

**Statement of Common Ground between
Ipswich Borough Council as Local Planning Authority**

and

East Suffolk Council

5th June 2020

Scope

1. This Statement of Common Ground identifies areas of agreement and seeks to find a way forward on a number of the matters raised in the East Suffolk Council representations to the Final Draft Ipswich Local Plan (Regulation 19). East Suffolk Council has identified areas of the Plan which would benefit from modifications in respect of matters which relate to the Ipswich Strategic Planning Authorities (ISPA) Statement of Common Ground.
2. This Statement of Common Ground sets out suggested changes to address issues raised by East Suffolk Council in their representations, in a Table overleaf.
3. The changes suggested are to address the resolution of issues. At a later stage, the agreed changes will need to be assessed under Sustainability Appraisal.

Objectives

4. The objective of this Statement of Common Ground is to secure agreement between the parties to resolve a number of issues that relate to the ISPA Statement of Common Ground to which both Councils are signatories. These refer to the Ipswich Borough Council Final Draft Plan ISPA strategic policies and to include appropriate effective wording in the relevant Development Management (DM) Policies, and to other relevant strategic policies:
 - ISPA2 - Strategic Infrastructure Priorities;
 - ISPA3 - Cross-boundary mitigation of effects on Protected Habitats and Species;
 - DM08 - The Natural Environment;
 - ISPA4 - Cross Boundary Working to Deliver Sites and Policy;
 - CS11 - Gypsy and Traveller Accommodation (in relation to short stay stopping sites).
5. Insertions are shown underlined and deletions are shown in strikethrough. The suggested changes to policy are outlined in Table 1 overleaf.

Table 1 – East Suffolk Council representations and potential amendments in the emerging Local Plan Review, Regulation 19

Rep ID No.	Policy /Chapter	Representation	Specific Amendment(s) Requested	Areas of Agreement (IBC suggested modification)
26390	ISPA2 - Strategic Infrastructure Priorities	The Council would like to highlight that the equivalent policy in the Suffolk Coastal Final Draft Local Plan (Policy SCLP2.2) includes reference to police, community safety and cohesion provision and green infrastructure and suitable alternative green space.	<p>It is suggested that Policy ISPA2 should also include reference to these strategic infrastructure priorities.</p> <p>This would align the policy with the Statement of Common Ground between the ISPA authorities which specifically references police, community safety and cohesion provision and green infrastructure and suitable alternative natural green space (SANG) as other strategic priorities.</p> <p>IBC will be aware that, following publication of the Ipswich Local Plan Review Final Draft, there have been recent announcements relating to the ceasing of the Ipswich Northern Routes Project.</p>	<p>Agreed that the policy should accurately reflect the strategic infrastructure priorities identified to align better with the ISPA SoCG and Policy SCL2.2 of the Suffolk Coastal Final Draft Local Plan.</p> <p>Change Policy ISPA2 to read:</p> <p>'Policy ISPA2 Strategic Infrastructure Priorities</p> <p>'The Council will work with partners such as the other local planning authorities in the ISPA, Suffolk County Council, Clinical Commissioning Groups, utilities companies, Highways England and Network Rail in supporting and enabling the delivery of key strategic infrastructure, and in particular the timely delivery of:</p> <ul style="list-style-type: none"> a) A12 improvements; b) A14 improvements; c) Sustainable transport measures in Ipswich; d) Improved cycle and walking routes; e) Appropriate education provision to meet needs resulting from growth; f) Appropriate health and leisure provision to meet needs resulting from growth; g) <u>Appropriate provisions to meet the needs of the police: community cohesion and community safety;</u> h) <u>Green infrastructure and Suitable Alternative Natural Greenspace (SANG);</u> i) Improvements to water supply, foul sewerage and sewage treatment capacity; and

26391	ISPA3 - Cross-boundary mitigation of effects on Protected Habitats and Species	<p>The Council is supportive of the commitment to address the issue of recreational impact avoidance and mitigation through continued joint working. This policy reflects the equivalent policy within the Suffolk Coastal Final Draft Local Plan (Policy SCLP2.3 'Cross-boundary mitigation of effects on Protected Habitats') and is considered by the Council to be sound.</p>	<p>The Council does however set out further related comments below in relation to Policy DM8: Natural Environment.</p>	<p>j) Provision of appropriate digital telecommunications to provide mobile, broadband and radio signal for residents and businesses.</p> <p>The Council also supports work to investigate the feasibility of an Ipswich Northern Route and the provision of increased capacity on railway lines for freight and passenger traffic, but these are not measures needed to enable the delivery of growth through this Local Plan.'</p> <p>Whilst East Suffolk Council has not recommended changes to ISPA3, for consistency with changes to DM8 the following modifications are supported.</p> <p>Policy ISPA3: Cross-boundary mitigation of effects on Protected Habitats and Species</p> <p>'The Council will continue to work with other authorities to address the requirements of the Recreational Disturbance Avoidance and Mitigation Strategy and implementation of mitigation measures for the benefit of the European protected sites across the Ipswich Strategic Planning Area. The Council will continue to work with other authorities over the plan period to ensure that the strategy and mitigation measures are kept under review in partnership with Natural England and other stakeholders.'</p> <p>It is proposed to amend paragraph 8.21 to clarify the position better between the strategy (which is a background specialist report) and the role of the SPD for the Borough in securing funds to mitigate the potential recreational impact of their development.</p>
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26422	Policy DM8 - The Natural Environment	The Council is supportive of this policy and the approach it takes.	The equivalent policy within the Suffolk Coastal Final Draft Local Plan (Policy SCLP10.1 'Biodiversity and Geodiversity') refers to the Recreational Avoidance and Mitigation Strategy (RAMS), and as such provides a development management approach to implementing the strategy which has been worked up on a cross-boundary basis. In this respect, to be effective,	<p>Amendments to paragraph 8.21 (ISPA3 supporting text) is therefore proposed to read:</p> <p>'8.21 Local authorities in the ISPA have been working collectively on the Recreational <u>Disturbance Avoidance</u> and Mitigation Strategy (RAMS) to mitigate the pressure caused by new developments on these designated sites. The partnership work, supported by Natural England, has established a strategy to <u>identify European Sites and develop mitigation measures to counteract potential recreational impact on them. mitigate the impacts and is due to be</u> This is supported by a Supplementary Planning Document, <u>adopted by the Borough Council</u>, that will provide further details in respect of cost implications and subsequent implementation <u>clarifying what is required from developers to mitigate any potential recreational impacts arising from their proposed new development.</u>'</p>
			In order to aid consistency, it is proposed to amend Policy DM8 to read: <p>'All development must incorporate measures to provide net gains for biodiversity.</p> <p>Proposals which would result in significant harm or net loss to biodiversity, having appropriate regard to the 'mitigation hierarchy', will not normally be permitted.</p> <p><u>Sites of International and National Importance</u></p> <p>Proposals which would have an adverse impact on European protected sites will not be permitted, either alone or in combination with other proposals, unless</p>	

	<p>Policy DM18 could be strengthened through reference to securing contributions to facilitate the implementation of the strategy.</p>	<p>imperative reasons of overriding public interest exist in accordance with the provisions of the European Habitats Directive;</p> <p>Sites of Special Scientific Interest (SSSI) will be protected from development, which directly or indirectly would have an adverse effect on their natural value. An exception will only be made where a proposed development:</p> <ol style="list-style-type: none"> could not be located on an alternative site that would cause less harm; would deliver benefits that clearly outweigh the impacts on the site's special interest and on the national network of such sites; and would compensate for the loss of natural capital. <p><u>Any development with the potential to impact on a Special Protection Area, or Special Area for Conservation or Ramsar site within the Borough will need to be supported by information to inform a Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017, as amended (or subsequent revisions).</u></p> <p><u>Financial contributions will be secured in relation to the avoidance and mitigation of impacts of increased recreation, to contribute towards the provision of strategic mitigation as established through the Recreational Disturbance Avoidance and Mitigation Strategy.</u></p>
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				<p><u>Where mitigation is proposed to be provided through alternative mechanisms, applicants will need to provide evidence to demonstrate that all impacts are mitigated for, including in-combination effects. Depending on the size and location of the development, additional measures such as Suitable Alternative Natural Greenspaces (SANGS) may be required as part of development proposals.</u></p> <p>Local Nature Reserves and County Wildlife Sites</p> <p>Planning permission will not be granted for development that would result in damage or loss in extent or otherwise have a significant adverse effect on Local Nature Reserves or Local Sites (locally designated County Wildlife Sites and geological sites), unless the harm can be mitigated by appropriate measures.</p> <p>Enhancements for protected sites will be required from new development.</p> <p><u>Priority Habitats and Species</u></p> <p>Development which could harm, directly or indirectly, species, which are legally protected, or species and habitats that have been identified as Species or Habitats of Principal Importance in England (also known as Section 41 or 'Priority' species and habitats) will not be permitted unless the harm can be avoided or mitigated by appropriate measures.</p>
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Development must include enhancements for protected and priority species as part of their design and implementation.

Enhancing Ecological Networks

The Council will enhance the ecological network across the Borough as identified on Plan 5. The designated sites are ranked 1 and 2 High Conservation Value. Within the remaining core areas of the ecological network and the corridors which link them, development proposals will be required to have regard to existing habitat features and the wildlife corridor function, through their design and layout, and achieve net biodiversity gains commensurate with the scale of the proposal, through measures such as retaining existing habitat features, habitat restoration or re-creation and comprehensive landscaping, which is appropriate to local wildlife. Development which that would fragment the corridor function will not be permitted unless there is adequate mitigation.

Within the buffer zones around core areas and corridors, development will be required to enhance the ecological network, through measures such as wildlife beneficial landscaping.'

Amendments to paragraph 9.8.2 to read:

'European sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). These sites are protected under the Birds and Habitats Directive (92/43/EEC). The Stour and Orwell Estuaries SPA and

				<p>Ramsar site lies partly within Ipswich Borough. Policy ISPA3 (Cross-boundary mitigation of effects on Protected Habitats and Species) sets out the Council's approach to working with other authorities and stakeholders to address the requirement of the Recreational Avoidance and Mitigation Strategy and implementation of mitigation measures across the Ipswich Strategic Planning Area. Listed or proposed Ramsar sites, potential SPAs and possible SACs and sites required in relation to compensatory measures for adverse effects on European sites are afforded the same level of protection as SACs and SPAs through the NPPF. The Conservation of Habitats and Species Regulations 2017 (as amended) set out requirements in relation to assessing projects that could potentially affect a European site. Where a significant effect on a European site cannot be ruled out proposals will need to be accompanied by an Appropriate Assessment. The assessment should be carried out in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). Where the assessment concludes negative effects on a site's integrity permission should only be granted where there are no alternative solutions and where the project must proceed due to imperative reasons of over-riding public interest. The source-pathway-receptor model will be used to assess the effects of proposed development on European sites. Assessments under the Habitats Directive have been undertaken in relation to the production of the Core Strategy and Policies DPD Review and the Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD. Mitigation measures have been identified through the RAMS Strategy and in some instances,</p>
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26392 & 26393	ISPA4 - Cross Boundary Working to Deliver Sites and Policy	<p>Supportive of the general principles of the policy however recommends changes to more closely align with Policy SCLP12.24 Land at Humber Doucy Lane in the emerging Suffolk Coastal Local Plan.</p> <p>The Council is supportive of the general principles of these policies (Policy ISPA 4 and CS2) regarding the development of the land at the northern end of Humber Doucy</p>	<p>It is suggested that policy for the development of the northern end of Humber Doucy Lane references the maintenance of separation between Ipswich and the surrounding settlements, for consistency with Policy DM11 'Countryside'.</p> <p>It is noted that Policy ISPA4 infers that SANGS will be required on both sides of the Borough boundary for the Humber Doucy Lane site. For clarity, and to enable the provision for any SANG to be considered through the project level Habitats Regulations</p>	<p>developer contributions may be sought in relation to these and/or additional mitigation measures identified through assessments at planning application stage schemes may need to incorporate measures in addition to a RAMS contribution which may include the provision of SANG. In such circumstances, measures should be identified through assessments at the planning application stage in accordance with the Borough Council's RAMS Supplementary Planning Document. The RAMS SPD reflects the Council's joint approach to securing mitigation allowable through the 2017 Regulations. Mitigation is a legal requirement.'</p>
				<p>Policy ISPA4 should be changed in or to be better complaint with the ISPA Statement of Common Ground.</p> <p>Change Policy ISPA4 to read:</p> <p>'Ipswich Borough Council will work with neighbouring authorities to master plan and deliver appropriate residential development and associated infrastructure on identified sites within the Borough but adjacent to the boundary, where cross boundary work is needed to bring forward development in a coordinated and comprehensive manner. In order to meet housing needs within the Borough boundary as far as possible, the Council identifies a cross-border allocation for future development of 23.62ha of land within Ipswich Borough in 4 parcels forming ISPA4.1 for future housing growth and associated infrastructure improvements at the northern end of Humber Doucy Lane adjacent to Tuddenham Road. The allocation is shown on the</p>

		<p>Lane. This approach is complimentary of the Suffolk Coastal Final Draft Local Plan (Policy SCLP12.24), and along with other policies and site allocations in the Ipswich Local Final Draft contributes the outcome outlined within the Statement of Common Ground of each local planning authority meeting housing needs within their own area. In particular it supports the 30% affordable housing requirement of Policy ISPA4 which appropriately complements the affordable housing policy (SCLP5.10 'Affordable Housing on Residential Developments') in the Suffolk Coastal Final Draft Plan.</p>	<p>Assessment (HRA), and to be reflective of the plan level HRA, it is considered that the Policy could provide an appropriate level of flexibility by not specifying that SANG be located on both sides of the Borough boundary. In addition, East Suffolk has included as a criterion in Policy SCLP12.24 'Land at Humber Doucy Lane' of its Final Draft Suffolk Coastal Local Plan, provision of an early years setting on site if needed. To be effective its recommended that this is replicated in Policy ISPA4 of the Ipswich Local Plan Review Final Draft.</p>	<p>accompanying site sheet for this policy. Development here will substantially need to be appropriately phased with the delivery of the Ipswich Garden Suburb and its associated infrastructure.</p> <p>It will require land and infrastructure works and green infrastructure (including Suitable Accessible Alternative Natural Greenspace) to be provided comprehensively as part of the joint master planning, on both sides of the Borough boundary outside Ipswich Borough in order to come forward. Development would be planned and delivered comprehensively and would be master planned jointly with land within East Suffolk Coastal District Council where this is as identified through the Suffolk Coastal Local Plan. Development will include at least 30% affordable housing provision. The percentage and mix will be determined through the master planning process, having regard to policies CS8 and CS12 and the Suffolk Coastal Area Local Plan affordable housing requirement applied to the portion of the site falling within East Suffolk.</p> <p><u>The development must respect the maintenance of separation between Ipswich and the surrounding settlements which is important to the character of the area.</u></p> <p>New homes would be limited to south of the railway line and adjacent to the urban area. The design, layout and landscaping of the development should be carefully designed to preserve the setting of the nearby listed buildings. Infrastructure requirements would include the following but may include other infrastructure which will</p>
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be determined as part of the joint master planning process:

- a. Primary school places and an early years setting to meet the need created by the development;
- b. Replacement sports facilities if needed to comply with policy DM5;
- c. A layout and design that incorporates a 'green trail' walking and cycling route around the edge of Ipswich which also contributes positively to the enhancement of strategic green infrastructure to deliver benefits to both people and biodiversity and to help new developments deliver biodiversity net gain; and
- d. Transport measures including highway and junction improvements on Humber Doucy Lane and Tuddenham Road, walking and cycling infrastructure to link to key destinations including the town centre, and public transport enhancements.'

The Policy ISPA4 that was approved by Full Council on 8 January 2020 had already addressed concerns that the location of key infrastructure could be on either side of the district border and has underlined that the location of such infrastructure requirements will be determined through comprehensive joint master planning. This was designed to address concerns about identifying locations for such infrastructure in advance of this master planning having taken place.

In addition, in paragraph 8.24 in the supporting text as approved for consultation by Full Council, it goes on to say '.....It is essential that the two authorities work together to provide a comprehensive approach to the land as planned development'. In supporting text in

			<p>paragraph 8.29 it states: '... The Council will outline expected infrastructure provision of both green infrastructure and built infrastructure required as part of the joint agreed master- planning process to the cross-border Humber Doucy Lane sites.....' which hopefully addresses East Suffolk concerns.</p>	
26393	General point re. SANGs	Reference to SANGs as Suitable Accessible Natural Greenspaces should be changed to Suitable Alternative Natural Greenspaces to reflect the meaning of the term SANGs.	N/A	All references to SANGs will refer to Suitable Alternative Natural Greenspaces rather than Suitable Accessible Natural Greenspaces to reflect the correct meaning of the term SANGs.
26397	CS11 - Gypsy and Traveller Accommodation	The Council notes that the Policy includes a reference to developing a short stay site between Ipswich and Felixstowe. Whilst this approach was identified in the adopted IBC Core Strategy and Policies DPD (2017), the authorities in Suffolk are working together to deliver sites to meet the needs identified in the Accommodation Needs Assessment (this identified a need for two to three sites in the study area which covers	The policy should appropriately apply some flexibility in meeting the needs for short stay stopping sites in order to be effective and consistent with the approach adopted in the ISPA Statement of Common Ground.	In order to for Policy CS11 on Gypsy and Traveller Accommodation to more closely reflect the ISPA Statement of Common Ground, in terms of the approach to transit provisions, it is proposed that the third from bottom paragraph in the policy is amended to read: '..... The Council will work with Suffolk County Council and other local authorities within Suffolk to develop South Suffolk transit (short stay) site between Ipswich and Felixstowe deliver identified needs for short stay stopping sites within Suffolk.

		the ISPA authorities plus the former Waveney part of East Suffolk).		
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Signatures

Signed *C Dawson-Dulieu*

Name CLARE DAWSON-DULIEU

Position LEAD LAWYER

Date 08/06/2020

Ipswich Borough Council

Signed *Mulley*

Name Philip Ridley

Position Head of Planning and Coastal Management

Date 5th June 2020

East Suffolk Council