJECTIONS SUBMITTED ON BEHALF OF THE RESIDENTS  
ASSOCIATION BY**

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The resident's association objects to the proposed development on the grounds set out in the following paragraphs.

1. At the present time there is insufficient information within the terms of the current planning application for the impact of the proposals to be fully appreciated and understood by the Council. In particular, there is insufficient information relating to the physical impact of the proposed development. It is obvious that more elevational drawings are required showing the elevational treatment of the development around the Martello Tower. Only two drawings were available on the 7<sup>th</sup> July 2004. Furthermore, more detail is required concerning the materials to be used in the development scheme and the detailed design of the proposals. There is also insufficient information concerning the justification for the amount of residential development now proposed for the purpose of securing the principal recreational uses on the site. Clearly, this is an important issue of principle and regard to the terms of the Council's Statutory Development Plan and particularly Policy AP202.
2. Following on from the previous point it should be noted that the planning application should be supported by a full and comprehensive environmental statement. We would point out that there are concerns over the decision of the Council to exclude the need for a submission of a comprehensive environmental statement. It is therefore contended

that the Council's original decision on the environmental screening opinion should be revisited and reconsidered before the planning application is considered any further. Whilst the Council acknowledges that the application clearly falls within the terms of Schedule 2 of the Environmental Assessment Regulations 1999 nevertheless the Council does not specifically require the applicant to prepare a comprehensive environmental impact assessment report. Our clients find this decision very surprising given the size of the development and its location. It should be noted that any decision on either screening opinions or scoping opinions under the Environmental Assessment Regulations 1999 must comply with the terms of the Regulations and the relevant case law which has interpreted the said Regulations. Residents consider that the environmental screening opinion was made on the basis of inadequate information it is therefore imperative that no further consideration be given to the planning application until a further review is carried out in relation to the environmental screening opinion and the developer is asked to prepare and submit a comprehensive environmental impact statement. Furthermore, it is considered that the scoping opinions require a full and comprehensive environmental impact statement reviewing all aspects of the scheme. It should be noted that such decisions on environmental issues need to be made even if it is considered that there are positive environmental benefits arising from the scheme. However, it should be noted that residents

consider that all of the environmental impacts will be detrimental and it is therefore even more important that a comprehensive environmental impact statement is prepared and submitted before the planning application is considered further. It should be noted that an ecological report does not in anyway satisfy the requirements under the Regulations.

3. It is also considered that the proposed development flies in the face of central government policy as set out in Planning Policy Guidance Note No. 1, Planning Policy Guidance Note No. 3, Planning Policy Guidance Note No. 9, Planning Policy Guidance Note No. 13, Planning Policy Guidance Note No. 15, Planning Policy Guidance Note No. 17, Planning Policy Guidance Note No. 25 and the advice of central government concerning sustainable development.
4. Residents also object to the terms of the planning application having regard to the impact upon the "Herman De Stern Building". Under the terms of the Statutory Development Plan it is clear that the Local Plan policy requires the use of the Herman De Stern Building to be retained in use for activities complementary to the leisure and tourism use of the site. The building is an extremely important building which contributes to the area. It is important that it is retained in use for the main purpose set out in the Local Plan being the leisure and tourism use. Sadly, the development proposals now being considered by the Council under the terms of the current planning application indicate that the scheme does

not comply with this specific and important aspect of the Council's own Local Plan. The development proposals do not provide for the continued use of the said building therefore remain in fundamental conflict with the terms of the Statutory Development Plan. Accordingly, the planning application should be rejected on these grounds alone.

5. Residents also object on the grounds that the development will have an adverse impact upon the important scheduled ancient monument being the Martello Tower located on the south seafront of Felixstowe. It is clear from the current proposals that the proposed development scheme fails to respect the setting of the said monument and it is therefore considered that the proposed development will have a significant adverse impact upon the heritage of the area. Given that the Statutory Development Plan seeks to protect the ancient monument it is therefore clear that the proposed development is also on this point inconsistent with the terms of the Statutory Development Plan. Given the natural importance of the monument this is another clear reason for the planning application to be refused. Members are reminded of the views expressed by English Heritage. English Heritage clearly recommends that the application should be rejected because it is contrary to National Policies, Structure Plan Policies, Local Plan Policies and also the terms of the Council's own commissioned "Historic Characterisation Study". English Heritage is firmly of the view that the proposed development would have a significant and adverse

impact upon the setting of the ancient monument by the introduction of a large mass of residential units close to the monument. The height and form of the development is clearly inappropriate and contrary to the historic character of the area and would be harmful to the setting of the tower.

English Heritage also states that the proposal to remove the small scale coast guard buildings and replace them with much larger closer semi-circular terraces of houses and flats is in the view of English Heritage completely contrary to Local Plan Policies AP7 and AP202. Furthermore, English Heritage clearly states that the proposed location on the amphitheatre adjacent to the tower will introduce an intrusive, inappropriate and alien feature which will detract from the setting and historic appreciation of the Tower.

6. Residents also object to the development on highway grounds. It is noted that the Highway Authority also recommends refusal on grounds that “the last existing car parking provision, together with the added attraction of the development, will create a material increase in traffic congestion on surrounding road network to the detriment of road safety.” Furthermore, residents not only agree with the Highway Authorities objection to the development but also put forward their own objections. Residents are concerned that the level of car parking provision to be provided under the new development scheme is inadequate. At the present time the free car parking spaces at Langer

Road, Wireless Green, Manor Terrace and the Coast Guard car park provide 730 free spaces. Under the redevelopment scheme these are to be replaced only by 217 pay and display spaces. This is clearly an inadequate scheme given those figures. When one considers the experience of local residents in relation to car parking problems in the area it is abundantly clear that the proposals in the planning application are totally inadequate. When one examines car parking surveys previously carried out it has been discovered that the results indicate an excess existing demand for car parking spaces above that proposed in the planning application. It therefore follows that the proposed development will inevitably cause intolerable traffic congestion on the south seafront area and the highways in the vicinity. This will cause unacceptable hazards to road users and will undermine road safety. It is noted that the Transport Assessment indicates that the Langer Road and Beach Station Road would be exceeding capacity on week day peak hours. It is worrying to find that no studies or proposals have been made for Sunday's when the existing demand is even greater. It is noted that Sunday peak hour traffic flows are between two and three times greater than week day peak traffic flows. Clearly, any increase in traffic generation will result in queing going back beyond Dock Gate No. 1 which will effect the trunk road and create totally unacceptable dangers to highway users. Furthermore, hazards will be created for people wishing to use the roads during the

time of day when children are travelling to and from their local schools.

The planning application does not indicate the nature of any arrangements being made for pedestrian access when the flood gates are closed between October and May.

7. Residents also object on the grounds that the proposed redevelopment scheme clearly does not satisfy the requirements for sustainability. It should be noted that Felixstowe south seafront is not served by any frequent alternative public transport system. This is particularly the case on Sundays and accordingly the private motor vehicle is the only viable means of access for people travelling to and from the seafront. It therefore follows that it is unacceptable to put forward a proposal for large scale residential development on an area of land which is in essence isolated from a major traffic node. The simply inadequate public transport services in the area to support a large new residential development comprising 209 dwelling units. The proposal is therefore contrary to the terms of Planning Policy Guidance Note No. 13 on Planning and Transport. It follows that the development should be rejected on this ground alone.
8. The residents also point out that the Council apparently also appears to misunderstand the terms of its own Statutory Development Plan. In particular, it appears to have misinterpreted Policy AP202. Clearly, under the terms of the Local Plan Policy AP202 it is clear that the land is allocated for tourism and leisure uses. The regeneration of

Felixstowe depends upon substantial and appropriate leisure services being implemented within the application site area. It is clear that the intention under the terms of the Local Plan is the south seafront area should be the main focus of recreational provision for Felixstowe and that this should incorporate a number of uses. The current proposals do not address all of these issues. Sadly, the proposed development scheme appears to use a residential redevelopment proposal as its main anchor. There is no indication that the Local Plan anticipated such a major residential redevelopment scheme and it would appear from the wording of the Development Plan Policy that the current scheme is inconsistent with the Development Plan framework. Furthermore, it is considered that the proportion of land allocated within the application site for residential development constitutes a dominant and unacceptably high proportion of the land allocated for the proposed redevelopment scheme. The intention of Policy AP202 was to limit any possible residential development to a minor part of the site. However, the developer has now put forward a scheme for significant housing development right through the centre of the site. It would now appear that the Council is considering the application on the basis that residential development is no longer to be considered as a minor land use but as a major land use. Furthermore, the location of the residential development splits the public recreational space into two limited and very narrow sectors. The large towering blocks of

apartments proposed with also inhibit any feeling of openness or open space within the area. In essence, the proposed development scheme clearly constitutes a departure from the terms of Policy AP202. The major part of the site constitutes a residential housing development scheme and this was not contemplated under the terms of the Policy AP202. There is also an inconsistency in the description of the application site when compared with the description of the site under Policy AP202. It is therefore again inconsistent with the terms of the Statutory Development Plan and must therefore be rejected on these grounds alone.

9. The proposed residential scheme involves a large number of residential units. It is a very substantial residential scheme which does not provide an adequate level of social and affordable housing. In essence residential proposals only provide a token level of social housing. The current scheme by only proposing just 10% affordable and social housing units is clearly inadequate. Given the current direction of central government policy this is clearly a very low contribution to the social housing needs of the area. The proposed development scheme therefore does not reflect or recognise a clear and demonstrable housing needs for the area. In essence, it is considered that the minimum social and affordable housing contribution should be at least 30% and this scheme clearly fails to achieve this target. The residential development proposals simply do

not comply with central government policy in Circular 6/98 or in the advice set out in Planning Policy Guidance No. 3 on Housing. At the same time the level of the proposed residential scheme indicates a formal development which does not make the best use of land. Accordingly, the inefficient use of land on the site also indicates that the residential redevelopment proposals fail to comply with national policies as set out in Planning Policy Guidance Note No. 3.

10. Residents also object on the grounds that the proposed large residential development scheme proposes a formal development which is inconsistent with the character of existing built development in the area. The development proposals are clearly of an entirely different scale, design, bulk and mass from that found on existing development in surrounding area. Accordingly, the proposed development scheme would form an incongruous feature which would undermine the existing character of Felixstowe. Furthermore, the density of the proposed development is also inconsistent with the character of the surrounding area. It therefore follows the proposed development is inconsistent with terms of Planning Policy Guidance Note No. 3 on Housing.
11. Residents also object on the grounds that the proposed development scheme would have an adverse impact upon the local flood plain. In essence, it is considered that part of the development would displace flood waters from their natural routes. This would endanger existing residents. It should be noted that the development will in general have

an impact upon the safety of local residents. Residents note that the south seafront of Felixstowe is highly vulnerable to flooding. The flooding includes not only tidal flood incidents but also river flooding. The application site is located on an exposed thin area of land which is surrounded by large areas of water including the sea to the east and Barnard River estuary to the west which lies on the other side of a further parcel of land. The historical records indicate frequent flooding incidents in the area and there is therefore considerable local concern about the proposed development. Not only would the proposed development lead to the introduction of further residential properties into a high flood risk area but it will also increase risks currently encountered by existing residents. Existing residents fear that installation of large new scale residential development on the application site will reduce the amount of area which is currently available for absorbing flood waters. In other words the capacity of the existing land to absorb the flood waters will be substantially reduced as a result of the new development. Furthermore, the new development by reducing the area of land that can absorb flood waters, will lead to an increase in flood levels which will adversely affect existing residents. It is considered that the proposed development is inconsistent with the policy of central government as expressed in Planning Policy Guidance Note No. 25.

12. In essence, the residents also feel that appear to be twelve major departures from the Councils Local Plan. The departures may be briefly summarised as follows:-

- a) 11.203                      Seawall/Floodwall
- b) 11.206                      Not comprehensive – Martello Tower “P”
  - AP202 c1, c2                  Martello Tower setting
  - 11.204                          Martello Tower linkage
- c) AP202 a2                      Sunday Market
- d) AP202 e                      Herman de Stern Building
- e) AP202 a1                      Seafront Park not achieved
- f) AP202 a1, e                  Leisure and recreation becomes minor use
- g) 11.206                      Infrastructure compromises the site
- h) 11.206                      Quality of residential buildings
- i) 11.206                      Position of residential buildings
- j) 11.206                      Housing Developments too excessive
- k) 11.207                      No SPG provisions
- l) AP202 d                      Cycle route and footpath incomplete

13. Given the points mentioned above it is clear that the proposed development scheme set out in the planning application is not only incomplete but also totally unsatisfactory. The application should therefore be either deferred for further consideration after more information is obtained or immediately refused for the reasons set out above. Clearly, residents would prefer a clear cut decision from Councillors for the refusal of the planning

application. However, if Councillors feel unable to refuse the application outright then it is requested that the defer consideration with a request that further information be obtained and the matter be considered at a subsequent meeting of this Committee. It should be noted that residents are confident that the further information will further reinforce the reasons for refusing the application.

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