

# Public Consultation on the Ipswich Local Plan Review 2018-2036 Proposed Main Modifications

9.00am 29th July 2021 to 11.45pm 23<sup>rd</sup> September 2021

## Note Accompanying Representation Forms

### 1. Introduction

Following the close of the Examination Hearing Sessions into the Ipswich Local Plan Review (ILPR) on Wednesday 16<sup>th</sup> December 2020, the Inspectors have confirmed to the Council in their [letter](#) dated 10<sup>th</sup> March 2021 that the Examination can proceed to a public consultation on the proposed Main Modifications.

The Council is therefore inviting representations on the proposed Main Modifications for an eight week period. The Main Modifications are intended to address issues of legal compliance and/or soundness. The tests of soundness are defined in paragraph 35 of the National Planning Policy Framework (NPPF 2021) which states that plans are sound if they are:

- a) positively prepared;
- b) justified;
- c) effective; and
- d) consistent with national policy.

### 2. Representations

**Representations must be received no later than 11:45pm on the 23rd September 2021.**

Late representations cannot be taken into consideration by the Inspectors.

The representations received by the Council on the Proposed Main Modifications will be passed to the Inspectors, who will consider them when preparing their final report on the Plan.

### 3. Consultation documents

Comments are invited on any of the following documents:

- Core Strategy and Policies Development Plan Document (DPD) Main Modifications Schedule
- Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document (DPD) Main Modifications Schedule
- Sustainability Appraisal of Main Modifications
- Habitats Regulations Assessment of Main Modifications

The Policies Map is not defined in statute as a development plan document and so the Inspectors do **not** have the power to recommend Main Modifications to it. The proposed changes will be made to the Policies Map upon adoption by the Council. However, the Council is inviting comments on the Policies Map proposed changes document below, alongside the consultation on the Main Modifications, for completeness:

- Policies Map and IP-One Area Inset Map Schedule of Proposed Changes

#### Additional evidence submitted during and after the Hearing

At the request of the Inspectors, the Council submitted a number of documents during and after the Hearing in response to issues raised in discussions at the Hearing. These are listed in section K of the Core Documents on the Examination website. The relevant references are:

- [K1 Suffolk County Council Local Cycling & Walking Infrastructure Plan Sept 2020](#)
- [K2 Clarification and Correction of Interest Calculation in Development Appraisals Nov 2020](#)
- [K3 Ipswich Urban Design Viability Study \(prepared by The Essex Design Initiative to support the 2017 Adopted Local Plan Review\) 2010](#)
- [K4 Housing Allocations Map \(Ipswich Local Plan Final Draft and Ipswich Fringe\) Nov 2020](#)
- [K5 IBC Response to the Red House Park Nov 2020](#)

- [K6 Ipswich Local Plan Review: Matter 3 Housing Supplementary Evidence Dec 2020](#)
- [K8 Clarification of Funding for Sustainable Transport Dec 2020](#)
- [K10 IP-One Area Map with Site Allocations, Quarters and Opportunity Areas Dec 2020](#)
- [K11 Ravenswood Capacity Management Options Dec 2020](#)
- [K12 Note on compliance with SCI in response to SOCS and REG comments Dec 2020](#)
- [K13 IBC response to SOCS/NFPG comments on SA Jan 2021](#)
- [K14 A1214 IGS Trigger Points Modelling note Dec 2020](#)
- [K15 IP132 Waterfront site - note on master planning and decontamination Jan 2021](#)
- [K16 Letter from Handford Homes about delivery of IBC housebuilding programme Jan 2021](#)
- [K17 IP098 Transco Pattenon Road Final - note on timescales Jan 2021](#)
- [K18 5 Year Housing Land Supply Deliverability Table \(consolidated\) Feb 2021](#)
- [K19 5 Year HLS Deliverability Table – Appendices Feb 2021](#)
- [K20 Housing Data Requested by Inspectors at Hearing Jan 2021](#)
- [K21 Matter 3 Gypsy & Traveller Note and MM CS11 Feb 2021](#)
- [K22 Ipswich Garden Suburb Responses Jan 2021](#)
- [K23 IGS Response - Appendices 1-3 Jan 2021](#)
- [K24 Matters 4 and 5 – IBC Written Responses Jan 2021](#)
- [K25 IBC Combined Actions to PINS Dec 2020](#)

Representors may comment on the additional evidence contained in these documents only insofar as it is relevant to their representation(s) on the Main Modifications.

Further documents have also been published **for information only** and they are available to view. Representations are not invited on these documents.

- [Track-changed Core Strategy and Policies DPD Main Modifications](#)
- [Track-changed Site Allocations and Policies \(Incorporating IP-One Area Action Plan\) DPD Main Modifications incorporating Additional Modifications](#)
- [Core Strategy and Policies DPD Schedule of Additional Modifications](#)
- [Site Allocations and Policies \(Incorporating IP-One Area Action Plan\) DPD Schedule of Additional Modifications](#)
- [Equalities Impact Assessment](#)
- [Health Impact Assessment](#)

NB If there are any discrepancies between the track-changed versions of the ILPR and the Main Modification Schedules, it is the latter which take precedence. Representations should therefore only be made to the Main Modification Schedules and include the reference number (MM1, MM2 etc) to which the representation refers.

The nature of this consultation has some differences from consultations undertaken on previous drafts of the Ipswich Borough Council Local Plan Review 2018-2036. This guidance note has been prepared to explain these differences and assist you in submitting representations.

**At this stage representations can only be made in respect of the effect of the Main Modifications on the Plan's soundness and legal compliance. Please quote the Main Modifications (MM) number in your representation for each MM you wish to address.**

## Legal Compliance

The Inspectors have assessed whether the Final Draft Ipswich Local Plan Review 2018-2036 meets the legal requirements under section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended), which includes whether the Council has complied with the Duty to Co-operate when preparing the Local Plan, before moving on to test the Plan for soundness.

In relation to the current consultation, comments regarding legal compliance should only be submitted where they relate to the Proposed Main Modifications.

You should consider the following before making a representation on legal compliance:

- The Plan in question should be included in the current Local Development Scheme (LDS) and the

key stages should have been followed;

- The process of community involvement for the plan in question should be in general accordance with the Council's Statement of Community Involvement (SCI);
- The plan should comply with the Town and Country Planning (Local Planning) (England) Regulations (2012); and,
- The Council is required to provide a Sustainability Appraisal Report and carry out a Habitat Regulations Assessment when it published a plan.

Local Development Scheme (LDS) - sets out the Council's project plan for the preparation of documents and the programme of work for preparation of its Local Plan. The Local Plan should be included in the current Local Development Scheme (November 2020) and the key stages should have been followed. The Local Development Scheme is available on the Council's website <https://www.ipswich.gov.uk/content/local-development-scheme>

Statement of Community Involvement (SCI) – The Statement of Community Involvement sets out how the Council will engage with the public in the delivery of its planning functions. The Ipswich Borough Council Statement of Community Involvement (March 2018) and Schedule of Temporary Covid Revisions to Statement of Community Involvement (November 2020).

The documents are available on the Council's website <https://www.ipswich.gov.uk/content/statement-community-involvement-review>

The Town and Country Planning (Local Planning) (England) Regulations 2012 – The Council is required to publish documents prescribed in the Regulations and make them available and on its website. In May 2020 the Government revised the Plan Making - Planning Practice Guidance (PPG) to set out changes to plan making guidance in response to the Coronavirus (COVID-19) pandemic. In August 2020 this was formalised through temporary changes as Government amendments to the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulation 2020 Number 731 Regulation 2. Under this amendment the Council is now not required to make documents available at their "principal office and at such other places within their area as the Local Planning Authority consider appropriate" (Regulation 35). In addition, the Council is now not required to provide a copy of the documents to a person who requests it (Regulation 36). These amendments have been put in place to protect the public and Council Officers from the spread of COVID-19 and will only be in place for a temporary period (ending on the 31st December 2021).

The Town and Country Planning (Local Planning) (England) Regulations 2012 can be viewed at - <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulation 2020 Number 731 Regulation 2 can be viewed at - <https://www.legislation.gov.uk/ukxi/2020/731/made>

Sustainability Appraisal / Strategic Environmental Assessment – The Local Planning Authority is required to undertake a Sustainability Appraisal, incorporating the requirements for Strategic Environmental Assessment, and to publish a Sustainability Appraisal Report when it publishes a Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental and economic factors. The Sustainability Appraisal Report includes a separate Health Impact Assessment – not required by statutory legislation, which can be viewed on the Council's website [www.ipswich.gov.uk/mainmodifications](http://www.ipswich.gov.uk/mainmodifications). The Main Modifications have been subject to further Sustainability Appraisal and comments are invited on this.

Habitats Regulations Assessment – The Habitats Regulations Assessment is a process for ensuring that a Plan will not adversely affect the integrity of European wildlife sites. The assessment is required under the 1992 Habitats Directive and the 2009 Wild Birds Directive. The Main Modifications have been subject to a Habitats Regulations Assessment and it can be viewed at [www.ipswich.gov.uk/mainmodifications](http://www.ipswich.gov.uk/mainmodifications). Comments are invited on the Habitats Regulations Assessment of the Main Modifications.

## **Soundness**

Soundness is explained in paragraph 35 of the National Planning Policy Framework. Plans are sound if they are:

Positively prepared	providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
Justified	an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
Effective	deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
Consistent with national policy	enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

### General advice

If you wish to make a representation seeking change to a proposed Main Modification to the Plan you should make clear in what way the Plan is not legally compliant and/or sound having regard to the legal compliance and soundness criteria set out above.

**You should try to support your representation with evidence showing why the proposed Main Modification is not sound or legally compliant. It would be helpful if you also say precisely how you think the plan should be modified. Please quote the Main Modification (MM) number in your representation for each modification you wish to address.**

Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions.

### How to submit a representation

Comments on the documents being consulted upon may only be made in writing.

Comments are encouraged via the Council's local plan consultation module on the website at <https://ipswich.oc2.uk/>.

Comments forms are also available via the website at [www.ipswich.gov.uk/mainmodifications](http://www.ipswich.gov.uk/mainmodifications) for download or printing and are offered in hard copy at the following location:

- **Ipswich County Library**, Northgate Street, Ipswich (Mon, Weds, Thurs 9am to 6pm; Tues, Fri 9am to 7pm; Saturdays 8.30am to 5pm and Sundays 10am to 4pm)

**You may also request printed copies of the consultation form or other relevant consultation materials be sent to you by calling 01473 432019.**

Completed comments forms can be e-mailed to [PlanningPolicy@ipswich.gov.uk](mailto:PlanningPolicy@ipswich.gov.uk) or posted to Planning Policy, Planning and Development, Ipswich Borough Council, Grafton House, 15-17 Russell Road, Ipswich, IP1 2DE and must be received by 11:45pm on 23rd September 2021.

### What happens next

After the consultation has closed Ipswich Borough Council will submit any representations made within the date specified to the Inspectors.

The Inspectors will consider the comments received and will decide whether any further Hearing sessions are necessary, or any issues need to be revisited.

At the end of the examination process the Inspectors will present their final conclusions in their Report into the examination of the Local Plan. If the Plan is found 'sound', with any necessary main modifications, the Council

will be able to adopt the Local Plan.

## **Privacy Statement**

Ipswich Borough Council is the data controller for the purposes of the Data Protection Act 2018 and other regulations including the General Data Protection Regulation (Regulation (EU) 2016/679).

As part of our public task, we will process your comment, and store your information securely. Your comment and name will be made public as it will form part of the evidence base used to inform the creation of planning policy documents, but we will not publish your email address, contact address or telephone number. Please note that we are required to provide your full details to the Planning Inspectors and Programme Officer for the purposes of producing the development plan in accordance with the statutory regulations on plan making.

The Council will not share your data with third parties unless it is legally obliged or lawful to do so. The Council will inform you of any changes to the processing of your data as soon as it is reasonably practicable to do so.

The above purposes may require disclosure of any data received in accordance with the Freedom of information Act 2000. We will use this information to assist in plan making and to contact you regarding the planning consultation process.

If you have any concerns further information about how the Council protects your personal data is available on our website at [www.ipswich.gov.uk/privacy](http://www.ipswich.gov.uk/privacy). If you are unhappy about the way in which your personal data has been handled, please contact the Council's data protection officer, at [dataprotection@ipswich.gov.uk](mailto:dataprotection@ipswich.gov.uk).