

Ipswich Local Plan Main Modifications Consultation – Representations on behalf of Kesgrave Covenant Ltd to MM17 and MM18 (Policy ISPA 4 and supporting text relating to Humber Doucy Lane).

Introduction

Kesgrave Covenant has worked closely with Ipswich Borough Council in relation to the cross-border strategic allocation at Humber Doucy Lane, and as per our previous representations and our comments at the relevant Hearing session, Kesgrave Covenant generally support the allocation and the provisions of Policy ISPA 4.

Following the Hearing sessions, Kesgrave Covenant worked with the IBC, East Suffolk Council, and Suffolk County Council to agree a set of modifications to Policy ISPA 4 to address the matters raised at the Examination.

Unfortunately, the published Modifications (at MM17 and MM18) do not reflect the agreed position, specifically in relation to the matter of the capacity of the site.

Summary

We consider that the reduction in capacity from 496 units (489 when the site area is corrected to exclude the small parcel of 3rd party land on the south-west side of Humber Doucy Lane) is not justified and is not supported by any evidence presented to the Examination. There is no evidence to say that the Plan was unsound with the higher number as per the Submission draft, and therefore there is no need for any Modification to the site capacity.

Background

As originally submitted, Policy ISPA 4 itself did not give a figure for the capacity of the site, but the supporting text as paragraph 8.24 referred to an indicative development capacity of 496 homes (within the Ipswich boundary, so not including the part of the development that falls on the East Suffolk side).

The basis behind the 496 units can be found in the Site Sheet ISPA4.1 (originally included in the Site Allocations Plan), which noted that the site overall was 23.62 ha, and assuming only 60% of the site were developed, at 35 dwelling per hectare, this would provide 496 homes ($23.62 \times 0.6 \times 0.35 = 496$).

Main Modification MM17 notes that the area of the site is now 23.28 ha, and still states that 60% of the site is identified for housing. It states the remaining 40% is identified for "... secondary uses, comprising open space and other green and community infrastructure." However the site capacity is changed to be 449 units.

Whilst the original site capacity estimate was based on a clear formula (60% site coverage for housing at 35 dwelling per hectare), it will be immediately apparent that the figure of 449 homes has no such basis. A 60% site coverage for housing, at 35 dwellings per hectare, produces a figure for 489 homes based on the reduced site area of 23.28 ha, not 449 homes. There is nothing that explains where the figure of 449 comes from.

There was no debate at the Examination as to the appropriateness or otherwise of the assumption of 35 dwellings per hectare, and no evidence is before the Examination to suggest that the density figure is incorrect. In fact, Policy DM23 (as proposed to be Modified) says all development in Ipswich

must achieve “at least 35 dph” and therefore there is every possibility that, in due course, the density of the scheme might actually exceed 35 dph.

Therefore as written, with a 60% site coverage and an unchallenged density of 35 dph, Main Modification 17 (and MM18, which also includes the site yield) is clearly unjustified, because a 60% site coverage multiplied by 35 dph creates a yield of 489 homes.

Only if the assumption of 60% site coverage for residential is incorrect would it be possible to conclude that the site should have a lower yield of 449 homes.

As we go on to explore below, no party has actually objected to the figure of 60% site coverage, and no party has presented any specific evidence that challenges 60% site coverage. On that basis, we do not consider that there is any specific evidence before the Examination which would lead to a conclusion that 60% is unsound, or that would justify any other alternative figure.

We are of course aware that this matter has come about because of the Heritage Impact Assessment work, and therefore we turn to address this matter next.

The implications of the Heritage Impact Assessment

The original objection from Historic England that led to the supplemental Heritage Impact Assessment for Humber Doucy Land (representation 26658) is summarised within the SoCG signed between HE and IBC (Document I30). It will be seen that HE raised no objection to the 60% site coverage assumption. Rather, HE simply noted the heritage assets that exist in the vicinity, and stated that a Heritage Impact Assessment would be required.

The Heritage Impact Assessment was duly produced (document I30.3,, John Selby, 25th September 2020). In our Hearing Statement, we identified a number of limitations to this document, being chiefly:

- (i) It is a high level assessment only, done in the absence of any specific scheme to assess;
- (ii) It’s findings seek to explore how development could occur “... without causing harm to the significance of heritage assets” (i.e. zero impact), whereas the actual test as per the NPPF is a balancing exercise between harm and public benefit (paras 196 and 197);
- (iii) It makes assumptions about the form of development that are incorrect.

In particular, we would refer the Inspectors to the wording at paragraph 4.1 of the HIA, which makes clear that the document is a high level HIA only, and its conclusions should be taken as such.

In relation to site yield, it will be noted that the HIA contains no specific commentary about the extent of developable area, and whilst it notes that the policy as drafted refers to 60% residential coverage (at paragraph 1.1), it does not seek to suggest that this figure is incorrect, and it does not suggest any alternative figure, either in terms of yield or development coverage.

As we explained in our Hearing Statement, our provisional Masterplanning work is already showing that there would be a high degree of correlation between where the 40% green infrastructure is likely to be provided, and where the main areas of sensitivity are as per the HIA.

The key point however is that the HIA itself does not provide any evidence to contradict the figure of 60% site coverage, nor does it seek to challenge that figure at any point.

The figure of 449 only materialises in Document I30.2 (an appendix to the HE SoCG), which contains a series of changes to the submitted Plan that IBC considered would be appropriate, and which include the suggested reduction in the capacity of the ISPA 4 site as a result of the HIA.

It is clear from IBC's response to comment 26658 in the HE SoCG that it was IBC's decision, based on the findings of the HIA, to suggest a reduction in the overall yield from the site from 496 dwellings to 449 (as opposed to be something requested by HE). However, as the rest of the text still refers to 60% coverage and 35 dph, there is nothing in Document I30.2 that explains where 449 came from.

So at this stage of the process, there is an objection from HE which only relates to the lack of an HIA (no objection to 60% coverage or the site yield), there is a high level HIA which raises no specific comment on the 60% site coverage or the yield, and there is a decision by IBC to make an adjustment to 449 units, but without any explanation for the basis of this calculation.

Following the close of the Hearing sessions, a period of joint working occurred between IBC, East Suffolk, SCC and Kesgrave Covenant to produce a set of agreed Modifications to Policy ISPA4.

The first draft of the suggested amendments produced by IBC, that were circulated to the above parties on 1st December 2020, included the suggested reduction to 449 units, as per the HE SoCG.

However, following further discussion between ourselves and IBC at the start of December 2020, IBC agreed that the 40% of site coverage set aside for "secondary uses" would indeed be likely to be sufficient to provide the mitigation required by the HIA, and therefore IBC agreed that there was no need to reduce the unit yield (other than obviously to reflect the exclusion of the small parcel of 3rd party land).

We attach a copy of final tracked version of the updated Site Sheet that was agreed between the parties on 11/12/2020, and which contains a very clear explanation in the row relating to Secondary Uses as to how the disposition of the 40% of secondary use space can be used to address the matters arising from the HIA.

Therefore the agreed version of the Modifications text sent to the Inspectors after the close of the Hearing that includes the figure of 489 is not an error, but rather it reflects a revised professional opinion by IBC (and by ourselves on behalf of Kesgrave Covenant) as to the reasonable expected yield from the site.

Moreover, it provides a figure that is mathematically correct and is supported by the continued assumption of 60% residential coverage with a density of (at least) 35 dph, as opposed to the figure of 449 which has no such sound basis.

Summary

In summary, therefore, the evidence before the Examination that relates to this matter is, we would suggest, as follows:

- An original objection by HE, but not to the 60% site coverage or yield, but to the lack of an HIA;
- An HIA that is self-admittedly high level only, that recognises that the policy is seeking to provide 60% residential site coverage, and which raises no specific comment on either the site coverage or the yield;
- An initial opinion by IBC, based on the HIA, that it should reduce the site yield to 449 units, but without any explanation as to where that figure comes from (and which in turn created a discrepancy as IBC have never revised their assumption on the 60% coverage or density);

- A subsequent opinion by IBC (following the Hearing sessions and following discussions with the site promoter as to how the 40% secondary uses element allows for the findings of the HIA to be properly taken in to account), to revert to a figure of 489 units (which is substantiated by being the sum of 60% site coverage multiplied by 35 dph).

Overall, therefore, we submit that:

- (a) There has never been any evidence before the Examination that would lead to a conclusion that either the 35 dph density or the 60% residential site coverage were unsound, and therefore there is no need for any Modification in this respect in the first place;
- (b) There has never been any objection from any party to either the 35 dph density or 60% residential site coverage;
- (c) The initial view of IBC to change the yield to 449 was never substantiated or explained, and in any event is superseded by the subsequent view of IBC, as set out in the agreed Modifications, to support the figure of 489 units.

For these reasons, MM17 (and MM18) are themselves unsound for the unjustified amendments to the site yield.

Ipswich Local Plan Review 2018-2036

Proposed Main Modifications

Consultation representation form for:

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

Interested Parties can also comment on additional evidence submitted during and after the Hearing (these are listed in section K of the Core Documents on the Examination website documents K1-K6 and K8-K25) insofar as they relate to their representations on the Main Modifications

29th July 2021 (9.00am) – 23rd September 2021(11.45pm)

Consultation website: <https://ipswich.oc2.uk/>
Website: www.ipswich.gov.uk/mainmodifications
Email: planningpolicy@ipswich.gov.uk

Phone: 01473 432019

Council address:

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



Please return to:	planningpolicy@ipswich.gov.uk Planning Policy Planning and Development Ipswich Borough Council Grafton House, 15-17 Russell Road Ipswich IP1 2DE
Return by:	23rd September 2021 11.45 pm
This form has two parts:	Part A – Personal details
	Part B – Your representation(s).

PART A Personal Details		
	1. Personal details*	2. Agent's details (if applicable)
Title		
First name		Kevin
Last name		Coleman
Job title (where relevant)		
Organisation (where relevant)	Kesgrave Covenant Ltd	Phase 2 Planning and Development
Address Please include post code	C/o Agent	270 Avenue West Skyline 120 Great Notley Braintree Essex CM77 7AA
E-mail		kcoleman
Telephone No.		
<div style="display: flex; justify-content: space-between;"> K Coleman 17/09/21 </div> <p>Signature: Date:</p> <p>Please note that representations cannot be kept confidential and will be available for public scrutiny. However, representations published on the Council's website will exclude your personal contact details.</p> <p>* If an agent is appointed and details provided above, you only need to complete the Title, Names and Organisation under Personal Details.</p>		

PART B Please complete a separate Part B for each representation you wish to make.

Your name or organisation (and client if you are an agent):	Phase 2 Planning & Development
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Please refer to guidance notes on completing this form.

3. Please indicate below which proposed Main Modification this representation relates to.

Main Modification number <i>Please use modification reference number, e.g. MM1, MM2 etc</i>	
MM17 (ISPA 4)	

4. Please indicate below which section(s) (if any) of the Sustainability Appraisal of the Main Modifications, Habitats Regulations Assessment of the Main Modifications and/or Additional Evidence (K1-K6 and K8-K25) this representation relates to, and relate your representation to the MM specified in 3. above.

Sustainability Appraisal of Main Modifications <i>Please state which part of the SA Report</i>	
Habitats Regulations Assessment of Main Modifications <i>Please state which part of the HRA Report</i>	
Additional evidence submitted during and after the Hearing <i>Please use the Core Document Library reference number</i>	

5. Do you consider the proposed Main Modification is:

		Please tick		Please tick
5. (1) Legally compliant	Yes	Tick	No	
5. (2) Sound	Yes		No	Tick

6. If you consider the proposed Main Modification would render the Plan unsound, please specify your reasons below (please tick all that apply below). See below for definitions.

<input type="checkbox"/>	It would not be positively prepared
<input type="checkbox"/>	It would not be justified
<input type="checkbox"/>	It would not be effective
<input type="checkbox"/>	It would not be consistent with national policy

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that

unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

7. Please give details of why you consider the Proposed Main Modification (including reference to the Sustainability Appraisal/Habitats Regulations Assessment/Additional Evidence where relevant) is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the proposed Main Modification (including reference to the Sustainability Appraisal/Habitats Regulation Assessment/Additional Evidence where relevant), please also use this box to set out your comments.

Please provide details of your representation here:

Please see attached

(continue on a separate sheet / expand box if necessary)

Please provide a concise summary of your representation here (up to 100 words):

Please see attached

8. Please set out the changes to the Main Modification you consider necessary to make the Local Plan legally compliant and/or sound, having regard to the test you have identified at 6 above where it relates to soundness. You will need to say why this will make the Local Plan legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please specify the changes to the Main Modification you consider necessary here:

Please see attached

(continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and any suggested changes.

Please ensure that Part B of your form is attached to Part A and return both to the address provided by 11.45pm on 23rd September 2021.

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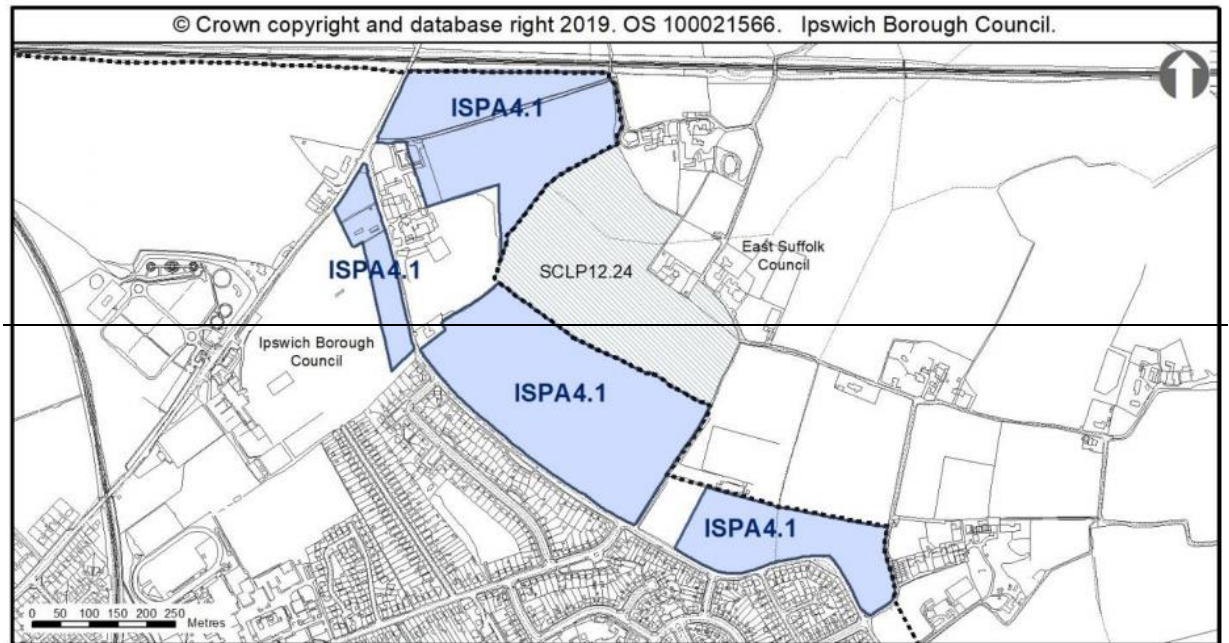
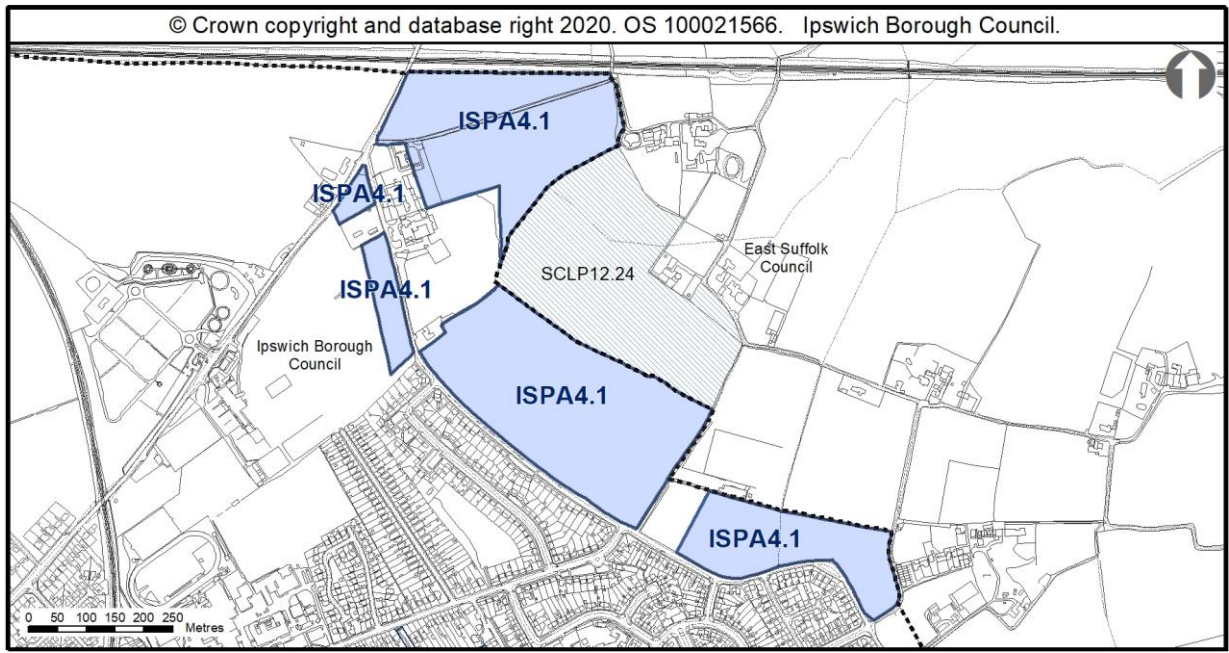
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Overall, therefore, we submit that:

- (a) There has never been any evidence before the Examination that would lead to a conclusion that either the 35 dph density or the 60% residential site coverage were unsound, and therefore there is no need for any Modification in this respect in the first place;
- (b) There has never been any objection from any party to either the 35 dph density or 60% residential site coverage;
- (c) The initial view of IBC to change the yield to 449 was never substantiated or explained, and in any event is superseded by the subsequent view of IBC, as set out in the agreed Modifications, to support the figure of 489 units.

For these reasons, MM17 (and MM18) are themselves unsound for the unjustified amendments to the site yield.

Site Ref: ISPA 4.1 – Northern End of Humber Doucy Lane
Site Area: 23.28ha (within IBC Land)



Allocation Policy SP2 & ISPA4

Use(s)		Indicative capacity
Primary	Residential	496 489 (35dph on circa 60% of site)
Secondary	Green Rim Trail Highways Improvements Early Years Setting Sports Pitches Suitable Accessible Natural Green Space (SANGS) Associated Infrastructure	Approximately 40% of site <u>NB The 40% secondary uses primarily comprises open space and other green infrastructure. The disposition of these uses within the site at the Masterplan stage should take in to account the findings of the HIA and the green space used to help protect the setting of nearby heritage assets and provide a suitable transition between the urban and rural edge of Ipswich.</u>

Adopted Plan 2017

N/A – New Site. Previously allocated as Countryside.

Current use

Predominantly greenfield arable land.

Development constraints / issues

The principles and requirements set out in policy ISPA4 of the Core Strategy and Development Management Policies DPD must be followed.

The development of this land will need to be masterplanned along with the adjacent land allocated under the Suffolk Coastal Local Plan Review Policy SCLP12.24.

Development will need to be phased and delivered in coordination with the delivery of the Ipswich Garden Suburb to ensure that there is sufficient primary school infrastructure capacity to meet demand.

An Early Years setting and replacement sports facilities, if needed, will need to be incorporated into any future development. Development will need to make appropriate provision towards primary school places which are likely to be accommodated within the three new primary schools planned through the Ipswich Garden Suburb.

The layout and design of any future development must incorporate the provision of a Green Trail walking and cycling route to help deliver the wider Green Trail around Ipswich. The provision of Suitable Accessible Natural Green Space and other forms of open space will be required in accordance with the Open Space Standards set out in Appendix 5 of the Core Strategy and Development Management Policies DPD. The disposition of open space should be used to assist in mitigating the impact of the development on local heritage assets.

A transport assessment and travel plan will be required to ensure that development contributes towards delivering a significant modal shift to sustainable transport modes, and that any localised highway improvements that may be required to Tuddenham Road or Humber Doucy Lane are identified and delivered, along with the provision of suitable crossing points. The junction between Tuddenham Road and Humber Doucy Lane will require improvement works to improve highway safety.

A high-quality of design will be required which also respects the countryside setting around the site. Biodiversity will need to be preserved and must incorporate net gain. The Ipswich Wildlife Audit 2019¹ provides further information on ecological surveys that will be required, as well as recommendations for how biodiversity net gain can be incorporated into new development, unless other means of biodiversity enhancement are appropriate. There are rows of Tree Preservation Orders (TPOs) along the boundary with Westerfield House that will need to be preserved unless there are overriding reasons for their removal. Where possible existing hedges onto Humber Doucy Lane shall be preserved and protected during the development process as applicable.

The setting of the grade II Listed Westerfield House Hotel must be preserved and enhanced as part of any future development of the site. The development should also seek to preserve the significance of the Listed Buildings to the north and east of the site. These are Allens House, Laceys Farmhouse, and the Garden Store north of Villa Farmhouse. The development should also seek to minimise its impact on the non-designated heritage assets identified by the strategic Heritage Impact Assessment.

¹ See Wildlife Audit Site Sheets for IP184a, IP184c, IP303, IP309, IP344 and IP350

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PART A Personal Details		
	1. Personal details*	2. Agent's details (if applicable)
Title		
First name		Kevin
Last name		Coleman
Job title (where relevant)		
Organisation (where relevant)	Kesgrave Covenant Ltd	Phase 2 Planning and Development
Address Please include post code	C/o Agent	270 Avenue West Skyline 120 Great Notley Braintree Essex CM77 7AA
E-mail		kcoleman
Telephone No.		
<div style="display: flex; justify-content: space-between;"> K Coleman 17/09/21 </div> <p>Signature:Date:</p> <p>Please note that representations cannot be kept confidential and will be available for public scrutiny. However, representations published on the Council's website will exclude your personal contact details.</p> <p>* If an agent is appointed and details provided above, you only need to complete the Title, Names and Organisation under Personal Details.</p>		

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Your name or organisation (and client if you are an agent):	Phase 2 Planning & Development
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3. Please indicate below which proposed Main Modification this representation relates to.

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MM18 (ISPA 4)	

4. Please indicate below which section(s) (if any) of the Sustainability Appraisal of the Main Modifications, Habitats Regulations Assessment of the Main Modifications and/or Additional Evidence (K1-K6 and K8-K25) this representation relates to, and relate your representation to the MM specified in 3. above.

Sustainability Appraisal of Main Modifications <i>Please state which part of the SA Report</i>	
Habitats Regulations Assessment of Main Modifications <i>Please state which part of the HRA Report</i>	
Additional evidence submitted during and after the Hearing <i>Please use the Core Document Library reference number</i>	

5. Do you consider the proposed Main Modification is:

		Please tick		Please tick
5. (1) Legally compliant	Yes	Tick	No	
5. (2) Sound	Yes		No	Tick

6. If you consider the proposed Main Modification would render the Plan unsound, please specify your reasons below (please tick all that apply below). See below for definitions.

<input type="checkbox"/>	It would not be positively prepared
<input type="checkbox"/>	It would not be justified
<input type="checkbox"/>	It would not be effective
<input type="checkbox"/>	It would not be consistent with national policy

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that

unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

7. Please give details of why you consider the Proposed Main Modification (including reference to the Sustainability Appraisal/Habitats Regulations Assessment/Additional Evidence where relevant) is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the proposed Main Modification (including reference to the Sustainability Appraisal/Habitats Regulation Assessment/Additional Evidence where relevant), please also use this box to set out your comments.

Please provide details of your representation here:

Please see attached

(continue on a separate sheet / expand box if necessary)

Please provide a concise summary of your representation here (up to 100 words):

Please see attached

8. Please set out the changes to the Main Modification you consider necessary to make the Local Plan legally compliant and/or sound, having regard to the test you have identified at 6 above where it relates to soundness. You will need to say why this will make the Local Plan legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please specify the changes to the Main Modification you consider necessary here:

Please see attached

(continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and any suggested changes.

Please ensure that Part B of your form is attached to Part A and return both to the address provided by 11.45pm on 23rd September 2021.

Ipswich Local Plan Main Modifications Consultation – Representations on behalf of Kesgrave Covenant Ltd to MM17 and MM18 (Policy ISPA 4 and supporting text relating to Humber Doucy Lane).

Introduction

Kesgrave Covenant has worked closely with Ipswich Borough Council in relation to the cross-border strategic allocation at Humber Doucy Lane, and as per our previous representations and our comments at the relevant Hearing session, Kesgrave Covenant generally support the allocation and the provisions of Policy ISPA 4.

Following the Hearing sessions, Kesgrave Covenant worked with the IBC, East Suffolk Council, and Suffolk County Council to agree a set of modifications to Policy ISPA 4 to address the matters raised at the Examination.

Unfortunately, the published Modifications (at MM17 and MM18) do not reflect the agreed position, specifically in relation to the matter of the capacity of the site.

Summary

We consider that the reduction in capacity from 496 units (489 when the site area is corrected to exclude the small parcel of 3rd party land on the south-west side of Humber Doucy Lane) is not justified and is not supported by any evidence presented to the Examination. There is no evidence to say that the Plan was unsound with the higher number as per the Submission draft, and therefore there is no need for any Modification to the site capacity.

Background

As originally submitted, Policy ISPA 4 itself did not give a figure for the capacity of the site, but the supporting text as paragraph 8.24 referred to an indicative development capacity of 496 homes (within the Ipswich boundary, so not including the part of the development that falls on the East Suffolk side).

The basis behind the 496 units can be found in the Site Sheet ISPA4.1 (originally included in the Site Allocations Plan), which noted that the site overall was 23.62 ha, and assuming only 60% of the site were developed, at 35 dwelling per hectare, this would provide 496 homes ($23.62 \times 0.6 \times 0.35 = 496$).

Main Modification MM17 notes that the area of the site is now 23.28 ha, and still states that 60% of the site is identified for housing. It states the remaining 40% is identified for "... secondary uses, comprising open space and other green and community infrastructure." However the site capacity is changed to be 449 units.

Whilst the original site capacity estimate was based on a clear formula (60% site coverage for housing at 35 dwelling per hectare), it will be immediately apparent that the figure of 449 homes has no such basis. A 60% site coverage for housing, at 35 dwellings per hectare, produces a figure for 489 homes based on the reduced site area of 23.28 ha, not 449 homes. There is nothing that explains where the figure of 449 comes from.

There was no debate at the Examination as to the appropriateness or otherwise of the assumption of 35 dwellings per hectare, and no evidence is before the Examination to suggest that the density figure is incorrect. In fact, Policy DM23 (as proposed to be Modified) says all development in Ipswich

must achieve “at least 35 dph” and therefore there is every possibility that, in due course, the density of the scheme might actually exceed 35 dph.

Therefore as written, with a 60% site coverage and an unchallenged density of 35 dph, Main Modification 17 (and MM18, which also includes the site yield) is clearly unjustified, because a 60% site coverage multiplied by 35 dph creates a yield of 489 homes.

Only if the assumption of 60% site coverage for residential is incorrect would it be possible to conclude that the site should have a lower yield of 449 homes.

As we go on to explore below, no party has actually objected to the figure of 60% site coverage, and no party has presented any specific evidence that challenges 60% site coverage. On that basis, we do not consider that there is any specific evidence before the Examination which would lead to a conclusion that 60% is unsound, or that would justify any other alternative figure.

We are of course aware that this matter has come about because of the Heritage Impact Assessment work, and therefore we turn to address this matter next.

The implications of the Heritage Impact Assessment

The original objection from Historic England that led to the supplemental Heritage Impact Assessment for Humber Doucy Land (representation 26658) is summarised within the SoCG signed between HE and IBC (Document I30). It will be seen that HE raised no objection to the 60% site coverage assumption. Rather, HE simply noted the heritage assets that exist in the vicinity, and stated that a Heritage Impact Assessment would be required.

The Heritage Impact Assessment was duly produced (document I30.3,, John Selby, 25th September 2020). In our Hearing Statement, we identified a number of limitations to this document, being chiefly:

- (i) It is a high level assessment only, done in the absence of any specific scheme to assess;
- (ii) It’s findings seek to explore how development could occur “... without causing harm to the significance of heritage assets” (i.e. zero impact), whereas the actual test as per the NPPF is a balancing exercise between harm and public benefit (paras 196 and 197);
- (iii) It makes assumptions about the form of development that are incorrect.

In particular, we would refer the Inspectors to the wording at paragraph 4.1 of the HIA, which makes clear that the document is a high level HIA only, and its conclusions should be taken as such.

In relation to site yield, it will be noted that the HIA contains no specific commentary about the extent of developable area, and whilst it notes that the policy as drafted refers to 60% residential coverage (at paragraph 1.1), it does not seek to suggest that this figure is incorrect, and it does not suggest any alternative figure, either in terms of yield or development coverage.

As we explained in our Hearing Statement, our provisional Masterplanning work is already showing that there would be a high degree of correlation between where the 40% green infrastructure is likely to be provided, and where the main areas of sensitivity are as per the HIA.

The key point however is that the HIA itself does not provide any evidence to contradict the figure of 60% site coverage, nor does it seek to challenge that figure at any point.

The figure of 449 only materialises in Document I30.2 (an appendix to the HE SoCG), which contains a series of changes to the submitted Plan that IBC considered would be appropriate, and which include the suggested reduction in the capacity of the ISPA 4 site as a result of the HIA.

It is clear from IBC's response to comment 26658 in the HE SoCG that it was IBC's decision, based on the findings of the HIA, to suggest a reduction in the overall yield from the site from 496 dwellings to 449 (as opposed to be something requested by HE). However, as the rest of the text still refers to 60% coverage and 35 dph, there is nothing in Document I30.2 that explains where 449 came from.

So at this stage of the process, there is an objection from HE which only relates to the lack of an HIA (no objection to 60% coverage or the site yield), there is a high level HIA which raises no specific comment on the 60% site coverage or the yield, and there is a decision by IBC to make an adjustment to 449 units, but without any explanation for the basis of this calculation.

Following the close of the Hearing sessions, a period of joint working occurred between IBC, East Suffolk, SCC and Kesgrave Covenant to produce a set of agreed Modifications to Policy ISPA4.

The first draft of the suggested amendments produced by IBC, that were circulated to the above parties on 1st December 2020, included the suggested reduction to 449 units, as per the HE SoCG.

However, following further discussion between ourselves and IBC at the start of December 2020, IBC agreed that the 40% of site coverage set aside for "secondary uses" would indeed be likely to be sufficient to provide the mitigation required by the HIA, and therefore IBC agreed that there was no need to reduce the unit yield (other than obviously to reflect the exclusion of the small parcel of 3rd party land).

We attach a copy of final tracked version of the updated Site Sheet that was agreed between the parties on 11/12/2020, and which contains a very clear explanation in the row relating to Secondary Uses as to how the disposition of the 40% of secondary use space can be used to address the matters arising from the HIA.

Therefore the agreed version of the Modifications text sent to the Inspectors after the close of the Hearing that includes the figure of 489 is not an error, but rather it reflects a revised professional opinion by IBC (and by ourselves on behalf of Kesgrave Covenant) as to the reasonable expected yield from the site.

Moreover, it provides a figure that is mathematically correct and is supported by the continued assumption of 60% residential coverage with a density of (at least) 35 dph, as opposed to the figure of 449 which has no such sound basis.

Summary

In summary, therefore, the evidence before the Examination that relates to this matter is, we would suggest, as follows:

- An original objection by HE, but not to the 60% site coverage or yield, but to the lack of an HIA;
- An HIA that is self-admittedly high level only, that recognises that the policy is seeking to provide 60% residential site coverage, and which raises no specific comment on either the site coverage or the yield;
- An initial opinion by IBC, based on the HIA, that it should reduce the site yield to 449 units, but without any explanation as to where that figure comes from (and which in turn created a discrepancy as IBC have never revised their assumption on the 60% coverage or density);

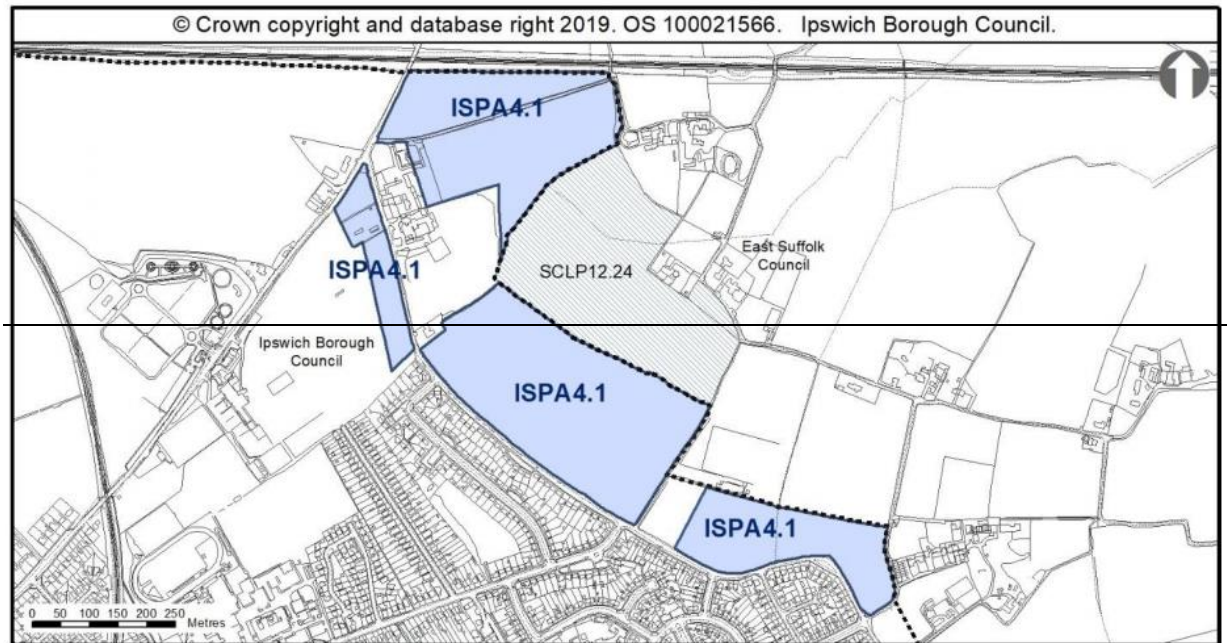
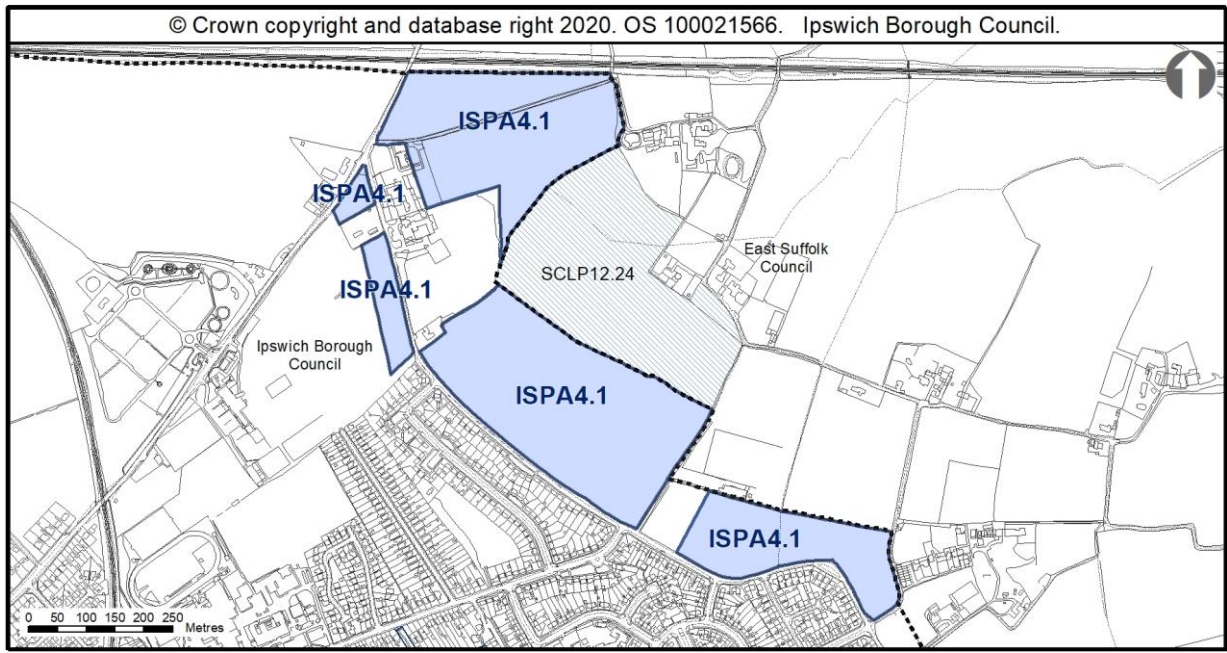
- A subsequent opinion by IBC (following the Hearing sessions and following discussions with the site promoter as to how the 40% secondary uses element allows for the findings of the HIA to be properly taken in to account), to revert to a figure of 489 units (which is substantiated by being the sum of 60% site coverage multiplied by 35 dph).

Overall, therefore, we submit that:

- (a) There has never been any evidence before the Examination that would lead to a conclusion that either the 35 dph density or the 60% residential site coverage were unsound, and therefore there is no need for any Modification in this respect in the first place;
- (b) There has never been any objection from any party to either the 35 dph density or 60% residential site coverage;
- (c) The initial view of IBC to change the yield to 449 was never substantiated or explained, and in any event is superseded by the subsequent view of IBC, as set out in the agreed Modifications, to support the figure of 489 units.

For these reasons, MM17 (and MM18) are themselves unsound for the unjustified amendments to the site yield.

Site Ref: ISPA 4.1 – Northern End of Humber Doucy Lane
Site Area: 23.28ha (within IBC Land)



Allocation Policy SP2 & ISPA4

Use(s)		Indicative capacity
Primary	Residential	496 489 (35dph on circa 60% of site)
Secondary	Green Rim Trail Highways Improvements Early Years Setting Sports Pitches Suitable Accessible Natural Green Space (SANGS) Associated Infrastructure	Approximately 40% of site <u>NB The 40% secondary uses primarily comprises open space and other green infrastructure. The disposition of these uses within the site at the Masterplan stage should take in to account the findings of the HIA and the green space used to help protect the setting of nearby heritage assets and provide a suitable transition between the urban and rural edge of Ipswich.</u>

Adopted Plan 2017

N/A – New Site. Previously allocated as Countryside.

Current use

Predominantly greenfield arable land.

Development constraints / issues

The principles and requirements set out in policy ISPA4 of the Core Strategy and Development Management Policies DPD must be followed.

The development of this land will need to be masterplanned along with the adjacent land allocated under the Suffolk Coastal Local Plan Review Policy SCLP12.24.

Development will need to be phased and delivered in coordination with the delivery of the Ipswich Garden Suburb to ensure that there is sufficient primary school infrastructure capacity to meet demand.

An Early Years setting and replacement sports facilities, if needed, will need to be incorporated into any future development. Development will need to make appropriate provision towards primary school places which are likely to be accommodated within the three new primary schools planned through the Ipswich Garden Suburb.

The layout and design of any future development must incorporate the provision of a Green Trail walking and cycling route to help deliver the wider Green Trail around Ipswich. The provision of Suitable Accessible Natural Green Space and other forms of open space will be required in accordance with the Open Space Standards set out in Appendix 5 of the Core Strategy and Development Management Policies DPD. The disposition of open space should be used to assist in mitigating the impact of the development on local heritage assets.

A transport assessment and travel plan will be required to ensure that development contributes towards delivering a significant modal shift to sustainable transport modes, and that any localised highway improvements that may be required to Tuddenham Road or Humber Doucy Lane are identified and delivered, along with the provision of suitable crossing points. The junction between Tuddenham Road and Humber Doucy Lane will require improvement works to improve highway safety.

A high-quality of design will be required which also respects the countryside setting around the site. Biodiversity will need to be preserved and must incorporate net gain. The Ipswich Wildlife Audit 2019¹ provides further information on ecological surveys that will be required, as well as recommendations for how biodiversity net gain can be incorporated into new development, unless other means of biodiversity enhancement are appropriate. There are rows of Tree Preservation Orders (TPOs) along the boundary with Westerfield House that will need to be preserved unless there are overriding reasons for their removal. Where possible existing hedges onto Humber Doucy Lane shall be preserved and protected during the development process as applicable.

The setting of the grade II Listed Westerfield House Hotel must be preserved and enhanced as part of any future development of the site. The development should also seek to preserve the significance of the Listed Buildings to the north and east of the site. These are Allens House, Laceys Farmhouse, and the Garden Store north of Villa Farmhouse. The development should also seek to minimise its impact on the non-designated heritage assets identified by the strategic Heritage Impact Assessment.

¹ See Wildlife Audit Site Sheets for IP184a, IP184c, IP303, IP309, IP344 and IP350