

Ipswich Borough Council Local Plan

Examination of Core Strategy and Policies Development Plan Document Review and Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document

Stage 1 Matters and Questions - Response to Matter 1 Legal Requirements, Duty to Co-operate and Cross-Boundary Issues

February 2016



IPSWICH
BOROUGH COUNCIL

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Matter 1.1 – Are the likely environmental, social and economic effects of the plan adequately and accurately assessed in the Habitats Regulations Assessments and the Sustainability Appraisals (SAs)?

1. The Council considers that the likely environmental, social and economic effects of the plan have been adequately and accurately assessed in the Habitats Regulations Assessments and the Sustainability Appraisals (SAs). In relation to SA, see the Council's Legal Compliance Checklist¹. SA has taken place as an integral part of the production of the plans and SA reports have been produced and consulted upon alongside consultation on the plans.
2. The level of detail contained in the SA is consistent with the requirements of the Planning Practice Guidance (PPG)² (Sustainability Appraisal for Local Plans – paragraph 9) in that it is appropriate to the nature of the Core Strategy and Policies Development Plan Document Review and the Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document (known hereinafter as 'Core Strategy review' and 'Site Allocations plan'). In assessing policies and site allocations, it would not be appropriate for the SA to consider details which would become available at the planning application stage. The SA provides recommendations to ensure that the correct policies are in place for such detailed assessments to be carried out at the planning application stage. The Annex³ produced in response to the recommendations of the Proposed Submission SA Reports⁴ shows how the SA has changed the plans in this respect.
3. No objections were received from Historic England or the Environment Agency (two of the three statutory consultees as set out under Regulation 4(1) of the 2004 Environmental Assessment of Plans and Programmes Regulations⁵) to the SA reports at Proposed Submission stage⁶. An objection was received from Natural England (the further statutory consultee) to the SA of the Proposed Submission Core Strategy review in that the SA did not sufficiently reflect the conclusions of the Habitats Regulations Assessment⁷. The concern has been addressed through the production of the SA Report for Submission⁸, see paragraph 3.4.1, and no further objection was received from Natural England in relation to SA at the Pre-Submission Main Modifications stage.

¹ Ipswich Borough Council, 2015, *Legal Compliance Checklist*, Core Document Library (CDL) reference SUCD22 – section 4 questions 1 and 5, and Appendix 1

² CLG, 2014 and ongoing, *Planning Practice Guidance*, CDL reference NCD19

³ Ipswich Borough Council, December 2014, *Annex to Proposed Submission Sustainability Reports*, CDL reference LPCD36

⁴ Hyder, December 2014, *Proposed Submission Core Strategy and Development Management Policies Document SA Report*, CDL reference LPCD47

Hyder, December 2014, *Proposed Submission Draft Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD Sustainability Appraisal Report*, CDL reference LPCD49

⁵ Statutory Instrument 2004 No. 1633, *The Assessment of Plans and Programmes Regulations 2004*, CDL reference PSCD03

⁶ Hyder, December 2014, *Proposed Submission Core Strategy and Development Management Policies Document SA Report and Non-Technical Summary*, CDL reference LPCD47

Hyder, December 2014, *Proposed Submission Draft Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD Sustainability Appraisal Report*, CDL reference LPCD49

⁷ The Landscape Partnership, December 2014, *Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review*, CDL reference SUCD11

⁸ Arcadis, December 2015, *Core Strategy and Policies Development Plan Document Review Sustainability Appraisal Report*, CDL reference SUCD09

4. The SA of the Proposed Submission Core Strategy review⁹ considered the effects of working with neighbouring authorities to address residual housing need.
5. Habitats Regulations Assessment (HRA) has been undertaken at key stages¹⁰. In relation to the HRA of the Proposed Submission Core Strategy review (see footnote 10 below – SUCD11), Natural England commented that further to their earlier comments, they were satisfied that the Appropriate Assessment (AA) for the Core Strategy now addresses concerns in relation to increases in visitors to Orwell Country Park and Pond Hall Farm.
6. In relation to the Core Strategy review Pre-Submission Main Modifications¹¹, Natural England commented that they require a commitment from the Council to having an overarching mitigation strategy in place.
7. Natural England, in their representation, also suggested amendments to the Pre-Submission Main Modifications to the Core Strategy review¹² in relation to delivering mitigation.
8. In relation to the Site Allocations plan, the HRA of the Proposed Submission Site Allocations plan explains how Natural England's earlier concerns were addressed¹³.
9. In relation to the HRA Addendum for the Site Allocations plan (see footnote 10 below – SUCD14), which was consulted on alongside the Pre-Submission Main Modifications to the Site Allocations plan¹⁴ during October-November 2015, Natural England concluded that they were 'unable to agree with the conclusions of the appropriate assessment, i.e. no adverse effect on integrity, without further information on the visitor survey and additional wording (in the relevant Plan policies), which would provide us with sufficient confidence that there was a legal commitment to deliver appropriate mitigation.' Once finalised, the Visitor Survey for Orwell Country Park¹⁵ was published in December 2015.

⁹ Hyder, December 2014, *Proposed Submission Core Strategy and Development Management Policies Document SA Report*, CDL reference LPCD47, paragraphs 4.3.1, 4.3.2 and 4.3.3

¹⁰ The Landscape Partnership, January 2014, *Draft Core Strategy and Policies Development Plan Document Focused Review Appropriate Assessment*, CDL reference LPCD20

The Landscape Partnership, January 2014, *Draft Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document Appropriate Assessment*, CDL reference LPCD23

The Landscape Partnership, December 2014, *Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review*, CDL reference SUCD11

The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Core Strategy and Policies DPD Review (Proposed Submission stage)*, CDL reference SUCD12

The Landscape Partnership, December 2014, *Habitats Regulations Assessment for Ipswich Borough Council Proposed Submission Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document*, CDL reference SUCD13

The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD (Proposed Submission stage)*, CDL reference SUCD14

¹¹ Ipswich Borough Council, September 2015, *Core Strategy and Policies Development Plan Document Review – Pre-Submission Main Modifications*, CDL reference SUCD2

¹² Ipswich Borough Council, September 2015, *Core Strategy and Policies Development Plan Document Review – Pre-Submission Main Modifications (Ipswich Borough Council, September 2015)*, CDL reference SUCD2

¹³ The Landscape Partnership, December 2014, *Habitats Regulations Assessment for Ipswich Borough Council Proposed Submission Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document*, CDL reference SUCD13, paragraphs 3.3.2, 3.4.3, 4.1.2-4.1.3 and 4.2.1 – 4.2.4

¹⁴ Ipswich Borough Council, September 2015, *Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document – Pre-Submission Main Modifications*, CDL reference SUCD04

¹⁵ The Landscape Partnership, December 2015, *Visitor Survey for Orwell Country Park*, CDL reference ICD82

10. Ongoing liaison has taken place with Natural England and the Council would support amendments to the Core Strategy and Policies DPD Review to address their comments. The Council is currently working with neighbouring local planning authorities Suffolk Coastal and Babergh District Councils, and with Suffolk County Council, to develop a Recreational Avoidance and Mitigation Strategy and is in the process of agreeing a Memorandum of Understanding in this respect. The Memorandum of Understanding has been signed by Ipswich Borough Council, Babergh District Council and Suffolk Coastal District Council (see Appendix 1) and is supported by Suffolk County Council who anticipate signing it shortly (see Appendix 2). A Statement of Common Ground has been agreed with Natural England which addresses Natural England's representations referred to above and confirms that Natural England are able to agree with the findings of the Habitats Regulations Assessment (see Appendix 3).
11. The amendments the Council would support are set out below (shown underlined and with strikethrough):

POLICY CS17 DELIVERING INFRASTRUCTURE

'The Council will seek contributions to ensure that the mitigation measures identified in the Habitats Regulations Assessment and in the Recreational Avoidance and Mitigation Strategy can be addressed and delivered including for any measures not classified as infrastructure.'

Paragraph 8.183:

~~'The Council is considering the production of a mitigation strategy which would specify the measures required and how these should be delivered and funded.'~~

'The Council will produce a Recreational Avoidance and Mitigation Strategy by March 2017 which will specify the measures required and how these will be delivered.'

Do the SAs test the plan against all reasonable alternatives?

12. The Council considers that the SAs test the plan against all reasonable alternatives, as referred to in the Council's Legal Compliance Checklist¹⁶.
13. Through the Core Strategy review, consideration has been given to alternative strategies, as outlined in the Proposed Submission Core Strategy review SA Report¹⁷ and the Submission SA Report¹⁸. Consideration was given to alternatives of core policies and the development management policies as part of the production of the 2011 adopted Core Strategy (see Preferred Options Sustainability Appraisal November 2007¹⁹), including the 'no policy' options assessed in the August 2009 Sustainability Appraisal²⁰, and as part of the review as outlined in the Draft Core Strategy Focused Review Interim SA Report²¹.

¹⁶ Ipswich Borough Council, 2015, *Legal Compliance Checklist*, CDL reference SUCD22 – section 2, question 5 and section 3, questions 1, 10 and 11

¹⁷ Hyder, December 2014, *Proposed Submission Core Strategy and Development Management Policies Document SA Report and Non-Technical Summary*, CDL reference LPCD47 – chapter 4. (Note: error in title of document, should state Core Strategy and Policies DPD Review)

¹⁸ Arcadis, December 2015, *Core Strategy and Policies Development Plan Document Review Sustainability Appraisal Report*, CDL reference SUCD09 – chapter 4

¹⁹ Ipswich Borough Council, November 2007, *Sustainability Appraisal of Preferred Options*, CDL reference LPCD09

²⁰ Suffolk County Council, August 2009, *Sustainability Appraisal of Draft Submission Core Strategy and Policies*, CDL reference LPCD12

²¹ Hyder, December 2013, *Focused Review of the Core Strategy and Policies Development Plan Document*, CDL reference LPCD19 – chapter 3

14. To inform the production of the Site Allocations plan, alternative approaches were considered at Issues and Options stage²². Alternatives were also assessed through the Sustainability Appraisal process at preferred options stage²³. Alternative uses for the sites proposed for allocation were assessed in the Draft Site Allocations plan Interim SA Report²⁴. The Submission SA report²⁵ explains the implications of the limited amount of land within the Borough for considering alternative sites. Policies added at more recent stages of the development of the Site Allocations plan were assessed against a 'no policy' alternative in the Proposed Submission Site Allocations plan SA report²⁶.

²² Ipswich Borough Council, June 2006, *Site Allocations and Policies Issues and Options*, CDL reference LPCD03, and Ipswich Borough Council, June 2006, *IP-One Area Action Plan Issues and Options*, CDL reference LPCD05

²³ Ipswich Borough Council, November 2007, *Sustainability Appraisal of Preferred Options*, CDL reference LPCD09

²⁴ Hyder, December 2013, *Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD Interim Sustainability Appraisal Report*, CDL reference LPCD22 – chapter 3

²⁵ Arcadis, December 2015, *Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD Sustainability Appraisal Report*, CDL reference SUCD10 – chapter 3

²⁶ Hyder, December 2014, *Proposed Submission Draft Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD Sustainability Appraisal Report*, CDL reference LPCD49 – chapter 3

Matter 1.2 – Is the plan compliant with:

(a) the Local Development Scheme?

15. The plan is compliant with the Local Development Scheme (LDS). The Legal Compliance Checklist²⁷ (stages 1 and 5, question 1) sets out the LDSs which have been in place at each stage of preparation of the Core Strategy review and the Site Allocations plan.
16. For the Core Strategy review, the LDS 6th edition July 2012²⁸ set out the intention to carry out a focused review of the adopted Core Strategy. The LDS 8th Edition September 2014²⁹ addressed the change in approach from a focused review of the adopted Core Strategy to a full review of the plan.
17. The preparation of the Site Allocations plan spans LDSs dating back to Edition 1 January 2005³⁰. The LDS 8th Edition September 2014 addressed the change from two separate Site Allocations and IP-One Area Action Plans into one combined plan.

(b) the Statement of Community Involvement?

18. The plan is compliant with the Ipswich Statement of Community Involvement 2007³¹ (for the preparation stages which took place up to March 2014) and the Ipswich Statement of Community Involvement Review 2014³² (for the preparation stages which took place after March 2014). The Legal Compliance Checklist³³ (see references throughout the document) describes the approach taken to community involvement during the preparation of the Core Strategy review and the Site Allocations plan.
19. Further detail is set out in the statements of consultation, which have been published for each plan at each key stage³⁴. These explain who has been invited to comment and how, and summarise the main issues raised. The statements of consultation from the earlier pre-submission stage also include the Council's response to the main issues raised, indicating how and why the matter has or has not changed the plan.

(c) the 2004 Act and the 2012 Regulations?

20. The plan is compliant with the 2004 Act and the 2012 Regulations. The Legal Compliance Checklist³⁵ addresses specific sections of the Act and specific regulations set in column 2 of the table. It also cross refers to where further evidence of compliance may be found, for example the statements of consultation (see 1.2(b) above) and the Statement of Compliance with the Duty to Co-operate³⁶.

²⁷ Ipswich Borough Council, December 2015, *Legal Compliance Checklist*. CDL reference SUCD22

²⁸ Ipswich Borough Council, July 2012, *A Local Development Scheme for Ipswich*, 6th edition, CDL reference ICD02c

²⁹ Ipswich Borough Council, September 2014, *Local Development Scheme for Ipswich*, 8th edition, CDL reference ICD02

³⁰ Ipswich Borough Council, January 2005, *A Local Development Scheme for Ipswich*, 1st edition, CDL reference ICD02b

³¹ Ipswich Borough Council, September 2007, *Statement of Community Involvement*, CDL reference ICD01

³² Ipswich Borough Council, March 2014, *Statement of Community Involvement Review*, CDL reference SUCD27

³³ Ipswich Borough Council, December 2015, *Legal Compliance Checklist*, CDL reference SUCD22

³⁴ Ipswich Borough Council, *Statements of Consultation for the Core Strategy Review*, CDL references SUCD15-17a, and the Site Allocations Plan, CDL references SUCD18-20a.

³⁵ Ipswich Borough Council, December 2015, *Legal Compliance Checklist*, CDL reference SUCD22

³⁶ Ipswich Borough Council, December 2015, *Statement of Compliance with the Duty to Co-operate*, CDL reference SUCD21

Matter 1.3 – Has the Council engaged constructively, actively and on an ongoing basis with all relevant organisations on strategic matters of relevance to the plan's preparation, as required by the Duty to Co-operate?

21. Ipswich Borough Council's Statement of Compliance with the Duty to Co-operate³⁷ sets out how the Council has engaged constructively, actively and on an ongoing basis with all relevant organisations on strategic matters of relevance to the plan's preparation, as required by the Duty to Co-operate.
22. In addition to strategic matters, the Council has worked and continues to work with relevant organisations and bodies on detailed matters, and this will be reflected in statements of common ground to be produced at relevant future stages of the Examination.

³⁷ Ipswich Borough Council, December 2015, *Statement of Compliance with the Duty to Co-operate*, CDL reference SUCD21

Matter 1.4 – Does the plan provide effective outcomes in terms of cross-boundary issues? In particular, is the approach of policies CS2 and CS7 that 3,778 dwellings will be provided later in the plan period (in line with policy CS6) soundly based and in accordance with national policy? Is there sufficient certainty that these housing needs will be provided for? If you consider that the plan is not sound in this respect could it be modified to make it so?

23. Policy CS2: 'The Location and Nature of Development' and policy CS7: 'The Amount of Housing Required' set out that, later in the plan period, which runs from 2011 to 2031, Ipswich Borough Council will work neighbouring authorities to address housing need within the Ipswich Housing Market Area (HMA) to contribute to the regeneration and growth of Ipswich.
24. The Ipswich Policy Area (IPA) has long been recognised within the former Suffolk Structure Plan since at least 1979, reflecting the very tight administrative boundaries and recognising the cross boundary issues that are relevant to the development and future of both Ipswich Borough and the urban area of Ipswich.
25. The East of England Plan³⁸ adopted the concept of an Ipswich Policy Area by allocating housing to that area for the period 2001 to 2021, which comprised at least 20,000 dwellings in total of which at least 15,400 were within Ipswich Borough, up to 600 in Babergh, up to 800 in Mid Suffolk and up to 3,200 in Suffolk Coastal.
26. This pre-dated the Duty to Co-operate and has proved effective, with large-scale housing being delivered through new developments at Grange Farm in Kesgrave, Suffolk Coastal, at Pinewood in Babergh and at Great Blakenham in Mid Suffolk.
27. The IPA Board comprising councillors and officers from Ipswich Borough Council, Babergh, Mid Suffolk and Suffolk Coastal District Councils and Suffolk County Council continues to meet regularly and has, since July 2014, been preparing a joint evidence base for a future joint or aligned Local Plan Review. The IPA Board remains principally responsible for identifying housing, economic, and other development related needs and devising the most appropriate strategy to meet that need through guiding the preparation of the development plan documents of the respective authorities.
28. The IPA authorities remain committed to the IPA Board and its objectives. This includes meeting the needs of the IPA within the IPA, as demonstrated through the work streams being produced, which are noted in the IPA Board action notes and published on the IPA webpage³⁹. The draft Memorandum of Understanding (see paragraph 31 below) refers to reviewing and agreeing the Ipswich Policy Area boundary.
29. As of October 2015, when the revised Terms of Reference were agreed by the IPA Board and published⁴⁰, it was thought that the best way to address the IPA going forward was in substance a joint or aligned Local Plan Review, with issues and options work to begin in October 2016. This is detailed in Ipswich Borough Council's Local Development Scheme⁴¹ and in Suffolk Coastal District Council's Local Development

³⁸ Government Office for the East of England, May 2008, *East of England Plan*, CDL reference PSCD07

³⁹ Ipswich Policy Area webpage, <https://www.ipswich.gov.uk/content/ipswich-policy-area>

⁴⁰ Ipswich Policy Area Board (October 2015), *Revised Terms of Reference*, https://www.ipswich.gov.uk/sites/default/files/ipa_board_terms_of_reference_oct_2015.pdf

⁴¹ Ipswich Borough Council (October 2015) *Local Development Scheme for Ipswich*, 9th Edition (8th Revision), CDL reference ICD02a, p. 11 and p. 28

Scheme⁴². This is also considered in Babergh & Mid Suffolk's Joint Local Plans Programme⁴³ and their Core Strategy Focused Review⁴⁴ as a potential opportunity.

30. Alongside this, all authorities in Suffolk are working towards greater alignment through a jointly agreed planning framework. Progress towards a joined up Suffolk-wide approach was first agreed in the Suffolk Devolution Bid in September 2015⁴⁵. Further and wider alignment was agreed as the devolution proposal widened to include Norfolk authorities⁴⁶. Authorities from Suffolk are working towards a joint framework to address the next stage of plan-making and will use the work already undertaken through the Ipswich Policy Area Board.
31. The most appropriate way forward in terms of strategic planning for the IPA is, therefore, not yet firmly established and is work in progress. Nevertheless there is a commitment through the IPA Board to addressing future needs of the Housing Market Area. A draft Memorandum of Understanding was considered by the IPA Board in October 2015 and an emerging draft is attached to the Duty to Co-operate Statement⁴⁷.
32. Further correspondence received from Babergh and Mid Suffolk District Councils dated 21st December 2015 (see Appendix 4), whilst not committing at this time to the Memorandum of Understanding given its emphasis on the joint/aligned Local Plan Review(s) option, recognises the role of Babergh and Mid Suffolk districts 'in providing 'whole Suffolk' solutions for the location of growth'. That recognition is set within the overall context of ongoing consideration of a Suffolk Strategic Plan.
33. Furthermore, emerging evidence in respect of population and household projections, which reflects an improving economic climate and subsequent increases in population within the housing market area over the figures published in the September 2013 projections, will be considered by all the IPA authorities in preparing the future joint or aligned Local Plans or through any Suffolk Strategic Plan. This will form part of a process to identify needs to 2036 along with ambitions for or approaches to future collective growth.
34. Meanwhile, it is vitally important to be delivering the housing identified in the Ipswich Local Plan and other adopted Local Plans promptly prior to the adoption of either the joint or aligned Local Plan Review or any Suffolk Strategic Plan in the future. Ipswich Borough Council has identified development sites that can be delivered throughout the plan period, in particular at the Ipswich Garden Suburb, and allocation within a statutory development plan will serve to enhance their delivery prospects.
35. To address the residual need identified below and any future need arising from revised household and population projections over time, sites / broad areas will be considered through either the joint or aligned Local Plan Review and/or a Suffolk Strategic Plan.

⁴² Suffolk Coastal District Council, October 2015, *Local Development Scheme*, CDL reference SCD41, pp. 4-5 and p. 16

⁴³ Babergh & Mid Suffolk District Councils, January 2015, *Babergh & Mid Suffolk Joint Local Plans Programme (Local Development Scheme for new Local Plan Documents 2014-2016/17)*, CDL reference PSCD11

⁴⁴ Babergh & Mid Suffolk District Councils, January 2015, *Local Plan. Core Strategy Focused Review – Objectively Assessed Need and Rural Growth Policy – Issues and Options – early stage consultation (regulation 18)*, CDL reference PSCD12, p. 4

⁴⁵ Various Suffolk public sector bodies, September 2015, *A Devolved Suffolk: Working for a better future*, CDL reference SCD38, p. 6

⁴⁶ *Norfolk and Suffolk Framework Document for Devolution*, CDL reference PSCD06

⁴⁷ Ipswich Borough Council, December 2015, *Statement of Compliance with the Duty to Co-operate*, CDL reference SUCD21, Appendix 2

36. Ipswich Borough Council has identified a housing requirement of 13,550 dwellings to be delivered between April 2011 and March 2031. As at 1st April 2015, 1,077 dwellings had been delivered although this delivery rate has been affected by the recession. The following table (Table 1) sets out how the remaining 12,473 dwellings are planned to be met as outlined in the Core Strategy and Policies Pre-Submission Main Modifications⁴⁸.

Table 1: Housing Land Supply 2011-2031 at 1st April 2015

	Number of dwellings	Discounted Numbers	Cumulative Numbers
Dwellings completed between 2011 and 2015	1,077	-	1,077
Dwellings under construction	704	-	1,781
Dwellings with planning permission	820	738	2,519
Dwellings with a resolution to grant planning permission	916	824	3,343
Ipswich Garden Suburb site allocation	2,700 (prior to 2031)	-	6,043
Site Allocations	1,929	-	7,972
Small windfall sites (fewer than 10 dwellings) 2016-2031	900	-	8,872
Large windfall sites (10 or more dwellings) 2021-2031	900	-	9,772
Residual need later in plan period	3,778	-	13,550

37. It is therefore considered that, in light of the circumstances of Ipswich Borough, the Plan proposes an effective mechanism for addressing housing need across the Housing Market Area.
38. This approach is consistent with national policy, with reference to the PPG (Housing and Economic Land Availability Assessment – paragraph 35) which states that 'local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the 'Duty to Co-operate'.
39. The following amendments to policy CS2, paragraph 8.31, policy CS7 and paragraph 8.83 of the Core Strategy review and Pre-Submission Main Modifications (shown with strikethrough and underlining - see also the Council's response to matter 2.3) would emphasise that work with neighbouring authorities is intended to start in the short term, in accordance with the Local Development Scheme, and not later in the plan period.

⁴⁸ Ipswich Borough Council, September 2015, *Proposed Submission Core Strategy and Policies Development Plan Document Review Pre-Submission Main Modifications*, CDL reference SUCD02

POLICY CS2 THE LOCATION AND NATURE OF DEVELOPMENT

'~~Later in the plan period, w~~Working with neighbouring authorities to address housing need with the Ipswich housing market area;'

Paragraph 8.31

'~~Later in the plan period after 2024, the Council's housing land supply opportunities within the Borough boundary become more limited and, therefore there will be a need to consider future development opportunities beyond the boundaries with the neighbouring local authorities. The housing requirement for Ipswich cannot be met within the Borough boundary and therefore the Council will work with neighbouring authorities to identify further development opportunities. Policy CS7 sets out the Borough's objectively assessed housing need.~~'

POLICY CS7 THE AMOUNT OF NEW HOUSING REQUIRED

'To meet the remaining requirement of 5,578 dwellings to 2031, the Council will rely on windfall sites and will work with neighbouring local authorities to address housing need ~~later in the plan period.~~'

Paragraph 8.83

'In working with neighbouring authorities to address housing need ~~later in the plan period,~~ consideration will need to be given to avoiding or minimising effects in these areas including environmental designations, landscape, townscape and historic assets.'

Appendix 1 – HRA Mitigation Strategy - Memorandum of Understanding



Memorandum of Understanding with Regard to the Development of the Recreational Avoidance and Mitigation Strategy for Babergh District Council, Ipswich Borough Council and Suffolk Coastal District Council

The Habitats Regulations Assessments, produced under the Habitats Directive (92/43/EEC), of the Local Plans of Babergh District Council, Ipswich Borough Council and Suffolk Coastal District Council set out mitigation measures to address potential effects of recreational disturbance on European sites. The Councils will produce a mitigation strategy to identify the measures that are needed and how they will be funded and delivered.

Partners to the agreement

The partners to this agreement are:

- a) Babergh District Council of Corks Lane Hadleigh Ipswich IP7 6SJ
- b) Ipswich Borough Council of Grafton House 15-17 Russell Road Ipswich IP1 2DE
- c) Suffolk Coastal District Council of Council Offices Melton Hill Woodbridge IP12 1AU
- d) Suffolk County Council of Endeavour House Russell Road Ipswich IP1 2BX

collectively called 'the Partners'

1 Definitions

- (1) "The Project" means the production of the Habitats Regulations Assessment (HRA) Mitigation Strategy and shall consist of four phases as follows:
 - Phase 1 means agreeing a project plan (see Appendix A of this MoU)
 - Phase 2 means producing and agreeing a draft strategy
 - Phase 3 means consulting on the draft strategy
 - Phase 4 means adopting the strategy
- (2) "Project Representative" means an individual appointed by each of the Partners for the purposes of the Project
- (3) "The Project Plan" means the project plan approved by all of the Partners.
- (4) Words in the singular include the plural and vice versa and words denoting any gender include any other gender
- (5) A reference to any Act of Parliament or to any order, regulation or statutory instrument shall include any amendment or re-enactment of the same
- (6) The headings and sub-headings in this agreement are for ease of reference only and shall not affect its construction.

2 The nature of the agreement

- 2.1 This agreement sets out the understanding between the Partners relating to the Project. This agreement:
 - 2.1.1 relates only to the arrangements between the Partners
 - 2.2.2 does not relate to any other agreement or understanding between the Partners
 - 2.2.3 may be extended with the agreement of all of the Partners to include other local authorities or organisations who wish to join the Project.

3 General responsibilities

- 3.1 Each of the Partners will co-operate with one another in a spirit that is honest and open
- 3.2 Each of the Partners shall be separately liable for its own acts and omissions
- 3.3 Each of the Partners shall act within its powers and constitution and shall solely be liable for any breach of this requirement
- 3.4 The Partners commit themselves to use reasonable endeavours to foster the success of the Project
- 3.5 If any costs are incurred or arise as a result of initial assessment of data and associated with appointing consultants a revised MOU will be drafted to include a financial commitment agreement.

3.6 The Partners shall agree which aspects of the Project Plan produced under Phase 1 shall be undertaken by consultants and shall agree a brief for commissioning consultants, if required.

3.7 The Partners shall be jointly responsible for agreeing how Phase 3 will be undertaken and for the carrying out of Phase 3. The Partners may delegate processes associated with consultation to one Partner and this shall be agreed by all Partners. Costs associated with Phase 3 shall be divided equally between Babergh District Council, Ipswich Borough Council and Suffolk Coastal District Council.

3.8 The Partners will be individually responsible for ensuring that Phase 4 is adopted in accordance with the Project Plan.

3.9 The Partners shall each be responsible for their own operational costs.

4 Provision of Information

4.1 Each of the Partners will maintain proper records relating to their responsibilities and obligations under this agreement and for the Project generally.

4.2 Each of the Partners will provide information necessary, and as requested by other Partners save that each of the Partners recognises their duties and obligations under the Freedom of Information Act 2000 and the Data Protection Act 1998.

5 Communication and co-ordination

5.1 Each of the Partners will designate an officer as its Project Representative who shall:

5.1.1 be the formal point of contact between the Partners;

5.1.2 be required and authorised to consult, report and seek approvals within their authority on all matters associated with the Project;

5.1.3 shall have the authority to represent its Partner in all matters in relation to the Project;

5.1.4 provide prompt responses to all communications received from the other Project Representatives;

5.1.5 notify the Partners immediately of any event that could lead to a temporary or final discontinuation of participation in the Project.

5.2 The Partners may change their respective designated Project Representative. Any such change shall be communicated to all other Partners in writing in advance of the change taking effect, and in the case of a permanent change no less than ten (10) working days.

6 Financial arrangements

6.1 None of the Partners may incur, commit or authorise any financial expenditure on behalf of the Project. If the Partners agree that consultants are required in relation to one or more parts of the Project Plan a separate Memorandum of Understanding will be agreed.

7 Intellectual property considerations

7.1 All intellectual property in existence prior to the date hereof and owned by any of the Partners shall remain the property of that Partner and shall not be used other than for the purposes of the Project without the express permission of the owning Partner.

7.2 All intellectual property obtained as part of the Project shall be owned by all of the Partners, provided this is not restricted by any licensing restrictions.

8 Confidentiality

8.1 Subject to clause 8.2 and the provisions of the Freedom of Information Act 2000 and the Data Protection Act 1998 the Partners shall not disclose or use any confidential information acquired as a result of this agreement other than to satisfy the requirements of its internal or external auditors or any other legislative requirements.

8.2 The Partners may, so far as it is lawfully able to do so, use such confidential information to the extent that it may be incorporated into any reports prepared as part of the Project or has come into the public domain otherwise than by breach of this agreement.

9 **Period of validity of the Memorandum of Understanding**

9.1 This period of validity is until completion of all 4 phases of the Project




9.2 The collaboration may be extended or renewed by mutual agreement.

10 **Termination and disputes**

10.1 Should any dispute arise relating to this agreement the respective Project Representatives will attempt to seek resolution acceptable to their authorities and shall seek to resolve tensions and conflict directly and collaboratively. Should the Partners fail to achieve resolution the issue will be referred to Suffolk Chief Executives Group and then independent mediation, which will be final and binding upon the Partners.

10.2 Should any Partner wish to leave the Project they agree, subject to clause 9 above, to make any information obtained as part of the Project and necessary to the completion of the Project available to the remaining Partners.

Signed

For and on behalf of Babergh District Council: authorised signatory 	For and on behalf of Ipswich Borough Council: authorised signatory 
Date	Date
For and on behalf of Suffolk Coastal District Council: authorised signatory 	For and on behalf of Suffolk County Council: authorised signatory
Date	Date

Appendix A

**Recreational Avoidance and Mitigation Strategy for Babergh District Council, Ipswich Borough Council and Suffolk Coastal District Council
Project Plan (12.2.2016)**

Area of work	Task	Organisation(s)	Member Input	To be completed by
1. Establish project parameters	a) Agree principle of mitigation strategy including geographical scope	IBC, SCDC, BDC, SCC	-	By end December 2015
	b) Establish project group	IBC, SCDC, BDC, SCC	-	By end December 2015
	c) Agree role and input of Suffolk County Council	IBC, SCDC, BDC, SCC	-	By end January 2016
	d) Agree and sign Memorandum of Understanding	IBC, SCDC, BDC, SCC	-	By mid-February 2016
	e) Agree project plan as part of MoU	IBC, SCDC, BDC, SCC	-	By mid-February 2016
	f) Information sharing meeting with organisations who will need to be involved (Including Natural England, Suffolk Coast and Heaths AONB, Dedham Vale AONB, RSPB, Suffolk Wildlife Trust, Tending District Council and other partnerships)	IBC, SCDC, BDC, SCC	-	Contact end February 2016 Meeting early April 2016
2. Patterns of use of SPAs/SACs	a) Identify and review existing sources of information, and produce report/paper	SCC	-	End February 2016
	b) Agree with Natural England whether sufficient information exists			Mid March 2016
	c) Obtain further primary data where necessary (this might include data on dog walking / ownership of existing residents – could include use of free/cheap methods such as survey monkey)	Consultants / volunteers / project group	-	End April 2016
	d) Analyse data to identify the locations	Project group, with input	-	May 2016

	where new development may lead to an impact	sought from Natural England		
3. Monitoring and management	a) Based upon the conclusions of work area 2, identify which SPAs/SACs are relevant to which growth locations / Council.	Project group, with input sought from Natural England	-	June 2016
	b) Identify monitoring objectives (i.e. what needs to be monitored, how often and to identify what)	Project group, with input sought from Natural England	-	June 2016
	c) Identify specific existing or proposed monitoring and site management measures which would address the HRA requirements (reflecting HRA recommendations)	Project group, with input sought from Natural England and others	-	June 2016
	d) Identify gaps (e.g. SPAs or parts of SPAs where no monitoring planned or no or insufficient management plan in place or planned)	Project group, with input sought from Natural England	-	By end June 2016
4. Suitable Alternative Natural Greenspaces (SANGs) provision	a) Identify the scale and location of spaces / enhancements (in addition to those specifically identified in the HRA reports) which would meet the more general HRA requirements for enhancements to green spaces	Project group, with input sought from Natural England and others	-	June 2016
	b) Identify any specific requirements for on-site open space (e.g. features necessary to minimise use of SPAs)	SCC, with input sought from Natural England	-	June 2016
5. Funding	a) Identify what measures have already been funded	SCC	-	July 2015
	b) Calculate the total cost of mitigation measures over the plan period	Project group, with input sought from Natural England and others	-	July 2015
	c) Identify planned growth in the locations identified under 2c above	Project group	-	

	d) Identify mechanisms for securing funding for each mitigation measure	Project group, with input sought from Natural England	-	End August 2016
6. Monitoring of the Strategy	a) Identify mechanisms for monitoring the delivery and effectiveness of the mitigation strategy (e.g. outputs and outcomes – the former might be monitored more regularly).	Project group	-	September 2016
	b) Recommendations related to future growth – how might the strategy take account of growth post 2031 which would be subject to new HRAs and how should the results of monitoring feed into decisions about locations / scale of future growth.	Project group	-	September 2016
	c) Identify how monitoring results will be dealt with and responded to.	Project group	-	September 2016
7. Draft strategy	a) Incorporate areas 2-6 above into draft strategy	Project group	-	October 2016
	b) Agree draft strategy	Project group, with endorsement sought from Natural England	Member sign off within each Council	October 2016
	c) Consult on draft strategy	IBC, SCDC, BDC	-	November / December 2016
8. Finalise strategy	a) Consider consultation responses	Project group	-	January 2017
	b) Amend and finalise strategy	Project group	Member sign off within each Council	January 2017
	c) Publish strategy	IBC, SCDC, BDC	-	February 2017

Appendix 2 – Email from Nick Collinson, Suffolk County Council dated 29th February 2016 regarding the Recreational Avoidance and Mitigation Strategy Memorandum of Understanding

Andrea McMillan

From: Nick Collinson <Nick.Collinson@suffolk.gov.uk>
Sent: 29 February 2016 10:56
To: Andrea McMillan
Cc: Emma Bethell
Subject: RE: HRA Mitigation Strategy MoU

Andrea, very many thanks for sending through the final draft of the MoU. Suffolk County Council is fully committed to working with Ipswich Borough Council, Suffolk Coastal District Council and Babergh District Council on this HRA mitigation strategy. Indeed the County Council is very keen on this approach as clearly housing growth in one Borough or District may very well cause impacts in another Borough or District. To develop a strategic approach to this issue is something we are keen to see and will support fully.

While we go through the process of signing the MoU, I hope this Email will give some assurance, to those concerned, that we are indeed committed to working with you on this.

Best wishes

Nick Collinson MCIEM
Head of Natural & Historic Environment
m: 07595 091053 t: 01473 264562
nick.collinson@suffolk.gov.uk

Natural Environment service www.suffolk.gov.uk/naturalenvironment
Archaeology service www.suffolk.gov.uk/archaeology

Address:
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Appendix 3 – Statement of Common Ground with Natural England



**Ipswich Borough Council Core Strategy and Policies Development Plan
Document (DPD) Review**

**Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One
Area Action Plan) DPD**

Statement of Common Ground – Habitats Regulations Assessment

Date 24th February 2016

**Ipswich Borough Council Core Strategy and Policies Development Plan Document
(DPD) Review**

**Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area
Action Plan) DPD**

Statement of Common Ground – Habitats Regulations Assessment

Date... 24th February 2016

This statement relates to the Habitats Regulations Assessment of the Ipswich Borough Council Core Strategy and Policies Development Plan Document (DPD) Review and the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD.

It has been drawn up in agreement between:

- i) Ipswich Borough Council (IBC) and
 - ii) Natural England (NE).
-

1. Purpose of this Document

- 1.1 This document has been produced in order to advise the Inspector of the latest position between the relevant parties named above on matters relating to Habitats Regulations Assessment (HRA) for the Ipswich Borough Council Core Strategy and Policies DPD Review (Core Strategy Review) and the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD, hereinafter referred to as the 'Core Strategy Review' and the 'Site Allocations Plan'.
- 1.2 As a result of the matters set out in this Statement of Common Ground NE has no outstanding issues and is content that the Core Strategy Review and Site Allocations Plan is sound.

2. Background

- 2.1 The European Habitats Directive¹ requires plans to be subject to an 'appropriate assessment' where they either individually or in combination with other plans or projects would be likely to have a significant effect on a European site's conservation objectives. The identification of mitigation measures forms part of the 'appropriate assessment' process.
- 2.2 European sites are Special Protection Areas (SPAs) and Special Areas Conservation (SACs) and in the UK RAMSAR sites have also been afforded the same level of protection.
- 2.3 The requirements of the Directive are taken forward in England through the Conservation of Habitats and Species Regulations 2010. The Councils, as plan-making authorities, may only bring their land use plans into effect after having ascertained that they will not adversely affect the integrity of a European site. Further, Regulation 61 of the Conservation of Habitats and Species Regulations 2010 the Councils need to ascertain whether a planning application is likely to have a significant effect on a European site(s) and undertake an appropriate assessment where this is the case.
- 2.4 The 2010 Regulations state that the competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representation made by that body. For the purposes of the Ipswich Local Plan, Ipswich Borough Council are the 'competent authority' and Natural England are the 'nature conservation body'.
- 2.5 Ipswich Borough Council commissioned The Landscape Partnership to carry out HRA of the Core Strategy Review and the Site Allocations Plan at key stages of the plans' preparation. Comments were invited, and received, from Natural England at each stage including in relation to the Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review², the Habitats Regulations Assessment for Ipswich Borough Council Proposed Submission Site Allocations and Policies (Incorporating IP-One

¹ European Directive 92/43/EEC

² The Landscape Partnership, December 2014, *Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review*. Core Document Library (CDL) reference SUCD11

Area Action Plan) Development Plan Document³ and the Addenda relating to the two reports which accompanied the Pre-Submission Main Modifications⁴. These reports together represent the Habitats Regulations Assessment of the plans as submitted.

- 2.6 In order to address and deliver the mitigation requirements of the HRAs, IBC referred in its Pre-Submission Main Modifications to the Core Strategy Review⁵, to the production of a 'mitigation strategy'. The title of this strategy, which is currently being produced, has since been amended to 'Recreational Avoidance and Mitigation Strategy for Babergh District Council, Ipswich Borough Council and Suffolk Coastal District Council' (referred to hereinafter as 'Recreational Avoidance and Mitigation Strategy').

3. Areas of Common Ground

The agreed position of both parties is set out below.

3.1 Policy CS17: Infrastructure

- 3.1.1 In their response to the Pre-Submission Main Modifications consultation, dated 23rd November 2015, NE requested the following changes (underlined and in strikethrough below) to the Council's proposed wording to be added to Policy CS17:

'The Council will seek contributions to ensure that the mitigation measures identified in the Habitats Regulations Assessment and in the Mitigation Strategy can be addressed and delivered including for any measures not classified as infrastructure.'

- 3.1.2 The Council is currently working with Babergh District Council and Suffolk Coastal District Council to develop a Recreational Avoidance and Mitigation Strategy and therefore supports NE's suggested amendments subject to a minor amendment as set out below.

³ The Landscape Partnership, December 2014, *Habitats Regulations Assessment for Ipswich Borough Council Proposed Submission Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document*, CDL reference SUCD13

⁴ The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Core Strategy and Policies DPD Review (Proposed Submission stage)*, CDL reference SUCD12

The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD (Proposed Submission stage)*, CDL reference SUCD14

⁵ Ipswich Borough Council, September 2015, *Core Strategy and Policies Development Plan Document Review -- Pre-Submission Main Modification*, Core Document Library (CDL) reference SUCD02

'The Council will seek contributions to ensure that the mitigation measures identified in the Habitats Regulations Assessment and in the Recreational Avoidance and Mitigation Strategy can be addressed and delivered including for any measures not classified as infrastructure.'

3.1.3 There is therefore no outstanding objection from NE on this issue.

3.2 Policy CS17, paragraph 8.183

3.2.1 In their response to the Pre-Submission Main Modifications consultation, dated 23rd November 2015, NE requested a change from the Council's proposed wording:

'The Council is considering the production of a mitigation strategy which would specify the measures required and how these should be delivered and funded'
to

'The Council will produce a mitigation strategy by [insert date] which will specify the measures required and how these will be delivered.'

3.2.2 The Council is committed to the production of a Recreational Avoidance and Mitigation Strategy with Babergh District Council and Suffolk Coastal District Council. The Council would therefore support the following wording:

'The Council will produce a Recreational Avoidance and Mitigation Strategy by March 2017 which will specify the measures required and how these will be delivered.'

3.2.3 In signing this statement NE confirm that they agree with the Council's proposed wording and that they have no outstanding objection on this issue.

3.3 Core Strategy Review Habitats Regulations Assessment

3.3.1 NE's response to the Proposed Submission Core Strategy Review HRA⁶, dated 5th March 2015, stated that they would expect individual developments to be subject to project level Habitats Regulations Assessment linking back to elements of mitigation identified at the strategic level.

⁶ The Landscape Partnership, December 2014, *Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review*, Core Document Library (CDL) reference SUCD11

- 3.3.2 As per the paragraphs 3.1 and 3.2 above, the Council is committed to the production of a Recreational Avoidance and Mitigation Strategy upon which work has already begun. This will set the framework for ensuring that individual developments will together deliver the mitigation measures identified in the Core Strategy Review HRA. In signing this statement NE confirm that they agree with the Council's approach and that they have no outstanding objection on this issue.
- 3.3.3 NE's response to the Core Strategy Review Habitats Regulations Assessment Addendum⁷, dated 23rd November 2015, reiterated their request under CS17 and paragraph 8.183 (paragraphs under 3.1 and 3.2 above) for a commitment to the production of a mitigation strategy and stated that this should ideally be prior to adoption of the plan. NE state that if this is not practical there should be a commitment to deliver a strategy by a specified date and an approach to determine what measures need to be delivered in the interim.
- 3.3.4 As per paragraph 3.2 above, the Council would support a commitment in paragraph 8.183 to the production of a mitigation strategy. In signing this statement NE confirm that they agree with the Council's approach and that they have no outstanding objection on this issue.
- 3.3.5 In relation to the interim period prior to having the mitigation strategy in place, the Council will work with NE on formulating an approach to securing contributions. In signing this statement NE confirm that they agree with the Council's approach and that they have no outstanding objection on this issue.
- 3.4 Site Allocations (Incorporating IP-One Area Action Plan) DPD Habitats Regulations Assessment
- 3.4.1 NE's representations to the Proposed Submission Site Allocations Plan⁸ requested the following changes to the plan:
'As part of policy SP8, the Council will investigate further the feasibility of including a visitor centre facility within the site, including any potential impacts on the SPA. This feasibility study should include a separate project level Habitats Regulations

⁷ The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Core Strategy and Policies DPD Review (Proposed Submission stage)*, CDL reference SUCD12

⁸ Ipswich Borough Council, November 2014, *Proposed Submission Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document*, CDL reference SUCD03

Assessment to examine effects on the SPA. As part of policy SP8, the Council will investigate further the feasibility of including a visitor centre facility within the site, including any potential impacts on the SPA. This feasibility study should include a separate project level Habitats Regulations Assessment to examine effects on the SPA.'

3.4.2 As a result, through the Pre-Submission Main Modifications⁹ the Council proposed the addition of text accompanying SP8 stating 'Project level Habitats Regulations Assessment would be needed for any visitor centre proposal.' In signing this statement NE confirm that they agree with the Council's approach and that they have no outstanding objection on this issue.

3.4.3 NE's representation on the Site Allocations Plan Habitats Regulations Assessment Addendum¹⁰ which accompanied the Pre-Submission Main Modifications consultation, dated 23rd November 2015, requested that appropriate management measures for the proposed extension to Orwell Country Park must be referenced and included in the proposed overarching mitigation strategy in order to satisfy the requirements of the Habitats Directive.

3.4.4 As already stated, the Council is committed to producing a Recreational Avoidance and Mitigation Strategy with Babergh District Council and Suffolk Coastal District Council and NE's endorsement of the strategy will be sought. NE's request will therefore be taken forward through the production of the strategy. The Council manages Orwell Country Park and is currently working on a management plan for the Country Park which will be informed by the conclusions of the Orwell Country Park Visitor Survey report¹¹. In signing this statement NE confirm that they agree with the Council's approach.

3.4.5 NE also commented that the proposed visitor centre will require a project-level HRA. Amendments to Policy SP8 of the Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD proposed through the Pre-Submission Main Modifications include the addition of the following text:

⁹ Ipswich Borough Council, September 2015, *Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document – Pre-Submission Main Modifications*, CDL reference SUCD04

¹⁰ The Landscape Partnership, September 2015, *Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD (Proposed Submission stage)*, CDL reference SUCD14

¹¹ The Landscape Partnership, December 2015, *Visitor Survey for Orwell Country Park*, CDL reference ICD82

'Project level Habitats Regulations Assessment would be needed for any visitor centre proposal.'

NE are therefore satisfied that this comment is adequately addressed.

3.4.6 NE commented that in relation to Pond Hall Farm (i.e. the proposed Orwell Country Park extension) they would appreciate the opportunity to discuss the requirements of the England Coast Path (ECP) in order that the requirements of the ECP and any mitigation measures arising from it are clearly distinguished from any mitigation that might be required from the Council's proposed allocations.

3.4.7 The Council subsequently included reference to considering the potential of the ECP within the Orwell Country Park Visitor Survey report. The ECP is being considered as part of the production of the management plan for Orwell Country Park through discussion with NE.

3.4.8 NE commented that they were unable to agree with the conclusions of the Habitats Regulations Assessment (i.e. no adverse effect on integrity) without further information on the visitor survey and additional wording (in the relevant plan policies), which would provide them with sufficient confidence that there was a legal commitment to deliver appropriate mitigation.

3.4.9 NE provided comments on the brief for the Orwell Country Park Visitor Survey and were invited to make comments on the draft by email dated 27th August 2015. No comments were provided but NE were provided with a further opportunity by email dated 2nd December 2015. A response was received on 3rd December 2015 which confirmed that NE consider the report to be comprehensive and fit for purpose. NE also state that they agree with the findings of the report in general.

3.4.10 In light of this, and the Council's agreement in relation policy changes as outlined under sections 3.1 and 3.2 above, NE are able to agree with the conclusions of the Habitats Regulations Assessments.

C Dawson-Dulin
Signed on behalf of Ipswich Borough Council

Date... *24/2/16*

D. Ford
Signed on behalf of Natural England

Date... *d3/02/d016*

Appendix 4 – Babergh and Mid Suffolk District Councils, 21st December 2015, Letter to Russell Williams, Chief Executive of Ipswich Borough Council

Place Directorate

Responsible for the Economy and the Environment



Russell Williams
Chief Executive
Ipswich Borough Council
Grafton House
15-17 Russell Road
Ipswich
IP1 2DE

Please ask for: Lindsay Barker
Direct line: 01449 724697 / 01473 825844
E-mail: Lindsay.barker@baberghmidsuffolk.gov.uk

21 December 2015

Dear Russell

I hope it is of assistance if I outline Babergh and Mid Suffolk District Councils' position in relation to the recent request by Ipswich Borough Council to enter into a Memorandum of Understanding (MOU); and in relation to the work programme of the IPA, having regard to the work now commissioned in respect of the Suffolk Planning and Infrastructure Framework.

In respect of the MOU, I would advise that both Babergh and Mid Suffolk Councils are presently considering the consultation responses to various draft Local Plan documents in the context of the more recent work of the IPA to update Objectively Assessed Needs for the whole of the Policy Area. The outcomes of this work have a significant impact upon the emerging Joint Local Plan, particularly in Mid Suffolk, where the level of housing in the district will have to be substantially increased to meet the Council's own Objectively Assessed Needs. This has led to considerable debate both in respect of the strategy for determining the location of that growth and in respect of the sites which should be allocated in delivering the chosen strategy.

We have made Members aware of the circumstances of our Authorities and those of the IPA and I believe that our Members will be disposed to positively dealing with the new levels of growth as part of the wider corporate strategies for both Councils. I also believe that Members will also consider what levels of additional growth could be accommodated within both Council areas in order to make a positive contribution to meeting the requirements of the IPA. However, demands upon our capacity may also be made by the outcomes of the recently commissioned Suffolk Planning and Infrastructure Framework, which will examine capacity across the whole of Suffolk. I anticipate that Babergh and Mid Suffolk Councils will feature prominently in providing "whole Suffolk" solutions for the location of growth, given the location and capacity of the transport corridors in Babergh and in Mid Suffolk.

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Strategic Director (Place): Lindsay Barker
Head of Economy: Peter Burrows Head of Environment: Chris Fry

The work of drafting the Suffolk Planning and Infrastructure Framework is expected to be substantively developed by February/March next year, which is a timetable more in keeping with the progress being made in relation to progress with Members and with the development of our own Joint Local Plan. Under these circumstances I could not yet recommend that Members commit to the unknown outcomes through the signing of a MOU at this time. Whilst the contents of the MOU are high level and general in nature, I think that its consequences could oblige a commitment to providing a number of sites in order to demonstrate that the outcomes of the MOU are achievable, in advance of the drafting our own Plan.

However, I would want to ensure that the opportunity to contribute to meeting Objectively Assessed Needs in the IPA is not lost to Babergh and Mid Suffolk Councils. With this in mind I would welcome the opportunity for a discussion between us on how to co-operate further and take this matter forward, to the mutual benefit of both our Councils.

Yours sincerely

Lindsay Barker
Strategic Director

