

Gladman Hearing Statement

Examination of the

Ipswich Local Plan Review 2018-2036

Matter 1: Duty to Cooperate and Legal Compliance



November 2020

MATTER 1: DUTY TO COOPERATE AND LEGAL COMPLIANCE

Issue 1a: Whether the Council has complied with the Duty to Cooperate (DtC) in preparing the ILPR?)

- 1.1 Gladman recognise the collaborative work that has been undertaken between the Council and its neighbouring authorities. It is noted that evidence has been produced by the Council, which provides information on the engagement that has taken place through the Ipswich Strategic Planning Area Board during the plan making process and explains how this will be continued into the future. A series of 'memorandums of understanding' and 'statements of common ground' have been published.
- 1.2 Paragraphs 25 and 26 of the Framework state that:

25. Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans...

26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

- 1.3 Paragraph 35 of the Framework indicates that to be positively prepared, a plan must provide 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..."
- 1.4 Notwithstanding the collaborative work that has taken place, Gladman remain concerned that the strategy contained within the Ipswich Local Plan Review results in unnecessary uncertainty regarding the Borough's capacity to meet its market and affordable housing needs on an annual basis and in full over the duration of the plan period. Gladman therefore consider that further work is required under the Duty to Cooperate to ensure the Council has produced a sound plan that can meet its housing needs in full without unnecessary delay. Such an approach is also necessary to ensure that a Plan is put in place that can adapt to rapid changes in circumstance, in particular should sites that are allocated within the Local Plan not come forward in the manner that is currently anticipated.

Issue 1b: Whether the Council has complied in all other respects with the legal and procedural requirements in preparing the ILPR, as defined in Part 2 of the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Plan) (England) Regulations 2012 and the Conservation of Habitats and Species Regulations 2010 (as amended)?

Sustainability Appraisal

8. **Has the formulation of the ILPR been based on a sound process of sustainability appraisal (SA), as set out in the SA Report of the Final Draft of the ILPR, dated October 2019 [A4], and the SA Addenda, dated June 2020 [A5] and October 2020 [I13]? In particular:**
 - a. **Does the SA test the Plan against reasonable alternatives, in terms of its overall strategy for growth and development, site allocations and policies?**
 - b. **Has the SA been robustly prepared with a comparative and equal assessment undertaken of each reasonable alternative?**
 - c. **Is the SA decision making and scoring robust, justified and transparent?**
 - d. **Has the Council provided clear reasons for not selecting reasonable alternatives?**
 - e. **Is it clear how the SA has influenced the ILPR strategy, policies and proposals and how mitigation measures have been taken account of?**
 - f. **Have the requirements for Strategic Environmental Assessment been met, including in respect of the cumulative impacts of the plan?**
- 1.5 Gladman note that the Local Plan has been prepared alongside a process of sustainability appraisal. It is however considered necessary to raise concerns that the preferred spatial growth option that has been identified through the SA scoring, results in a policy choice (through Policy CS2) that places great uncertainty on the ability to meet the housing requirements of the whole community (SA Objective 2).
- 1.6 The SA¹ indicates at paragraph 3.8.1 that the tightly drawn boundary of the borough means that the spatial options available to accommodate the required scale of

¹ SA Report, October 2019 [A4]

development are relatively limited. Gladman recognises this position and welcomes the associated testing of spatial options to direct development to neighbouring authority areas. In this regard, sustainable options exist that are well related to Ipswich Borough that can positively contribute towards meeting the housing needs of the Borough throughout the plan period.

- 1.7 An appraisal of the spatial options is provided within Appendix C of the SA (pages 28 to 44). This appraisal suggests that a focus on higher density urban regeneration (Spatial Option 1) would score positively with regards to reducing poverty and social exclusion (SA Objective 1) and in meeting the housing requirements of the whole community (SA Objective 2). However, the nature of development in these areas will limit the opportunities to deliver market and affordable housing and the scoring in this regard is therefore considered by Gladman to be overstated. This option forms a major element of the preferred option that has been selected and will be significantly relied upon during the early part of the plan period, during which the housing trajectory will not be able to keep pace with the market and affordable housing needs of the area. It is therefore considered essential that a more balanced conclusion is reached with regard to the preferred spatial strategy that enables the sustained delivery of the new homes that the Borough needs to meet its needs without unnecessary delay. A range of sustainable site options are available beyond the borough boundary to support an approach that maintains the rate of housing delivery against identified needs over the duration of the plan period and an option to redistribute proportions of the housing requirement to enable this should therefore have been tested through the SA.
- 1.8 Further to this, SA Objective 11 seeks "To reduce vulnerability to climatic events and flooding". It is noted that an SA Addendum was prepared in June 2020, relating to Air Quality and Flood Risk and that this new evidence is used to re-assess a number of SA findings on specific sites. In assessing the sustainability performance of the strategic growth options, the SA, at paragraph 3.7.6, indicates that a large proportion of land in the centre of Ipswich is situated within Flood Zones 2 or 3 and concludes that it would be difficult to situate new development on land not at risk of flooding in all cases. However, as explained above, the SA includes spatial options beyond the administrative boundaries of the local authority and has the ability, working under the Duty to Cooperate, to explore the redistribution of the housing requirement and a number of sustainable growth locations that can contribute towards meeting development needs in full over the plan period without relying on the delivery of new homes in locations at high risk of flooding.