



IPSWICH
BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

**WEDNESDAY
23 AUGUST 2023
GIPPING ROOM, GRAFTON HOUSE
9.45 AM**

COUNCILLORS

LABOUR

**Stephen Connelly
Peter Gardiner
Carole Jones
Colin Kreidewolf
George Lankester
Lynne Mortimer
Adam Rae
Christine Shaw
Jenny Smith**

Substitutes:

**Kelvin Cracknell
K Elango Elavalakan
Tracy Grant
Elizabeth Hughes
Stefan Long
Colin Smart
Philip Smart**

CONSERVATIVE

**Tony Gould
Sam Murray
Nathan Wilson**

**Ian Fisher
Edward Phillips**

LIBERAL DEMOCRAT

Oliver Holmes

Inga Lockington

A G E N D A

	PART 1
1.	Apologies for Absence
2.	Unconfirmed Minutes of Previous Meeting (Pages 5 - 12)
3.	To Confirm or Vary the Order of Business
4.	Declarations of Interest
5.	PD/23/04 Planning Applications - General Information (Pages 13 - 28)
a)	PD/23/04 Item 1 - Application IP/23/00315/FPI3 (Pages 29 - 48) Arras Square, Place D'Arras
b)	PD/23/04 Item 2 - Application IP/23/00298/FUL (Pages 49 - 70) 32 White House Road
c)	PD/23/04 Item 3 - Application IP/23/00527/FUL (Pages 71 - 86) 196 St Helens Street
d)	PD/23/04 Information for Councillors (Pages 87 - 108)
	REPRESENTATIONS Representations are available to the press and public via the Planning Online Portal ppc.ipswich.gov.uk

SOS02H .

**SHIRLEY JARLETT
MONITORING OFFICER**

15 August 2023

Any enquiries about this meeting should be addressed to
Linda Slowgrove - 01473 432511
Grafton House, 15 - 17 Russell Road, Ipswich IP1 2DE.
Website: www.ipswich.gov.uk



The information contained within these papers can be made available in alternative formats. Please use the contact details above for assistance

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PLANNING & DEVELOPMENT COMMITTEE

MINUTES

WEDNESDAY 26 JULY 2023
GIPPING ROOM, GRAFTON HOUSE
9.45 AM

Present: Councillors Stephen Connelly, Peter Gardiner (Chair), Carole Jones, Colin Kreidewolf, George Lankester, Lynne Mortimer, Adam Rae, Christine Shaw, Jenny Smith, Sam Murray, Nathan Wilson, Oliver Holmes and Edward Phillips (Substitute)

23. Apologies for Absence

Apologies for absence were received from Councillor Gould for whom Councillor Phillips was substituting.

24. Unconfirmed Minutes of Previous Meeting

RESOLVED:

that the Minutes of the meeting held on 28 June 2023 be signed as a true record.

25. To Confirm or Vary the Order of Business

RESOLVED:

that the Order of Business be confirmed as printed on the Agenda.

26. Declarations of Interest

There were no declarations of interest.

27. PD/23/03 Planning Applications - General Information

In considering the applications, the Committee took into consideration representations where indicated by the word 'REPS' after the individual planning reference number.

The applications were considered in the order as set out on the Agenda.

28. PD/23/03 Item 1 - Application IP/23/00458/TPD

REPS

Ward: BRIDGE

Proposal: Prior Approval determination for proposed telecommunications installation: 15m phase 8 monopole and associated ancillary works.

Address: Amenity land adjacent to 2 Gorsehayes, Belstead Road

Applicant: Signal Infrastructure UK Limited

Agent: Ryan Marshall

The Senior Planning Officer presented the report illustrated by drawings and photographs.

Mrs Sonia Collard, Gorsehayes resident, spoke in opposition to the application:

- 2 Gorsehayes was much closer to the application site than suggested by Officer as property boundary abutted the edge of the path.
- Speaking on behalf of residents, with reference to petition and objections.
- The only letter of support was from an address that did not exist.
- Application site was in close proximity to the site of a recent refusal for a similar mast.
- This proposal was also unacceptable and those who objected to the refused application remained concerned for the same reasons.
- The proposal would be out of keeping in this location and was close to residential property (18 feet).
- The proposal would tower over the street scene and would have a significant negative impact upon visual amenity.
- Nearby trees were deciduous, and the evergreen mentioned within the Officer's report was within the ownership of 2 Gorsehayes and was to be removed soon, so little screening would be offered.
- Accepted that the images within representations were not entirely accurate but they still offered a good representation.
- Surprised by lack of Highway Authority objection as access to equipment would require illegal parking on pedestrian crossing.
- Concerns regarding noise and health impacts.
- Support recommendation for refusal.

Councillor Rudkin, Bridge ward Councillor, spoke on behalf of local residents:

- Welcomed recommendation for refusal.
- Surprised by lack of Highway Authority objection.

- Limited pedestrian infrastructure within this part of Belstead Road.
- Important crossing point on busy arterial road, so need to avoid clutter on the highway that could detract from highway safety.
- The proposed mast would be seen from much further afield.

Councillor Kreidewolf noted that the associated telecommunication cabinets did not require planning permission as they were covered under permitted development rights and asked if there was any restriction on the size of these cabinets. The size and location of the cabinets on the highway for the Hawthorn Drive phone mast required the road to be closed when any works were carried out to the cabinets. Councillor Kreidewolf added that SCC Highways should take this impact into consideration when commenting on this type of application.

Councillor Jones asked whether highway safety would also be a reason for refusal for this application. The Senior Planning Officer highlighted that whilst there were some sections of Belstead Road that did not have a footpath, there was a footpath running behind the site location and on the opposite side of the road.

Councillor Murray asked whether it would be appropriate to invite a SCC Highways Officer to attend for applications where there were perceived highway concerns.

Councillor Phillips asked whether the application had been presented to Committee for determination due to the petition and large number of representations made.

The Senior Planning Officer commented that Prior Approval applications had to be determined within 56 days otherwise permission was assumed to be granted and so were usually determined under delegated authority; the receipt of the petition had required the application to be determined by Committee.

RESOLVED:

Prior Approval was required but was refused for the following reasons (briefly):

The monopole and antennae would be a noticeable addition to the street scene, being significantly taller than streetlights, trees and the two-storey dwellings in its immediate vicinity.

The proposal would also have a significant visual impact upon the dwellings nearest to the site, particularly 2 Gorsehayes and 103 Belstead Road given their close proximity.

The proposal would be unduly prominent, would dominate surrounding buildings, would detract from the visual amenity of the area and would represent poor design contrary to the aims of the National Planning Policy Framework. The proposal would fail to be well designed as to be in accordance with policy DM12.

The proposal would also harm the appearance of the street scene and would fail to be in accordance with policy DM34 (b), taking into account the Urban Character SPD.

29. PD/23/03 Item 2 - Application IP/23/00264/FUL

REPS

Ward: WHITTON

Proposal: Erection of two-storey front extension, first-floor side extension above garage, two-storey rear extension, and replacement of roof including 3 dormer windows and 1 rooflight to form first floor accommodation.

Address: 273 Henley Road

Applicant: Mr and Mrs J Miah

Agent: Mr Peter Keen

The Planning Officer presented the report illustrated by drawings and photographs.

The Planning Officer clarified that there would be some adverse impact from the development, but this was deemed to be acceptable having applied the 45 degree approach to assessing the daylight impact on the neighbouring property.

Councillor Shaw commented on the mixture of design of properties on this section of Henley Road, highlighting the size and visual impact of 281 Henley Road and the new build at 269 Henley Road.

RESOLVED:

Grant of planning permission subject to the following conditions (briefly):

1. The hereby-approved development shall be carried out in accordance approved drawings and the requirements.
2. The North-facing first floor side elevation window of the hereby-approved development to be obscure glazed and hinged to rear of the property.
3. The North-facing rooflight of the hereby-approved development to be inserted a minimum of 1.7m above finished floor level.

30. PD/23/03 Item 3 - Application IP/23/00279/FUL

REPS

Ward: WHITEHOUSE

Proposal: Creation of a 3G Artificial Grass Pitch (AGP) with perimeter fencing, hardstanding areas, storage container, floodlights, an access footpath and associated bund.

Address: Westbourne Academy, Marlow Road

Applicant: Westbourne Academy

Agent: Mr Michael Eastman

The Senior Planning Officer presented the report illustrated by drawings and photographs.

Councillor Murray asked whether it would be possible to review the impact of the proposed hours of use for the floodlighting after 6 months of operation.

Councillor Gardiner commented that the proposed hours of use were in line with other similar sports facilities, for example, those at Copleston School.

The Senior Planning Officer added that a reduction of the proposed hours would not be acceptable to Sport England.

Councillor Lankester commented that condition 9 requested a noise management plan to be submitted, whereas paragraph 5.25 referred to the assessment of the submitted noise management plan.

The Senior Planning Officer clarified that only a draft noise management plan had been submitted and further detail was required; this condition would only be discharged subject to approval from the Council's Environmental Health Officers.

The Senior Planning Officer confirmed that the floodlighting had been designed to focus light onto the pitch whilst preventing light spillage and added that no objection had been received from Environmental Health.

RESOLVED:

Grant of planning permission subject to the following conditions (briefly):

- 1. The hereby-approved development shall be carried out in accordance approved drawings and the requirements.**
- 2. The hereby-approved development shall be carried out and shall thereafter remain in accordance with the Sports Lighting Impact Statement 1st Issue dated 04.04.2023.**
- 3. None of the hereby-approved development shall be first brought into used until details of biodiversity enhancements and soft landscaping have been submitted to and approved in writing by the Local Planning Authority.**
- 4. The hereby-approved development shall not be in use nor shall the approved floodlights be switched on and lit outside of the following permitted hours:**
 - a) 08:00 to 22:00 hours Monday to Friday**
 - b) 08:00 to 18:00 hours Saturday and Sunday**

5. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the proposed 3G pitch and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review.
6. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the Local Planning Authority.
7. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the Local Planning Authority.
8. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the Local Planning Authority. The approved CSWMP shall include: method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction
9. Before the hereby-approved development is first brought into use, a noise management plan shall be submitted to and approved in writing by the Local Planning Authority.

31. PD/23/03 Information for Councillors, including Planning Enforcement Update

- 31.1. Councillor Rae asked whether it was possible to breakdown the planning enforcement cases in terms of whether they were proactive or reactive. The Head of Planning & Development commented that this could be considered for future reports.

RESOLVED:

that the information for Councillors be noted.

The meeting closed at 10.57 am

Chair

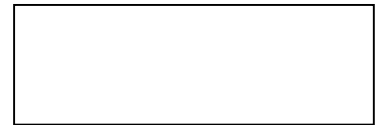
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PLANNING AND DEVELOPMENT COMMITTEE

Ref PD/23/04

DATE: WEDNESDAY 23rd August 2023

SUBJECT: PLANNING APPLICATIONS



Brief description of report content and the decision being asked for:

This report lists those planning applications to be determined by the Committee. It sets out relevant considerations, outstanding matters, and makes recommendations as appropriate at the time of writing.

This report has been prepared on behalf of James Fairclough, email: james.fairclough@ipswich.gov.uk

This report was prepared after consultation with:
As listed within the individual items in the report.

The following policies form a context to this report:
(all relevant policies must also be referred to in the body of the report)

Building a Better Ipswich
Development Plan and other policy documents as listed.

This report is not a key decision included in the Forward Plan

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(papers relied on to write the report but which are not published and do not contain exempt information –

1. All of the papers on the relevant planning application files that were relied upon to a material degree in the preparation of the report.

OTHER HELPFUL PAPERS

(papers which the report author considers might be helpful – this might include published material)

1. Ipswich Core Strategy and Policies Development Plan Document Review 2022
2. Ipswich Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document Review 2022
3. Space and Design Guidelines SPD 2015
4. Cycling Strategy SPD 2016
5. Shop Front Design Guide SPD 2016
6. Development and Flood Risk SPD 2022
7. Suffolk Coast RAMS SPD 2020
8. Ipswich Town Centre and Waterfront Public Realm Strategy 2019
9. Ipswich Urban Character Study SPD
10. Development and Archaeology SPD 2018
11. Public Open Space SPD 2017
12. Low Emissions SPD 2021
13. Reptiles Strategy SPD 2021
14. Local List (Buildings of Townscape Interest) SPD 2021
15. Other published Supplementary Policy Documents
16. Suffolk Guidance for Parking – Suffolk County Council 2019
17. Borough Council Statement on Affordable Housing
18. National Planning Policy Framework 2021
19. National Planning Practice Guidance

Introduction

This Report consists of a schedule of planning applications, each with their own written report, plus Members Information on workload.

Recommendations on applications are given whenever possible at the time of report writing. Sometimes there will be issues outstanding which could affect the recommendations made, so either an indication of the likely recommendation will be given, or no recommendation will be made until the meeting itself. Sometimes recommendations may be amended if there are late and unforeseen developments on a particular case. Details of final recommendations may be obtained from the Planning and Development team after 12 noon, the day before the meeting.

Proposed conditions and reasons for refusal will be given, often in summary form. It will be the Head of Planning and Development's duty to word and interpret the final form of these, following the Committee debate. Planning Officers will draw to the Committee's attention any non-standard and/or unusual conditions proposed, otherwise conditions may be attached as the Head of Planning and Development thinks fit, so long as these are in line with normal Council practice.

Application Types

The following different types of planning application may be made, and they can be identified by reference to the letter suffix to the application reference number:

FP/FUL	Full Planning
RM/REM	Reserved Matters
LB/LBC	Listed Building Consent
PIP	Permission in Principle
DGD/GDA GDO/GDF/GDR	Development by Government Department
CLD	Certificate of Lawful Development
FRINGE	Neighbouring Authorities
HS/HSC	Hazardous Substances Consent
APD	Agricultural Works - Permitted Development
TPD	Telecommunications Works - Permitted Development
CON	Details under a Condition
FPC	Full Planning Application by SCC
OLC/OUTC	Outline Planning by SCC
RMC	Reserved Matters Application by SCC
FPCM/FCM	Full Planning to be dealt with as County Matter
OLCM/OCM	Outline Planning to be dealt with as County Matter
RMCM/RCM	Reserved Matters Application to be dealt with as County Matter
FPI3	Full Planning Application by Ipswich Borough Council
RMI	Reserved Matters Application by IBC
OEL	Overhead electric lines

PREAPP	Pre-application
PDE	General Permitted Development extensions
P3JPA	Prior Approval – Office/Retail to dwelling(s)
P3KPA	Prior Approval – to school or state registered nursery
P3LPA	Prior Approval – school to previous use
P3MPA	Prior approval – agricultural to office/shop
CAAD	Certificate for Appropriate Alternative Development
OL/OUT	Outline
A/ADV	Advertisement
CALF	Trees Application (Conservation Area)
TALF	Trees Application (TPO)
PALF	Trees Application (Planning Condition)
DEM	Demolition details
OLI/OUTI	Outline Planning by Ipswich Borough Council
VC	Vary Condition attached to Planning Permission (also known as a Section 73 application)
FUL4	Full Planning under Article 4
MPSID	Public Service Infrastructure Development

Abbreviations

The following abbreviations may be used within the Report.

BREEAM -	Building Research Establishment Environmental Assessment Method.
DPD -	Development Plan Document (part of the statutory development plan).
DEAP -	Destination Equipped Area for Play.
IP-One -	Central part of Ipswich including the town centre, the Waterfront, Ipswich Village and the Education Quarter.
LB -	Listed Building (either Grade ii, Grade ii*, or the highest being Grade i)
LEAP -	Local Equipped Area for Play
LPA -	Local Planning Authority
NPPF-	National Planning Policy Framework
NPPG -	National Planning Policy Guidance
NEAP -	Neighbourhood Equipped Area for Play
PD -	Permitted Development (see below)
PDL -	Previously Developed Land
POS -	Public Open Space
S106 -	Section 106 of the Town and Country Planning Act (legal agreement – see below)
SAM -	Scheduled Ancient Monument
SPD -	Supplementary Planning Document
SSSI -	Site of Special Scientific Interest
SPA -	Special Protection Area
SCI -	Statement of Community Involvement
SPD -	Supplementary Planning Document
SuDS -	Sustainable Drainage Systems

Policies

CS - Core Strategy and Policies Development Plan Document Review 2022

SAP - Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document Review 2022

Determination of Applications For Planning Permission

Section 70(2) of the Town and Country Planning Act 1990 requires that

“In dealing with (application for planning permission) the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations”.

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Different priorities may apply to other types of application.

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and was updated on 20 July 2021. This sets out the government’s planning policies for England and how these are expected to be applied. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements. Officer reports will refer directly to the NPPF.

The Local Plan

This consists of the Adopted Core Strategy and Policies Development Plan Document Review 2022 (or CS), and the Site Allocations (Incorporating IP-One Area Action Plan) Development Plan Document Review 2022 (or Site Allocations Plan). Any draft plans do not constitute part of the development plan until they are formally adopted at the end of the preparation process. They will be “material considerations” and the amount of weight to be given to their content will depend upon how far advanced they are, and the degree of public acceptability that exists towards a particular section.

Background Duties

Background duties are those which Members and Officers of the Council should be aware of in carrying out all of their functions.

Human Rights Act 1988

The following parts of this legislation are particularly relevant to the determination of planning applications.

Article 6 – Right to a Fair Trial

“In the determination of his civic rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.....”

Article 8 – Right to Respect for Private and Family Life

“1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

Protocol 1, Article 1 – Protection of Property

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or secure the payment of taxes or other contributions or penalties.”

The Head of Planning and Development will alert members to cases where it is considered that an individual's human rights may be affected.

Crime and Disorder Act 1998

Section 17(1) of this Act requires that:

“without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.”

Equality Act 2010

Section 149 of the Act requires that:

The Council shall have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Race Relations (Amendment) Act, 2000

(The Council is required) “when carrying out all of its functions to have due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups”.

Codes of Conduct

Members should abide by the Code of Conduct set out in the Council’s Constitution and guidance issued by the Local Government Association on probity, which covers the roles of Councillors and Officers, Declaring interests, Pre-application discussions, lobbying, the Party Whip, Site visits, Officers reports to and Public Speaking at the Committee, Decisions contrary to Officers Recommendations and/or the Local Plan, Planning Applications by Councillors and Officers, and Council Development.

Planning Tools

Section 106 Obligations

The Community Infrastructure Levy Regulations 2010 requires that Planning Obligations should only be sought where they are (i) necessary to make the development acceptable in planning terms, (ii) relevant to planning, (iii) directly related to the proposed development, and (iv) fairly and reasonably related in scale and kind to the proposed development. If the Head of Planning and Development is in any doubt over compliance with these tests he will raise the matter with Committee.

Planning Conditions

The National Planning Practice Guidance advises that conditions should be 1. necessary; 2. relevant to planning and; 3. to the development to be permitted; 4. enforceable; 5. precise and; 6. reasonable in all other respects.

Use Classes

Changes were introduced to The Town and Country Planning (Use Classes) Order 1987 from 1st September 2020.

The Town and Country Planning (Use Classes) Order 1987, (as amended) sets out various uses of land into use classes. If two uses fall within the same use classes, then planning permission is not required, as the change from one to another is not considered to be ‘development’ in the meaning of the 1990 Act. If the uses fall within separate use classes, then permission may be required, however permitted changes are allowed between some use classes in certain circumstances.

The list of commonly referred to use classes prior to September 2020 were (in brief):-

- A1 – Shops
- A2 – Financial and Professional Services.
- A3 – Restaurants and Cafes.
- A4 – Drinking Establishments.
- A5 – Hot Food Take Aways.

B1 – Business (offices, research and development, light industry)
B2 – General Industry.
B8 – Storage and Distribution.

C1 – Hotels, boarding and Guest Houses.
C2 – Residential Institutions (boarding schools, hospitals and nursing homes).
C3 – Dwellinghouses.

D1 – Non-Residential Institutions (Churches, Church Halls, Clinics, nurseries, museums, public halls, libraries, schools etc).
D2 – Assembly and Leisure (cinemas, dance halls, sports, halls, gymnasium etc)

Some uses are not within a use class, and are referred to as being “Sui Generis” Planning Permission is normally required for a change to or from such uses. Such examples of the Sui Generis use class are:- Motor vehicle sales, betting shops, retail warehouse clubs, launderettes, taxi hire business, petrol filling stations, timber merchants.

The changes to Use Classes from 1 September 2020 are listed below.

Class A

Class A is revoked from 1 September 2020.

- Class A 1/2/3 are effectively replaced with the new Class E(a,b,c); and
- A4/5 uses are not covered by the new Class E and become defined as ‘Sui Generis’.

Class B

B1 Business is revoked from 1 September 2020.

- Class B1 is effectively replaced with the new Class E(g); and
- Uses B2 and B8 remain valid.

Class C

Class C is not affected by the 1 September 2020 changes.

Class D

Class D is revoked from 1 September 2020.

- Class D1 is split out and replaced by the new Classes E(e-f) and F1; and
- Class D2 is split out and replaced by the new Classes E(d) and F2(c-d) as well as several newly defined ‘Sui Generis’ uses.

Class E - Commercial, Business and Service

Class E is introduced from 1 September 2020.

In 11 parts, Class E more broadly covers uses previously defined in the revoked Classes A1/2/3, B1, D1(a-b) and ‘indoor sport’ from D2(e):

- E(a) Display or retail sale of goods, other than hot food;
- E(b) Sale of food and drink for consumption (mostly) on the premises;

- E(c) Provision of:
- E(c)(i) Financial services;
- E(c)(ii) Professional services (other than health or medical services); or
- E(c)(iii) Other appropriate services in a commercial, business or service locality;
- E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms);
- E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner);
- E(f) Creche, day nursery or day centre (not including a residential use);
- E(g) Uses which can be carried out in a residential area without detriment to its amenity;
- E(g)(i) Offices to carry out any operational or administrative functions;
- E(g)(ii) Research and development of products or processes; and
- E(g)(iii) Industrial processes.

Class F - Local Community and Learning

Class F is introduced from 1 September 2020.

In two main parts, Class F covers uses previously defined in the revoked classes D1, 'outdoor sport', 'swimming pools' and 'skating rinks' from D2(e), as well as newly defined local community uses.

- F1 Learning and non-residential institutions – Use (not including residential use) defined in 7 parts:
 - F1(a) Provision of education;
 - F1(b) Display of works of art (otherwise than for sale or hire);
 - F1(c) Museums;
 - F1(d) Public libraries or public reading rooms;
 - F1(e) Public halls or exhibition halls;
 - F1(f) Public worship or religious instruction (or in connection with such use);
 - F1(g) Law courts;
- F2 Local community – Use as defined in 4 parts:
 - F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres;
 - F2(b) Halls or meeting places for the principal use of the local community;
 - F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms); and
 - F2(d) Indoor or outdoor swimming pools or skating rinks.

Sui Generis

'Sui generis' is a Latin term that, in this context, means 'in a class of its own'.

Certain uses are specifically defined and excluded from classification by legislation, and therefore become 'sui generis'. These are:

- Theatres;
- amusement arcades/centres or funfairs;
- launderettes;
- fuel stations;

- hiring, selling and/or displaying motor vehicles;
- taxi businesses;
- scrap yards, or a yard for the storage/distribution of minerals and/or the breaking of motor vehicles;
- ‘Alkali work’ (any work registerable under the Alkali, etc. Works Regulation Act 1906 (as amended));
- hostels (providing no significant element of care);
- waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste;
- retail warehouse clubs;
- nightclubs;
- casinos;
- betting offices/shops;
- pay day loan shops;
- public houses, wine bars, or drinking establishments – from 1 September 2020, previously Class A4;
- drinking establishments with expanded food provision – from 1 September 2020, previously Class A4;
- hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises) – from 1 September 2020, previously Class A5;
- venues for live music performance – newly defined as ‘Sui Generis’ use from 1 September 2020;
- cinemas – from 1 September 2020, previously Class D1(a);
- concert halls – from 1 September 2020, previously Class D1(b);
- bingo halls – from 1 September 2020, previously Class D1(c); and
- dance halls – from 1 September 2020, previously Class D1(d).

Other uses become ‘sui generis’ where they fall outside the defined limits of any other use class.

For example, C4 (Houses in multiple occupation) is limited to houses with no more than six residents. Therefore, houses in multiple occupation with more than six residents become a ‘sui generis’ use.

Permitted Development

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Planning Permission is required for all forms of development other than permission that is granted by national legislation for certain categories of development. This is known as “Permitted Development”. There are 19 categories of such development, but the most common type is “development within the curtilage of a dwellinghouse”, which allows many domestic alterations and extensions to be undertaken without requiring planning permission from the LPA.

Building Control

The Building Regulations may apply in and around buildings. These requirements are intended to protect people’s safety, health and welfare. They also set standards for accessibility, water use, energy use and security. The approved documents give further guidance for many

common building situations. They contain statutory guidance on how to meet the requirements of the Building Regulations.

Building Regulations are considered to be the minimum standards of Health and Safety for people in and around buildings. Currently any developer can choose to use an external Approved Inspector or the Local Authority Building Control Team for any scheme that has not yet commenced on site.

The Approved Inspector and Local Authority Building Control Teams are required to ensure the work meets the same standards.

The full list of Approved Documents is:-

- A – Structure
- B – Fire Safety
- C – Site preparation and resistance to contaminants and moisture
- D – Toxic substances
- E – Resistance to sound
- F – Ventilation
- G – Sanitation, hot water safety and water efficiency
- H – Drainage and waste disposal
- J – Combustion appliances and fuel storage systems
- K – Protection from falling, collision and impact
- L – Conservation of fuel and power
- M – Access to use of buildings
- O – Overheating
- P – Electrical safety
- Q – Security in dwellings
- R – High speed electronic communications networks
- S – Infrastructure for charging electrical vehicles
- Document 7 – Material workmanship

With regards Part B (Fire Safety) of the Building Regulations applies to all new build schemes and where any 'building work' would leave the situation any less compliant than it previously was, to non-exempt buildings. Both private and public sector Building Control are required to ensure compliance with the guidance and consult with the Suffolk Fire and Rescue Service (if the scheme is for 5 or more dwellings or is a commercial scheme).

With regards Part M (Access to an use of buildings) and accessibility there can be may iterations with regards application, depending on the type of scheme and which classification of any change of use is categorised, under Building Regulations 2010. The result is in many existing shop units and residential conversions, level access and much of Part M may not be required.

The Equality Act 2010 is the primary legislation ensuring suitable access and use of existing buildings. It places duties on all businesses and employers to ensure people do not suffer discrimination, harassment or victimisation. A suitable Access Statement justifying Building Regulations non compliances may be used to satisfy Building Regulations, however may not protect from prosecution under The Equality Act 2010.

Speaking At Committee

Interested parties and Ward Councillors may speak on applications, in accordance with the Council's Standing Orders and published Scheme details – [information](#) on how to do this is available on the Council's website at: <https://www.ipswich.gov.uk/content/speaking-planning-and-development-committee>

Representations

The location plans at the front of each report include details of representations received, marked as **‘★’**.

Where an **‘★’** is shown on the location plans this indicates the addresses of the persons making representations. However, this only covers the area shown on the plan. There may be representations from persons living beyond the plan. Please refer to the Representations section of each report for full details of all representations received.

Material and Non-Material Planning Considerations (Not exhaustive lists)

Material:-

- The Development Plan / Government Policy
- Statutory Consultation responses
- Supplementary Planning Documents
- Prematurity
- Overlooking/loss of privacy
- Loss of light or overshadowing
- Design / Appearance / Layout / Density
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building/s and conservation area/s
- Previous planning decisions (including appeal decisions)
- Nature conservation and protection of the environment

Non-Material:-

- Impact on property values
- Profit
- Ownership of land / rights of access
- Work already having started
- Commercial competition
- Moral objections
- Loss of private views
- Restrictive covenants
- History of the applicant
- Changes from previous applications
- Matters covered by other legislation such as Building Regulations

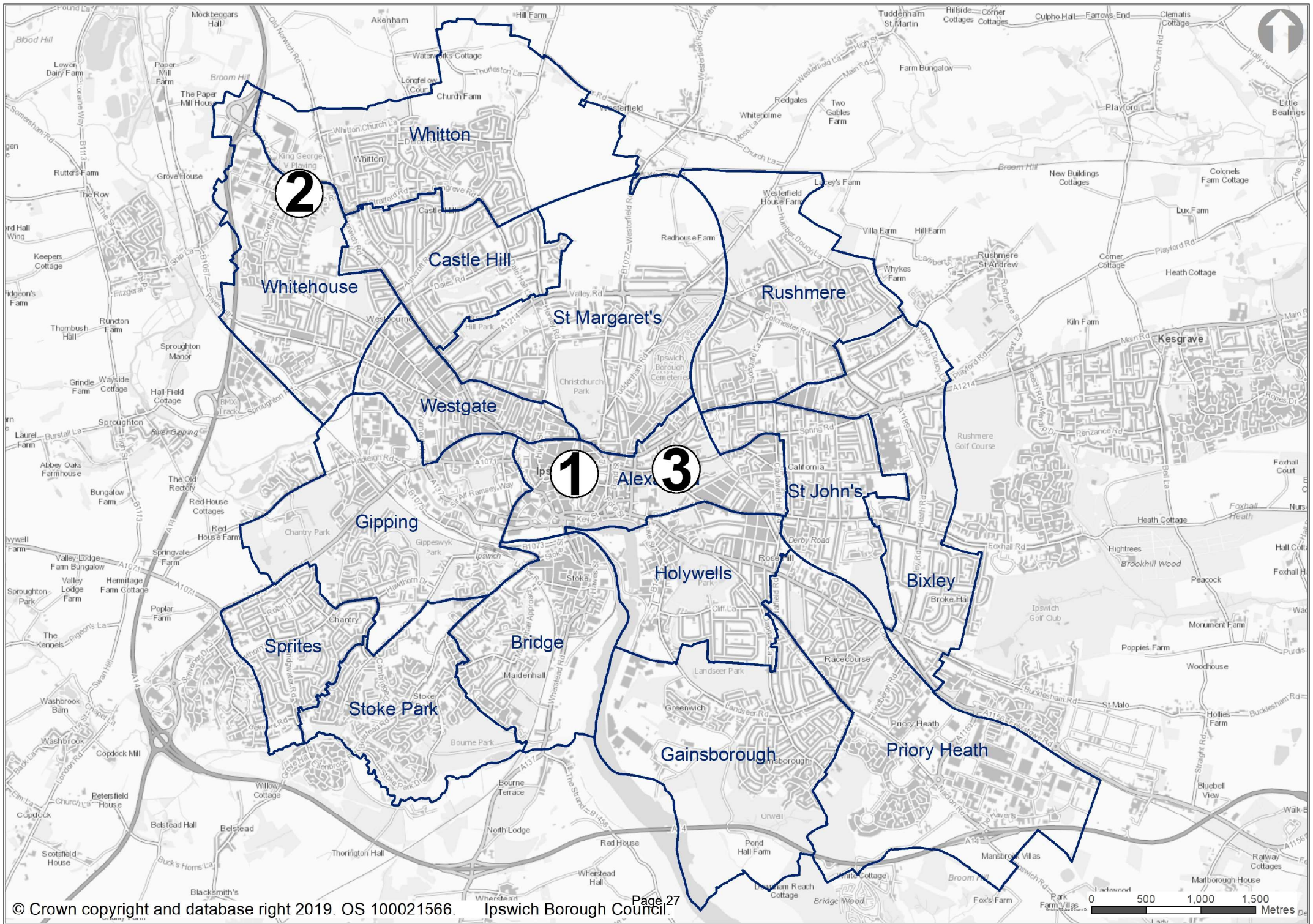
CONTENTS

Item No	Ref. No.	Address	Ward
Item 1	IP/23/00315/FPI3 (J Burgess)	Arras Square Place D Arras	ALEXANDRA
Item 2	IP/23/00298/FUL (A Kittle)	32 White House Road	WHITEHOUSE
Item 3	IP/23/00527/FUL (A Kittle)	196 St Helens Street	ALEXANDRA

BACKGROUND PAPERS

All of the papers on the relevant planning application files that were relied upon to a material degree in the preparation of the report, are regarded as Background Papers which may be inspected by arrangement with the relevant Case Officer.

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Item 1 **Application No. IP/23/00315/FPI3**

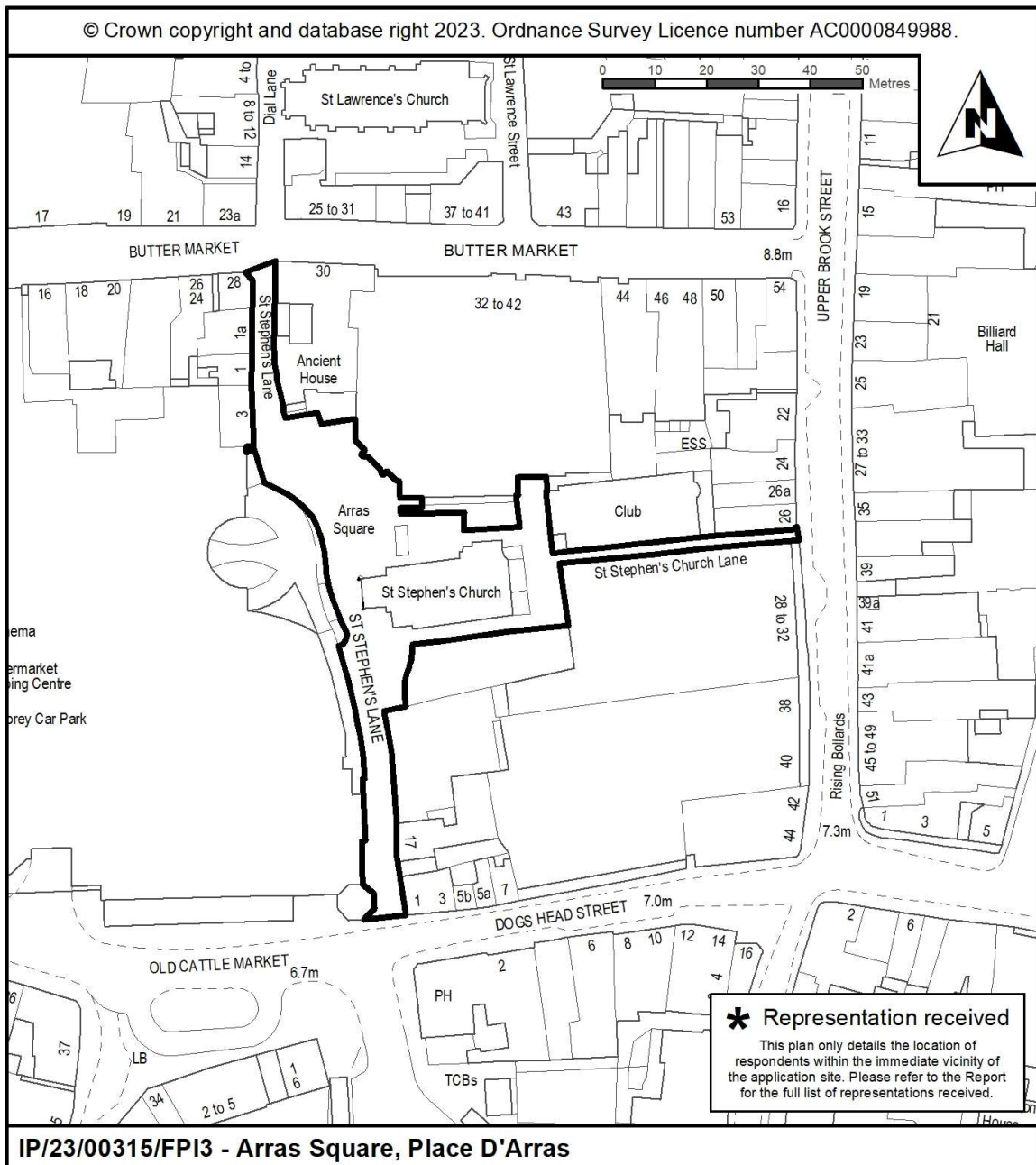
Ward: ALEXANDRA

Proposal: Public realm renewal of Arras Square and approaches consisting of re-paving and re-levelling, installation of landscape features including new trees and architectural lighting and removal of existing trees and removal of boundary walls.

Address: Arras Square, Place D Arras, St Stephens Lane.

Applicant: Ipswich Borough Council

Agent: Erect Architecture



Recommendation

Grant of planning permission subject to the following conditions (briefly):-

1. The hereby-approved development shall be carried out in accordance approved drawings, landscaping plan, tree protection plan and lighting strategy as well as the requirements of any succeeding conditions.
2. Conditions relating to on going maintenance of new trees and submission of Habitat Management and Monitoring Plan before any part of the hereby-approved development is first brought into use.
3. No development shall commence until a programme of archaeological works has been submitted and approved with site investigation and post investigation assessment submitted before first use.
4. No development shall commence until details of Sustainable Drainage Features have been submitted and approved.
5. The mural shall not be commenced until details of the mural and its on going maintenance have been submitted and approved.
6. No work adjacent to the church shall be commenced until measures to prevent moisture ingress into walls of the church have been submitted and approved.
7. Before any part of the hereby-approved development is first brought into use details of CCTV shall be submitted and approved.

Informatives:

Suffolk Police comments

The application is referred to the Planning and Development Committee as Ipswich Borough Council is the applicant, under Regulation 3 of The Town and Country Planning General Regulations 1992.

1. Proposal

- 1.1 The application site comprises existing public routes and areas within Arras Square, St Stephen's Lane and St Stephen's Church Lane. The principal area covered by the application is around St Stephen's Church, Grade II* listed and in use as a live music venue. St Stephen's Lane runs from Butter Market to Dogs Head Street, with St Stephen's Church Lane connecting through to Upper Brook Street.
- 1.2 The site is within the Town Centre and Central Shopping Area, with adjacent uses primarily falling within Class E. In addition, the Buttermarket Centre is located to the west comprising retail and leisure uses and the Central Conservative Club is located to the east. There are residential properties to the north fronting St Stephen's Lane.
- 1.3 The site is within the Central Conservation Area and there are further listed buildings to the north and south, including Grade I listed The Ancient House.
- 1.4 The area is of low risk of flooding from rivers given its location away from the main zones of flooding further to the south. Based upon the Strategic Flood Risk Assessment there is a low risk of surface water flooding within St Stephen's Lane at the southern end of the site, with a medium risk where it meets Dogs Head Street.
- 1.5 The proposal seeks the repaving of Arras Square and St Stephen's Church Lane to the south, predominantly using a buff paver laid in herringbone format, but also including a feature clay paver at certain points, such as to indicate the entrance of the church. New street furniture such as bins and benches are proposed and new lighting would be installed. The proposal also seeks the removal of 10 trees and replacement with 11 new trees.
- 1.6 The proposal for Arras Square can be split into three zones which include the following features;
 - The area north of St Stephen's Church or Northern Churchyard:- It is proposed to remove existing trees/planters and open out the area with a space for performance outside the live music venue within the Church, flanked by amphitheater seating. A new ramp and stairs are proposed.

- Rear of St Stephen's Church or Eastern Courtyard:- The wall enclosing the sarcophagi at the rear of church would be removed.
 - The Graveyard or Southern Churchyard area:- Removal of hornbeam tree to increase light and surveillance of the south eastern corner. A new east-west path is proposed using reused York stone pavers. The car park boundary wall is to be lowered and bollards are proposed within St Stephen's Lane to restrict vehicular access. Along the eastern and southern walls of the adjacent building a painted mural is proposed.
- 1.7 In addition, St Stephen's Church Lane will also have a painted mural along its length. Lighting within the scheme would be a mixture of steel columns, uplighters and spotlights. CCTV is also proposed by the applicant.
- 1.8 The application is supported by the following:-
- Drawings
 - Drainage Strategy and Flood Risk Assessment
 - Design and Access Statement and Heritage Statement
 - Arboricultural Impact Assessment
 - Biodiversity Gain Report
 - Public Realm Lighting Report

2. Background

- 2.1 Listed building consent and planning permission was granted in 2022 (IP/22/00683/FPI3 and IP22/00682/LBC refers) for the conversion of St. Stephen's Church into a live music venue. The use has recently commenced.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 16.05.2023 and 13.06.2023. 16 properties were notified of the application, in addition to a press notification and a site notice. The application was advertised on the Council's website in accordance with the Ipswich Statement of Community Involvement 2018.
- 3.2 Comments that were received are summarised below.

IBC Conservation and Design – No objections. Recommend approval although there are some concerns about the proposal to apply the mural directly to the brick surface.

IBC Environmental Health – No objections.

IBC Landscape Officer – No objections. Fully support this application.

IBC Tree Officer – No objections. The Officer is satisfied no harm will come to the retained trees on the South side of the church during the construction phase, subject to full compliance with the recommendations & arboricultural method statements within the Arboricultural impact assessment, which should be subject to audited supervision by the project arborist.

IBC Property Services – No objections. Support principle of works.

IBC Economic Development – No objections. The proposed improvements to the public realm space demonstrate a strong commitment to enhancing the area's visitor-friendliness, aesthetics, and accessibility. These improvements have the potential to not only create a more appealing environment but also contribute to the economic development of the surrounding area. Economic Development support this application and believe that the project will have a positive impact on the Town Centre.

IBC Community Safety Officer – No objections. There is no drug related litter found in this area in the last 6 months, however there have been Anti-Social Behaviour issues in this area including gatherings, drug activity, and rough sleeping. The Council's Communities Anti-Social Behaviour Officer believes the re-paving and re-levelling, installation of landscape features including new trees and architectural lighting and removal of existing trees and removal of boundary walls will not prevent his work to reduce

ASB and will benefit the area.

SCC Highways – No response received.

SCC Drainage – Objection. A holding objection is necessary because this part of Ipswich drains into a combined sewer and thus contributes to combined sewer overflows (in which untreated sewage flows into watercourses as a result of the sewers already being full to capacity with rainwater during and after prolonged or intense storm events). The inclusion of sustainable drainage features (SuDS) within the scheme would reduce the speed and volume of rainwater runoff entering the combined sewer and thus have the potential to reduce combined sewer overflows. No SuDS have been included and the scheme offers no betterment over the existing scenario. Furthermore, any contaminants from the hard paving (litter, silt, de-icing salts etc) will enter the river untreated as no pollution management has been included in the proposals.

SCC Archaeology – No objection. This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to the medieval church of St Stephen (IPS 277) and a known Saxon cemetery. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks (specifically tree removal) associated with the development have the potential to damage or destroy any archaeological remains which exist. Condition recommended requiring programme of archaeological works.

Anglian Water – No objections.

Historic England – No objections but concerns raised regarding the application on heritage grounds and Historic England recommend varying the pattern of paving, use of the northern side of the Square, the junction of paving and the walls of the church and the design and care of the mural should be given further consideration.

Suffolk Police – No objections. Request that conditions requiring the installation of CCTV to cover the whole site and a reduction in the amount of permanent seating are included in any permission granted. It is suggested that the bollards be repositioned further south. These conditions are deemed to be enforceable, realistic and relevant to planning in view of the high crime and Anti-Social Behaviour levels recorded in the area.

Ipswich Conservation and Design Panel – No objections.

Concern regarding loss of trees, adequacy of bin provision in St Stephens Lane area. Concern that there was 'a lot going on' in the Northern Churchyard area - generally agreed that with climate change etc, urban greening is important. Green space and tree canopies providing shade would be better in hot weather. Panel members would prefer to see more greenery and a softening of area.

With regard to the Eastern Courtyard, Panel are generally not keen on the principal of painting on the brickwork. A mural is required but with more substantial materials.

The Southern churchyard proposal was considered simple and attractive with some concern regarding retractable bollards - expensive, regularly fail and difficult to fix.

The Panel agreed that narrow lane improvements are supported. Debate over proposed wall painting - Proposed blue arches design is quite assertive and gothic- Something more delicate and contextual may be preferable.

Panel are generally supportive of proposed scheme, but design needs reconsideration.

Essex Place Services – No objections. Satisfied the Biodiversity Metrics have been calculated by a suitably qualified ecologist, using the most up to date version of the metrics at the time of completion. The proposed net gain is also greater than the 10% net gain requirement of the forthcoming schedule of Environment Act 2021. Some queries raised regarding precise calculations but conclude that the result is unlikely to change.

Would be beneficial to have some additional clarification from the applicant's ecologist / landscape consultant regarding tree growth to ensure that the measurable biodiversity net gains can be achieved.

Representations:

The following representation has been received with comments on the proposal:-

1. Ms I Clough, 20 Belstead Avenue, IP2 8NP received 11.07.23

Issues raised:-

- Concern regarding loss of trees.
- Small saplings more likely to be damaged than mature trees.

4. Policy

National Planning Policy

National Planning Policy Framework (2021)
National Planning Practice Guidance

Local Planning Policy

Ipswich Local Plan, incorporating the Core Strategy and Policies Development Plan Document (DPD) Review, and the Site Allocations and Policies (Incorporating IP-One Area Action Plan (AAP)) DPD Review (2022)

Policies DM3 (Air Quality), DM4 (Development and Flood Risk), DM8 (The Natural Environment), DM9 (Protection of Trees and Hedgerows), DM12 (Design and Character), DM13 (Built Heritage and Conservation), DM14 (Archaeology), DM18 (Amenity), DM21 (Transport and Access in New Developments), DM27 (The Central Shopping Area).

Other Guidance

Development and Flood Risk SPD (2022)
Low Emissions SPD (2021)
Development and Archaeology SPD (2018)
Ipswich Town Centre and Waterfront Public Realm Strategy (2019)
Central Conservation Area Appraisal and Management Plan
Interim Biodiversity Net Gain Planning Guidance Note for Suffolk (2023)

5. Planning Assessment

Procedure

- 5.1. The applicant has submitted a fully detailed proposal as part of a planning application. However, many aspects of the application do not in themselves require an application for planning permission. This is due to the extensive permitted rights that the applicant already has for development on land within their control, including the installation of seats and bins normally expected within public areas.

Air Quality

- 5.2. Policy DM3 relates to air quality stating the Council will ensure that the impact of development on air quality is mitigated and ensure that proposals do not negatively impact on existing air quality levels in the Borough. The Council will take into account the impact of air quality when assessing development proposals, through consideration of both the exposure of occupants to air pollution and the effect of the development on air quality.
- 5.3. The site is located away from areas where there are concerns regarding air quality and the proposal would not increase risk of exposure. Furthermore, it seeks to reduce indiscriminate access and parking through the use of bollards.
- 5.4. The proposal would result in the loss of established trees and potential short term impact with regard to air quality. However, this is mitigated by new trees that would also be of benefit as they become

established. The proposal also seeks to improve the overall quality of an area of public realm within the town centre and would be of benefit to the overall viability of the Town Centre which can be accessed by non-car modes of travel. Overall, the proposal would be acceptable having regard to policy DM3.

Flood Risk

- 5.5. Policy DM4 states that development will be approved where it will not increase the overall risk of all forms of flooding in the area or elsewhere through the mitigation of flood risk in the layout, design and form of the development and the appropriate application of Sustainable Drainage Systems (SuDS) (criteria c) and it will be adequately protected from flooding (criteria f)
- 5.6. SCC Drainage raised a holding objection to the initial proposal as they considered there to be a greater opportunity for SuDS that reduce the speed and volume of rainwater runoff entering a combined sewer and thus have the potential to reduce combined sewer overflows. However, the proposal does not increase the risk of flooding and would be adequately protected.
- 5.7. In addition, the applicant has put forward additional SuDs including that surface water runoff be directed towards proposed trees, provision of permeable paving within the Northern Churchyard, rain garden feature within the Eastern Courtyard and infiltration drainage to the Southern Churchyard. Access points are indicated for maintenance and an interceptor is also shown where the site meets Dogs Head Street.
- 5.8. The proposal would be in accordance with policy DM4 with the indicated details showing a betterment over the existing situation. These can be secured by condition.

Amenity

- 5.9. Policy DM18 states the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not result in an unacceptable loss of amenity. Exceptions will only be made where satisfactory mitigation measures can be secured. New development that would adversely affect the continued operation of established uses will not be permitted.
- 5.10. No concerns have been raised in these regards and the proposal would not give rise to a material nuisance, with the aim of the works to improve amenity and reduce instances of anti-social behaviour.

Biodiversity and Trees

- 5.11. Policy DM8 states that all development must incorporate measures to provide net gains for biodiversity. Proposals which would result in significant harm or net loss to biodiversity, having appropriate regard to the 'mitigation hierarchy', will not normally be permitted.
- 5.12. Policy DM9 relates to trees and states that applications for development should retain existing trees and hedgerows of amenity or biodiversity value where possible. Where development affecting trees or hedgerows is proposed, the application must be accompanied by a survey and assessment, details of protective measures for retained trees.
- 5.13. The policy also states that where removal of a mature or semi-mature tree or hedgerow is proposed, a plan for replacement planting on a two for one basis or better and using semi-mature specimens is required, unless otherwise agreed by the Council.
- 5.14. Furthermore, the policy concludes by stating that design in new development should have proper regard to the setting of protected trees. Landscaping and tree planting should be integrated into new development, including car parking areas. Where appropriate, new tree planting will be encouraged within landscaping schemes to increase the Borough's tree canopy cover. Soft landscaping shall include plants which encourage biodiversity, such as nectar rich plants.
- 5.15. Paragraph 180 of the NPPF directs local planning authorities to refuse permission if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for.

- 5.16. The NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity (para 174). Furthermore, trees are recognised for their contribution towards a high quality environment.
- 5.17. The proposal seeks the removal of 10 trees. A key aim of the proposal is to improve visibility and reduce anti-social behaviour. Furthermore, of the trees to be removed 5 are of low quality, with only 4 moderate quality and 1 high quality tree (European Hornbeam) to be removed. The Hornbeam is in the south eastern corner and it is proposed to remove this tree to increase light and surveillance.
- 5.18. The proposal seeks 11 replacement trees, these include Japanese pagoda, Magnolia, Judus, Birch and Apple Blossom trees. 5 trees will be retained all of which are of high amenity value, including 2 yew trees that sit within a circular brick wall surround. These would include a new reinforced concrete ring with timber seating. The report also details measures to protect other trees to be retained.
- 5.19. The applicant has also submitted a Biodiversity Gain report, and this predicts a gain in habitat of 16.85%. The proposal is largely reliant upon the success of the 11 new trees and the assumption that they will attain a stem diameter of more than 30 cm within a 30 year period. The report states that Habitat Management and Monitoring Plan will be required to inform the establishment and long term management of the projects predicted gains and it is recommended that this be secured by condition, together with conditions relating to on going maintenance of trees.
- 5.20. The application has been considered by IBC Landscape and Tree Officers and they are supportive of the proposal. In this case whilst the two for one replacement tree policy has not been met, there are benefits to the development in terms of ensuring improved surveillance and addressing issues with regard to anti-social behaviour. These are discussed in the sections below.
- 5.21. On balance the proposal is acceptable having regard to policies DM8 and DM9.

Design and Heritage

- 5.22. Policy DM12 requires all new development to be well-designed and sustainable. This will mean layouts and designs that provide a safe and attractive public realm capable of being used by all and the policy includes criteria such as creating safe and secure communities, greener streets and spaces, well integrated parking and waste storage. The policy requires proposals to respect and promote special character and distinctiveness.
- 5.23. Paragraph 130 of the NPPF requires that decisions should ensure that developments will function well and add to overall quality, visually attractive including through layout and landscaping, sympathetic to surroundings, 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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Paragraph 134 states development that is not well designed should be refused.
- 5.24. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 5.25. Policy DM13 states proposals for new development must consider the impacts on the historic built environment which makes Ipswich such a distinctive town, seek opportunities for enhancement of the town's heritage, and respond to the historic pattern of development and character of the area and comply with the requirements of the NPPF.
- 5.26. The NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199).

- 5.27. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 200). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 202).
- 5.28. There are no objections to the proposal with regard to design or heritage impact, however comments have been raised that the applicant has since considered. The intended character for the space is to be one that supports surrounding uses and functions, such as shop units, leisure and community uses. There are also many competing demands with regard to design, for instance whilst Historic England suggest a variety in paving, the applicant is of the view that a contrast in colour could be confusing to the visually impaired, taking into account advice they have received from the Ipswich Access Forum.
- 5.29. The Conservation and Design Panel suggested that further tree retention and new planting would be beneficial in providing shade during hot weather. However, this must be balanced against the need to ensure safety and also design out both crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 places a duty on authorities to exercise its various functions with due regard to the likely effect of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area. The removal of the trees as proposed would be beneficial in these regards.
- 5.30. The applicant has taken into account concerns regarding the proposed mural design. The applicant has agreed that the mural will be applied to a rendered surface skim and the precise details can be secured by condition. The mural is designed to reflect the 'tracery windows' of St. Stephen's Church. Furthermore, the linear lighting scheme proposed would complement this particular design.
- 5.31. Overall, the proposal would be well designed and sustainable. The proposal strikes an appropriate balance between the aims of achieving greener streets and spaces but also creating a safe and secure space that is capable of being used by all. The proposal would be in accordance with policy DM12.
- 5.32. CCTV and lighting are included as part of the proposal and these measures would support and complement the proposed design and layout. A lighting strategy is proposed and it is recommended that CCTV be secured by condition. Police comments are noted but it is considered that the applicant has proposed an appropriate level of seating and bins taking into account that the proposal is a key area of public realm and such provisions are to be expected.
- 5.33. With regard to heritage impact, the responses received suggest that the proposal would not result in harm to heritage assets and conditions can be imposed regarding measures to ensure moisture does not penetrate the wall of the Church from new paving works, aswell as detail and maintenance with regard to the new mural. The proposal would be in accordance with policy DM13.

Archaeology

- 5.34. Policy DM14 seeks to safeguard archaeology. The site is within an Area of Archaeological Importance and the SCC Archaeology recommend conditions requiring a programme of works and reporting of findings. The applicant agrees with this approach and conditions are therefore recommended.

Highways, Movement and Parking

- 5.35. Policy DM21 seeks to promote sustainable growth in Ipswich and reduce the impact of traffic congestion by setting a number of criteria including that new development shall not result in a severe impact on the highway network or unacceptable impacts on highway safety, either individually or cumulatively, not result in significant detriment to air quality, include charging points, prioritise available options to enable and support travel on foot, by bicycle or public transport, have safe and convenient access to public transport, ensure safe and suitable access for all users, facilitate servicing and mitigate impacts upon the transport network.
- 5.36. Paragraph 111 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.37. No response has been received from SCC Highways. The proposal would improve an important pedestrian space and routes within the town. In terms of wider benefit it would also support the vitality

and viability of the Town Centre and a successful Town Centre that is accessible by a range of non car modes of travel would serve to assist with tackling wider traffic congestion issues.

- 5.38. Police comments regarding bollards is noted. However, they been located so as to restrict access to the site itself but to also allow vehicular access/turning to the commercial premises to the south. Moving the bollards southwards would restrict this.
- 5.39. The proposal would be acceptable having regard to policy DM21.

Town Centre

- 5.40. Policy DM27 states the Council will support the Town's vitality and viability by promoting and enhancing appropriate development in the Central Shopping Area, building in flexibility to meet the needs of retailers and leisure businesses appropriate to the Central Shopping Area.
- 5.41. The policy continues by stating the Council will work to ensure it meets the needs of residents and visitors to the Borough and that developers need to also ensure that proposals contribute positively to the objectives of the Ipswich Town Centre and Waterfront Public Realm Strategy SPD, Shopfront Design Guide SPD and other relevant SPD's. The Council will expect proposals to contribute to the creation of a dementia-friendly town centre which is fit for all.
- 5.42. The application site is covered by the Public Realm Strategy SPD (Key Location Project ix) along with other key locations. The site is noted as an important public space that forms the setting of St Stephens Church and the main entrance to the Buttermarket Centre, and that the public realm should reflect this. The design approach should be consistent with other schemes to be developed nearby, including St Lawrence and St Mary le Tower.
- 5.43. These other schemes are yet to be developed. However, the proposal would be appropriate in terms of the above SPD's and would support vitality and viability. In particular the proposal would improve the setting of the vacant former BHS store to the north, which in turn it is hoped would stimulate any redevelopment proposals to come forward, noting that the planning permission granted in 2017 for the conversion of the building to individual retail and restaurant units, first floor gym and creation of outside seating area facing Arras Square serving one of the restaurant units, was never implemented (IP/17/00762/FUL refers).

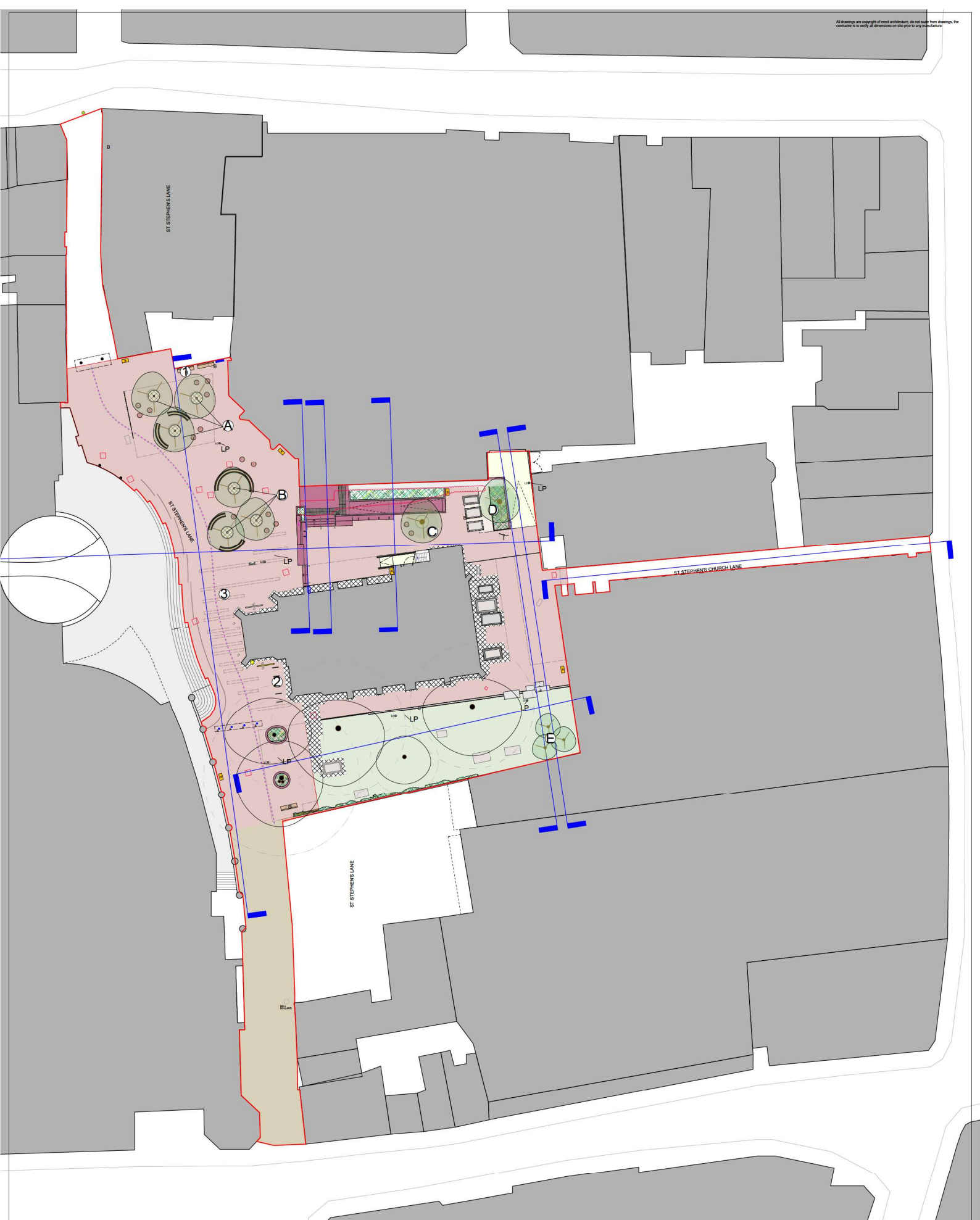
6. Planning Balance

- 6.1. The proposal represents a well considered design solution to a space that has a number of competing demands and this is reflected within the consultee responses. Whilst there are concerns regarding loss of trees, this is balanced by the replacement trees, net gain in biodiversity and increasing the openness of the space so that the area, currently prone to anti-social behaviour, is safe and accessible. Concerns regarding drainage have also been addressed and the proposal represents an improvement over the existing situation.
- 6.2. The representation received suggests that the new trees to be planted are more likely to be prone to vandalism than the established trees. However the new trees are to be the subject of a condition requiring on going maintenance. As part of this any tree that dies or is otherwise removed will need to be replaced during the first available planting season.
- 6.3. The applicant (Ipswich Borough Council) has extensive permitted development rights for work on their land. This commonly includes maintenance or improvement of streets aswell as works such as bins, seats, landscaping and barriers. Therefore many elements of the proposal, particularly seats, bins and bollards, do not need an application for planning permission.

7. Conclusion

- 7.1 Subject to conditions, the proposal would be appropriate having regard to air quality, flood risk, amenity, tree impact and biodiversity, design, heritage impact and highway considerations. The proposal would support the vitality and viability of the Town Centre.
- 7.2 Subject to conditions, the proposal would be acceptable taking into account policies DM3, DM4, DM8, DM9, DM12, DM13, DM14, DM18, DM21 and DM27.

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Legend

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> Site boundary Artras Square Demarcation studs New paving Paving with accents/Carpet Existing Yorkstone laid around Church Existing concrete paving slabs Soft planting | <ul style="list-style-type: none"> Existing Grass New Natural stone slabs Existing trail markers retained and repaired in Natural stone retaining wall Existing sarcophagus Existing tree and RPA New tree and tree pit | <ul style="list-style-type: none"> New tree grille Tree cluster: Styphnolobium Japonicum Tree cluster: Cercis Siliquastrum Tree cluster: Magnolia Kobus Tree cluster: Malus Tribolata Tree cluster: Betula utilis var. Jacquemontii Trinity College Breaking-out existing brick planter, and replace with larger reinforced concrete planter see engineers drawing C70 | <ul style="list-style-type: none"> Coloured concrete cast benches, steps and ramp Relief work into concrete face Concrete cast seats New linear timber bench New lamp columns to replace all existing. Please see lighting specification and associated drawings. Note that two LC will have 2 no CCTV camera mounts to each of them, please refer to lighting specification and drawings. Proposed bollards New bins x 6 Mural painted on wall, separate art commission New Church canopy location covered under planning application no. 22006933FP13 outwith this tender New feeder pillar outwith this tender |
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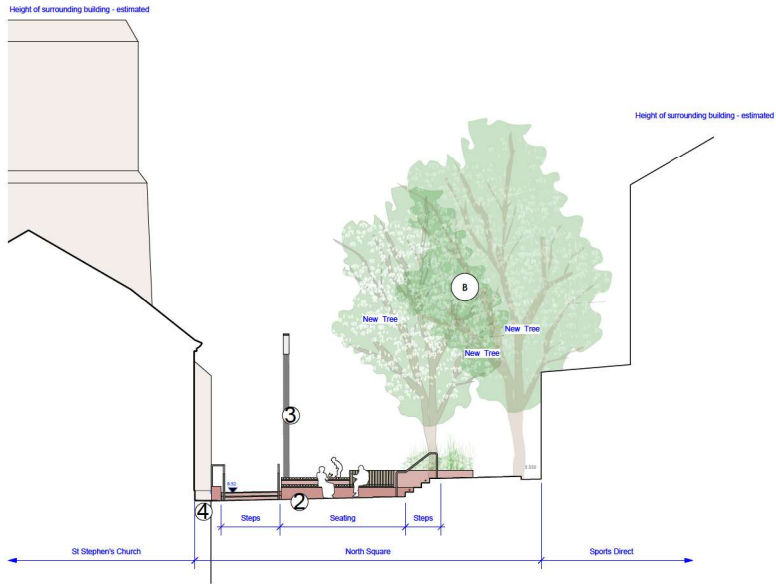
ERECT ARCHITECTURE
 Unit 226, 8 Andrews Road, London E14 6GN +44 (0)20 7294 8336

client	Ipswich Borough Council
project	Artras Square
title	Proposed GA Plan
scale	1:200 at A1

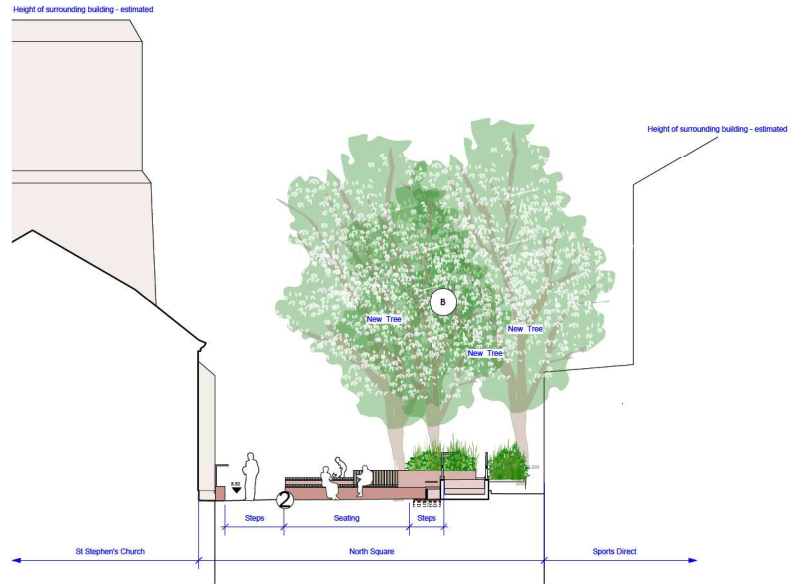
rev	date	description
R10	11/11/2023	Issued for tree confirmation
R10	03/12/2023	Issued for comments
P01	08/12/2023	Issued for comments
R01	14/04/2023	Issued for comments
P01	20/04/2023	Issued for Planting

project no.	drawing no.	revision
20377	200-GA-PL	P01

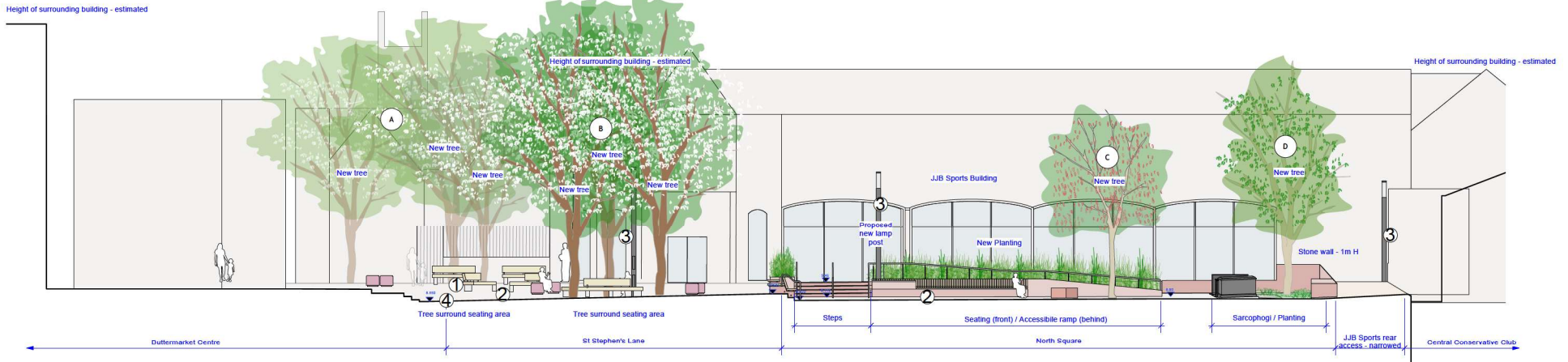
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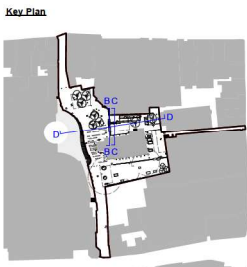
1 B-B PROPOSED SECTION WEST - THROUGH THE NORTH SQUARE (North of St. Stephen's church)
1:100



2 C-C PROPOSED SECTION WEST - THROUGH THE NORTH SQUARE (North of St. Stephen's Church)
1:100



4 D-D PROPOSED SECTION NORTH OF CHURCH
1:100



Refer to drawing 20337-505-LAY for further details

Legend

- ① Fixed benches and concrete stools along St. Stephen's Lane. Please see 20377-530-LAY for further information of all benches.
- ② Special paving treatment see 20377-210-GA
- ③ New lamp columns, see lighting drawings and specification.
- ④ New drainage falls, with slot drain. See drainage strategy

New Tree Planting

- A Tree cluster: *Styphnolobium Japonicum*
- B Tree cluster: *Cercis Siliquastrum*
- C Specimen Tree: *Magnolia Kobus*
- D Specimen Tree: *Makus Triboloba*

ERECT ARCHITECTURE

228 Regent Street, 8 Andover Rd, London E1 4QR +44 (0)20 754 8358

client Ipswich Borough Council
 project Arras Square
 site Proposed Section B-B, C-C, D-D - Around St. Stephen's Church 1
 scale 1:100 at A1

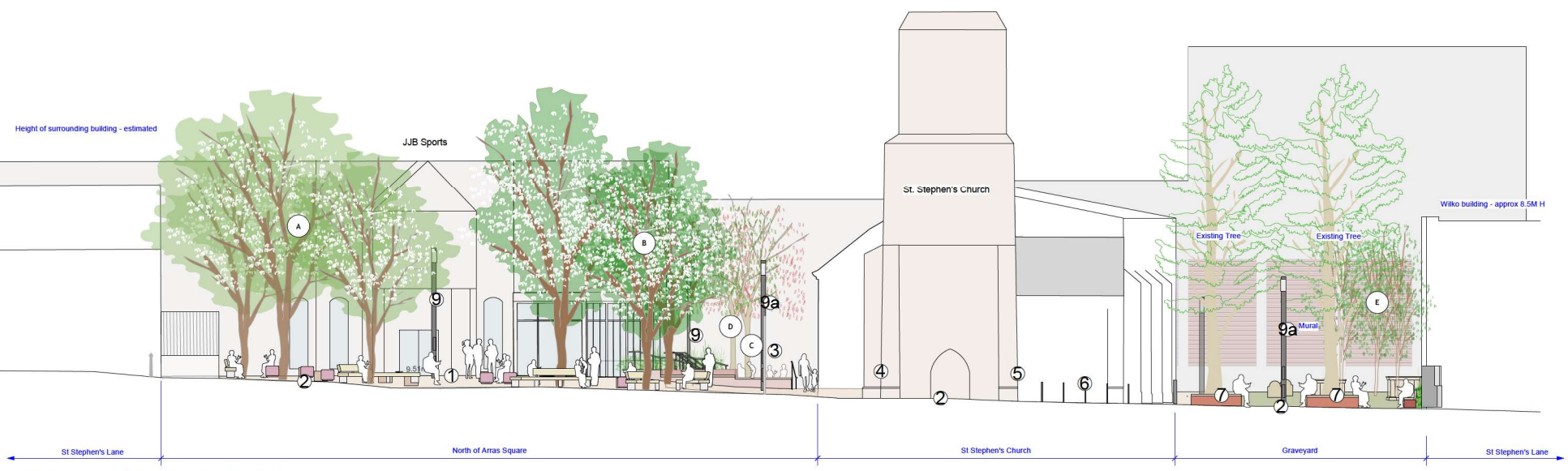
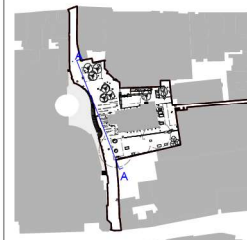
rev.	date	description
001	14/06/2023	Issued for consultation
001	24/06/2023	Issued for Planning

drawing no. 20377 410-GA-PL revision P01



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1 A-A- PROPOSED SECTION EAST - ST. STEPHENS LANE
1:100

Legend

- ① Fixed benches and concrete stools along St. Stephen's Lane. Please see 20377-530-LAY for further information of all benches.
- ② Special paving treatment see 20377-210-GA
- ③ Existing wayfinding totem to be relocated. See 20377-210-GA
- ④ Existing notice board to be retained
- ⑤ New french yellow post box to be installed alongside new braille notice board
- ⑥ New cycle stands
- ⑦ Breaking-out existing brick planter, and replace with larger reinforced concrete planter, see engineers drawing C70
- ⑧ Wall lowering, see 20377-120-DEM
- ⑨ New lamp columns, see lighting drawings and specification.
- 9a Two of LC will have 2 no CCTV cameras mounted to each of them, please refer to lighting specification and drawings.

New Tree Planting

- A Tree cluster: *Styphnolobium Japonicum*
- B Tree cluster: *Cercis Siliquastrum*
- C Specimen Tree: *Magnolia Kobus*
- D Specimen Tree: *Malus Triterata*
- E Tree cluster: *Betula utilis* var. *Jacquemontii* 'Trinity College'

ERECT ARCHITECTURE

228 Regent Street, 8 Andromeda, London E1 4DN +44 (0)20 754 8388

client Ipswich Borough Council
 project Arras Square
 site Proposed Section A-A - St. Stephen's Lane East
 scale 1:100 at A1

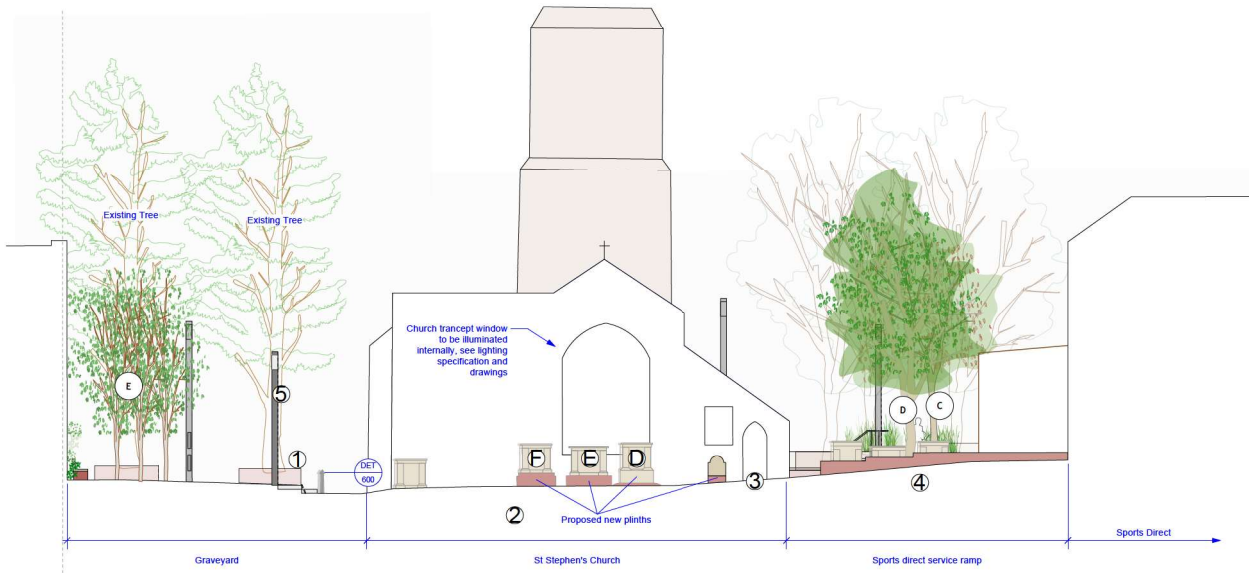
rev.	date	description
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P01	24/06/2023	Issued for Planning

drawing no. 20377 400-GA-PL revision P01

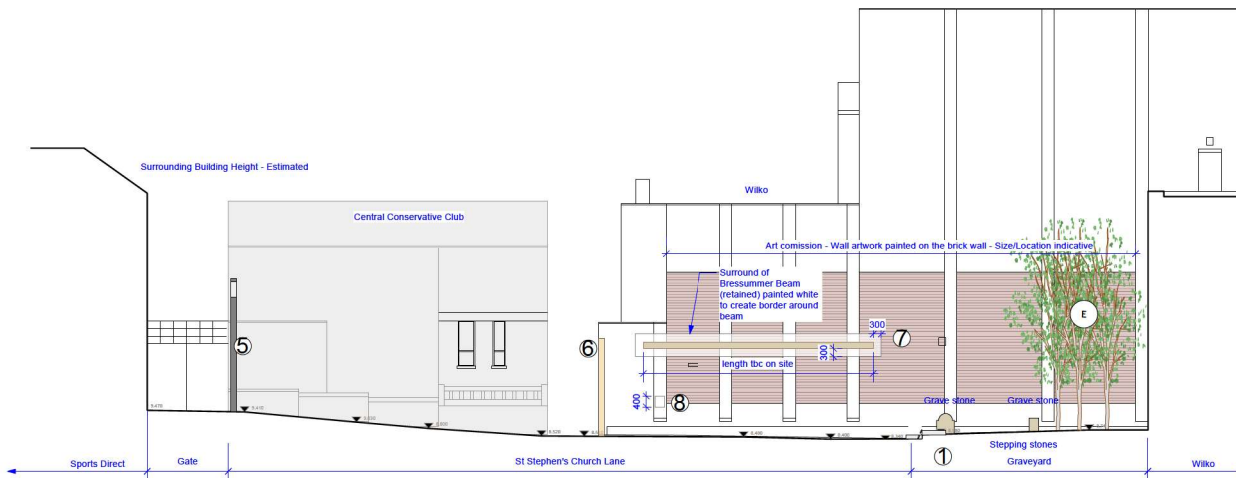


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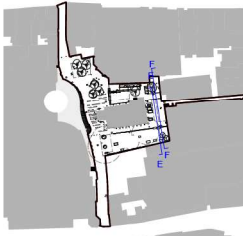
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1 E-E PROPOSED WEST ELEVATION - REAR OF ST STEPHEN'S CHURCH
1:100



2 F-F PROPOSED EAST SITE SECTION LOOKING EAST - FACING ST STEPHEN'S CHURCH LANE, AND THROUGH THE GRAVEYARD
1:100



Legend

- ① Stone slab steps and bench, refer to 20377-500-DET and Engineer's drawing C70
- ② Underpinning and works to base of existing sarcophagi to make suitable for new FFL.
- ③ In-ground lighting around St. Stephen's Church, refer to lighting specification and drawings
- ④ New retaining wall to existing service ramp, which is being cut back in width. See Engineer's drawing C70
- ⑤ New lamp columns, see lighting drawings and specification
- ⑥ Painted Mural to St. Stephen's Church Lane, refer to 20377-430-GA for full extents
- ⑦ Painted Mural to wall - Artist comission and outwith this scope of work only for reference
- ⑧ Works to Bressummer Beam-retain existing Bressummer beam and paint a white border behind before reinstaling. New interpretation plaque with relief work to be mounted to wall.

New Tree Planting

- ⓓ Specimen Tree:
Malus Tribolata
- ⓔ Tree cluster:
Betula utilis var. 'Jacquemontii' 'Trinity College'

ERECT ARCHITECTURE
228 Regent Street, 8 Andromeda, London E1 4DN +44 (0)20 754 8338

client Ipswich Borough Council
project Arras Square
site Proposed Section E-E, F-F - Around St Stephen's Church 2
scale 1:100 at A1

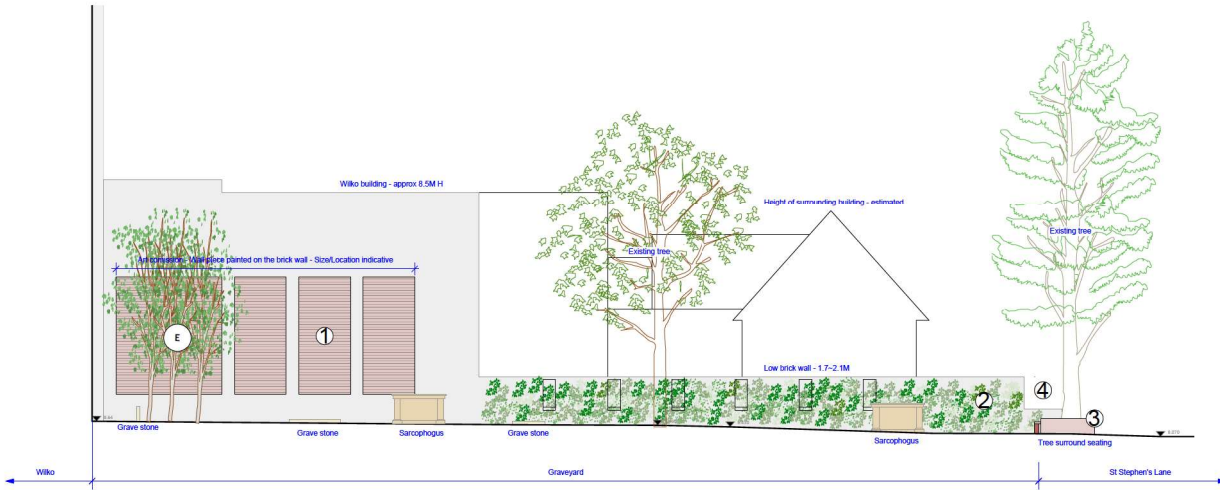
rev.	date	description
R01	14/06/2023	Issued for comments
P01	24/06/2023	Issued for Planning

drawing no. 20377 420-GA-PL revision P01

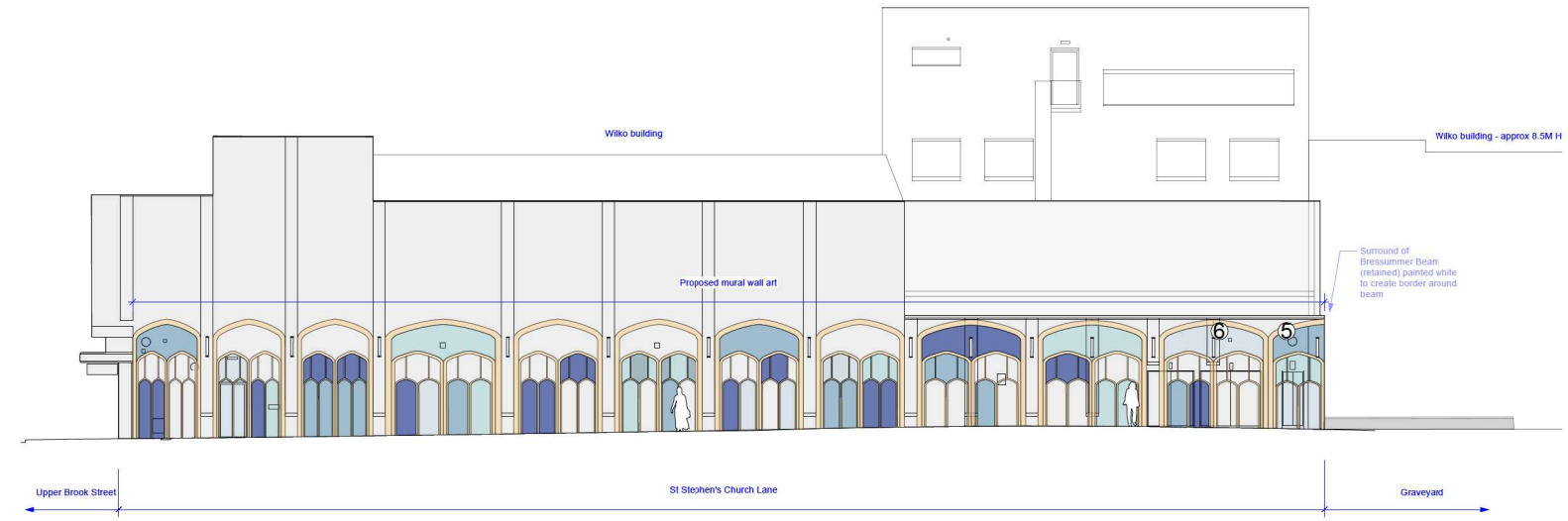


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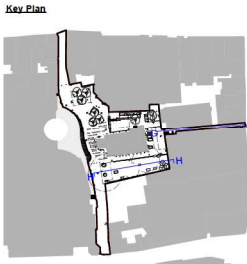
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1 H-H PROPOSED SOUTH ELEVATION - THROUGH GRAVEYARD SOUTH OF ST S
1:100



2 G-G PROPOSED SOUTH ELEVATION - THROUGH ST STEPHEN'S CHURCH LANE
1:100



Legend

- ① Painted Mural to wall - Artist commission and outwith this scope of work only for reference
- ② Climber planting to existing wall. See 20377-253-GA and planting specification for further information
- ③ Existing wall repairs. Repair broken section, see photograph below.
- ④ Breaking-out existing brick planter, and replace with larger reinforced concrete planter, see engineers drawing C70
- ⑤ Painted Mural to St. Stephen's Church Lane. See 20377-530-LAY
- ⑥ Wall mounted lamps see lighting drawings and specification



New Tree Planting

- ⓔ Tree cluster: *Betula utilis* var. *Jacquemontii* 'Trinity College'

ERECT ARCHITECTURE
 228 Regent Street, 8 Andover Rd, London E1 4DN +44 (0)20 754 8338

client Ipswich Borough Council
 project Arras Square
 site Proposed Section G-G, H-H - Around St. Stephen's Church and St.
 scale 1:100 at A1

rev.	date	description
R01	14/06/2023	Issued for consultation
P01	24/06/2023	Issued for Planning

drawing no. 20377 430-GA-PL revision P01

0m 1m 2m 3m 1:100

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Item 2

Application No. IP/23/00298/FUL

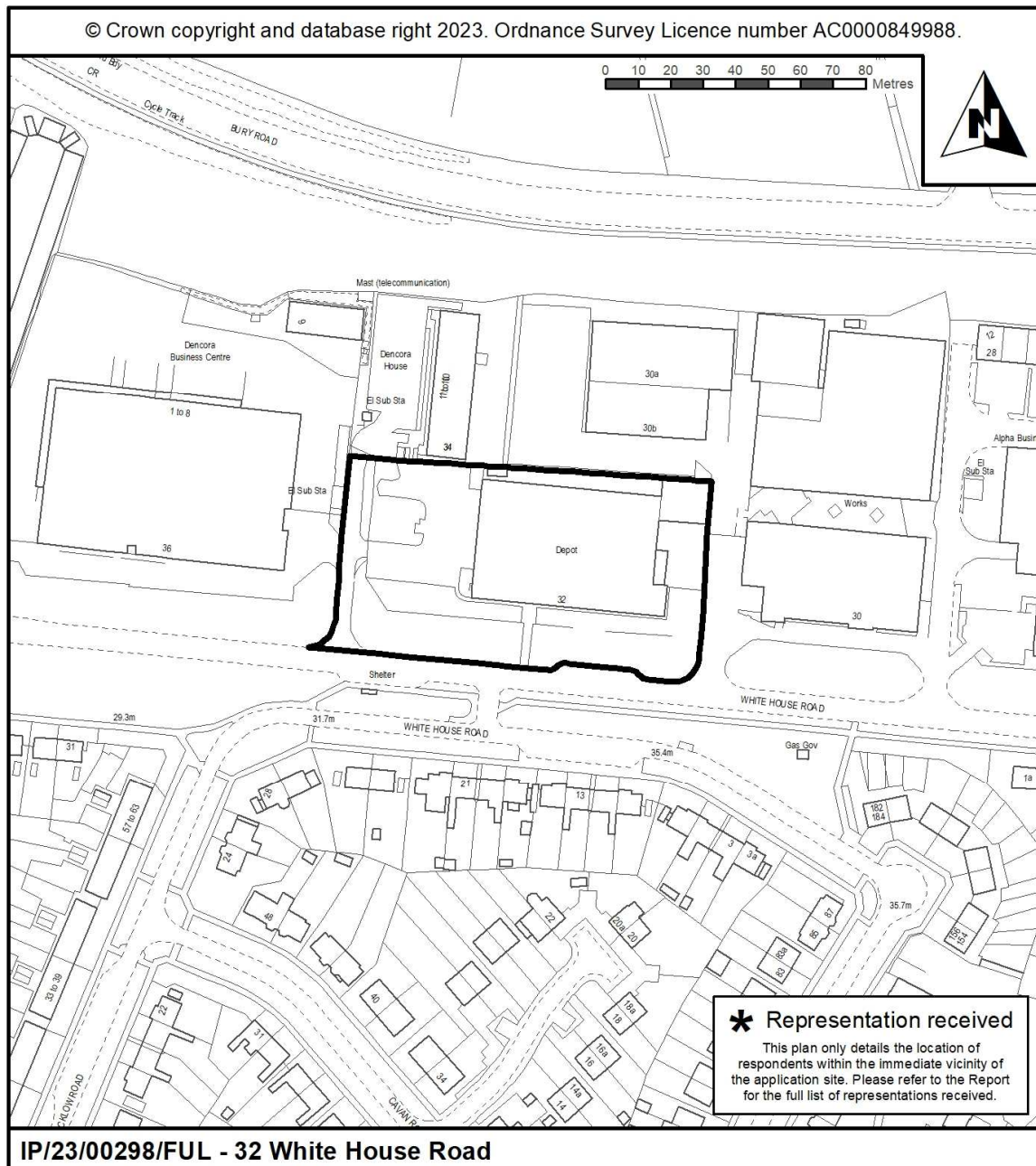
Ward: WHITEHOUSE

Proposal: Demolition of the existing warehouse (Classes B1 (office) and B2 (general industrial) and erection of new warehouse with ancillary office facility (Classes B8 (storage and distribution) and E(g)(office)) with associated hard and soft landscaping works and bicycle storage.

Address: 32 White House Road

Applicant: Unitech Properties Ltd

Agent: Mr S Stuart-Thompson



Recommendation**Grant planning permission subject to planning conditions in accordance with those set out below (briefly);**

1. Development in accordance with the approved plans.
2. Prior to first use a soft and hard landscaping scheme to include the green roof shall incorporate details of biodiversity enhancement along with a management plan shall be agreed and the approved details implemented, retained and maintained.
3. Prior to commencement a Tree Survey and Protection Plan shall be agreed and the approved details secured throughout the development construction period.
4. Prior to commencement siting and details of the recommendations in the Preliminary Ecology Survey shall be submitted to and approved in writing by the LPA and implemented as approved.
5. Prior to its installation details of any external lighting shall be submitted to and approved in writing by the LPA and implemented as approved.
6. Development shall be constructed in accordance with the recommendations of the Phase One and Phase Two site investigations.
7. In the event unexpected contamination is found, a remediation strategy needs to be agreed and implemented.
8. Prior to commencement details of implementation, maintenance and management of the strategy for the disposal of surface water management shall be agreed implemented as agreed.
9. Within 28 days of implementation of drainage details a surface water drainage verification report shall be submitted to the LPA and agreed.
10. Prior to commencement details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) shall be submitted to and agreed in writing by the LPA and implemented and managed as approved.
11. Details of the areas and infrastructure for the loading, unloading, manoeuvring and parking of vehicles shall be agreed and implemented before the development is brought into use and shall be retained in that form.
12. Prior to their installation infrastructure for the provision of additional EV spaces shall be submitted to and agreed in writing by the LPA and implemented as approved.
13. Prior to first use of the building, disabled parking spaces, PTW parking spaces and cycle storage shall be implemented and retained.
14. Prior to occupation details of a bin presentation area shall be provided, implemented and approved.
15. Prior to its construction details of highways improvements shall be agreed in writing and implemented before first use as approved.
16. Prior to commencement, a Construction Management Strategy shall be agreed and carried out throughout the development period.
17. The development shall achieve the sound insulation levels set out in the Noise Impact Assessment Technical report 39288-R2 ; Building structures achieve a minimum sound insulation performance of 30 dB Rw for walls and proposed plant items shall be limited to a rating level of 40 dB at 1 m from the NNSRs on Whitehouse Road.
18. Prior to first operation of the site, details of the noise barrier to achieve the limits on noise as set out above shall be submitted to and agreed in writing by the LPA and implemented as approved.
19. Operating hours are limited to 08:00 to 17:00 Mondays to Saturdays.
20. No external storage shall take place.
21. The development shall be undertaken in accordance with the submitted Air Quality Screening Assessment.
22. The office floorspace as shown within the approved drawings shall remain ancillary to

the main planning unit of the site as Use Class B8, and shall not be used independently or as a separate planning unit under Use Class E (g) of the Town and Country Planning (Use Classes) Order 1995 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

23. The office floorspace within the approved development shall be used for office use E (g) only and for no other purpose (including any other purpose in Use Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1995 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
24. Prior to the commencement of the development hereby approved, or such other timescale as may be agreed in writing with the Local Planning Authority, a scheme to provide a minimum of 15% of the predicted required energy supply for the new development from decentralised and renewable or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied unless and until the approved scheme has been implemented, and thereafter the provisions of the scheme shall be maintained for the lifetime of the development in accordance with the details of the approved scheme.
25. Prior to first use a BREEAM Post Construction Review and Certification report confirming that the development has achieved, as a minimum, a BREEAM Very Good rating, shall be submitted to and approved in writing by the Local Planning Authority.
26. Prior to commencement of development, details shall be submitted indicating existing and proposed site levels.

Informatives:

1. Suffolk Constabulary recommendations
2. Suffolk Fire and Water recommendations
3. SCC Highways recommendations
4. Ipswich Borough Council supports the use of automatic sprinkler systems.

1. Proposal

- 1.1 The proposed development is a two storey building with associated parking and landscaping to replace the existing building, parking and landscaping. It would be located in the same area as the existing building but would have development up to the eastern boundary. There would be vehicle access for HGVs, and cars from the existing access road on the west of the site. There would be car parking and PTW parking along the front boundary (south) and cycle storage adjacent to the eastern boundary. There would be pedestrian and cycle access on the south side of the site from Whitehouse Road. The proposed building would have two floors, the first floor forming a mezzanine over part of the ground floor. Overall, the development would provide 4,464sqm of office space/ staff facilities and B8 storage and distribution use. The existing development provides a total of 2,161sqm of office and distribution use floorspace.
- 1.2 The building would be overall a rectangular shape with a shallow sloping pitch roof set back from the main frontage. The roof would have glazed panels where it joins the building to provide light to the lower warehouse area. The proposed building would have an eaves height of 11.06m above ground floor level and a ridge height of 14.01m. It would be set lower into the ground than the current building, 1.5m below its current level. There would be a retaining wall on the south, east and north sides measuring 0.5m on the south side and 1.8m on the north side.

- 1.3 The facing materials would be insulated wall panels coloured silver. The south facing windows would have vertical breeze soleil panels in a variety of colours to demonstrate the colours of products offered by the company. The building would measure overall 81m maximum length by 37m wide.
- 1.4 Within the building, the ground floor would contain a canteen, boardroom and staff w/c facilities along with lockers and shower facilities for staff use, two staircases and a lift to the first floor office area. The majority of the ground floor would be storage and distribution use with HGV loading doors on the west side of the building. The first floor would have offices on the southern side along with a training room, stores and staff w/c facilities. The mezzanine floor would extend to 793sqm and would be located at the eastern end of the building.
- 1.5 There would be 38 car parking spaces on the southern and part of the western boundaries, incorporating 11 EV spaces, 5 powered two wheeler spaces (though the plan is labelled 6 spaces) in the south western corner and 2 disability spaces which would be fitted with EV chargers. There would be 20 cycle spaces in a dedicated cycle storage area at the south east corner of the site and a further 20 cycle spaces in a storage building to the north east corner of the site adjacent to an area for bin storage.
- 1.6 There would be a hedged boundary to the site frontage and a wide grassed verge with trees. A rain garden and additional hedging would be provided to the west and north boundaries.
- 1.7 Azpects is an Ipswich based firm who manufacture a range of landscape products including Easyjoint, described by the Planning Agent as 'an innovative product' and the 'UK's leading product for joining patios paths and paving.' Azpects currently operate from several buildings and the proposals would allow all staff to be on one site. There are 33 staff including 8 warehouse operatives.
- 1.8 The application was submitted with the following documents.
- Sustainability Statement
 - Environmental Noise Assessment
 - Flood Risk Assessment
 - Design and Access Statement
 - Air Quality Mitigation Statement
 - Transport Statement
 - Ecological Assessment
 - Biodiversity Net Gain Calculations and Plan
 - Site Management Plan
 - Drainage Strategy
 - Phase One and Phase Two Contaminated Land Assessment

2. **Background**

- 2.1 The site is part of an industrial site (E2; White House Industrial Estate) and used as a warehouse unit and office from 1957. Planning permission was granted in 1986 for the change of use of the warehouse to industrial use for the manufacture of furniture (reference 86/00435/FUL). Two air conditioning units were added in the 1980s, and an extension to and the resiting of a timber store approved under the 1986 permission. Various building alterations were approved throughout the 1980s and 1990s. In 2022 an application for change of use from manufacturing use to warehousing and light

manufacturing was made (ref. IP/22/00503/FUL). No decision was made as the current application to redevelop the site was submitted.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 1 June 2023 and 2 August 2023 with further consultation with SCC Highways department on a revised plan which expires on 17th August though comments on the revised plan have already been received. 44 adjacent properties were notified of the application. A press notification and site notice was displayed. The application was advertised on the IBC website in accordance with the Ipswich Statement of Community Involvement 2018. Comments that were received are summarised below:-

IBC Environmental Protection – Contaminated Land – No comment provided.

IBC Environmental Protection – Air Quality – Details in the air quality mitigation statement should be implemented. A construction management plan will be required.

IBC Environmental Protection – Noise – Acceptable noise report. Recommendations set out in the assessment should be included in the build and operation of the site. These are, noise limits for any plant, operating hours and the noise barrier.

IBC Parks and Cemeteries – Summary; The existing site plan shows the utilities but no key to them, nor the trees at the front and back. Tree losses are mitigated at a rate of 2 for 1. A Tree Survey and Protection Plan is necessary and should be followed for works to proceed when building near trees. Ecological Survey might be appropriate, potential for bats. Biodiversity Gain Plan that does show some of the existing trees, it seems as though there are two more at the back which are not on the plan. However it does note the new green roof and native hedge which are likewise applauded.

Essex Place Services – Summary Biodiversity Metric 4.0 Calculation Tool and the Biodiversity Gain Plan submitted. Along with Preliminary Ecological Appraisal. BNG not completed by a competent person as required by British Standards. Baseline habitat area (0.5888ha) and the post implementation habitat area (0.6269ha) do not match and therefore the calculations are demonstrating a greater possible net gain. Justifications for baseline scores and clarification on how post-implementation condition scores can be achieved is required. The number of existing trees is queried, growth rate of trees is required, provision of rain gardens increases the metric scores. Updated details are required.

IBC Waste Management Services – No comments received.

Suffolk Constabulary – Summary. No objection. However, it is recommended that the standards outlined in Secured By Design (SBD) Commercial Developments 2015 are adhered to.

SCC Flood and Water Management – Summary; No objection subject to conditions relating to surface water management.

SCC Highways – Summary. Following revised plans; No objection subject to conditions relating to provision of parking, bins presentation area, highways improvements and construction management plan.

Suffolk Fire & Rescue Service - Information provided relating to fire-fighting and access and water supplies already supplied to applicant.

SCC Archaeology – Summary. No objections. No mitigation required.

Environment Agency- No comments received.

Representations - None received.

4. Policy

National Planning Policy

National Planning Policy Framework (2021)
National Planning Practice Guidance

Local Planning Policy

Ipswich Local Plan, incorporating the Core Strategy and Policies Development Plan Document (DPD) Review (2022)

Policy ISPA1 (Growth in the Ipswich Strategic Planning Area); CS1 (Sustainable Development), CS2 (The Location and Nature of Development); CS5 (Improving Accessibility); CS13 (Planning for Jobs Growth); CS16 (Green Infrastructure Sport and Recreation); CS17 (Delivering Infrastructure); DM1 (Sustainable Construction); DM2 (Decentralised Renewable or Low Carbon Energy); DM3 (Air Quality); DM4 (Development and Flood Risk), DM6 (Provision of New Open Spaces, Sports and Recreation Facilities); DM8 (The Natural Environment), DM9 (Protection of Trees and Hedgerows); DM10 (Green and Blue Corridors); DM12 (Design and Character); DM14 (Archaeology); DM18 (Amenity); DM21 (Transport and Access in New Developments); DM22 (Car and Cycle Parking in New Development); DM33 (Protection of Employment Land).

Other planning guidance

Space and Design Guidelines SPD (2015)
Development and Flood Risk SPD (2022)
Suffolk Guidance for Parking (2019)
Cycling Strategy SPD (2016)
Ipswich Urban Character Study SPD – Castle Hill Whitehouse and Whitton
Low Emissions SPD (2021)
Interim Biodiversity Net Gain Planning Guidance Note for Suffolk (2023)

5. Planning Assessment

Principle of Development

- 5.1 Employment Land within Ipswich Borough is protected under Local Plan policy DM33. This requires that all sites as listed within the policy, which includes the White House Industrial Estate is safeguarded for employment and ancillary uses. This is defined as B1 Business, B2 General Industry or B8 Storage and Distribution, (B1 now known as class E (g)) along with appropriate employment generating sui generis uses.
- 5.2 Policy CS13 'Planning for Jobs Growth' states that the Council will promote sustainable economic growth in the Ipswich Strategic Planning Area, with a focus on the delivery of jobs within the Borough. The proposal includes a significant amount of office floor space (Use Class E (g), and as noted above policy DM33 requires a town centre first approach to the location of offices. However, it is understood the offices would be closely associated with the wider proposed uses (mainly B8 uses). To ensure the office

floorspace remains ancillary to the wider use, an appropriately worded condition that restricts the use of the office building to activities associated with the wider permitted Depot would be appropriate. This will ensure it cannot be used separately contrary to Local Plan Policies DM31 and DM33. Similarly, it is considered appropriate to impose an appropriately worded condition to remove permitted development rights within the wider E Use Class and to maintain the office element of the building to Use Class E(g) only.

- 5.3 In principle, the proposed use is considered to be acceptable given its location.

Design and Impact on Locality

- 5.4 Policy DM12 requires development to be well designed and sustainable, with a specific requirement for development to function well and where possible integrate with adjoining areas, exhibit good architectural quality whilst protecting and enhancing the special character and distinctiveness of the town and the streetscene.
- 5.5 The proposal design was given a positive response at pre-application stage. Although the proposed development is larger than the existing building, it is considered that the proposed building frontage to White House Road is modern and distinctive. The overall development will be set into the ground some 1.5m lower than the existing grass verge adjacent to the highway at its eastern end. The parking alongside the southern boundary along with the cycle storage units at the south east corner of the site would be generally at a lower level than the public side of the southern boundary of the site and would be screened by 1.2m high hedging and additional trees. There would be a 0.5m retaining wall along part of the southern boundary at the foot of the hedge and around the cycle storage units which extends along the eastern boundary to the rear of the site increasing in height to 1.8m to accommodate the different ground levels. The cycle storage unit is proposed on the site frontage at the south east corner of the site and would consist of two simple but covered structures 2.1m high.
- 5.6 The existing hedge and part of the front grass verge would be removed to accommodate parking and pedestrian and cycle access. This would be replaced with 1.2m high hedging and trees. A planting plan has not been provided with the application though this can be a condition of the approval.
- 5.7 The proposal is therefore considered to represent a well designed and sustainable development and would be acceptable having regard to policy DM12.

Archaeology

- 5.8 Policy DM14 requires that development proposals that would disturb below ground remains should be accompanied by an appropriate assessment of the archaeological significance of the site. In accordance with the National Planning Policy Framework (Paragraph 205), any planning permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 5.9 Suffolk County Council Archaeology Department have advised that there would be no significant impact on known archaeological sites or areas of archaeological potential. No mitigation is therefore required.

Highway Impact and Parking

- 5.10 Policy DM21 seeks to promote sustainable growth in Ipswich and reduce the impact of traffic congestion by setting a number of criteria, including that new development shall

not result in a severe adverse impact on rights of way or the local road network in respect of traffic capacity and highway safety.

- 5.11 Policy DM22 states that the Council will require adopted standards of car and cycle parking to be complied with in all new development and will expect parking to be fully integrated into the design of the scheme to provide secure and convenient facilities and create a safe and attractive environment.
- 5.12 The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).
- 5.13 The Suffolk Guidance for Parking requires that the proposed development should have 58 car parking spaces, 28 cycle spaces, 6 PTW spaces, 4 disabled bays and 17 EV spaces with a further 17 to be provided with the infrastructure for future installation of EV charging points. The development is deficient by 20 car parking spaces, 6 actual and 17 future EV spaces, 1 PTW space and 2 disability spaces. There would be an excess of 12 cycle spaces.
- 5.14 The development provides for the reuse of an existing vehicle access from Whitehouse Road from which all HGV and motor vehicles will enter and exit. Car parking spaces are proposed adjacent to the front boundary (south) with cycle parking to be provided in a specific area containing two 2.1m high covered structures in the south east corner. A further 20 cycle spaces would be provided to the rear of the building in a covered structure. The car, cycle and PTW parking area will be in a separate area at the south of the building with all HGV access and turning being on the west side. Pedestrian and cycle access would be from Whitehouse Road with a specific cycle lane demarcated in a separate colour at the front of the building. There is an existing bus route on Whitehouse Road opposite the site entrance. Suffolk Constabulary have raised no objection to the proposals but comment that standards outlined in Secured By Design (SBD) Commercial Developments 2015 are adhered to.
- 5.15 The submitted Transport Statement notes that Whitehouse Road is part of a Sustrans cycle route, (route 51) which provides quiet routes to Ipswich town centre. Ipswich rail station is within 5km of the site. The site is served by 6 bus routes, including buses from Stowmarket and Eye throughout the day. The Statement notes that the office use is ancillary with many of the office activities now provided elsewhere i.e. the worker's home. The existing site layout provides 9 car parking spaces whereas according to the Suffolk Guidance for Parking, 72 car parking spaces would be required. The proposed plans are a considerable increase in the parking provision.
- 5.16 Suffolk County Council Highways department have raised no objection subject to conditions requiring the submission and implementation of approved details relating to provision of a bin presentation area, provision of the parking areas prior to first use of the development, provision of details relating to highways improvements at the access and the submission of a construction management plan. A condition can be imposed requiring the provision of infrastructure for the future provision of EV charging points.
- 5.17 It is considered that there is sufficient available space within the site to meet the highways requirements with specific parking requirements and access secured by conditions. The overall development has been designed to encourage sustainable means of transport with direct access to bus services, provision of secure cycle spaces and facilities within the building for cyclists. Overall, the proposed parking provision would be in accordance with policy DM22. The parking provision and facilities, subject to conditions, would be well designed and would provide secure and convenient facilities and create a safe and attractive environment for employees and visitors.

- 5.18 SCC Highways have raised no objections to the proposal with regard to the impact of the development upon the road network in terms of traffic capacity or highway safety. This response allows Officers to conclude that the proposal would not result in a severe adverse impact on the local road network and would accord with policy DM21 with regard to traffic capacity and safety.

Ecological and Arboricultural Impact

- 5.19 The NPPF paragraph 174 requires an enhancement of biodiversity which is reflected in Local Plan policy DM8 which states that all development is expected to incorporate measures to enhance conditions for biodiversity within and around the development and seeks to protect against harm. Whilst Schedule 14 of the Environment Act 2021 requires a metric to be used to establish the calculations for a 10% gain in biodiversity at the site, the completion of a metric and the provision of 10% is not required until November 2023. Until then, as endorsed by Members at the 8th March Planning and Development Committee the Interim Biodiversity Net Gain Planning Guidance Note for Suffolk would advocate at least 10% biodiversity net gain from all major planning applications.
- 5.20 The site is largely developed with the majority being occupied by a building with hardstanding to the west and a steel container to the rear though there is a wide green sward on the southern side containing a few trees and a grass verge to the west of the site and a narrow strip of grass to the north of the site along with a bramble hedge. The site is in a Green Corridor. Policy DM10 requires that development within these areas will be expected to maintain and where possible enhance the corridor's amenity, recreational and green transport functions. The site is also within a wildlife buffer zone for the potential development site at King Georges Playing Field which lies to the north of the site. The site is within 1.5km of two Local Nature Reserves; Bramford Meadows, which is also a County Wildlife Site and the Dales Open Space. It is also within 2km of five other County Wildlife Sites (Hazel Wood, Dales Road Wood and parts of the River Gipping.) Policy CS16 seeks to support and enhance the existing ecological network to enable wildlife to migrate more easily around the Town.
- 5.21 Policy DM9 states that applications for development should retain existing trees and hedgerows of amenity or biodiversity value where possible. The Council's Landscape Services department have identified that a Tree Survey and Protection Plan is required, and the site may have bats. An Ecology Survey was submitted with the application which identified that there was negligible chance of bats roosting in existing trees and buildings and that the site offered low value space for foraging and commuting bats. The Ecology Survey made some recommendations, that is the provision of native species landscaping, construction works to be carried out in accordance with British Standards for Works Near Trees and, should lighting be provided, to install it in accordance with the Bat Conservation Trust requirements i.e. warmlights fitted with UV filters and installed as close to the ground as possible at an angle of less than 70 degrees. In addition, all works should take place outside of the bird nesting season and bird boxes should be fitted to the building. With regard to Great Crested Newts ("GCN"), whilst the Ecology Survey identified that the site is unlikely to be occupied by GCN, existing vegetation should be cut short and maintained at this level until construction begins to discourage its use as a nesting site. The Ecology Survey recommends that hedgehog friendly fencing is installed and that a log pile should be located in the north west corner from existing wood on the site to encourage stag beetle nesting. Excavations are required to have a plank placed each night and removed each morning to allow a safe escape route for nocturnal animals and materials should be stored on pallets and rubbish deposited in skips. The requirement for skips contradicts the advice in the Site Management Plan which specifies that an area would be provided specifically for waste and does not include reference to skips. The Ecology Survey recommendations can be imposed as a condition of approval in

accordance with policy DM8, it is considered that further consideration should be given to the requirement for any nesting places adjacent to a turning area for HGVs and that the condition should be worded that details are required for the siting and design of the items listed.

- 5.22 A Biodiversity Net Gain Plan was submitted along with a calculation that the development would result in a habitat units net increase of 14.85% and a hedgerow units increase of 77.15%. This would be provided by the provision of 11 trees along the site frontage and southwest and south east corners, a 137.6m of hedgerow on the south and east boundaries and a green roof. Details of the Green Roof have not appeared in any other document or plan but details can be provided as a condition of approval. Whilst these details are welcomed and are likely to be of benefit to wildlife, insufficient information has been provided with regard to the Biodiversity Net Gain calculations.
- 5.23 Place Services have advised that the metric should have been completed by 'a competent person' and no details of the competency has been provided. Additional information is required explaining why the baseline habitat and post implementation habitat have different areas, why modified grassland in the baseline figures is identified as 'fairly poor' is then identified as 'fairly good' in the post implementation habitat, tree numbers in baseline and post implementation details need clarification along with details on the growth rate of trees. These details are required to ensure that measurable biodiversity net gains can be achieved.
- 5.24 Place Services also notes that rain gardens have been proposed in the Sustainable Urban Drainage system but not included within the calculations, which would increase the metric scores.
- 5.25 Place Services consider that the provision of an updated Biodiversity Metric 4.0 Calculation Tool and the Biodiversity Gain Plan (Wincer Kievenaar Ltd, May 2023) is necessary to demonstrate that biodiversity net gains can be achieved for this application, in line with the NPPF and the Interim Guidance. It also necessary to ensure that this scheme conserves and enhances biodiversity under s.40 of NERC Act 2006. The agent has suggested that a condition should be imposed requiring these details to be provided. Members should take into account that the legislative requirements for 10% net gain in biodiversity is not required until November 2023. Policy DM8 does not specify a percentage increase but requires net gains for biodiversity only.
- 5.26 It is considered that the details contained within the Biodiversity Net Gain Plan is a starting point for a detailed landscaping plan to demonstrate enhancements of biodiversity at the site. It is considered that a detailed landscaping plan could be provided by condition with specific emphasis on biodiversity enhancements to include more detail on the green roof. Details of the boundary treatments should also be provided and secured by condition to allow movement of wildlife such as hedgehogs across the site. As such, the proposals would accord with policies DM8, DM9 and DM10.

Provision of New Open Spaces, Sports and Recreation Facilities

- 5.27 Local Plan policy DM6, and referred to in policy CS16, requires that for non residential developments of 1,000sq.m floor area or more public open spaces and outdoor sports facilities will be negotiated on a case-by-case basis. Open space over and above site landscaping should be provided where appropriate, for the health and well being of employees. The applicant was advised in the pre-application response that there is no set figure but access to useable soft landscaping on the site could be incorporated into the design. No details were provided.

- 5.28 Comments were received from IBC Landscape Services regarding soft landscaping at the site, but no details were requested regarding provision of new open space and outdoor sports facilities in connection with these proposals. No commuted sums were suggested to enhance existing open space and outdoor sport provision. It is considered that the proposals are too small to provide its own offsite space. Whilst the number of employees at the site would increase, the employees are existing employees employed elsewhere such that the overall Borough impact is no greater. A commuted sum could not therefore be justified.

Flood Risk

- 5.29 NPPF para 167 states 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere' and Ipswich Local Plan Policy DM4 part c) "Development will only be approved where it can be demonstrated.... it will not increase the overall risk of all forms of flooding in the area or elsewhere through the mitigation of flood risk in the layout, design and form of the development and the appropriate application of Sustainable Drainage Systems (SuDS)". The application site is within flood zone 1. A Flood Risk Assessment was submitted with the application which showed that the existing and proposed site levels would not present a flood risk. The site does have one low area of surface water flooding on the south eastern side of the building which is not currently drained and in storms, is subject to pooling of surface water. The proposed building would sit over this area and would be drained to the south west, overcoming this issue.
- 5.30 The Drainage Strategy for the current proposals include reference to SuDS features to be used on-site which will use a drainage strategy incorporating two rain gardens and a sedum roof along with a tree pit, underground cellular storage and Hydrobrake flow restriction. Permeable block paving is to be used in the parking areas and the soft landscaping areas, subject to a suitable landscaping condition which could accommodate some surface water run off at the site.
- 5.31 Following the submission of revised details, SCC Floods team have suggested a number of conditions regarding the provision of strategy for the disposal of surface water on the site, details of the implementation, maintenance and management of the strategy for the disposal of surface water and provision of a surface water drainage verification report detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. There is a further condition requiring details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations).
- 5.32 The imposition of these conditions would be pre-commencement, where agreement from the applicant is required. The agent has agreed to these conditions. On conclusion of this issue, the proposal would be in accordance with policy DM4.

Contamination and Air Quality

- 5.33 The NPPF states in paragraph 174 that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 183).

- 5.34 The Environment Agency have not replied to the consultation on the application. The Council's Environmental Protection team offered a consultation response of 'no comment'. The applicant has submitted a Phase 1 and Phase 2 Ground Investigation Report, which outlines the nature of the proposal, being demolition and rebuild, including new reduced ground level. It is considered that a condition is imposed that if, during development, contamination not previously identified is found to be present at the site then no further development should take place until a remediation strategy is agreed. The NPPG requires that planning decisions should ensure that the site is suitable for the development and that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. It is stated in paragraph 184 that responsibility for securing a safe development rest with the developer and/or landowner.
- 5.35 Policy DM3 requires that the impact on air quality in the Borough is mitigated and that proposals do not negatively impact on air quality levels. An Air Quality Assessment survey was provided which identifies that the proposed development would provide mitigation as there would be additional landscaping, trees to the boundaries, electric vehicle charge points, increased access to public transport facilities, measures to support walking and cycling such as the provision of cycle parking spaces, low nitrous oxide and adherence to Construction Good Practice. It is considered that the requirements of policy DM3 are met.

Amenity Impact

- 5.36 Policy DM18 requires that planning permission for any development (including change of use) will not be permitted where it would likely cause material nuisance to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 5.37 The proposed development would be a maximum height of 14.1m and would be immediately adjacent to other industrial units. The building would be set 1.5m lower than the existing ground level on its eastern side. The nearest residential properties are across the road from the site some 56m away beyond grass verges, hedging and trees. The proposed building would be taller than the neighbouring industrial buildings, but it would not result in any overshadowing or presenting an overbearing presence to the nearest residential occupiers. It is considered that the maintenance of the existing set back of the building along with the boundary landscaping and grass verges would limit any visual impact of the development.
- 5.38 A noise impact assessment was submitted with the application and the Council's Environmental Health department have raised no objection to its findings. The hours of operation would be 8am to 6pm Monday to Friday for the office use and 8am to 5pm Mondays to Saturdays for the storage and distribution use. The assessment concludes that the building structures would achieve specific minimum sound insulation levels and plant would be limited to a rating level of 40 dB at 1 m from the nearest noise sensitive premises i.e. residential properties across the road. Whilst the noise assessment provides brief details of an acoustic 2.5m barrier on the southern boundary which is considered essential to limit noise levels at the site, no specific details were provided. It was considered that this would be an unacceptable visual intrusion in the site frontage. Following discussions, it was agreed that a more decorative gated access could be provided at the southern side of the HGV access to limit noise impact. This area is currently used for HGV access. Indicative details of the barrier have been provided and confirmation of the adherence to noise limits are underway and will be required to be provided by conditions.
- 5.39 Based upon the above considerations, Officers can conclude that the proposal would not give rise to a material nuisance in a manner that would fail to be in accordance with

policy DM18. Planning conditions are recommended with regard to the precise details of the acoustic barrier, hours of operation and noise limits at the site. A condition is also recommended with regard to construction management, specifically to include measures to control noise, odour and dust during construction.

Sustainability

- 5.40 Policy DM1 states that for non-residential development of 500 sq.m and above, the Council will encourage the proposal to achieve a minimum of BREEAM Very Good standard or equivalent provided that it is technically feasible and financially viable.
- 5.41 Policy DM2 requires that all new build development in excess of 1,000 sqm shall provide at least 15% of their energy requirements from decentralised and renewable or low carbon sources. If it can be clearly demonstrated that this would not be technically feasible or financially viable then a lower provision would be acceptable. The submitted sustainability statement concludes that the development would be built to sustainable standards, achieving a standard of Excellent. The development would provide Air Source Heat Pumps and air ventilation units with heat recovery. Photovoltaic panels will be installed on the roof. The building has been designed to minimise air leakage and thermal bridging. The semi translucent panels at a high level would allow natural daylight to the warehouse space to minimise the use of electric lighting. An extensive landscaping scheme has been provided with additional trees to enhance the southern edge of the site and other improvements to biodiversity. The proposed development would promote public transport and provide cycle storage, use recycled materials where possible, CFC free materials & compounds will be used and decorative and other internal finishes will be low in Volatile Organic Compounds. Where possible materials will be sourced from local suppliers/ manufacturers. The building services will be designed to reduce energy use and minimise pollution. The development would reduce the use of potable water through measures such as low flow sanitary fittings.
- 5.42 No details of the Air Source Heat Pumps or Photovoltaic panels or their siting have been provided. There is no policy requirement to use either of these systems though both would assist in achieving the Excellent BREEAM standard stated, and help to achieve the 15% of their energy requirements from decentralised and renewable or low carbon sources. A condition can therefore be imposed requiring the provision of the details.
- 5.43 Subject to conditions, Policies DM1 and DM2 would be met.

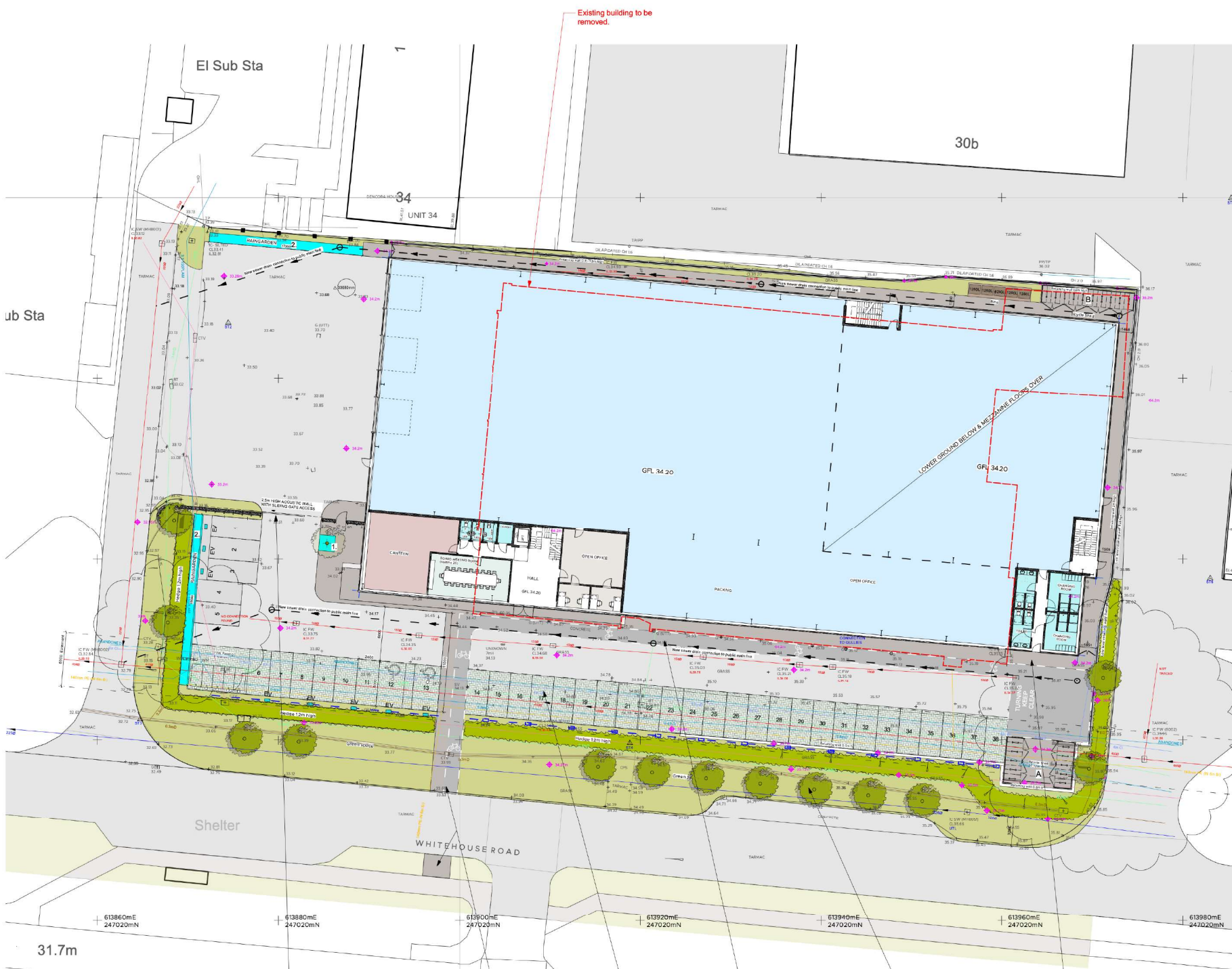
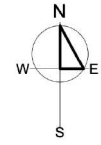
6. Planning Balance

- 6.1 The NPPF requires in paragraph 81 that planning decisions should help create the conditions in which business can invest, expand and adapt. The proposal would be acceptable in principle, resulting in the retention of an Ipswich based company within an employment area.
- 6.2 There is public transport immediately adjacent to the site and provision has been made within the proposed development to have immediate access to it. The proposals would accommodate electric vehicle parking and cycle spaces. In this regard, the proposal would promote sustainable growth in Ipswich and would be appropriate having regard to the impact of traffic congestion and air quality. The proposal, subject to conditions would be appropriate having regard to cycle and car parking.

- 6.3 The development would be of a high standard in terms of design and would be acceptable in terms of tree impact, biodiversity and flood risk, subject to compliance with conditions.
- 6.4 The surrounding area is characterised by commercial uses associated with employment areas and noise from the road network. The proposal would be compatible with its surrounding and would not give rise to a material nuisance.

7. Conclusion

- 7.1 Officers conclude that the proposal, subject to conditions, would be in accordance with policies CS13, CS14, CS16, DM1, DM2, DM3, DM4, DM6, DM8, DM10, DM12, DM14, DM18, DM21, DM22 and DM33.



Existing building to be removed.

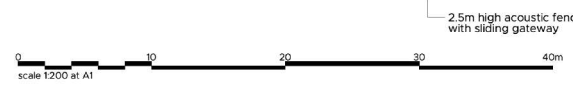
- Parking - Cars**
 Standard spaces: 33 spaces
 EV Spaces: 3 spaces
 Disabled Spaces: 2 spaces
 Total: 38 spaces
- Parking - Cycles**
 "A" front spaces: 20 spaces
 "B" rear spaces: 20 spaces
 Total: 40 spaces
- Parking - Motorbikes**
 Standard spaces: 5 spaces
- Key**
 - Proposed Floor Level
 - EV chargers
 - Future EV chargers provision
 - SUDs features -
 1. Tree Pit size: 1750mm x 1750mm e.g. StormForm™ 300 Series SUDs System or similar to provide 384 ltrs storage, 19,000 ltrs/hr flow rate.
 2. Raingardens 1m wide x length as shown.

ISSUED	REVISED	DATE	REASON
01	01	03/01/2023	ISS
02	02	03/06/2023	SSP
03	03	07/08/2023	SSP

PROJECT	5745	PA_04	F
PROPOSED SITE PLAN			
SCALE	1:200	DATE	A1
ISSUE DATE	14.03.2023	ISSUE	CW
PROPOSED OFFICE AND WAREHOUSE FACILITY			
32 WHITEHOUSE ROAD,			
IPSWICH, SUFFOLK, IP1 5LT			
CLIENT	Unitech Properties Ltd		
STATUS	PLANNING		

Wincor Kievenaar
 CONSULTANTS
 RIBA #

Master Plan / Working / Issues / Status / 15/06/23
 7.001/18/002 - 01 Ipswich Warehouse
 01/22 Scale from drawing, June 19/22, not for construction
 Copyright © Wincor Kievenaar Architects Limited
 5745_Plan_01 Copy 1.rvt



2.5m high acoustic fence with sliding gateway

Uncontrolled pedestrian crossing with dropped kerb and tactile paving

parking spaces shown in permeable green herringbone block paving

Page 60
cycle lane demarcation, and in permeable green colour to road to prioritise cyclists.

Green verge / buffer zone retained

Controlled and secure access points

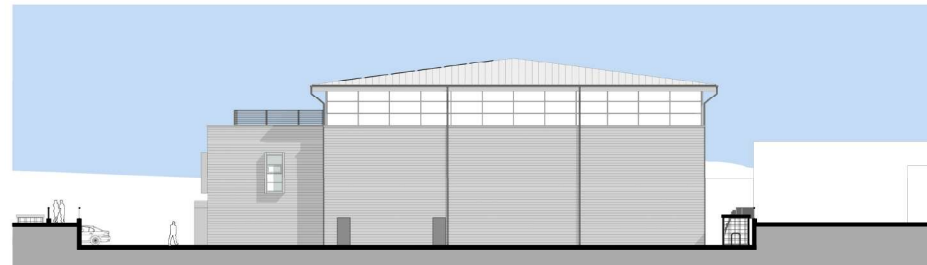
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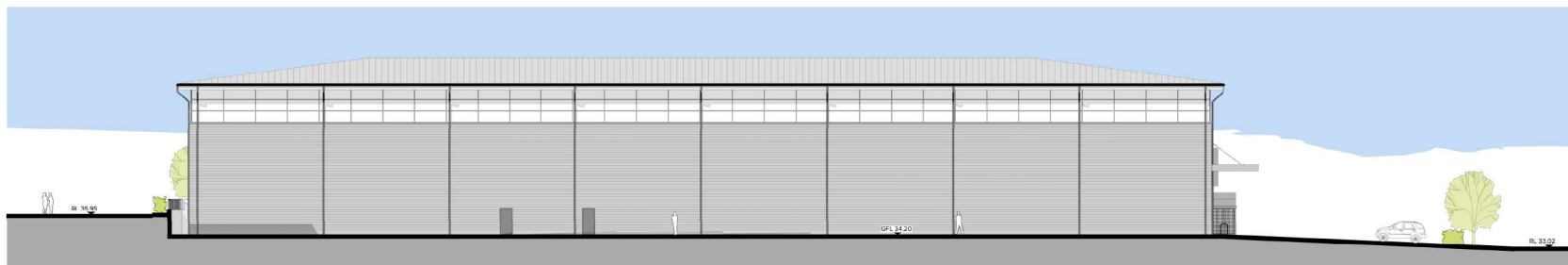
1 South Elevation
Scale 1:200



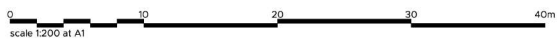
2 West Elevation
Scale 1:200



3 East Elevation
Scale 1:200



4 North Elevation
Scale 1:200



REVISION	DESCRIPTION	DATE	DESIGNED BY	DRAWN BY
A	Floor plans and elevations amendments	30/03/2023	CA	SST

5745 PA_06 A

Proposed Elevations

1:200 SHEET 006

14/03/2023

SST CHECK CW

PROPOSED OFFICE AND WAREHOUSE FACILITY
32 WHITE HOUSE ROAD,
IPSWICH, SUFFOLK, IP1 5LT

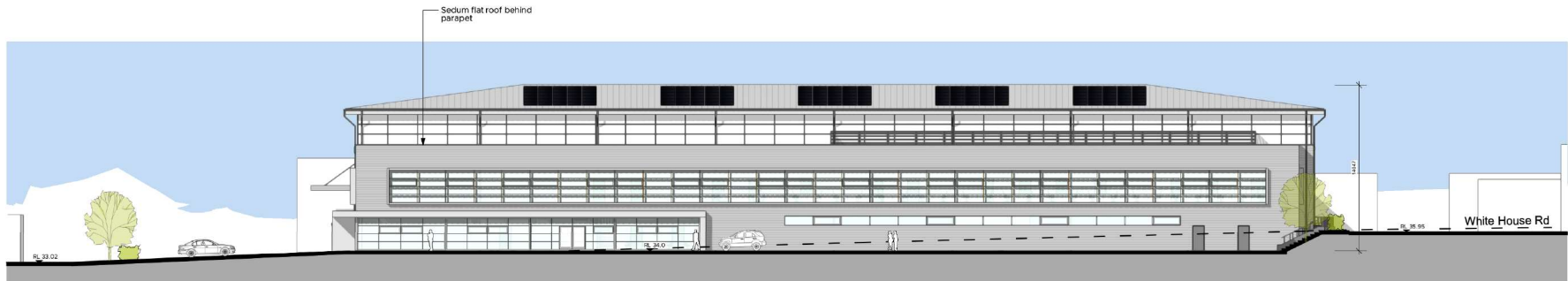
Aspects

PLANNING



Wincer Kievenaar
RIBA #

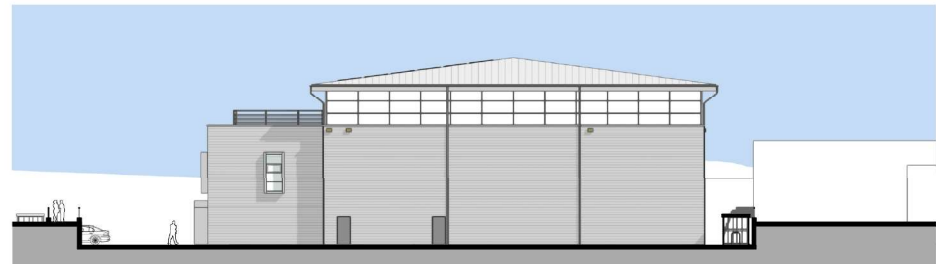
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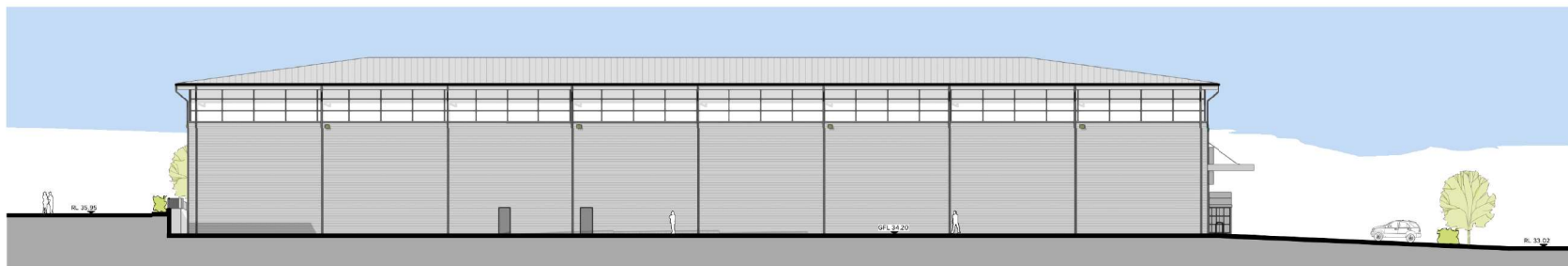
1 South Elevation
Scale 1:200



2 West Elevation
Scale 1:200



3 East Elevation
Scale 1:200



4 North Elevation
Scale 1:200

NO	DESCRIPTION	DATE	BY	CHKD
1.	Final plans and annotations incorporation	26/03/2023	CA	SST
2.	Ecological enhancements added	03/05/2023	CA	SST

5745 PA_06 B

PROPOSED ELEVATIONS

SCALE 1:200

DATE 14/03/2023

ALIAS SST

DATE 14/03/2023

PROJECT PROPOSED OFFICE AND WAREHOUSE FACILITY

32 WHITE HOUSE ROAD,

IPSWICH, SUFFOLK, IP1 5LT

CLIENT Unitech Properties Ltd

PHASE PLANNING

WINNER KIEVENAAR

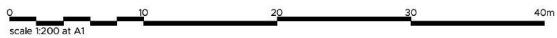
MANAGER PLACE / ADDRESS / PHONE / POST CODE

7, CLIFTON ROAD, IPSWICH, SUFFOLK, IP1 3JL

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RIBA #



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Recommendation**Grant planning permission subject to the following conditions (briefly):**

1. The development shall be carried out in accordance with the approved plans.
2. Prior to first occupation, submission of details for secure cycle storage, refuse/recycle storage, and biodiversity enhancements.

Informatives:

1. The applicant is reminded to contact IBC Private Sector Housing with regards to their HMO License.
2. Suffolk Constabulary comments.

This application has been 'called in' to the Planning and Development Committee by Cllr A Rae (member for Alexandra ward).

1. Proposal

- 1.1 The application site relates to a two-storey terraced property fronting onto St Helens Street, and near to the junction with Grove Lane, Spring Road Warwick Road. The immediate neighbouring property to the west is a residential property (No.194), whilst to the east is a commercial property (No.198). The application site sails above the commercial property at first floor level. The application site has a pedestrian walkway access to the rear accessed from Grove Lane. To the rear of the site contains a two-storey outbuilding which is not within the application site but is owned by a neighbouring property.
- 1.2 The application site is located outside of any designated areas and is not listed. The site is located within the Parks Character Area.
- 1.3 Planning permission is sought for the change of use of a mixed-use building comprising of a 5 bed HMO and 1 no. flat, to HMO comprising of up to 8 no. bedrooms. The current arrangement of the property indicates a flat on the ground floor, with 5 bedrooms, kitchen and shared bathroom/wc on the first floor. The proposed plans include converting the ground floor to provide a bedroom with en-suite and kitchen/dining room for all residents within the property, with the first floor providing seven bedrooms (all with en-suites).

2. Background

- 2.1 A lawful development certificate was granted under ref. IP/00/1101/CLD on the 7th March 2001, for the use of the dwelling as six bed-sits and one self-contained flat.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 12th July 2023 and 8th August 2023. 12 adjacent properties were notified of the application, in addition to a press notification, and site notice. The application was advertised on the IBC website in accordance with the Ipswich Statement of Community Involvement 2018.
- 3.2 Comments that were received are summarised below.

IBC Environmental Protection – Air Quality – An air quality mitigation statement is included. This however does not acknowledge that the site is on one of the roads with significant traffic flow St Helens Street for which further assessment is required. Some mitigation features are proposed such as setting back from the road and mechanical ventilation and electric car charging points but it is not clear from the information how these are to be delivered from the information submitted. Further details of the mitigation measures proposed and how these are to be delivered should be provided or a more detailed assessment.

IBC Environmental Protection – Private Sector Housing – No comments to make.

IBC Waste Management Services – No comments received.

Suffolk CC Highways – Holding objection. Before being at a position to recommend conditions regarding this planning application, the Highway Authority recommends the applicant make the following considerations regarding cycle accessibility:

It is appreciated that the area for cycle storage and bins is very limited, however, it is likely to be very awkward for residents to access which will discourage the use. The applicant should consider any alternative areas for cycle storage that may be available to them, however if no appropriate alternative can be found please consider the below points.

We recommend consideration is given to providing smaller wheelie bins rather than a 1100 litre larger bin in this area so residents have as much space to use as possible for getting in and out.

The height of the proposed wall is unknown or whether it is to be kept as existing. However, the existing wall adjacent the cycle hoops is much lower than the rest which allows any passerby to see. Consideration should be given to adding height to this wall to provide extra security to any cycle that may be stored there.

Suffolk Constabulary – No objections. Provide advisory comments.

Representations

Two received objecting to the proposal:-

1. F Bibi, 194 St Helens Street, received 19.07.2023
2. M Lankester, 4C Grove Lane, received 05.08.2023

Issues raised:

- Too many HMOs in the area.
- Area deteriorated due to antisocial behaviour, untidiness of area due to bins not being collected.
- 8 rooms will increase these issues.
- Lack of space at front of property not big enough for 8 bins.
- Area use to be sought after but not any more.
- Concerns about bats using the two-storey outbuilding.
- Plans show inadequate bin and cycle storage.

4. Policy

National Planning Policy

National Planning Policy Framework (2021)
National Planning Practice Guidance

Local Planning Policy

Core Strategy and Policies DPD Review (2022)

Policy CS7 (The Amount of Housing Required); DM1 (Sustainable Construction); DM3 (Air Quality); DM4 (Development and Flood Risk); DM7 (Provision of Private Outdoor Amenity Space in New and Existing Developments); DM8 (The Natural Environment); DM9 (Protection of Trees and Hedgerows); DM12 (Design and Character); DM18 (Amenity); DM19 (The Subdivision of Family Homes); DM20 (Houses of Multiple Occupation); DM21 (Transport and Access in New Developments); DM22 (Car & Cycle Parking in New Development); DM23 (The Density of Residential Development).

Other planning guidance

Space and Design Guidelines SPD (2015)

DCLG - Technical housing standards – nationally described space standard (2015)

Suffolk Guidance for Parking (2019)

Cycling Strategy SPD (2016)

Ipswich Urban Character SPD – Parks Character Area

Suffolk RAMS SPD (2020)

Low Emissions SPD (2021)

5. Planning Assessment

Principle of Development

- 5.1 The application property is of mixed use, being a single one-bed ground floor flat and 5 bedroom HMO. The proposal to reconfigure the layout to an 8 bedroom HMO would result in the loss of the one-bed flat. The conversion of the property to solely a HMO is permitted in principle, subject to compliance with development management policies. In this case policies DM19 (The Subdivision of Family Homes) and DM20 (Houses of Multiple Occupation) are of particular relevance.
- 5.2 Policy DM19 states development involving the conversion of houses into flats, bedsits or Houses in Multiple Occupation will be permitted provided that the development:
- a) would not result in the conversion of small or modest sized family houses containing 3 bedrooms or fewer or having a floorspace of less than 100 sq.m;
 - b) preserves and enhances the historic environment and heritage assets in accordance with Policy DM13 Built Heritage and Conservation;
 - c) would not create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity;
 - d) provides sufficient car parking in accordance with the standards, secure and lit bicycle storage, amenity space and refuse, recycling and garden waste storage for each unit; and
 - e) incorporates a convenient and secure principal front door for each unit of accommodation and provides an appropriate standard of residential amenity.
- 5.3 With regards to these points, the following assessment is made:
- (a) The existing flat is a ground floor one-bedroom flat. Whilst it is less than 3 bedrooms and a floorspace less than 100 sqms, the flat is not a family dwelling. The purpose of the policy is to ensure control to maintain the variety of housing stock in Ipswich to meet future needs, in particular the

needs for family housing. It is considered in this instance the proposal would not result in the loss of a family dwelling.

(b) The proposal would have no impact on any heritage assets or the historic environment.

(c) The first floor is already in HMO use. The impact on the local area is assessed below under policy DM20. In terms of layout the biggest change is to the ground floor, with the ground floor living room becoming a bedroom. This shares a boundary with the commercial property to the east. It is not considered that the reconfiguration of the layout would cause harm to nearby residential amenity.

(d) Suffolk Guidance for Parking 2019 would require the proposed HMO to include 6 parking spaces. Given the location, off-street parking is not feasible. However, given the small increase in bedroom numbers, and the site is within walking distance of the town centre boundary (approx. 375m), the lack of car parking is considered to be acceptable. The proposed drawing indicates 3 cycle spaces within the front garden. This is not in a secure location. However, a condition can be imposed to require secure cycle storage facilities to the rear of the property, accessed from Grove Lane. This is also applicable to secure storage of refuse/recycle receptacles. The secure storage of these items in the rear amenity area as opposed to the front garden would also overcome the concerns raised by the Highway Authority. The application site is provided with rear amenity space for the proposed use. The policy does not refer to amount of required amenity space, however this space is useable and south facing. In addition, Alexandra Park is located approx. 125m to the south of the site. The proposals are considered to be acceptable in this regard.

(e) Each HMO unit is served by its own door, which is accessible from common areas of the house, allowing each unit to function individually. Each unit also has an en-suite with shower and toilet facilities. The proposals are considered to be acceptable in this regard.

5.4 Policy DM20 states Proposals for the development of Houses in Multiple Occupation (HMO), including through the change of use of existing non-residential buildings, will be supported where they:

- a) demonstrate that they meet the nationally required minimum room standards for HMOs;
- b) would not adversely affect the amenity of nearby residents in terms of noise and disturbance or loss of privacy;
- c) do not have an adverse impact on local employment uses – such as reducing the availability of office accommodation in strategically identified locations for office use;
- d) would not adversely impact on the amenity of the local area through the over concentration of HMOs, or cumulatively adding to an area already subject to an over concentration;
- e) provide an acceptable living environment for future occupants, including adequate outdoor amenity space, car parking (in accordance with the standards), secure and covered cycle parking and refuse storage; and
- f) are well-served by local services and accessible by sustainable transport modes.

5.5 With regards to these points, the following assessment is made:

(a) – The proposed HMO bedrooms are outlined below:-

- Bedroom 1 – 15.28 sqm – meets HMO license requirements for double bedroom;
- Bedroom 2 – 8.65 sqm - meets HMO license requirements for single bedroom;
- Bedroom 3 – 13.92 sqm - meets HMO license requirements for double bedroom;
- Bedroom 4 – 9.93 sqm - meets HMO license requirements for single bedroom;
- Bedroom 5 – 8.74 sqm - meets HMO license requirements for single bedroom;

Bedroom 6 – 9.07 sqm - meets HMO license requirements for single bedroom;
Bedroom 7 – 9.51 sqm - meets HMO license requirements for single bedroom;
Bedroom 8 – 8.92 sqm - meets HMO license requirements for single bedroom.

In terms of HMO licensing, a single bedroom must be a minimum of 6.51 sqm and a double bedroom a minimum of 10.22 sqm.

For clarity, the current bedrooms measure:-

Bedroom 1 – 16.73 sqm – meets HMO license requirements for double bedroom;
Bedroom 2 – 13.45 sqm – meets HMO license requirements for double bedroom;
Bedroom 3 – 11.59 sqm – meets HMO license requirements for double bedroom;
Bedroom 4 – 12.08 sqm – meets HMO license requirements for double bedroom;
Bedroom 5 – 8.74 sqm – meets HMO license requirements for single bedroom;
Bedroom (flat) – 16.50 sqm - meets national described space requirements for double bedroom.

Current occupancy rate of the property is therefore 11 persons, with proposed occupancy being 10 based on the size of the rooms and the need for a HMO license.

(b) – The layout is not greatly altered from the existing, with the main difference as mentioned being the ground floor living room changing to a bedroom. The proposals are considered to be acceptable in this regard.

(c) – There would be no adverse impact on local employment uses.

(d) – Proposals for HMOs will not be approved where they will result in an over-concentration of HMOs. An over-concentration is defined as:

- i. more than two HMOs side by side;
- ii. the sandwiching of a single self-contained house or flat between two HMOs;
- iii. more than two HMOs within a run of twenty properties on one side of the road; or
- iv. more than one HMO in a road of fewer than twenty properties on one side of the road.

The Council's current licensed HMO register reveals the following properties within the streets surrounding the property:

St Helens Street

182, 176, 175, 168, 164, 160, 154, 108 (closest first to application site)

Grove Lane

3, 5, 14B, 27, 38, 66, 75, 77, 80, 86, 88, 91, 93, 95 (closest first to application site)

Spring Road

4, 10, 43, 156, 218, 220 (closest first to application site)

Warwick Road

64

Oxford Road

13

There are a number of licensed HMOs in the vicinity of the site. The number of unlicensed HMO's is unknown. Including the application property already in HMO use, there would be 6 HMOs in a run of twenty properties on this side of St Helens Street. In addition, Nos. 3 and 5 Grove Lane are approx. 65 metres from the site to the south, and No.14B Grove Lane is approx. 73 metres. No.4 Spring Road is approx. 43 metres and No.10 Spring Road approx. 72 metres to the east. Whilst the proposal would be contrary to the aims of policy DM20, a material consideration is the lawful use of the property as a mixed-use site which already includes a large HMO. As a result, it is considered whilst the evidence suggests there is a large concentration of HMOs in this area of the Borough, given the lawful use of the site, and the proposal is only including the reconfiguration of the property to remove the one-bed flat and add an additional two bedrooms, a refusal on the grounds of this policy would not be considered to be sustained at appeal.

(e) - As outlined above, the application site is provided with rear amenity space for the proposed use. The policy does not refer to amount of required amenity space, however this space is useable and south facing. In addition, Alexandra Park is located approx. 125m to the south of the site. Appropriate storage for cycles and refuse can be conditioned. The proposals are considered to be acceptable in this regard.

(f) - The site is just outside of the IP-One area (located to the east and south) with the St Helens Street local centre (33) approximately 300m away from the site to the east, the Foxhall Road local centre (21) approximately 500m to the south, and the town centre within walking distance to the east of the site (approx. 375m). There are bus stops in close proximity of the site serving a regular town centre route. It is considered that the site is well-served by local services and is accessible by sustainable transport modes.

- 5.6 On the basis of assessment against policies DM19 and DM20, the proposals are considered to be acceptable in this regard.

Crime, Security, and Safety

- 5.7 Suffolk Constabulary have commented on the application and do not object to the proposal, however given the moderately high crime rates for this area, they stress that it is important that the development complies with the standards of Secured By Design (SBD) Homes 2023 in order to take every opportunity to design out crime at the planning stage. A number of recommendations/suggestions have been put forward and these can form the basis for an informative.

Biodiversity

- 5.8 Policy DM8 states that all development is expected to incorporate measures to enhance conditions to achieve a net gain of biodiversity within the development. DM9 seeks to ensure the protection and retention of trees within and around development and requires the replacement of any mature and semi-mature trees on a 2 to 1 basis, should any be removed.
- 5.9 In this regard there are no trees which would be affected by this proposal. Concerns have been raised with regards to a sycamore tree and a two-storey outbuilding to the rear of the property close to the rear garden which are utilized by bats. However, the proposal is for a change of use of the application property, and does not extend to works to the outbuilding. If works were to be undertaken to the outbuilding, separate legislation would protect the bat population in this regard. Conditions could be imposed requiring details of biodiversity enhancements of the site. As a result the proposal is considered to comply with policies DM8 and DM9.

RAMS

- 5.10 Under Regulations 61 and 62 of the Habitats Regulations, local planning authorities as the 'competent authority' must have regard for any potential impact that a plan or project might have on European designated sites. The application site is not, itself, designated as a site of international, national or local importance to nature conservation but the urban area of Ipswich does fall within the 'Zone of Influence' (Zol) of the Stour and Orwell Estuaries Special Protection Area (SPA) and the Stour and Orwell Estuaries Ramsar site. In the context of the Council's duty as 'competent authority' under the provisions of the Habitats Regulations, it is therefore anticipated that, without mitigation, new residential development in this location is 'likely to have a significant effect on one or more European designated sites through increased recreational pressure, either when considered 'alone' or 'in combination' with other plans or projects.' As such, a suitable contribution to the adopted Suffolk RAMS should be sought from this residential development to enable the Council to reach a conclusion of "no likely significant effect" whilst ensuring that the delivery of the RAMS remains viable.
- 5.11 The Suffolk Coast RAMS SPD (2020) applies to all new residential developments where there is a net increase in dwelling numbers. This includes, for example, the conversion of existing large townhouses into smaller flats, or the change of use of other buildings to dwellings. It excludes replacement dwellings and extensions to existing dwellings (where there is no net gain in dwelling numbers).
- 5.12 The SPD states that certain restricted types are excluded include nursing homes, where the residents will be those in need of daily nursing care and therefore unable to undertake outdoor recreation. Residential annexes are also excluded, as they do not result in independent dwellings.
- 5.13 There is no specific guidance for houses in multiple occupation. However, the proposal does not result in a net gain in dwellings and therefore it can be concluded that the development is not likely to have a significant effect.

Air Quality

- 5.14 Policy DM3 states that the Council will ensure that the impact of development on air quality is mitigated and ensure that proposals do not negatively impact on existing air quality levels in the Borough. The Council will take into account the impact of air quality when assessing development proposals, through consideration of both the exposure of occupants to air pollution and the effect of the development on air quality. Development proposals should not:
- a) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits;
 - b) reduce air quality benefits that result from the Borough Council's activities to improve air quality; and
 - c) create unacceptable risk of exposure to high levels of poor air quality, for example, through having a negative impact on an existing AQMA.
- 5.15 Also an Air Quality Assessment (AQA) will be required where development proposals are likely to expose residents to unacceptable levels of air pollution. Where the AQA shows that a development would cause harm to air quality, the Council will not grant planning permission unless measures are adopted to mitigate the impact. Similarly, developments that introduce sensitive receptors (i.e. housing, schools) in locations of poor air quality will not be acceptable unless designed to mitigate the impact.

- 5.16 Development that involves significant demolition, construction or earthworks will also be required to assess the risk of dust and emissions impacts in an AQA and include appropriate mitigation measures to be secured in a Construction Management Plan.
- 5.17 The proposal is located approx. 100 metres from Air Quality Management Area (AQMA) 2, and therefore it is considered any conversion works would not negatively impact upon air quality. Whilst concerns have been raised by Environmental Protection, the site is not within a AQMA or its buffer zone. Furthermore, the development as proposed has the potential to accommodate less occupants than its current lawful use. In this instance the proposal is considered to be acceptable.

Flood Risk

- 5.18 Policy DM4 states that development will only be approved where it can be demonstrated that it does not increase the overall risk of all forms of flooding in the area or elsewhere, will be adequately protected from flooding, will remain safe for people for the lifetime of the development and includes water efficiency measures such as rainwater harvesting, or use of local land drainage water where practicable. The site is at low risk of flooding and development is acceptable having regard to policy DM4.

6. Planning Balance

- 6.1 Paragraph 8 of the NPPF sets out the three overarching objectives of sustainable development, economic, social and environmental. At the heart of the NPPF is a presumption in favour of sustainable development and paragraph 11 states that for decision making this means approving development proposals that accord with an up-to-date development plan without delay.
- 6.2 As set out above, there are a number of licensed HMOs in the vicinity of the site. Including the application property already in HMO use, there would be 6 HMOs in a run of twenty properties on this side of St Helens Street. Whilst the proposal would be contrary to the aims of policy DM20, a material consideration is the lawful use of the property as a mixed use site which already includes a large HMO. As a result, it is considered whilst the evidence suggests there is a large concentration of HMOs in this area of the Borough, given the lawful use of the site, and the proposal is only including the reconfiguration of the property to remove the one-bed flat and add an additional two bedrooms, a refusal on the grounds of this policy would not be considered to be sustained at appeal. The requirement for storage for bins and bikes can be conditioned to ensure appropriate facilities.

7. Conclusion

- 7.1 The development is acceptable in terms of the conversion, having regard to policies DM3; DM4; DM7; DM8, DM18, DM19, DM20, and DM22, as well as the NPPF.

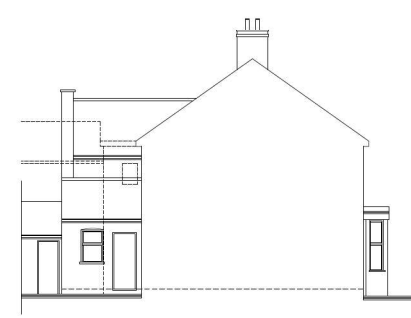
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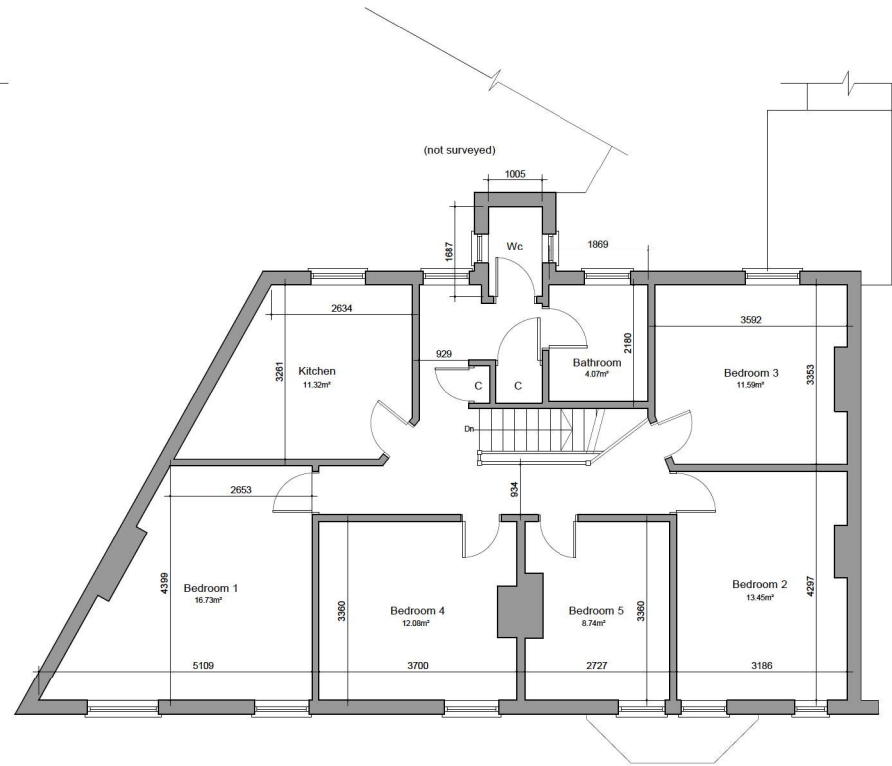
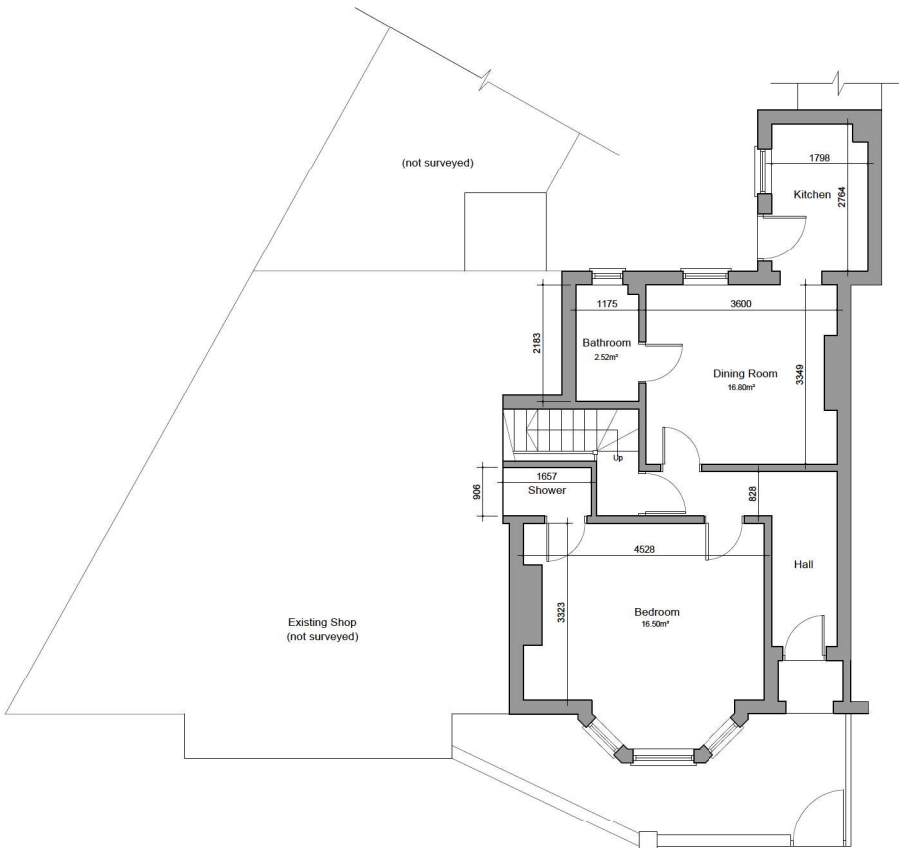
Front Elevation



Rear Elevation



Side Elevation



First Floor Plan

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Failure to do so will be at the contractor's own risk and no additional payments shall be made for any alterations to the work.
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 All works and working practices on the site shall be carried out in accordance with the above and to ensure that there is no risk to the site operations, workers or public.
 The contractor is to include all preliminary allowances to cover the prevention of accidents and slips.

All works are to be carried out to comply with manufacturers, suppliers and industry guidelines, local authority regulations, good practice, the safety recommendations, specialist subcontract recommendations and services supply and installation regulations. All manufacturers' literature is to be kept on site. Provide all relevant quantities in support of procurement to the client.

Allow all necessary allowances and liaison with CA's (and CA personnel) specialist subcontractors to be made. Ensure all notifications are submitted to the Local Authority Building Control and submit materials as required to the Local Authority Planning Department.

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REV 0	07.08.23	REV'D MADE RE PLANNERS COMMENTS
REV A	04.08.23	REV'S MADE RE PLANNERS COMMENTS
revision	Date	Amendment

Client:
RHIVASHY PROPERTY

Drawing Title:
**PLANS & ELEVATIONS
 AS EXISTING**

Project:
**PROPOSED ALTERATIONS
 TO FORM HMO
 196 ST HELENS STREET
 IPSWICH
 SUFFOLK
 IP4 2LH**



33 Hood Drive, Great Blakenham, Ipswich, Suffolk, IP8 6NP
 Telephone: 0775063177
 email: info@creativebuilding.com

Project ref / Drawing number:
2322.01B

Scale: **1:50/1:100@A1** Date: **MAY 23**

All dimensions are approximate and in millimeters.
 All dimensions to be checked on site.

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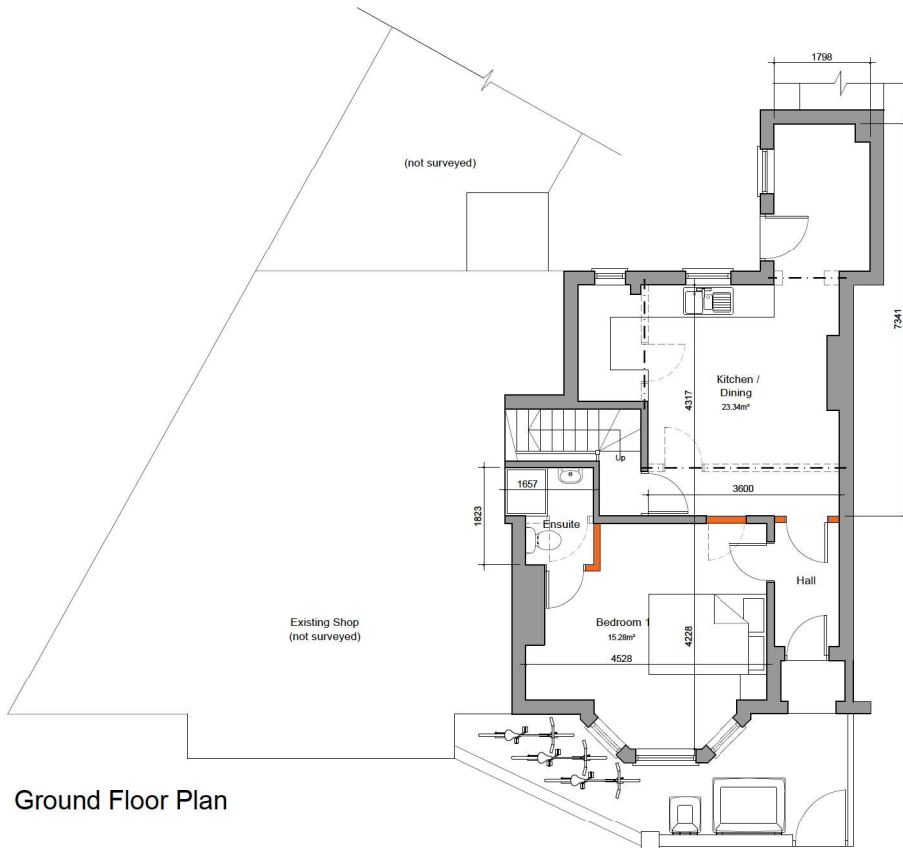
Front Elevation



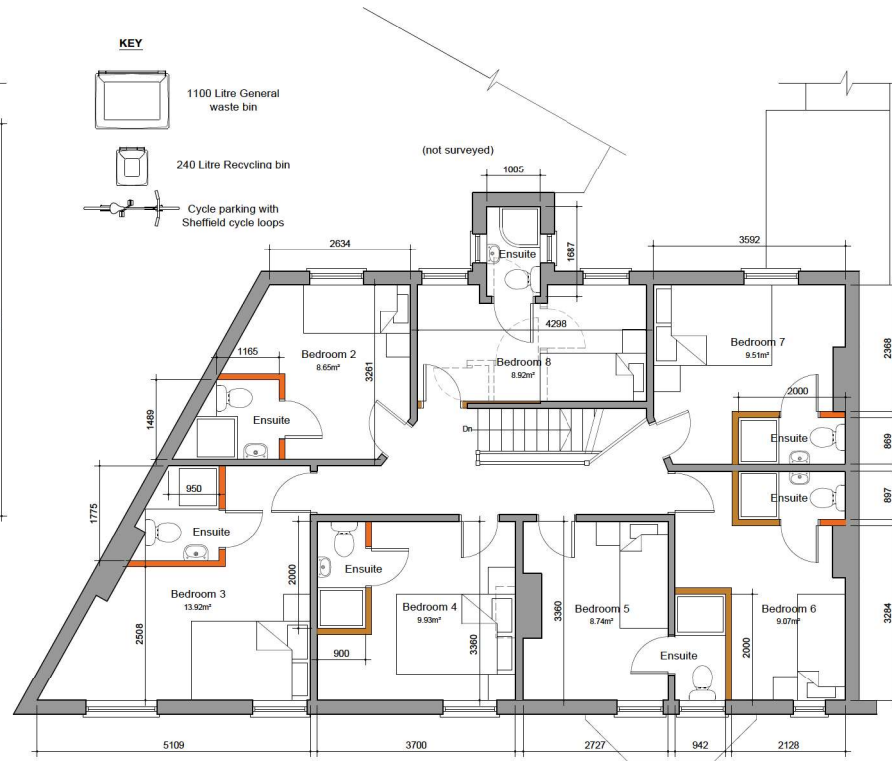
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

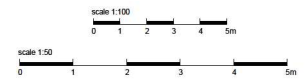
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Failure to do so will be at the contractor's own risk and no additional payments shall be made for any alterations to the work.
 The contractor is to carry out all works in full compliance with the Health and Safety Commission's Approved Code of Practice (Managing Construction for Health and Safety) and Construction (Design and Management) Regulations 1994.
 All work and working practices on the site shall be carried out in accordance with the above and to ensure that there is no risk to the safe operation, stability or condition of the structure.
 The contractor is to include all preliminary allowances to cover the preservation of assets and items.

All works are to be carried out to comply with manufacturers, suppliers and industry guidelines, local authority regulations, good practice, the safety recommendations, specialist subcontract recommendations and services supply and installation requirements as applicable to the project to the extent.
 Allow all necessary allowances and liaison with CA's (and CA personnel) specialist subcontractors to be made. Ensure all notifications are submitted to the Local Authority Building Control and submit materials as required to the Local Authority Planning Department.
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REV	DATE	REVISIONS MADE	RE CLIENTS COMMENTS
REV A	05.08.23		

Client:
RHIVASHY PROPERTY

Drawing Title:
PLANS & ELEVATIONS AS PROPOSED

Project:
PROPOSED ALTERATIONS TO FORM HMO 196 ST HELENS STREET IPSWICH SUFFOLK IP4 2LH

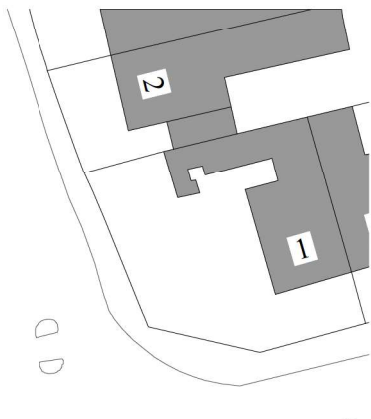
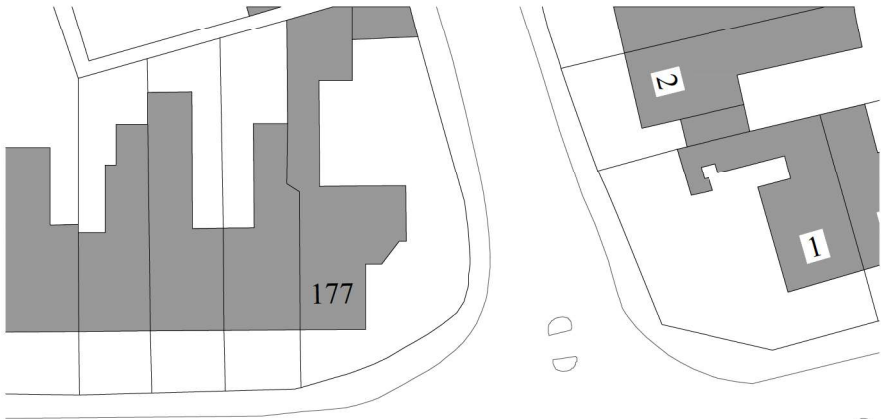


Project ref / Drawing number:
2322.02A

Scale: **1:50/1:100@A1** Date: **MAY 23**

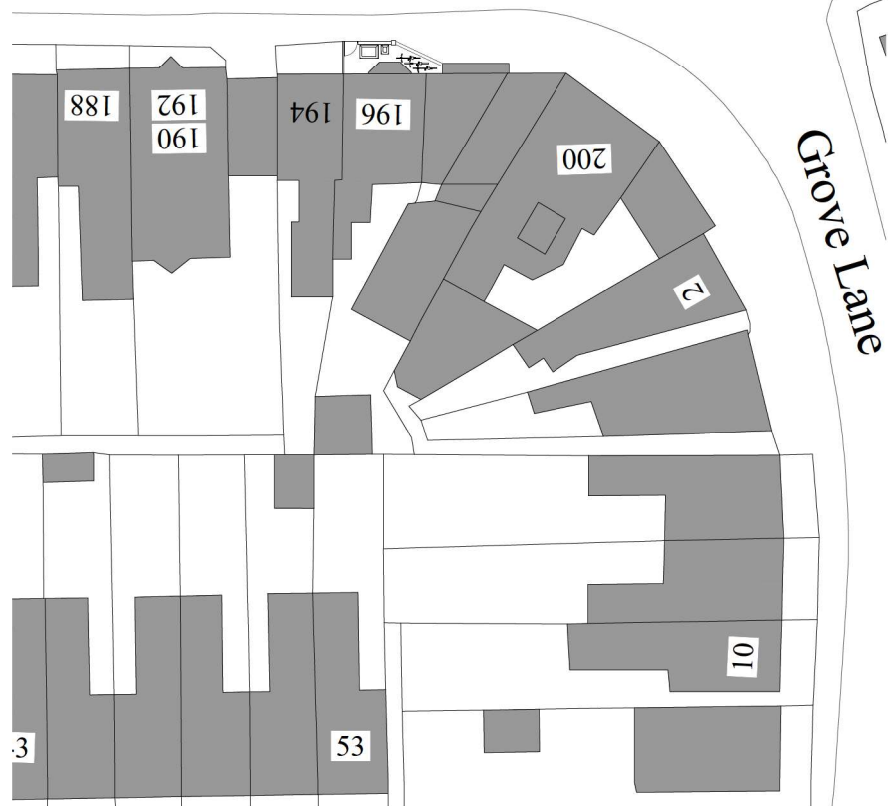
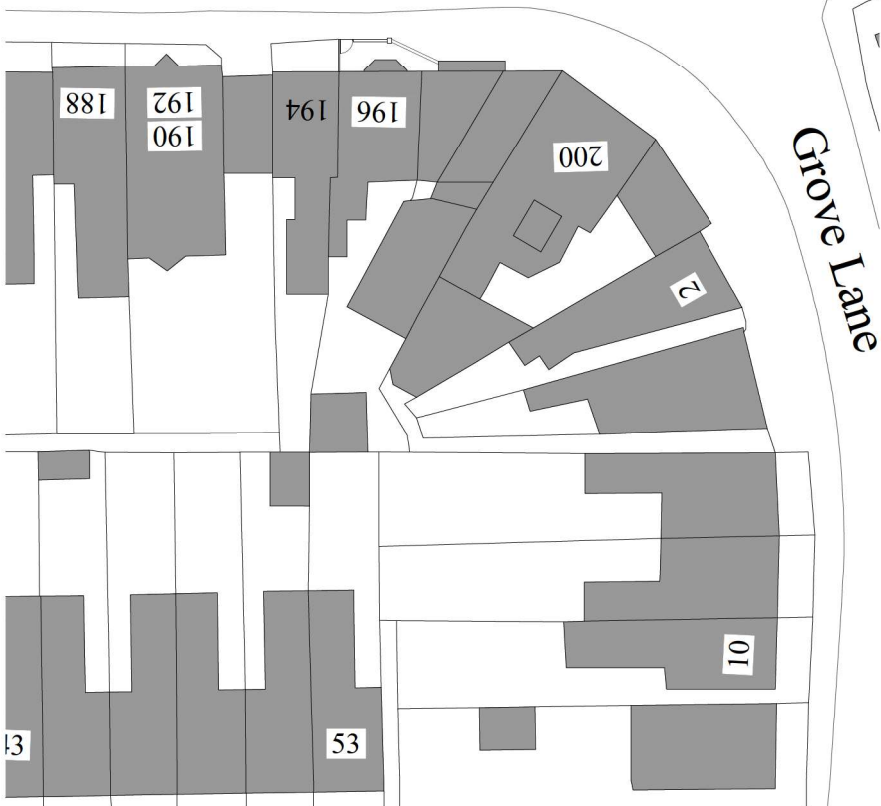
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 All dimensions to be checked on site.

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St Helens Street

St Helens Street



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Failure to do so will be at the contractor's own risk and no additional payments shall be made for any amendments to the work.
The contractor is to carry out all works in full compliance with the Health and Safety Commission's Approved Code of Practice, Management of Health and Safety, and Construction (Design and Management) Regulations 1994.
All work and working conditions on the site shall be carried out in accordance with the above and to ensure that there is no risk to the operations, public or traffic.
The contractor is to include all preliminary allowances to cover the provision of access and egress.
All works are to be carried out in compliance with manufacturers, suppliers and industry guidelines, local authority regulations, good standards, the safety recommendations, specialist subcontract recommendations and services supply and installation regulations. All manufacturers literature is to be read on site.
Provide all relevant permissions or consents for permission to the client.
Allow all necessary allowances and liaison with CA's (and CA personnel) specialist subcontractors to be made. Ensure all notifications are submitted to the Local Authority Building Control and submit materials as required to the local Authority Planning Department.
Carefully examine the drawings and rectify any discrepancies to the CA for instruction prior to commencing.
Check all dimensions on site prior to setting materials and rectify any discrepancies to the CA for instruction prior to proceeding.
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1:200 Existing Block Plan

Page 85
1:200 Proposed Block Plan

Revision	Date	Amendment

Client:
RHIVASHY PROPERTY

Drawing Title:
BLOCK PLANS AS EXISTING & PROPOSED

Project:
**PROPOSED ALTERATIONS TO FORM HMO
196 ST HELENS STREET
IPSWICH
SUFFOLK
IP4 2LH**



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INFORMATION FOR COUNCILLORS

23/00394/CLD - Hanover Court, Lacey Street

At the Planning and Development Committee on 31 May 2023 the following application was presented to members:- Conversion of existing sheltered housing block into 24 flats together with associated development (ref. 23/00156/FUL). This attracted a number of objections, mainly with regards to the lack of parking within the development. Members were advised that any new residents would not be eligible for parking permits. A condition was also imposed to ensure parking permits would not be available to future residents. The planning permission has not as yet been issued as completion of the Section 106 is awaited.

Following on from the submission of the above planning application, the applicant has submitted a lawful development certificate relating to existing use of premises as twenty-four dwellings (Use class C3), i.e. if granted it is likely that the applicant would not implement the planning permission, therefore the development would not need to adhere to the imposed conditions and s106 contributions. As mentioned in any event officers are of the understanding that any future residents would not be eligible for parking permits in any event.

Given concerns raised above under ref. 23/00306/CLD, and that this CLD application would not be party to public consultation, officers are mindful of the possible repercussions. As a result, in the first instance officers have brought this to your attention. Officers are not minded to bring application 23/00394/CLD to committee as the merits of the proposal are not open to discussion, and the application would be determined on planning law grounds. Officers therefore plan to issue this decision under delegated powers.

TREE PRESERVATION ORDERS

The following Tree Preservation Orders have been served.

TPO REF NO	TPO DESCRIPTION	ADDRESS	DATE OF AUTHORISATION	DATE SERVED
None				

The following Tree Preservation Orders have been confirmed.

TPO REF NO	TPO DESCRIPTION	ADDRESS	DATE OF AUTHORISATION	DATE CONFIRMED
None				

APPEALS

Since the last report the following appeals have been received.

APPEAL REF NO	APPLICATION REF NO	ADDRESS	APPLICATION DESCRIPTION/ ENFORCEMENT NOTICE	DATE APPEAL STARTED	STATEMENT DUE
23/00009/REFUSE	22/00810/FUL	75 Heath Lane	Erection of single-storey side extension and alterations.	26.7.2023	N/A

23/00010/REFUSE	22/00710/FUL	174 Woodbridge Road	Installation of dropped kerb to create vehicular access from the highway.	26.7.2023	N/A
23/00016/REFUSE	23/00254/FUL	90 St Helens Street	Installation of external rolling security shutter (Retrospective).	To be confirmed	To be confirmed

Since the last report the following appeals have been determined.

APPEAL REF NO	APPLICATION REF NO	ADDRESS	APPLICATION DESCRIPTION/ ENFORCEMENT NOTICE	DATE APPEAL DECISION	APPEAL DECISION
22/00016/REFUSE	22/00673/FUL	47 Benacre Road	Erection of detached two-storey dwelling (following demolition of existing garage) and associated car parking spaces.	28.7.2023	Withdrawn
23/00013/REFUSE	23/00085/ADV	Integrity Automotive Ltd West End Road	Erection of freestanding digital poster unit (double-sided) for the display of static illuminated poster advertisements each display of standard 48 sheet size at 6m x 3m.	26.7.2023	Dismissed
23/00004/REFUSE	22/01041/ADV	Land Adjacent To 191 To 199 Foxhall Road	Illuminated 48-sheet digital advertisement display.	27.7.2023	Allowed
23/00001/REFUSE	22/01007/FUL	Car Parking And Amenity Area Adjacent To Pooleys Yard Ranelagh Road	Change of use of vacant land to temporary car park (Sui Generis) (retrospective application).	2.8.2023	Allowed (temporary for 2 years)
22/00015/COND	22/00140/FUL	The Mariners Wherry Quay	Permanent mooring of vessel M.S.Amunda to serve as a public restaurant (retrospective	2.8.2023	Allowed

			application).Appeal against condition 2 which states:- This permission shall expire on 08.08.2027 and the vessel shall be removed on or before that date, unless permission is granted for a further period, on application being made.		
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COUNTY DECISIONS

REFERENCE	ADDRESS	APPLICATION DESCRIPTION	DECISION
None			

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The Planning Inspectorate

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Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5210
Customer Services:
0303 444 5000

Email: East1@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: IP/22/00673/FUL

Our Ref: APP/R3515/W/22/3309915

Head of Development
Ipswich Borough Council
Planning and Development
Grafton House
15 - 17 Russell Road
Ipswich
IP1 2DE

28 July 2023

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Ms Suvanne Harding
Site Address: 47 Benacre Road, IPSWICH, IP3 9JU

I have received a letter withdrawing the above appeal(s).

I confirm no further action will be taken.

Yours sincerely,

Jonathan Alden
Jonathan Alden

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search

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Appeal Decision

Site visit made on 27 June 2023

by **Peter D Biggers** BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th July 2023

Appeal Ref: APP/R3515/Z/23/3321249

Integrity Automotive Ltd., West End Road, Ipswich, Suffolk IP1 2DZ.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Graeme Hughes (Alight Media) against the decision of Ipswich Borough Council.
 - The application Ref IP/23/00085/ADV, dated 28 January 2023 was refused by notice dated 30 March 2023.
 - The advertisement proposed is freestanding digital poster unit (double sided) for the display of static illuminated poster advertisements each display of standard 48 sheet size at 6m x 3m.
-

Decision

1. The appeal is dismissed

Main Issue

2. The main issues in this case are the effect of the advertisement display panels on the visual amenity of the surrounding area of London Road and the effect on public safety (in this instance highway safety).

Reasons

3. The proposed double-sided, digital advertisement display panel, the subject of the appeal, would be sited against the boundary fence on the west side of the Integrity Automotive site bounding the River Orwell and on the south side of London Road. It would face east and west along London Road.
4. London Road (the A1214) adjacent to the appeal site takes the form of a busy dualled section of carriageway with Hadleigh and Ranelagh Roads (both busy distributors) joining at the west end of the interchange and Yarmouth and West End Roads (also busy distributors) joining at the east end. Commercial businesses front onto this interchange section of London Road and existing signage in this area of London Road is related to these individual businesses. There are no existing, large scale advertising displays in the vicinity.

Visual Amenity

5. I acknowledge that in some respects the area is one where the type of advertising display proposed can be acceptable in that it is a largely commercial/industrial area where there are large buildings and main highways. However, the area is identified in the *Ipswich Urban Characterisation Study* (IUCS) – Valley Character Area as an urban gateway to the town centre

requiring improvement and an area where design should facilitate a more attractive pedestrian and cycling experience.

6. As stated above the area is very commercialised with signage relating to both businesses and transport creating a lot of visual 'noise'. In that context a further large, double sided, advertising display panel would not enhance the visual environment and would add to the clutter and 'noise'. The display panel set against the boundary fencing to the river corridor would impact on the view of greenery along the corridor on the west bank (the only open space in an otherwise built up corridor) especially approaching from the east. Moreover, in the approach from the west (See Dwg PY4439/011) the height of the panel would appear excessive, significantly above totem signage relating to nearby businesses and the roofscape of adjacent buildings and appearing as a stark intrusion against the skyline.
7. It has been put to me that the IUCS has secured little change at the junction since its adoption and that the Council has made little progress in enhancing the junction. However, I agree with the previous Inspector determining appeal ref APP/R3515/Z/20/3261777 who considered that opportunities for improvement should be taken where possible. Just because a plan document is aspirational with limited actual progress so far in reaching those aspirations should not be a reason to allow further elements which would simply undermine the objective of enhancing the gateway.
8. I have been invited to conclude that the context is a busy junction on the outskirts of the town centre rather than a gateway to it and that in similar situations elsewhere in the country display panels have been allowed. However, I must consider the proposed advertising on its own merits and the existence of panels in similar locations elsewhere does not alter my assessment that the visual impact of the proposal would detract from amenity and the general characteristics of the locality. Albeit that character is of an urban road junction in need of some improvement.
9. I therefore conclude on visual amenity that the proposal would be detrimental. I have taken into account *Ipswich Local Plan* (ILP) Policy DM26, which is material insofar as it seeks advertisements that preserve or enhance the character of their setting. As I have concluded that the proposal would harm amenity, it would conflict with this Policy, the objective of the IUCS and paragraph 136 of the *National Planning Policy Framework* (the Framework).

Public Safety

10. I acknowledge that the type of 48 sheet advertising display panels proposed are now commonplace along many major roads particularly in urban areas. However, in this particular case the junction is a noticeably complex one with high volumes of joining traffic from the main side distributors where drivers will directly face the advertising panel as they are executing their manoeuvre onto London Road. At the same time at both ends of the dualled interchange section there are light-controlled pedestrian crossings. Particularly in respect of the crossing corridor at the east end of the interchange the display panel will be directly in a driver's line of sight on the final approach to the pedestrian crossing on certain legs.
11. As the *Planning Practice Guidance* (PPG) points out "*all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety*" and cites

junctions, roundabouts and pedestrian crossings as examples where this can be the case. The PPG goes on to set out a number of circumstances where signs may cause danger. One of these is relevant in this case where the size or siting, would be likely to distract road-users because of their unusual nature. The height and prominence of the proposed panel in respect of both its faces is positioned at a place where care and attention is required and I am not persuaded that the display panels would not increase the risk to public safety.

12. I have been invited to conclude that, as the accident record on this section of London Road is not a poor one, the addition of the sign would be acceptable. However, I am not persuaded that this is relevant, as the absence of any other digital display signage in the area means the effect of adding such signage is untested on this particular junction.

13. I have been referred to other signage elsewhere in the UK (in Derby and Sheffield) which the applicant considers demonstrate similar circumstances to the appeal proposal showing the sign is not unusual but just because these have been allowed elsewhere does not mean they should be granted express consent here. This proposal would be positioned directly adjacent to an exceptionally busy junction, dominated by extensive traffic signalling and signage and only commercial business signage and, in the local context, introduction of the display panels would be an unusual addition to a complicated junction. The proposal therefore would be likely to have a detrimental effect on highway and therefore public safety.

Other Matters

14. It has been put to me that advertising is essential to business and the economy and that the proposed signage would support the Council's commitment to a thriving sustainable economy and could support the town centre with advertising relating to businesses there. While this may be the case, the Framework and PPG advice is very clear that the only matters that can be taken into account are visual amenity and public safety.

15. I have been invited to consider whether, given the dual-faced nature of the display panel, a split decision would be acceptable i.e. allowing one face whilst dismissing the other. However, for the reasons set out above I am not satisfied that either face would be more acceptable than the other in respect of the two tests of amenity and public safety.

Conclusion

16. For the reasons given above and having regard to the matters raised, I conclude that the proposed free standing, double sided, advertisement display panels would have appreciable adverse impacts on the surroundings. It is therefore contrary to the Framework at paragraph 136 and advice in the PPG regarding amenity and safety considerations. The proposed sign would be detrimental to the interests of visual amenity and public safety and the appeal should be dismissed.

P. D. Biggers

INSPECTOR

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Appeal Decision

Site visit made on 27 June 2023

by **Peter D Biggers** BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2023

Appeal Ref: APP/R3515/Z/23/3316835

Land Adjacent California Social Club, 191-199 Foxhall Road, Ipswich IP3 8LB.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Alight Media against the decision of Ipswich Borough Council.
 - The application Ref IP/22/01041/ADV, dated 8 December 2022 was refused by notice dated 31 January 2023.
 - The advertisement proposed is new single illuminated 48 sheet digital advertising display.
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Decision

1. The appeal is allowed and express consent for a new single illuminated 48 sheet digital advertising display as applied for is granted. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Advertisement Regulations and the following additional conditions:
 - 1) The intensity of the illumination of the advertising unit permitted by this consent shall at all times accord with the thresholds set out in the Institute of Lighting Professionals publication "*The Brightness of Illuminated Advertisements*" (PLG05:2015).
 - 2) The advertisement hereby approved shall include static images only. The interval between successive images shall be 0.1 seconds or less and the complete screen shall change without visual effects between advertisements. Each image shall be displayed for at least 10 seconds. There shall be no sequencing, fading, swiping or merging of images and it shall not display any animation, video, moving or flashing images. In the event of a fault the panel should be designed to default to a blank black screen.
 - 3) The digital display shall be switched off and not illuminated between the hours of 22.00 and 07.00.
 - 4) Notwithstanding the detail of the plans submitted with the application, the height from ground level to the lower edge of the display panel hereby granted express consent shall not exceed the height of the boundary fence to the railway line immediately behind the panel.

Main Issue

2. The Council raises no issue in respect of public safety and having assessed the proposal I have no reason to disagree. The main issue in this case is therefore the
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effect of the poster display board on the visual amenity of the surrounding area of Foxhall Road.

Reasons

3. The proposed 6 metre x 3 metre digital display panel, the subject of the appeal, would be sited on freestanding poles against the metal palisade boundary fence along the railway line immediately east of the car park adjacent to the California Social Club on Foxhall Road. The panel would face west towards the club and would be approximately 26 metres from the nearest residential properties on Tomline Road.
4. It has been put to me that the area around the appeal site has a distinct residential character. However, from the site visit I am not persuaded that this is the case. The north side of the road is dominated by the California Social Club and car park whilst the properties on the junction of Tomline Road and Foxhall Road are also in commercial use at street level. Moreover, heading east over the railway line the area changes to one much more dominated by industrial and commercial uses against which the display panel would be viewed. It is therefore more accurate to say that the site sits in an area of mixed commercial and residential use. Signage in the immediate area is limited to that on the social club and small scale signage related to the businesses at 1 Tomline Road and 218 Foxhall Road.
5. The character of the immediate locality in which the panel would sit is not one exhibiting special historic, architectural or cultural features but I have been referred to the fact that this part of Foxhall Road is a major route out of the town centre and forms a 'gateway' or 'threshold' to the California suburb in which the sign would be intrusive. The California Suburb has been studied as part of the *Ipswich Urban Characterisation Study (IUCS)* but having viewed this document I can see no formal identification of Foxhall Road as a 'gateway' and the road is instead described as a busy throughfare bisecting the pattern of 19th century residential streets. Whilst I acknowledge the objective of improving placemaking through the IUCS, particularly around the Derby Road and Foxhall Road junction, this is some distance from the proposed site for the display panel and on the other side of the railway. Moreover, the inward views into the California suburb at this point on Foxhall Road are currently dominated by views of the roof tops to the industrial units east of the railway and in that context the display panel would be at worst neutral in terms of its effect on visual amenity.
6. Nevertheless, considering the view eastwards from Foxhall Road approaching the sign, the foot of the sign would be above the boundary fence to the railway. This would unnecessarily increase the visual impact of the panel. There is no reason however why the base of the panel could not be set slightly lower, at the top of the fence which would still be perfectly visible from the road and would ensure the sign was below road level and set more against the tree screen along the railway helping to ensure it would not be overly prominent or intrusive. This adjustment could be achieved by an additional condition to those proposed to ensure the panel base is set no higher than the top of the boundary fence to the railway. As this was not a condition proposed by the Council or the appellant, I have consulted the parties on it. Both the appellant and the Council have indicated the additional condition would be acceptable in the event the appeal is allowed and consent granted.
7. The residential properties on the east side of Tomline Road are the closest to the proposed display panel. The rear elevations of these properties, particularly No 1A, face the panel and appear to include bedroom or at least windows to habitable

rooms. The distance to the panel would be such that the illuminated display could be intrusive during the night. However, the appellant has indicated that they would be content to accept a condition that the panel illumination is switched off overnight. The time period when it would be off was suggested to be 23.00-7.00. However, to coincide with the average bedtime in the UK of between 22.00 and 23.00 the appellant was consulted on a switch off period of 22.00 to 7.00 and has accepted this. This condition would avoid possible intrusion on the nearest habitable rooms from the illumination.

8. I have taken into account policy DM26 of the *Ipswich Local Plan* (ILP) which seeks to protect amenity and so is material in this case. Given that I have concluded the proposal would not harm amenity, the proposal would not conflict with this policy.

Conclusions

9. Accordingly, for the reasons given above and having regard to the matters raised I conclude that the advertising display panel would not be detrimental to the interests of amenity.

10. I do consider however that four conditions are necessary in addition to the standard conditions set out in the Regulations in the interests of safeguarding amenity. These are to avoid excessive luminance during the day, to avoid undue distraction from the display, to switch off the display overnight and to reduce the overall height by setting the panel lower. With these conditions imposed the appeal should be allowed and express consent granted for the advertising display.

P. D. Biggers

INSPECTOR

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Appeal Decision

Site visit made on 27 June 2023

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2023

Appeal Ref: APP/R3515/W/23/3315032

Land off the north side of Ranelagh Road, East of Pooleys Yard, Ipswich IP2 0AR.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sanjay Upadhyaya (Frognal Partners LLP) against the decision of Ipswich Borough Council.
 - The application Ref IP/22/01007/FUL dated 29 November 2022, was refused by notice dated 10 January 2023.
 - The development proposed is change of use from vacant land to temporary public car park.
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Decision

1. The appeal is allowed and permission is granted for change of use from vacant land to temporary public car park at land off the north side of Ranelagh Road, East of Pooleys Yard, Ipswich IP2 0AR in accordance with the terms of the application Ref IP/22/01007/FUL dated 29 November 2022 and subject to the conditions in the schedule below.

Main Issue

2. The main issue in this case is whether the site is an appropriate one for car parking in terms of the objectives of reducing traffic congestion and encouraging a modal shift to sustainable modes of transport in Ipswich town centre.

Reasons

3. The appeal site sits on the north side of Ranelagh Road diagonally opposite Ipswich railway station. It is currently in use without permission as a NCP car park which at the time of the site visit was occupied by 23 cars (ie just over 100% occupancy of marked bays). The site is partially surfaced in chipped stone with a steep ramped access down into the site from Ranelagh Road which at the time of the site visit was not in good condition. The 21 official bays are marked with white painted tarmac pads and the site operates via an online charging app.
4. The location of the appeal site in relation to Ipswich town centre has been a matter of dispute between the parties. However it is clear from the *Ipswich Borough Council Local Plan Site Allocations and Policies Development Plan Document Review* (IBCLP-SAP) that the site is within the town centre boundary, albeit on the southern edges, but not within the Central Car Parking Core. It is also within the IP-One Area and specifically the Portman Quarter which is a focus for regeneration.
5. The Council through the IBCLP is seeking to control car parking within the town centre with the twin aims of ensuring parking supports the town centre economy

whilst limiting congestion by encouraging a modal shift to more sustainable modes of transport. To that end Policy DM22 of the IBCLP, although controlling car parking in new development, makes it clear that additional longstay car parking in the IP One Area will not be permitted unless it would not harm the effectiveness of modal shift measures nor have a severe impact on the highway network.

6. More specifically Policy SP34 of the IBCLP-SAP deals directly with car parking in the central area. It allocates four sites for additional provision of longstay parking with the intention that as these are developed there will be a phased removal of temporary car parks. The Policy also states that additional temporary car parks will not be permitted.
7. Whilst I acknowledge the Policy intention, for a number of reasons I consider that, in this particular case, the site at Ranelagh Road could operate temporarily without undue harm to the Policy intent.
8. Firstly, the supporting text to Policy SP34 makes it clear that there is currently a deficit in parking in the vicinity of the station and this is borne out by the fact that at the time of my visit the car park was fully occupied. Whilst I note the intention to introduce more capacity through the four strategic sites, the Council has confirmed that this has not yet been achieved. In respect of site IP015 - which is the closest and most relevant in the context of the appeal site - the intention there was to increase capacity of the existing surface level car park by redeveloping it in part as a multi-storey car park. Work has not yet started.
9. Secondly, the appeal site is located on the very edge of the town centre. Given its location it is less likely to contribute to traffic congestion within the main areas of the town centre as car park users are less likely to have to cross through the centre. This point was set out in the Council's case officer report where it was accepted that the site, as it would be geographically one of the first town centre car parks encountered on the south side of town, would be most likely to attract users from the south side. Therefore users would be less likely to enter the heart of the town centre on a trip to and from the car park and impacts on congestion and air quality in the heart of the town centre would not be significant.
10. Thirdly, given the pricing structure in operation it is likely to operate as a car park for commuters and other train passengers, particularly in the light of its location close to the station. It is therefore less likely to have an adverse impact on the Council's aspiration to achieve a modal shift in how people access the town centre for shopping and leisure trips.
11. Finally, in terms of encouraging a modal shift to use of the train, the car park is likely to have a positive benefit. Although this is not a direct benefit in terms of achieving a modal shift within Ipswich it is nevertheless of benefit in achieving a modal shift away from the car for longer journeys. For this reason I am not persuaded that the proposal would be at odds with the policy aspiration in Paragraph 104c of the *National Planning Policy Framework* (the Framework).
12. Accordingly, in terms of the two tests for exceptions set out in IBCLP Policy DM22, I am satisfied that, for the above reasons and given the small size of the car park, the use of the appeal site on a temporary basis for longstay parking would be unlikely to have any significant adverse impact on either town centre congestion or modal shift.

Other Matters

13. I have been referred to the aspirations to regenerate the IP One area and the Portman Quarter in particular and invited to conclude that the use of the appeal site as a car park would restrict opportunities to develop the site for a permanent use. The regeneration aspirations for the area are important but I am not persuaded that, given the limited investment required to operate the site as a temporary car park, this would be restrictive on plans to permanently redevelop it. The construction and development sector is in a difficult position at present, as with many sectors of the economy, and it does not seem unreasonable to allow a continued temporary use of the site in the current climate given that it could be cleared in short order to accommodate a permanent redevelopment. I acknowledge that the site has been used periodically as a temporary car park for some time, although vacant between 2018 to 2022, but it is clear from the planning history that on at least two occasions development proposals for a hotel have been brought forward notwithstanding the use as a temporary car park. Nevertheless, I consider that, given the site has been in operation for a year already on an unauthorised basis, a temporary permission of 3 years, as initially sought by the appellant, would be inappropriate and I propose to restrict any temporary permission to a maximum of 2 years.
14. It has been put to me that in addition to the objections in principle to the use of the site as a car park, the nature of the car park is substandard in respect of what would normally be required in terms of layout and equipment. I accept that in some respects there are currently a number of shortcomings of the site. However, there is nothing that could not be satisfactorily conditioned were the appeal to be allowed and permission granted and I consider the appropriate conditions below.

Conclusion and conditions

15. For the reasons set out above and, notwithstanding the Council's policy position in IBCLP-SAP Policy SP34, there are material considerations as discussed that mean the proposal would have minimal impact in terms of traffic congestion and the aspiration to achieve a modal shift to sustainable modes of transport in the town centre. As such a departure from the Policy is acceptable in this particular case. I therefore allow the appeal and grant temporary planning permission, subject to a restricted temporary period of 2 years only and a number of conditions to improve the temporary car park.
16. I have considered the conditions put forward by the Council in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty as is a control on the total number of spaces provided.
17. The appellant's original application envisaged a 3 year temporary permission. In the light of concerns about the impact of the use on the regeneration of the area and in view of the fact that the use has been operating for a year without permission it would not be appropriate to grant a temporary consent for any longer than 2 years. A condition stipulating the time during which the site can be used and what should happen at the end of the period is therefore necessary.
18. A number of matters require to be controlled to make the temporary use acceptable which are not in place at present. The Council requests that the car park should be surfaced and bays delineated. However, I have two concerns regarding surfacing, first that a permanent surfacing would not be a reasonable requirement of a temporary car park and secondly that such surfacing would be

likely to result in a less permeable surface. The method of delineating the bays appeared on site to be satisfactory with vehicles observing the delineation. However, I agree that there should be resurfacing in respect of the access ramp which is currently in a poor condition and there is a need for additional granulated stone material to be added to the car park surface.

19. The second requirement the Council makes is to provide bays for disabled parking. In the interests of equal access this is a justifiable request but the Council has proposed 3 bays. The normal ratio according to Government guidelines (*Inclusive Mobility*) published by the Department for Transport is for 6% of spaces to be disabled bays. Accordingly, for a site of 21 spaces 2 bays would be sufficient. The Council also request provision for parking of cycles and motorcycles. Again the principle of this is justified and provision should be made. The Council also proposed parking for powered 3 wheeler vehicles by which I assume it means powered mobility aids. That being the case I do not consider, given the steepness of the access ramp, that this would be safe.
20. The third requirement the Council propose is for provision to be made for the charging of electric vehicles. Whilst I have some concern over whether this is a reasonable requirement of a temporary car park I acknowledge that the Council's policy is to promote use of electric vehicles and as time passes this will become more and more critical in trying to tackle the climate emergency. The request is therefore justified and I propose that one charging bay should be provided.
21. Finally, it was noted on the site visit that the Heras fencing between the access ramp and the eastern boundary of the site is damaged and now provides an ineffective barrier to protect the public using the footpath and the bus stop from the drop into the car park. It is therefore necessary for replacement fencing to be installed. As this was not a requirement made by the Council I have consulted on its addition. Both parties have indicated their agreement to this addition.
22. The Council also requested that details be provided relating to the provision of lighting, CCTV coverage, landscaping and accessible ticket machine. I have considered whether these provisions would be necessary and reasonable in all respects and conclude that they would not be for the temporary use proposed. Regarding lighting, from the site visit it was clear that lighting columns on Ranelagh Road would afford sufficient light spillage into the car park to ensure its safe use during hours of darkness. Regarding CCTV I am not satisfied that for a small car park operating on a temporary basis this requirement is necessary or reasonable. The Council request for a landscaping scheme would also be unreasonable for a temporary car park and in any event there is already a degree of self-set landscaping on site to the eastern end of the site and along the boundary closest to the river. There is no evidence before me that the current method of payment by parking app is inappropriate. I do not therefore propose to impose any of these additional requirements.
23. The additional details proposed by the Council were requested to be provided within 3 months and a similar period for implementation. Given the overall timescale of the temporary permission which I now propose, this constitutes too long a period. Moreover, in the light of a smaller set of additional details there is no reason why these cannot be provided within 2 months and implemented within a similar 2 month period following discharge by the Council.

P. D. Biggers

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Block Plan – Existing Layout
- 2) The temporary car park hereby permitted shall be restricted to no more than 21 car parking spaces.
- 3) The use hereby permitted shall be for a limited period being the period of 2 years from the date of this decision. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 31 July 2025 in accordance with a scheme of work that shall first have been submitted to and approved in writing by the local planning authority.
- 4) Within 2 months of the date of this permission details shall be submitted for approval to the local planning authority with regard to the following:
 - i. The surfacing of the car park access ramp in a permanent bound material and the addition of granulated stone over the rest of the car park surface;
 - ii. The lining out of the car park adapted to include 2 marked disabled parking bays and marked spaces for cycles and motorcycle parking;
 - iii. The provision of 1 bay with electric vehicle charging facilities;
 - iv. Installation of replacement fencing in place of the Heras fencing from the eastern boundary of the site on Ranelagh Road as far as the east side of the entrance ramp.

The above provisions shall all be implemented in accordance with the approved details within 2 months of the approval of the local planning authority.

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Appeal Decision

Site visit made on 26 July 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2023

Appeal Ref: APP/R3515/W/22/3307288

The Mariners, Wherry Quay, Ipswich IP4 1AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Julien Jourdain against the decision of Ipswich Borough Council.
 - The application Ref IP/22/00140/FUL, dated 17 February 2022, was approved on 8 August 2022 and planning permission was granted subject to conditions.
 - The development permitted is the permanent mooring of vessel M. S. Amunda to serve as a public restaurant (retrospective application).
 - The condition in dispute is No 2 which states that: This permission shall expire on 08.08.2027 and the vessel shall be removed on or before that date, unless permission is granted for a further period, on application being made.
 - The reason given for the condition is: To enable the Council to assess the continued appropriateness of the proposed use and the vessel in the light of the character and appearance of the Wet Dock Conservation Area.
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Decision

1. The appeal is allowed and condition No 2 is deleted from planning permission Ref IP/22/00140/FUL dated 8 August 2022.

Main Issue

2. The main issue is whether the condition is necessary to safeguard the future character or appearance of the Wet Dock Conservation Area (CA).

Reasons

3. The Mariners is the trading name of the public restaurant operating from the vessel M. S. Amunda which is moored at Wherry Quay. The vessel, which dates from 1899, was moored in Ipswich dock in 1990 and has been used as a floating restaurant ever since. The first permission for its mooring and use was granted in 1990 for a three-year period and a series of temporary permissions have been granted ever since. The latest would expire in August 2027.
4. The vessel has a flat roofed two-storey superstructure which somewhat blocks quayside views and increases the sense of enclosure and amount of shade under the oversailing part of Waterfront House. However, the ship has become a recognised part of the Ipswich waterfront for many years, does not detract from the historic buildings that line the northern quay and adds an attractive dining facility to the other restaurants, bars and hotels which are an essential component of the regeneration of the historic dockside.

5. The Council have no objection to the continued mooring of the vessel but argue that a further temporary permission is necessary as the position may change, in particular that the condition of the vessel may deteriorate or bin storage or other arrangements may become unsatisfactory. However, as the officer report notes, the use and the vessel are subject to various other legislative controls and it would appear an annual, renewable licence is required from Associated British Ports, the owner of the Wet Dock. Whilst the last permission was subject to a condition requiring redecoration, indicating concern regarding the appearance of the vessel, no such condition has been imposed this time, and it is in the owner's interests to keep the ship in good repair. There is thus no substantive evidence that the condition is necessary to safeguard the future character or appearance of the Wet Dock CA.
6. National Planning Policy Framework (NPPF) paragraph 56 states that conditions should only be imposed when reasonable and Planning Practice Guidance (PPG) paragraph 21a-014-20140306 states that second temporary conditions are rarely justifiable, further permissions can normally be granted permanently. In this instance, continuing to grant only temporary permissions after 30 years is unreasonable and likely to inhibit investment in the business. The situation is not analogous to a classroom where the need itself is temporary.
7. The owners of Waterfront House raise a series of non-planning concerns about the vessel which are a private matter between the parties.

Conclusion

8. For these reasons condition No 2 is not necessary to safeguard the future character or appearance of the Wet Dock CA and conflicts with the guidance in paragraphs 56 of the NPPF and 21a-014-20140306 of the PPG. The condition should therefore be deleted. The appeal is allowed accordingly.

David Reed

INSPECTOR