

Ipswich Borough Council Local Plan Review 2018 – 2036

Response to Matter 8 – Development Management Policies

Issue: Issue: Whether the development management policies are justified, positively prepared, effective and consistent with national policy?

November 2020



Planning Policy
Ipswich Borough Council
Grafton House
15-17 Russell Road
Ipswich
IP1 2DE

planningpolicy@ipswich.gov.uk

www.ipswich.gov.uk/localplan

Tel: 01473 432019

Sustainable Construction and Low Carbon Energy

225. Is Policy DM1 effective and consistent with national policy with regard to sustainable construction?

Policy DM1, is effective and consistent with national policy. It requires developments to meet the Target Emission Rate of the 2013 Edition of the 2010 Building Regulations (Part L) and to meet water efficiency standards as set out in Part G of Schedule 1 and regulation 36 to the Building Regulations 2010, (as amended).

The Council expects new build residential development to achieve a 19% improvement in energy efficiency over the 2013 Target Emission Rate in accordance with the March 2015 Ministerial Statement.

Paragraph 165. of the NPPF states that '*major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*' Policy DM1 of the ILPR, expects developments to incorporate sustainable drainage measures in line with the NPPF.

Policy DM1 provides detail on how sustainable buildings can be delivered through the improved standards for energy and water use, and BREEAM ratings for non-residential development. The Plan is not prescriptive about how developers should achieve these targets.

This approach encourages the conservation and efficient use of natural resources in order to work towards sustainable 'one planet' living in Ipswich as referenced in the supporting text of policy CS4.

226. Is the target, for all new build development of 10 or more dwellings or in excess of 1,000sqm of other residential or non-residential floorspaces, of at least 15% of energy requirements from decentralised and renewable or low carbon sources in Policy DM2 justified and effective?

The 15% requirement is equivalent to the now obsolete Code for Sustainable Homes Level 4. As a starting point for major developments, this represents a reasonable level. This accounts for approximately 3% of BCIS build costs in the Whole Plan Viability Assessment which in comparison to other specific policy requirements such as RAMS (ISPA3), biodiversity net increase (DM8), accessible housing (DM12) and electric vehicle charging point (DM21), is the highest development policy cost. Therefore, given the viability challenges within the Borough, increasing this percentage could negatively impact the viability of development

Transport and Access

227. Is Policy DM21 effective, justified and consistent with national policy in respect of transport and access in new developments?

The policy is effective as it provides criteria for the decision maker to apply to new developments. It will ensure that any growth of the Borough comes forward and reduces the impact of traffic generation. The application of this policy is justified and contributes towards meeting objectives 4, 5 and 6 of the ILPR, as well as securing modal shift across the wider ISPA. Policy DM21 is consistent with Chapter 9 of the NPPF. It has been drafted in consultation with Suffolk County Council as Highway Authority.

Car and Cycle Parking

228. Does Policy DM22 defer important policy matters relating to vehicle parking, including cycle parking, in new developments, to other policy documents, including the Suffolk Guidance for Parking (2019). Having regard to Regulations 5 and 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012 should these matters be included in the Plan?

The parking standards for all but central Ipswich (IP-One area) are set out in the Suffolk Guidance for Parking. Parking within the IP-One area is being addressed through the emerging Low Emissions Strategy SPD. Including the guidance within the Local Plan would introduce an inappropriate level of detail. Keeping the parking standards separate allows for updating. There is no statutory requirement that such matters should be included within the Local Plan.

229. Is the town centre car parking strategy in Policy SP17 justified and effective? Has consideration been given to its impact on climate change and air quality?

Policy SP17 is informed by the Ipswich Parking Strategy (CDL D41). A modification is proposed to the Policy through the SoCG with the SCC (transport and parking) – CDL I17¹. On street parking is not supported and additional temporary car parks will not be permitted nor will proposals to renew existing planning consents where the permanent provision has been delivered. The town centre parking strategy ensures that car drivers do not drive further across the town centre than necessary. Following the Implementation of the Ipswich Area Parking Plan parking will be located where it needs to be and by the end of the plan period there will be only an additional three spaces. This approach reduces the impact of car parking on the town centre and therefore has a positive impact on air quality and contributes to climate change mitigation. This approach has been agreed with SCC Highways.

230. Does Policy SP17 provide a clear indication of how a decision maker should react to a development proposal for car parking on the allocated sites

Yes. It identifies the site, the type of parking provision (long or short stay) which would be acceptable, and the quality standard expected.

Air Quality

231. Is Policy DM3 consistent with national policy in respect of the impact of new development on air quality?

Yes. The policy provides a framework which ensures development avoids creating new areas of air quality exceedance and avoids negative impacts on existing AQMAs. It clearly sets out mitigation requirements where development is likely to cause negative effects and makes appropriate reference to the AQA Plan. The supporting text refers to the draft Low Emissions SPD (CDL I36) which was approved for public consultation on 6th October 2020. The SPD

¹ SoCG SCC Highways Authority -

https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/site_allocations_and_policies_dpd_revision_final_draft.pdf

provides detailed guidance on appropriate levels and types of mitigation for development of varying sizes and locations.

Heritage Assets

232. Is Policy DM13 consistent with national policy and effective in respect of its approach to heritage assets?

Policy DM13 refers to different types of heritage asset, namely Listed Buildings; Conservation Areas; Registered Parks and Gardens and Non-designated Heritage Assets. The Policy references appropriate levels of preservation for these heritage assets, consistent with national policy. The Policy has been prepared in close consultation with, and to the satisfaction of, the Council's Historic Environment Officers. No objections have been raised by Historic England regarding the consistency of the policy with national policy.

233. Is Policy DM13 justified and effective, particularly in respect of the reference to the removal of permitted development rights and the inclusion of reference to the use of SPD to inform planning decisions?

The Council acknowledge that permitted development rights should only be removed where there is a real or specific threat. This approach is supported by Historic England in their Historic Advice Note on Conservation Area Appraisal, Designation and Management. It is appropriate to signpost relevant SPDs within Policy. The NPPF states that SPDs are material planning considerations and should be used to provide further development guidance on policy issues. The Policy has been prepared in close consultation with, and to the satisfaction of, the Council's Historic Environment Officers. Historic England have raised no objections to Policy DM13. The Council therefore considers the Policy to be both justified and effective.

234. Is the Plan effective and consistent with national policy in respect of the impact of the policies and proposals on heritage assets.

The ILPR has regard to heritage assets within Ipswich, through the inclusion of specific and detailed policies to protect these assets. Within the Core Strategy and Policies DPD Policy CS4 sets out the strategic approach to conserving and enhancing the Borough's built heritage, natural and geological assets. Policy DM13 provides detailed policy for the consideration of planning applications. Policy DM14 sets out requirements for development proposals which may disturb remains below ground. Within the Site Allocations DPD, the historic environment is addressed in a number of ways. The site sheets identify the historic environment constraints needed to be taken into consideration in site redevelopment. The site sheets constitute guidance and are linked to the Site Allocation Policies. In addition, any specific individual site requirements form part of the SP Policy. The IP-One Opportunity Area guidelines in Chapter 6 also identify heritage assets which development proposals will need to consider.

Conservation Area Character Appraisals are in place for all the conservation areas and these are reviewed regularly under the Planning (Listed Buildings and Conservation Areas Act 1990. Conservation Officers are conducting a comprehensive review of all of the borough's conservation areas and working on reappraisals to reflect Historic England's latest guidance. The Council has also adopted the Ipswich Urban Characterisation Study Supplementary Planning Document (CDL - G9-G16) covering the entire town outside the conservation areas to explore the character and interest of these areas and provide design guidance to support the management of future development. A comprehensive Urban Archaeological Database

has been prepared and supported through an interactive Development and Archaeology SPD. The Council therefore benefits from a number of adopted heritage and design documents which have supported the preparation of the ILPR.

Historic England have been formally consulted at every stage of consultation on the emerging ILPR. The Council met with Historic England following the Issues and Options stage to start discussions on the historic environment and approaches for the plan review. Through a series of constructive meetings between the Historic England and Ipswich Borough Council on the 30th June 2020, 1st September 2020 and 21st September 2020 and subsequent email exchanges, the two parties have successfully resolved the outstanding issues through a signed SoCG (CDL - I30).²

Open Space, Sport and Recreation

235. Should Policy CS16 apply to all developments, including those involving high density residential schemes within the IP-One Area?

Yes. It is important that all new development within the Borough contributes to improving biodiversity and providing useable open space for residents in line with the NPPF. Creative solutions for open space provision and achieving biodiversity net gain include providing roof terraces, green/blue roofs and green walls. Policies DM6 and DM8 provide sufficient flexibility where this cannot be viably achieved. This is acknowledged in the Local Plan through the final paragraph of Policy CS16.

236. Is the provision of private outdoor amenity space in all new residential developments in Policy DM7 justified, effective and consistent with national policy?

Paragraph 127 of the NPPF states that planning policies should ensure developments ‘create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.’ Building for Life 12 and The National Design Guide provide further information on successful layout and design of outdoor amenity space. Policy DM7 complies with this advice.

The provision of suitable private outdoor amenity space plays a vital role in the health and well-being, something that has been highlighted by the current Covid-19 crisis. The Ipswich Borough Council Space and Design Guidelines SPD (CDL G5) ³ suggests that private garden spaces are “*key to the creation of a sustainable residential environment, in terms of contributing to liveability, recreation and health, to urban greening, and the preservation or enhancement of local biodiversity*”.

The Health Impact Assessment (CDL A9)⁴ identifies positive potential impacts in Policy DM7 on physical and mental wellbeing, addressing local inequalities, enhancing biodiversity and promoting access to community based healthy eating initiatives. Policy DM7 also includes provision for private outdoor amenity space.

Therefore, the Policy is justified and compliant with national guidance and offers flexibility.

² https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/i30_-_historic_england_socg_8.10.20.p

³ https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/space_and_design_guides_spd.pdf

⁴

https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/a9_health_impact_assessment_of_the_final_draft_ipswich_local_plan.pdf

237. Would the % of open space proposed on proposed mixed use sites in Policy SP6 accord with Policy DM6 in the CS?

Policy SP6 identifies sites needing a more specific policy approach for reasons specified in paragraph 4.28, primarily that the sites currently have a formal or informal open space function and are in areas where there is a deficit.

Policy DM6 of the Core Strategy states that *"in high density residential developments (defined in Policy DM23), the green space requirement will be a minimum of 15% of the site area, to compensate for the more limited amenity space in these developments and to provide an attractive setting for the buildings."* The Island site is allocated for 100dph on 70% of the site and is therefore considered a high-density development. As such, it is appropriate that 15% of the site is required as open space.

238. Is the requirement in Policy DM6 for the provision of open spaces, sport and recreation facilities in residential developments of 10 or more dwellings justified and effective?

Paragraph 96 of the NPPF suggest that access to high quality open spaces and sports and recreation facilities is *"important for the health and well-being of communities."* Policies should be based on assessments of local need.

The Public Open Space SPD 2017 identifies that by 2021 all geographical areas (committee areas) within Ipswich will have a deficit of most open space typologies including amenity green space and outdoor sports provision. Open space can perform multiple functions including improving physical and mental health, providing habitat and enhancing biodiversity, creating green corridors for active travel and contributing to successful SuDS.

Ipswich has a higher proportion of children and adults who are overweight than the rest of the county. Access to open green space allows for greater levels of physical activity, improving the health and wellbeing of the population. Open green space can also help to mitigate against the effects of climate change. Tree planting can act as a source of carbon sequestration and open space can double up as SuDS solutions to mitigate flood risk.

Green Infrastructure and the Natural Environment

239. Is Policy DM8 on the Natural Environment consistent with national policy, particularly in respect of securing biodiversity net gains?

Para 170 of the NPPF states that planning policies should protect and enhance valued landscape and sites of biodiversity or geological value. Policy DM8 sets out guidance in compliance with the NPPF.

The Policy states that proposals that have an adverse impact on European protected sites will not normally be permitted. This is in line with para. 177 of the NPPF. Protection of SSSIs is also applied through Policy DM8 in line with para. 175 of the NPPF. Para.174 of the NPPF states that plans should 'promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species' and Policy DM8 reflects this.

Para 170. of the NPPF also states that planning policies should enhance the natural environment by ‘minimising impacts on and providing net gains for biodiversity’. Policy DM8 of the ILPR states that all development must incorporate measures to provide net gains for biodiversity in line with the NPPF.

240. Is the proposed change to Policy DM8 set out in the SoCG with East Suffolk Council [A25] to include a reference to the RAMS justified?

As competent authorities under the Habitats Regulations, the local authority needs to ensure that plans and projects under its jurisdiction do not lead to adverse effects on the integrity of European Sites. The plan level HRAs identified risks to European Sites as a result of increased housing, which could lead to additional recreation pressure on the European Sites. The RAMS is a means by which sustainable housing growth can be delivered in Ipswich Borough whilst at the same time adequately protecting European Wildlife Sites from harm that could otherwise potentially occur because of increased recreation pressure arising from the new housing growth. The RAMS SPD was formally adopted in February 2020, and as such it is appropriate to include reference to it within the Policy.

241. Does Plan 5: Ipswich Ecological Network, represent the most up to date wildlife audit?

The Council has submitted an amended version of Plan 5: Ipswich Ecological Network though its proposed main modifications. The amended Plan 5 reflects the most up to date wildlife audit.

242. Are the Green Corridors identified in Policy DM10 justified and effective?

The Green Corridors link open spaces and provide walking, cycling and riding routes. Development within the green corridors should maintain and where possible enhance the corridors’ amenity, recreational and green transport function. Green links can play a vital role in the health and well-being of Ipswich’s residents, something that has been highlighted by the current Covid-19 crisis. The Policy has been adapted from the adopted ILPR and has proved effective to date in helping to secure the delivery of green links within the Borough. The Council has plans to develop a more detailed map of the green corridors based on rights of way, permissive routes and open spaces. Plan 6 identifies the broad locations only. The Council has also secured a commitment from neighbouring local authorities to address provision of green infrastructure where the green trail falls outside of the Borough boundary. They can also have a positive impact on biodiversity.

243. Is the change proposed by the Council to the supporting text to Policy DM11, to reflect the appropriate consideration of the setting of the AONB, justified and consistent with national policy?

Paragraph 172. of the NPPF states that “*great weight should be given to conserving and enhancing landscape and scenic beauty*” in AONBs and that the “*scale and extent of development within these designated areas should be limited.*” There is no explicit reference to the setting of the AONB.

The Natural Environment PPG however, states that land within the setting of AONBs “*often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm.*” Therefore, development within the setting of an AONB will “*need sensitive handling that takes these potential impacts into*

account.” Policy DM11 is compliant with guidance from the NPPF regarding development within the AONB, however, the Council proposes a modification to the text in paragraph 9.11.3 to reflect proper consideration of the AONB setting.

Design and Character

244. Are the requirements of Policy DM12 for 25% of new dwellings to be built to Building Regulations Standard M4(2) justified?

Yes. The ILPR requires 25% of new developments over 10 dwellings to be built to M4(2) accessible and adaptable standards. This will allow homes to be adapted to meet resident's changing needs overtime. The Plan acknowledges that the number of over 65s in the Borough will increase across the Plan period as identified in the SHMA but also that, overall, Ipswich has a younger population profile than the rest of the HMA. Provision of appropriate housing is therefore proportionate to need.

245. Would the changes proposed to the supporting text to Policy DM12 be effective in encouraging the installation of green roofs and walls?

The Council is highly supportive of urban greening. Policy DM12 supports the introduction of greener streets and spaces. The Policy could be made more effective in terms of encouraging green roofs in an urban setting, by specific reference to green roofs and walls. It is therefore proposed to add the following policy text to the end of point d “This could include green roofs, walls and other measures to ensure the urban environment becomes greener and healthier”.

246. Is Policy DM15 justified and effective in respect of the siting and design of tall buildings? Is the proposed change to Criterion i. set out in the SoCG with Historic England [I30.1] sufficient to ensure that the settings of conservation areas and scheduled monuments are safeguarded?

Policy DM15 is justified and effective. The proposed change to criterion i includes reference to the setting of conservation areas and scheduled monuments. Historic England considered this sufficient to safeguard these assets, as demonstrated through the Historic England SoCG⁵ (I30.1). The Council has also agreed amendments to the tall buildings map in the vicinity of the Willis Building and the churchyards of St Peters, St Mary at the Quay and St Nicholas Churches. Policies DM13 (Built Heritage and Conservation) and DM14 (Archaeology) also apply alongside DM15 to protect these historic assets.

247. Should Policy DM18 refer to technical guidance on overlooking in order to be effective?

DM18 identifies overlooking as a relevant factor in assessing unacceptable loss of amenity. Specific technical guidance on overlooking in this Policy is not required. The Council expects development to be designed to protect the privacy of occupants and advises that applications will be assessed on a case by case basis which may differ dependant on location, site orientation, and relative separation. This complies with the NPPF (para. 127) requirement to create places with a high standard of amenity for existing and future residents.

⁵Historic England SoCG https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/i30_-_historic_england_socg_8.10.20.pdf

Infill and Backland Residential Developments

248. Should Policy DM17 include reference to the unacceptable loss of semi-natural habitat?

No. Development affecting priority species is covered in Policy DM8 which states that *“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.”* Loss of a habitat which is supporting a priority species could be considered an indirect affect from a new development and therefore the development would not be permitted unless harm could be avoided or mitigated.

249. Does Policy DM17 unduly constrain the ability of the Borough to secure sufficient windfall housing to ensure the delivery of the projected housing land supply?

DM17 does not preclude backland development and there are many successful backland development schemes within Ipswich. Rather it ensures that neighbour amenity and other normal development management criteria are not adversely compromised. DM17 does not constrain windfall housing.

Protection and Provision of Community Facilities

250. Is Policy DM24 effective in terms of protecting community facilities given that several criteria need to be ‘demonstrated to the Council’s satisfaction’

Removing references to ‘demonstrated to the Council’s satisfaction’ in all criteria removes the requirement to assess evidence quality provided. The Policy is effective in terms of protecting community facilities as it requires the applicant to demonstrate that the facility is genuinely redundant, has been adequately marketed and is surplus to current and future requirements. The Council agree the Policy would be more effective without the wording, ‘demonstrated to the Council’s satisfaction’, and propose to make this modification.

Conclusion

The development management policies are justified, positively prepared, effective and consistent with national policy.

2,971 words (minus frontage page, questions and suggested modifications)

Suggested Modifications

Modification No.	Page of Final Draft Local Plan Review	Policy/ Paragraph of Final Draft Local Plan Review	Main Modification	Reason
8.1	Page 133	DM12 (d)	<p>Amend clause d to include specific reference to green walls and roofs:</p> <p>d. introduce greener streets and spaces to contribute to local biodiversity net gain, visual amenity, and health and well-being, and offset the impacts of climate change; <u>'This could include green roofs, walls and other measures to ensure the urban environment becomes greener and healthier;'</u>.</p>	To improve the effectiveness of Policy DM12 in terms of encouraging green roofs and walls in an urban setting.
8.2	Page 163	DM24 (ai)	<p>Delete 'to the Council's satisfaction' from DM24a i and insert 'clearly' - 'The Council will:</p> <p>a. Ensure existing community facilities are retained unless one of the following tests is met:</p> <p>i. The applicant can <u>clearly</u> demonstrate to the Council's satisfaction that the facility is genuinely redundant, adequately marketed and surplus to current and future requirements; or ii. Alternative provision of an equivalent or better facility is</p>	To ensure the effectiveness of Policy DM24.

			proposed or available within a reasonable distance to serve its existing users.....'	
8.3	Page 163	DM24	<p>Delete 'to the Council's satisfaction' from DM24 regarding public houses and insert 'clearly' as follows:</p> <p>'The Council will not grant planning permission for proposals for the change of use, redevelopment and/or demolition of a public house unless it is <u>clearly</u> demonstrated to the Council's satisfaction that:...'</p>	To ensure the effectiveness of Policy DM24.