

Ipswich Local Plan

Proposed Submission Core Strategy and Policies Development Plan Document Review

Statement of Consultation Pre-Submission Main Modifications December 2015

Addendum (December 2015)

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1 Introduction

- 1.1 The Core Strategy and Policies development plan document review for Ipswich is a key development plan document forming part of the Ipswich Local Plan.
- 1.2 Before the Council submits the Core Strategy and Policies review to the Secretary of State, it has to comply with Regulation 22(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. This requires a statement setting out:
- (i) Which organisations and persons the local planning authority invited to make representations under regulation 18;
 - (ii) How they were invited to make their representations;
 - (iii) A summary of the main issues raised;
 - (iv) How those issues have been taken into account;
 - (v) If representations were made pursuant to regulation 20, the number made and a summary of the main issues raised;
 - (vi) If no representations were made pursuant to regulation 20 a statement of that fact.
- 1.3 The Pre-Submission Consultation Statement (November 2014) contains details covering points (i) to (iv) above. The Core Strategy and Policies DPD Review – Statement of Consultation – Proposed Submission (September 2015) covers points (v) and (vi) above. The Statement of Consultation – Pre-Submission Main Modifications (December 2015) details the consultation undertaken in relation to the Pre-Submission Main Modifications.

2. Purpose of the Addendum

- 2.1 This statement is an addendum to the December 2015 statement. The Pre-Submission Main Modifications consultation was held between Friday 9th October and Monday 23rd November 2015. Due to a technical error, 43 consultees were not notified about the Pre-Submission Main Modifications consultation until Friday 6th November 2015. It was therefore necessary to provide these consultees with an extended deadline and therefore responses from these individuals and organisations were accepted up to 11:45pm on Monday 21st December 2015.

3. Representations

- 3.1 A total of a further 22 comments were received from 4 respondents (although note that CBRE SPUK III (No.45) Ltd and Mersea Homes are logged as one respondent due to being represented by one agent).
- 3.2 A summary of the representations is shown in Appendix 1. The main issues raised were:
- Further changes to the plan are required to reflect the nature of the modifications (particularly in relation to national policy changes);
 - Reference to supporting community development is CS2 is ambiguous;
 - Modifications to CS4 and DM8 in relation to heritage assets may place unnecessary restrictions on development;
 - There is a lack of up to date evidence on housing numbers;
 - The modifications do not acknowledge the traffic impacts of the garden suburb;
 - There should only be a requirement to ‘generally’ accord with the Garden Suburb Supplementary Planning Document and positively facilitating other development is not supported by national policy;

- There should be flexibility in how mitigation measures arising from the Habitats Regulations Assessment are achieved;
- Requirements relating to optional Building Regulations standards and space standards need to be justified and consideration given to the effect on viability;
- Modifications to DM29 may result in over provision of open space and there is no mechanism for considering effects on viability;
- Modifications to DM34 create a presumption against development around the edges of Ipswich.

Appendix 1 – Summary of Representations on the Pre-Submission Main Modifications to the Proposed Submission Core Strategy and Policies development plan document review (those notified on 6th November 2015 and provided with extended deadline to 21st December 2015)

Rep ID	Respondent	Modification	Support / Object	Comments	Change to Plan requested
24317	CBRE and Mersea Homes	1. CS1	Object	We support the proposed change which ensures compliance with national policy. However, we are concerned that other elements of the policy, such as parts (a) and (b) remain unchanged despite being inconsistent with the thrust of national planning policy. Much of the narrative supporting the text is similarly unchanged. We have previously raised these concerns in representations and would have expected these to have been further reviewed in light of the government's stance.	
24310	Gladman Developments	2. CS2	Object	This change introduces a rather vague reference to 'community development' with no definition provided as to what this means in this context. This contravenes §154 of the [National Planning Policy] Framework. Clarity is important because this section of the policy outlines where new development will be focussed. It has a strong 'geographic' thrust, so it is unclear how the reference to supporting community development fits with this. The aim of ensuring that new development promotes wellbeing and social inclusion is already embedded within national policy.	This modification should be struck out.
24318	CBRE and Mersea Homes	2. CS2	Object	The proposed additional wording is ambiguous in its intent. Policies seeking to secure social cohesion would be better	The additional text should not be added.

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				presented with a justification for that policy and clear means of implementing and monitoring policy requirements.	
24319	CBRE and Mersea Homes	3. CS2	Object	We support the proposed change which recognises that the provision of infrastructure must be phased according to its need, and that blanket assumptions about the prior provision of infrastructure is not justified. However, much of the narrative supporting the text is unchanged meaning that the IGS continues to be described as if it were a subordinate part of the development strategy, rather than central to it, as is really the case.	
24311	Gladman Developments	4. CS4	Object	<p>We have concerns with the proposed modification, which refers to using planning obligations to 'secure the enhancement and promotion of the significance of any heritage asset'.</p> <p>Three tests for the use of planning obligations are set out in Regulation 122, Paragraph 2 of the CIL Regulations (as amended):</p> <p>A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—</p> <p>(a) necessary to make the development acceptable in planning terms;</p> <p>(b) directly related to the development;</p> <p>and</p>	The proposed modification should be reworded to make it clear that the Council will only seek planning obligations when they pass the relevant CIL tests.

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				(c) fairly and reasonably related in scale and kind to the development.	
24314	Boyer Planning on behalf of East of England Co-operative Society	4. CS4	Object	The modification to Policy CS4 (Protecting our Assets) seeks to widen the scope of the protection that the policy offers to heritage assets by making specific reference to the maintenance of a list of buildings and other heritage assets of local importance, and taking steps to reduce the number of heritage assets at risk. Whilst the intentions of the Council to safeguard the historic environment are acknowledged and supported in principle, the modifications could place additional unnecessary restrictions upon development, particularly in relation to sites which are categorised as undesignated heritage assets.	The modifications to policy CS4 place additional unnecessary restrictions upon development, particularly in relation to sites which are categorised as undesignated heritage assets. These modifications are considered to be inconsistent with National Planning Policy, and could unnecessarily frustrate the redevelopment and regeneration of key sites. Policy CS3 should be in conformity with paragraph 135 of the National Planning Policy Framework.
24320	CBRE and Mersea Homes	6. CS6	Object	We support the Council's recognition of the need for urgent action to address joint plan-making. However, the change is not sufficient, in itself, to demonstrate that the Plan is effective.	The Council must demonstrate progress on joint-plan making and the means by which it will deliver the necessary housing growth throughout the plan period.
24321	CBRE and Mersea Homes	7. CS7	Object	The proposed modification provides nothing more than a factual update on recent housing delivery but is in itself unclear and without clarity. The Plan remains unsound on the basis of a lack of up-to-date evidence.	The Plan must be based on up-to-date evidence reflecting published statistics and projections, with necessary amendments made to Policy CS7 to reflect a full and proper assessment of the Council's Full Objectively Assessed Need.
24308	Private Individual	9. CS10	Object	Object to the omission in the main modifications of CS10 any adequate	Removal of the following wording from paragraph 8.213:

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				<p>recognition of the effect of the Garden Suburb on road congestion in west central Ipswich. There are discrepancies between the statements made by the Borough and County Councils in this regard.</p> <p>It would appear that no robust assessment of the impact of the Garden Suburb on the highway network has been undertaken. This is an essential pre-requisite to the granting of consent.</p> <p>No consent should be granted until at least a route and funding have been identified for a new northern road linking the Garden Suburb and A14.</p>	<p>"It is recognised that any such route would be within the Suffolk Coastal District Council and Mid Suffolk District Council areas (i.e. not between the Ipswich Garden Suburb - policy CS10 - and Westerfield village) and therefore it is not practical to include such a route within this Strategy. However, the Council will encourage those authorities, together with Suffolk County Council and other interested parties, to actively investigate such a route, and would be prepared to contribute to any such investigation." Replacement with a statement that reflects the summary of my representation above.</p>
24322	CBRE and Mersea Homes	9. CS10	Object	<p>The obligation to accord with the SPD should be expressed as general accordance, and the requirement to positively facilitate other development is not supported by national policy.</p> <p>(Note that the full representations contain different context text for CBRE SPUK III (No 45) Ltd and for Mersea Homes Ltd).</p>	<p>We recommend that policy wording be amended as follows: Development proposals will be required to demonstrate that they are in Insert '- general' accordance with the SPD. They should Delete - 'positively facilitate and' not prejudice the development of other phases of the Ipswich Garden Suburb area and Delete - 'meet' Insert - 'should support' the overall vision for the comprehensive development of the area as set out in the SPD.'</p>
24323	CBRE and Mersea Homes	14. CS7	Object	<p>We support the Council's ambition to set out a coordinated means of mitigating potential impacts of new development on</p>	<p>Wording should be amended as follows: The measures include the provision of</p>

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				sensitive receptors. However, flexibility is required to allow an appropriate and deliverable package of measures to be agreed in relation to relevant proposals.	the Country Park or similar high quality provision to the north of Ipswich, delivering parts b, d, e, g and h of policy CS16, production and implementation of visitor management plans at key sites and a monitoring programme to assess visitor impact over time. Insert - 'The package of measures necessary to support specific development proposals will be determined in accordance with detailed assessments of the potential impacts of that proposed development and their deliverability, in accordance with Delete - 'The Council is considering the production of' a mitigation strategy which would specify the measures required and how these should be delivered and funded.'
24324	CBRE and Mersea Homes	13. CS17	Support	We support the proposed amendment.	
24309	Private Individual	15. CS20	Object	Object to the omission in the main modifications of CS20 any adequate recognition of the effect of the Garden Suburb on road congestion in west central Ipswich. There are discrepancies between the statements made by the Borough and County Councils in this regard. It would appear that no robust assessment of the impact of the Garden Suburb on the highway network has been undertaken.	Removal of the following wording from paragraph 8.213: "It is recognised that any such route would be within the Suffolk Coastal District Council and Mid Suffolk District Council areas (i.e. not between the Ipswich Garden Suburb - policy CS10 - and Westerfield village) and therefore it is not practical to include such a route within this Strategy.

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				<p>This is an essential pre-requisite to the granting of consent.</p> <p>No consent should be granted until at least a route and funding have been identified for a new northern road linking the Garden Suburb and A14.</p>	<p>However, the Council will encourage those authorities, together with Suffolk County Council and other interested parties, to actively investigate such a route, and would be prepared to contribute to any such investigation." Replacement with a statement that reflects the summary of my representation above.</p>
24325	CBRE and Mersea Homes	16. DM1	Object	<p>The proposed modifications should provide for the deletion of references to the Code for Sustainable Homes but should not introduce any further policy requirements.</p>	<p>Policy modifications which introduce new obligations should not be taken forward. Amendments which reflect changes to the Code for Sustainable Homes should be retained.</p>
24312	Gladman Developments	16. DM1	Object	<p>The Deregulation Bill 2015 specifies that Councils cannot set any additional local technical standards relating to the construction, internal layout or performance of new dwellings other than the nationally described space standard, an optional requirement for water usage and optional requirements for adaptable / accessible dwellings where these are supported by evidence of need and viability.</p> <p>Furthermore, Gladman would remind the Council to pay careful attention to the requirements set out in §173 and 174 of the Framework regarding viability and not placing undue policy burdens on developers that the plan from being delivered.</p>	

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24326	CBRE and Mersea Homes	18. DM5	Object	The proposed policy requirement for optional building regulation standards is not justified nor have the viability implication of the policy been assessed or taken into account in formulating the policy. The proposed requirement should be deleted.	The proposed modification should be deleted.
24315	Boyer Planning on behalf of East of England Co-operative Society	20. DM8	Object	Policy DM8 (Heritage Assets and Conservation) has been modified in order to specifically include both Designated and Undesignated Assets. A number of additions are made to widen the scope of the policy. As with Policy CS4 above, whilst the intentions of the Council to safeguard the historic environment are acknowledged and supported in principle, this should not place additional unnecessary restrictions upon development, particularly in relation to key sites, such as the redevelopment of the Mint Quarter (with reference to site IP048).	The Society objects to the addition of a new third paragraph to Part a. of Policy DM8 which states that 'the Council will resist the demolition or partial demolition of both designated and undesignated heritage assets as outlined in paragraph 133 of the National Planning Policy Framework'. This paragraph is considered to be in conflict with paragraph 133 of the NPPF which only makes reference to substantial harm or total loss of significance of a designated heritage asset (as opposed to a non-designated heritage asset as referenced within the policy modification). Policy DM8 should be in conformity with paragraph 135 of the NPPF which seeks a balanced approach to the determination of an application in relation to a non-designated heritage asset. The Society considers that the additional third paragraph to Part a. of

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					Policy DM8 should be amended to delete reference to undesignated heritage assets.
24316	Boyer Planning on behalf of East of England Co-operative Society	28. DM29	Object	The modified policy appears to require contributions towards both on-site and off-site open space and facilities regardless of local circumstances. This could result in an over provision at a local level, which may unnecessarily reduce land available for other uses - particularly at a time when there is a need to significantly boost the housing land supply. It is also unclear how viability will be factored into the process. The NPPF paragraph 174 requires that the cumulative impact of standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle.	The Society objects to the modified policy because it appears to require contributions towards both on-site and off-site open space and facilities regardless of local circumstances and existing provision. This could result in an over provision of open space at a local level, which may unnecessarily reduce land available for other uses - particularly at a time when there is a need to significantly boost the housing land supply. It is also unclear how viability will be factored into the process and to what extent flexibility may exist in terms of the levels of open space provision when the viability of development is challenged. The NPPF paragraph 174 requires that the cumulative impact of standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle.
24327	CBRE and Mersea Homes	28. DM29	Object	The provisions of DM29 are not supported by a clear evidence base which should be made available in its entirety to allow the basis for the standards to be understood.	All available evidence should be published.

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24328	CBRE and Mersea Homes	29. DM30	Object	The additional policy requirements are not justified by evidence, and without that, should be deleted.	The additions relating to the nationally described standards should not be included.
24392	CBRE and Mersea Homes	30. DM31	Support	We support the proposed wording which would allow a wider range of development proposals to contribute towards Habitats Directive mitigation.	
24313	Gladman Developments	34. DM34	Object	<p>Concerned that the policy creates a 'presumption against development' in many areas between the existing built-up settlement of Ipswich and the borough boundary.</p> <p>The second part of the policy sets out that proposals for development in the countryside should, amongst other things, "maintain the separation between Ipswich and surrounding settlements". Gladman believe that policies which seek to protect gaps between settlements are not consistent with the Framework. Gaps between settlements can be protected under Green Belt policy (it being one of the main purposes) but not through restrictive blanket countryside policies.</p>	<p>Gladman continue to recommend that this policy needs to be significantly revised to provide a more permissive approach to development in the open countryside in line with the Framework. We suggest the following rewording to this element of the policy:</p> <p>"Development in the Open Countryside adjacent to existing settlements will be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development."</p>