

Ipswich Local Plan Review 2018-2036 Examination

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By email via the Programme Officer

Dear Mr. Fulcher,

Examination of Ipswich Local Plan Review 2018-2036 Initial Questions to the Council

Further to your submission of the Ipswich Local Plan Review (ILPR), as the jointly appointed Inspectors for the examination, we have commenced initial reading of the plan, the supporting evidence base and representations.

Based on what we have read so far, we have a number of initial questions and requests for further information and clarification, which are set out below. The Council's response to these points will help to inform the matters, issues and questions (MIQs) for subsequent discussion at the hearings and the remaining timetable for the examination.

As the plan is written in two parts – the Core Strategy and Policies Development Plan Document (DPD) and the Site Allocations and Policies DPD – for ease of reference we refer to these jointly as the ILPR or separately as the CSP and SAP respectively.

Representations and Main Modifications

1. Firstly, we are grateful for the spreadsheet providing the Council's responses to representations on the publication version of the ILPR, prepared at our request. This will need to be uploaded to the examination website for interested parties to view. The spreadsheet references proposed main modifications (MMs) in response to a number of the representations, set out in the SsoCG. We have been asked by the Council to recommend any modifications necessary to ensure the ILPR is legally compliant or sound. Therefore, we would be grateful if the Council would prepare a separate schedule of proposed MMs for our consideration as part of the examination. This should include MMs identified in the SsoCG and the spreadsheet, and any other changes identified by the Council that materially affect the policies in the ILPR, such as the missing clause in Policy CS10. The Proposed MMs schedule would become a live document, to be added to throughout the examination process.

Topic Papers

2. We are also grateful for the addendums to the Topic Papers on Economy (D55), Retail (D59), Ipswich Garden Suburb (D57) and Air Quality, Transport and Green Infrastructure (D58), prepared in response to our earlier informal request to incorporate the more recent evidence on these topics in the core documents (CDs), where this has informed the submission version of the ILPR. These should be added to the CDs list in place of the January 2019 versions.

Duty to Co-operate

3. The CDs include a series of Statements of Common Ground (SsoCG), which are referenced as providing evidence to demonstrate the Council's compliance with the Duty to Co-operate (DtC) in Table 1 of the Statement of Compliance with the DtC (CD A13). Several of the SsoCG were submitted in draft, but were not signed at the point of submission (CDs A23 and A26-29). The explanatory notes to these advise the Council's intention to submit updated versions before the examination hearings. Last week we received signed SsoCG between the Council and the NHS/CCG (A23) and with Babergh and Mid Suffolk Councils (A26) for which we are grateful. These will need to be added to the list of CDs on the Council's website. The Council has previously informally indicated the remaining SsoCG (with Historic England and Suffolk County Council) will be submitted by 11 September 2020, but we would be grateful for formal confirmation from you of when final signed versions of these will be submitted. The important point to make is that the DtC relates to the preparation of the plan up to submission and cannot be rectified post-submission. We recognise the challenges in securing progress on the outstanding SsoCG following the introduction of COVID-19 restrictions. However, if the outstanding SsoCG are to carry weight as evidence of the DtC, they will need to be signed as an agreed position between the parties of work undertaken up to the submission of the ILPR.

Other Legal Compliance Matters

4. Section 19(1) of the Planning and Compulsory Purchase Act (the Act) requires DPDs to be prepared in accordance with the local development scheme (LDS). Given the Council's decision to delay submission of the ILPR due to the COVID-19 restrictions, is there a need for its LDS (CD A15) to be amended to ensure it aligns with the submission date of June 2020?
5. The requirements on the availability of documents in Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) have been amended to take account of current pandemic restrictions. As of 12 August 2020, the need to make the submission documents available for public inspection at the Council's offices has been temporarily removed, relying on their availability via the Council's website. We note the submitted Statement of Community Involvement (SCI)(CD A14) still states that submission documents will be available to view at the Council's offices. Section 19(3) of the Act requires DPDs to be prepared in compliance with the SCI. The Planning Practice Guidance (PPG) encourages authorities to update their SCIs

where policies are inconsistent with the latest COVID-19 guidance¹. Has the SCI been updated accordingly and what steps has the Council taken to ensure sections of the community without access to the internet can continue to be engaged in the examination process?

6. Does the ILPR clearly identify which policies are strategic as required by paragraph 21 of the National Planning Policy Framework (NPPF)? With reference to the same paragraph have any Neighbourhood Plans been 'made' in the Borough?
7. We note the Council's response to the representation from Bloor Homes on the Sustainability Appraisal (SA), that whilst some of the sites proposed within the ILPR are not in complete alignment with the Spatial Option 1, the spatial strategy in the ILPR follows Option 1 closely. However, the spatial strategy set out in Policy CS2 of the CSP is based on a combination of regeneration in the town centre, Waterfront and Portman Quarters, and sustainable urban extensions (SUEs) at Ipswich Garden Village and Humber Doucy Lane, with more than 50% of the allocated housing proposed at the SUEs, whereas Spatial Option 1 in the SA is based on higher density urban regeneration. Therefore, does the SA provide the necessary justification for the spatial strategy proposed in the ILPR? If not, is further work required, for example, a separate appraisal of the proposed spatial strategy? If so, this could be done as an addendum to the SA.

Infrastructure

8. The Core Strategy contains a suite of policies to secure infrastructure to support the delivery of development proposed in the plan (CS17-CS20). However, other than the Infrastructure Delivery Plan for Ipswich Garden Suburb, we have been unable to find an infrastructure assessment or delivery plan to evidence borough-wide infrastructure needs and how they will be delivered. The Council has indicated it relies on Table 8A of the CSP for evidence on infrastructure and is preparing an Infrastructure SoCG with Suffolk County Council. We are unclear at this stage about the level of detail to be contained in the SoCG, but guidance is set out in the PPG², which states that evidence should assess the quality and capacity of infrastructure, its ability to meet forecast demands, and how any deficiencies will be addressed. It recommends that strategic policy-making authorities should prepare an Infrastructure Funding Statement when preparing a plan. We would be grateful for your explanation of the evidence prepared to comply with these requirements.

Housing Requirement and Land Supply

9. We note the contents of the Addendum to the Topic Paper on Reviewing the Ipswich Housing Figure (CD D52), in respect of the latest standard method calculation of local housing need (LHN) for Ipswich and the stepped trajectory. Is the Council now proposing a main modification to Policy CS7 of the CSP to increase the overall housing requirement for Ipswich to 8,280 dwellings for the plan period and the stepped requirement to 540 dpa for the period 2024-2036?

¹ Reference ID: 61-077-201200513 and 61-078-201200513

² Paragraph: 059 Reference ID: 61-059-20190315

10. What bearing, if any, will the proposed changes to the standard method for assessing LHN, set out in the Government's recent consultation on changes to the planning system (August 2020), have on the housing requirements for Ipswich in the ILPR?
11. We note the Housing Trajectory for 1 April 2019 at Appendix 1 to the Topic Paper on Reviewing the Ipswich Housing Figure. However, paragraph 73 of the NPPF expects strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and for plans to set out the expected rate of development for specific sites. Does this require main modifications to Policy CS7 of the CSP and inclusion of the detailed housing trajectory in the Appendices to the CSP?
12. Does the Housing Trajectory accurately reflect the likely start dates, build out rates and completions for each of the allocated sites? If so what evidence is there to support their deliverability and developability within the timescales set out in the trajectory and has the Council agreed SsoCG with site promoters and/or developers in relation to the delivery of each site?
13. We are concerned to note that the Topic Paper addendum indicates the ILPR would only just be able to demonstrate a supply of 5 years' worth of deliverable housing sites against the housing requirement with a 20% buffer. What contingency is there for the release of additional housing sites in Ipswich should the delivery of any of the allocated or permitted sites stall during the first 5 years, to avoid a shortfall in the rolling 5 year supply?

Gypsy and Traveller Accommodation

14. Policy CS11 of the CSP identifies a need for 27 additional permanent pitches to meet the gypsy and traveller accommodation needs in the Borough during the Plan period, including a 5 year requirement for 13 permanent pitches. However, the ILPR does not appear to allocate any sites to meet this need. We note the proposed modifications to Policy CS11 in the SsoCG agreed with Babergh and Mid Suffolk Councils, but as amended the policy merely commits the Council to a review within 5 years if progress on finding sites is not made. As it stands we do not consider the ILPR complies with national policy in paragraph 10 of the Planning Policy for Traveller Sites (PPTS). We would be grateful for the Council's comments on how this would be addressed as part of the examination.

New Use Classes Order

15. What bearing do the changes to the Use Classes Order, which come into effect on 1 September 2020, have on the soundness of the ILPR? In particular, we refer to policies allocating sites for specific town centre, business and leisure uses, which will come under the new single Class E, and policies seeking to control the mix of uses within town and district centre shopping frontages. How would these changes also affect the ability of the ILPR to deliver the quanta of retail floorspace and employment land required within the plan period in Policies ISPA1, CS10, CS13 and CS14 of the CSP?

COVID-19

16. We note the Council's COVID-19 Statement (A22). What implications, if any, does the Council anticipate there will be for the strategy and policies of the ILPR as a result of the COVID-19 pandemic? For example, implications for the delivery of site allocations; changes in the geography of employment including increased home working; forecasts of future need for retail and other commercial floorspace; the future mix of uses within centres; open space requirements; and transport infrastructure.

Site Allocations

17. Whilst we note that chapter 4 of the SAP and the associated Appendices 3 and 4 follow a similar format to the current adopted local plan, we have a number of concerns about the content of this part of the ILPR, in terms of its clarity and the status of the site information:
- a) What is the status of the Site Allocation Details and Site Sheets in Appendices 3A and 3B? It is not clear whether they constitute policy, explanatory text or information. It is also difficult to distinguish what are development constraints, which should be set out in policy, and what are issues for information.
 - b) Likewise, the status of the data contained in Tables 1-6 listing the site allocations is unclear. In Tables 1 and 2 it appears to be for information, but in Tables 3-6 is to guide development of the allocations. It also duplicates some of the information in the Site sheets in Appendices 3 and 4.
 - c) The site numbering and ordering in Tables 1-6, Policies SP4 and SP8 and Appendix 3 is confusing, as sites are not sequentially numbered and are not always listed in ascending site number order (e.g. Table 3 where sites IP004, 043, 051, 119 and 132 appear at the end of the table; likewise sites IP037 and 029 in Table 6).
 - d) For sites allocated for a mix of uses, separation of those uses into separate land allocation policies and tables, makes it difficult to find all of the information relating to a site (e.g. Site IP037 is identified in Appendix 3B for residential, amenity green space, employment, retail and education, but the employment allocation does not appear in Policy SP5). The complexity of the site numbering does not assist this.
 - e) What is meant by delivery timescales S, M and L in Table 1 Policy SP2 and Table 2 Policy SP3, in terms of during which years of the plan period sites will be delivered?

Paragraph 16 of the NPPF expects plans to contain policies which are clearly written and unambiguous, so it is evident how the decision maker should react to development proposals. We would invite the Council to consider how the site allocations policies, tables and site sheets could be simplified to comply with this requirement. In particular, we would expect any site specific development constraints, which are to be taken into account by the applicant and decision maker in determining proposals, to be set out in site allocations policies.

IP-One Area Action Plan

18. We have some concerns about the clarity and status of chapter 5 of the SAP and the IP-One Opportunity Areas:

- a) The title of the SAP suggests that it incorporates an Area Action Plan (AAP) for the IP-One area, but it is unclear whether chapter 5 and Part C constitute the AAP or the policies and guidance on which the AAP is to be based. Paragraph 5.1 states that an AAP is needed for this area, but not whether chapter 5 and Part C comprise the AAP.
- b) The status of the development opportunities, development principles and supporting text for each Opportunity Area in Part C is unclear. Should the development opportunities and development principles be set out in a policy for each Opportunity Area in the AAP?
- c) There is overlap between Policies SP11-13 for the principal quarters in the IP-One Area, the development options for each Opportunity Area within Part C and the site allocations in Policies SP2-SP9 which relate to sites within these areas. Is it clear anywhere in the ILPR how these respective quarters, areas, options and allocations relate to each other?

Again, we would invite the Council to consider how the content of the AAP could be clarified and simplified to comply with expectation of paragraph 16 of the NPPF. As above, we would expect any site specific development constraints to be set out in site allocations policies.

Hearings

19. We anticipate there will be a need for a number of focussed hearings on the key strategic issues of the plan, site allocations and some of the policies. At present, due to the restrictions on public gatherings under the Government's COVID-19 rules, the Planning Inspectorate is only running hearings as virtual events, where all attendees participate through video conferencing or telephone. From October 2020 it is possible that PINS will start to hold blended events, with a combination of virtual participation, and physical attendance in one or more locations, subject to satisfactory health and safety procedures. It looks likely that the earliest we could hold the hearings in either format would be November 2020, allowing time for the Council to respond to these initial questions and a 6-week notice period for the hearings. But at this stage we would be grateful for the Council's comments on its capacity to host hearings virtually or physically, including which video conferencing platform you can support, whether live streaming of the hearings would be possible and whether there would be venues large enough to hold hearings with physical attendance, whilst complying with COVID-19 rules on social distancing for public gatherings. Even if the Council's preference is to hold them as blended events, we think it would be necessary to ensure the hearings could be held virtually as a contingency should there be any changes in national or local procedures for the pandemic.

We would be grateful for your initial response to this letter by Friday 4 September 2020. However, if further work needs to be undertaken to enable the Council to respond fully to any of the questions and issues raised, please let us know a timetable for the completion of that work. Please would the Council also upload this letter to the Council's website as an examination document.

We are pleased to say the ILPR Submission page on the website works well, including the links to CDs. We think it would be appropriate now to

create a separate webpage for the Examination, with a link from the Submission page, to include the Inspectors' names and Programme Officer (PO) details, together with updated text on 'What happens next' and a link to CDs and Examination Documents. Please liaise with us on the updated text via the PO.

In the meantime we will continue with our initial reading of the plan and evidence base and preparation of MIQs and a draft programme for the hearings. If we have any further initial questions we will forward these to the Council as soon as possible.

We look forward to hearing from you.

Yours sincerely,

Karen L Baker

INSPECTOR

Mike Hayden

INSPECTOR