

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

23rd September 2021

Dear Planning Policy Team,

**Ipswich Local Plan Review 2021 Public Consultation – ABP final response to Main Modifications**

Associated British Ports submitted representations to Ipswich Borough Council via Savills Planning consultancy on 2<sup>nd</sup> March 2020, in response to requests for representations for the Ipswich Local Plan Final Draft Consultation (Appended).

We welcomed the opportunity to comment accordingly and have now reviewed the Main Modifications as circulated on 29<sup>th</sup> July 2021 with responses due at 11.45pm on 23<sup>rd</sup> September 2021.

**Policy IP037 (Ipswich Island Site)**

ABP notes that within Policy IP037 (Ipswich Island Site) the site is allocated for 15% Public Open Space provision. This is based on the delivery of a 421-unit scheme (46 units per acre), defined as 'High Density' (35 units per acre and above) in Policy DM29 (Provision of New Open Spaces). ABP however considers a lower density proposal of approximately 200 units (22 units per acre) is likely to be more viable on the site, which is defined in Policy DM29 as 'Medium' Density thus requiring 10% Public Open Space.

ABP would like to note that, based on the current proposed density on the Island Site, the target delivery of 10% Public Open Space, subject to viability.

**Policy CS2 (The Location and Nature of Development)**

The Island Site is situated within the Waterfront area to which this policy applies. As noted at para 5.21, parts of the operational port are also within it. In that context, in our representations we noted the desire of IBC to secure high-density development in the interests of maximising the use of previously developed land, subject to that not compromising heritage assets and the historic character of Ipswich.

In our submission we requested the inclusion of additional wording in the final paragraph of Policy CS2 to be amended to *"...and low elsewhere, unless otherwise agreed through masterplans and provided that in all areas it does not compromise heritage assets."*

We note that this has not been accounted for in the most recent Local Plan revision, and as noted in Policy IP037 above, the Island is still allocated for approximately 421 dwellings. ABP would like to note that this level of density on the Island will be difficult to achieve in viability terms, and instead a density of approximately 22 units per acre (circa. 200 units) will be more achievable to deliver a successful scheme.

**Policy CS20 and paras 8.222 to 8.225 (Key Transport Proposals)**

In our previous representation we disagreed with the inclusion of the statement at para 8.247 that “*at a minimum, a road bridge from the west bank to the Island Site...will be required to enable any significant development on the Island*” based on the fact that the site would most likely deliver lower density development than the Plan intended.

We note that this has been slightly amended to state : ‘*At a minimum, a bridge from the west bank to the island site... will be required to enable any significant development on the island... the requirement for these to be bridges will be determined when the site comes forward taking into account the detail of the development application and the extent of modal shift across the town.*’.

ABP would welcome a flexible approach to access requirements dependent on the scale and nature of any future scheme that is likely to come forward. As noted above we currently propose approximately 200 units, which we do not consider to be significant development. As per advice obtained from our transport consultant we understand that this level of development as it currently stands is not significant enough to require bridge access to the development and therefore a bridge should not be a minimum requirement.

ABP welcomes any future opportunity to discuss the matters raised within the modifications and as always are keen to work collaboratively with Ipswich Borough Council going forward on development proposals within our Ipswich portfolio.

Yours sincerely

**Victoria Critchley FRICS**

**Head of ABP DevCo**

# **Public Consultation for the Ipswich Local Plan Review Final Draft**

**15<sup>th</sup> January 2020 – 2<sup>nd</sup> March 2020**

**Planning and Compulsory Purchase Act 2004**

**Town & Country Planning (Local Planning) (England) Regulations  
2012 (Regulations 19)**

## **Consultation Comments Form**



e-mail:

[planningpolicy@ipswich.gov.uk](mailto:planningpolicy@ipswich.gov.uk)

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

website:

[www.ipswich.gov.uk](http://www.ipswich.gov.uk)

Consultation document(s) to which this comments form relates:	<b>Core Strategy and Policies Development Plan Document Review Final Draft</b>
Please return this comments form to:	<a href="mailto:planningpolicy@ipswich.gov.uk">planningpolicy@ipswich.gov.uk</a> or  Planning Policy Team Planning and Development Ipswich Borough Council Grafton House 15-17 Russell Road Ipswich IP1 2DE
Return by:	<b>11.45pm Monday 2<sup>nd</sup> March 2020</b>
This form has two parts:	Part A – Personal details
	Part B – Your comment(s).

<b>PART A PERSONAL DETAILS</b>		
	1. Personal details	2. Agent's details (if applicable)
Title		Mr
First name		John
Last name		Bowles
Job title ( <i>where relevant</i> )		Director
Organisation ( <i>where relevant</i> )	Associated British Ports	Savills
Address ( <i>Please include post code</i> )		
E-mail		
Telephone No.		

## PART B Comment(s) about the Ipswich Local Plan Final Draft Consultation

Your name or organisation ( <i>and client if you are an agent</i> ):	Savills on behalf of Associated British Ports ('ABPorts')
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Please specify which document(s) and document part you are commenting upon.

Representations at this stage should only be made in relation to the legal compliance and the soundness of the Ipswich Local Plan Review Final Draft.

Document(s) and document part.	Comment(s) (expand the boxes if necessary and please ensure your name is included on any additional sheets.)
	<p>ABPorts is the owner and operator of the Port of Ipswich which is the UK's leading grain exporter and largest of ABPorts' short-sea ports and which, together with ABPorts' other East Anglian Ports at Kings Lynn and Lowestoft, contributes some £360m directly into the UK economy every year and supports 3,700 jobs in the region and 5,300 jobs nationally (2019 figures).</p> <p>The Port of Ipswich provides an extensive range of facilities to meet the needs of businesses and industry based in Norfolk and Suffolk. It is the UK's leading grain exporter and largest of ABPorts' short-sea ports with the ability to handle containers, dry bulks and aggregates, forest products, general cargo and offering extensive roll-on roll-off facilities. The total port area (including water) is approximately 111 ha (275 acres) and the Port handles more than three million tonnes of goods per year. The Port is rail connected and can offer intermodal services from the Port to inland facilities including rail terminals such as ABPorts' own Hams Hall Railfreight Terminal in the Midlands. The Port is also the base for expanding marina activities.</p> <p>The importance of the Port continuing to flourish as a major economic driver in the sub-region and its 'significant role' in driving further growth in the region through future expansion is recognised in the NALP Strategic Economic Plan and the adopted Core Strategy.</p> <p>As well as maintaining its operational activities, ABPorts is concerned to ensure that it retains the right and ability to fully use its land and infrastructure for port purposes in the performance of its statutory duties and responsibilities as a harbour undertaking. Whilst, therefore, ABPorts is keen to support the realisation of the wider development objectives and aspirations of the Core Strategy and Policies DPD Review, it must protect its 'significant (economic) role' and ability to expand further and assist in driving growth in the region. New development should be sensitive to these existing uses and avoid potential impacts which may prejudice the continued operation and, where appropriate, expansion of these uses.</p> <p>The 'Island Site', which is identified by Ipswich Borough Council (IBC) and its partners as one of the key regeneration opportunities in central Ipswich, is within ABPorts' land ownership and presently accommodates successful high profile marine businesses and the commercially successful Ipswich Haven Marina (which has contributed significantly to the regeneration so far of the Waterfront area).</p> <p>ABPorts is supportive of the redevelopment of the Island Site (it is one of ABPorts' 'pathfinder projects') subject to its redevelopment being commercially viable and deliverable. ABPorts' vision for 'Ipswich Island' is that it will be a viable, high quality, sustainable, residential led mixed use development that maximises its waterfront location. The development will be true mixed use, incorporating (alongside homes); boat building, other maritime activities and leisure uses, enhancing connectivity between the site, the Town Centre and the Station as well as around the Waterfront (including via a new circular Maritime Trail).</p> <p>However, until a satisfactory scheme is agreed with IBC for its redevelopment,</p>

Document(s) and document part.	Comment(s) (expand the boxes if necessary and please ensure your name is included on any additional sheets.)
	<p>ABPorts reserves the right to continue to use the Island Site as operational port area and to restrict access in the interests of public safety and port security.</p> <p>ABPorts' representations on the Core Strategy and Policies DPD Review Final Draft below are made in this context.</p>
Policy CS2	<p>The Island Site is situated within the Waterfront area to which this policy applies. As noted at para 5.21, parts of the operational port are also within it. In that context, ABPorts notes the desire of IBC to secure high density development in the interests of maximising the use of previously developed land, subject to that not compromising heritage assets and the historic character of Ipswich.</p> <p>For a variety of reasons, including the mix of existing and proposed uses on the site, ABPorts' vision for the Island Site (agreed with the partners and the LEP) does not envisage 'high density' development as currently defined in Final Draft Policy DM23. Given this, ABPorts request the inclusion of additional wording in the final paragraph of Policy CS2 which should be amended as follows "...and low elsewhere, <b>unless otherwise agreed through masterplans and</b> provided that in all areas it does not compromise heritage assets.. " or wording of similar effect.</p>
Policy CS3	<p>ABPorts supports the regeneration objectives for the IP-One area. There are, however, important elements of the Port within or adjacent to this area. New development should, therefore, have regard to these existing port uses and activities so as to ensure that they are protected.</p> <p>The Port of Ipswich is situated both within and immediately adjoining the Waterfront area of IP-One. As well as maintaining its operational activities, ABPorts is concerned to ensure that it retains the right and ability to fully use its land and infrastructure for port purposes in the performance of its statutory duties and responsibilities as a harbour undertaking. The importance of the Port continuing to flourish as a major economic driver in the sub-region is recognised in the NALP Strategic Economic Plan and at paragraphs 3.3, 5.6, 6.20, 8.171 – 8.172, 8.174 and 9.33.5 – 9.33.6 (consistent with the advice in the Ports NPS). ABPorts would wish to ensure that the Port's 'significant (economic) role' and ability to expand further and assist in driving growth in the region is protected.</p> <p>ABPorts requests that recognition is made in Policy CS3 and its accompanying text to the Port and to other important existing employment and other activities within and adjoining the IP-One area which the Council wishes to safeguard and support. New development should be sensitive to these existing uses and avoid potential impacts which may prejudice the continued operation and, where appropriate, expansion of these uses.</p> <p>We <b>request</b>, therefore, the addition of a new criterion into any new policy based on Policy CS3:</p> <p>"New development should be sensitive to existing uses (including those at the Port of Ipswich) and avoid potential impacts which may prejudice the continued operation and, where appropriate, expansion of these uses."</p> <p>We note and support the inclusion of similar wording to this effect in Policy CS13.</p>
Policy CS8 and para 8.121	<p>ABP welcomes IBC's policy on housing type and tenure mix and the recognition of potential exceptions to these requirements in response, for example, to viability constraints. ABP also notes the desire of IBC to secure high density development on central sites (para 8.121) which will also assist viability. However, high density may not be appropriate in all instances.</p>

Document(s) and document part.	Comment(s) (expand the boxes if necessary and please ensure your name is included on any additional sheets.)
<b>Policy CS12</b>	ABPorts notes the requirement for major new development (10+ dwellings) to provide 15% affordable housing and welcomes the flexibility within the wording of Policy CS12 both in respect of the proportion of affordable housing and tenure mix where development viability justifies it.
<b>Policy CS13</b>	In the context of the above comments, ABPorts welcomes and supports the inclusion in Policy CS13 of reference at sub-point b. to the need to protect “ <i>land for employment uses in existing employment areas defined on the policies map, including the function and strategic role of the port to Ipswich</i> ” in response to ABPorts’ specific request for such reference in the previous Core Strategy and Policies Development Plan Document Review Preferred Options.
<b>Policy CS20 and paras 8.222 to 8.225</b>	<p>Provision of significant alternative east-west transport capacity has been a longstanding aspiration of Suffolk County Council (SCC), IBC and its ‘Ipswich Vision’ partners. This would provide for through traffic and relief from town centre traffic congestion (particularly on the Star Lane Gyratory), opening up access opportunities and unlocking the development and regeneration potential of the whole Ipswich Waterfront area. ABPorts has been happy to assist the Council in developing a feasible solution in relation to access to the Island site.</p> <p>In the context set out above, ABPorts will continue to assist the Council in developing a feasible solution for east-west transport capacity [and for all modes/including appropriate] access to the Island site. ABPorts also supports the efforts of IBC and SCC to bring forward proposals to secure transport capacity improvements which will benefit strategic and local traffic accessing and egressing the Port.</p> <p>In this context, ABPorts welcomes the intention of IBC to continue to make a case for highway improvements including a Wet Dock Crossing through the Local Transport Plan, and supports the recognition at para 8.243 that provision of a Wet Dock Crossing is not a pre-requisite of access improvements to enable development of the Island Site.</p> <p>In respect of the provision of additional access to the Island Site (para 8.246), whilst ABPorts is supportive of the redevelopment of the Island Site (it is one of ABPorts’ ‘pathfinder projects’), its delivery is dependent on commercial viability. Until a satisfactory scheme is agreed with IBC for its redevelopment, ABP reserves the right to continue to use the Island Site as operational port area and to restrict access in the interests of public safety and port security.</p> <p>ABPorts does not agree with inclusion of the statement at para 8.247 that “at a minimum, a road bridge from the west bank to the Island Site...will be required to enable any significant development on the Island”. The extent to which the existing route via St. Peter’s Dock can accommodate vehicle access, and any need for additional road access, will depend on the amount of development that can acceptably and viably be accommodated on the Island. This will need to be established through the masterplan exercise referred to in Final Draft Policy SP2 of the Site Allocations and Policies (incorporating IP-One Area Action Plan) Development Plan Document Review and accompanying Site Sheet IP037. Indeed, based on present thinking that the Island Site will deliver a reduced density of approximately 150 units, additional vehicular access may not be needed.</p> <p>Until the completion of the master plan exercise and the necessary technical assessments accompanying it (including transport assessment as referenced on Site Sheet 037), it is not appropriate for the DPD to be so prescriptive about the need for a new road bridge and we would request the removal of reference to it.</p> <p>ABPorts’ general support for access improvements in and around the Waterfront and onto the Island Site is conditional upon there being no adverse operational impact on the Port. ABP will continue to work with and assist SCC, IBC and its partners in securing a development solution which addresses all port safety,</p>

Document(s) and document part.	Comment(s) (expand the boxes if necessary and please ensure your name is included on any additional sheets.)
	<p>security and operational issues and avoids any adverse impact on port and marine operations, and which accommodates the existing marina and marine businesses in the future development of the Island Site so that they continue to contribute to an active and appealing waterfront environment for further regeneration.</p> <p>ABPorts would like to see improvement of the junctions on the A14 around Ipswich in order to accommodate existing and future growth. ABPorts supports the efforts of IBC and SCC to lobby Highways England for such improvements and investigation of other potential improvements to the A14 and A12(S) corridors.</p>
<b>Policy DM12</b>	<p>ABPorts is supportive of IBC's desire for all new development to be well designed and sustainable, for 25% of new dwellings to be built to Building Regulations standard M4(2), and for proposals to respect the special character and distinctiveness of Ipswich including ensuring good public realm design. However, this should not be at the expense of development viability and the policy should be applied flexibly in the context of the objective to achieve sustainable regeneration.</p>
<b>Policy DM13</b>	<p>ABPorts notes and <b>objects</b> to reference in the Policy under the section titled 'Conservation Areas' to demolition of buildings and to the consideration by the Council of "the withdrawal of permitted development rights where they present a threat to the protection of the character and special interest of the conservation area" (last two bullet points).</p> <p>As a port authority, ABPorts benefits from 'permitted development' rights (as a 'statutory undertaker') over land it owns which is classed as 'operational land' (as defined under Sections 263 and 264 of the Town and Country Planning Act). Under the terms of The Town and Country Planning (General Permitted Development) Order 1995 ('the GPDO') Part 17 is applicable to development by Statutory Undertakers in England. Reliance on its permitted development rights on its operational land within the Port estate (limited by environmental regulations and other considerations) is critical to the ability of ABPorts to fulfil its statutory duties. ABPorts will therefore strongly resist any steps taken by the Council to seek to withdraw the permitted development rights it benefits from.</p> <p>If reference to withdrawal of permitted development rights in this Policy is not meant to encompass the permitted development rights enjoyed by ABPorts, we would request specific clarification of this point.</p>
<b>Policy DM22</b>	<p>ABPorts welcomes IBC's qualification that it will not insist on the requirement to meet Nationally Described Space Standards if this is demonstrated to be unviable in specific cases.</p>
<b>Policy DM33</b>	<p>ABPorts supports the safeguarding of the operational areas of the Port through their definition as Employment Areas E9 and E12 on the Policies Map and under Policy DM33. We welcome the recognition at para 9.33.6 of the need for ABPort's specific operational requirements and consents and licences for the handling and storage of hazardous substances to be taken into account in any development planned in the vicinity of these areas.</p>



## PART B CONTINUED – Comments about the Ipswich Local Plan Review Final Draft

Document(s) and document part	Comment(s) (expand the boxes if necessary and please ensure your name is included on any additional sheets.)

Please ensure that Part B of your form is attached to Part A and return both parts to the Council's Planning Policy Team by 11.45pm on Monday 2<sup>nd</sup> March 2020.

### RECEIVING NOTIFICATION OF THE PROGRESS OF THE LOCAL PLAN

Would you like to be notified of the progress of the Ipswich Borough Council Local Plan Review at any of the following stages? Tick to confirm.

<b>The submission of the Publication Draft Ipswich Local Plan Review to the Secretary of State for Communities and Local Government for independent examination.</b>	✓
<b>Publication of the Planning Inspector's Report on the Ipswich Local Plan Review.</b>	✓
<b>Adoption of the Ipswich Local Plan Review.</b>	✓

### PRIVACY NOTICE

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

As part of our public task, we will process your comment, and store your information securely. Your comment and name will be made public as it will form part of the evidence base used to inform the creation of planning policy documents, but we will not publish your email address, contact address or telephone number.

Please note that we are required to provide your full details to the Planning Inspector and Programme Officer for the purposes of producing the development plan in accordance with the statutory regulations on plan making.

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

# 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](http://www.ipswich.gov.uk/mainmodifications)  
Email: [planningpolicy@ipswich.gov.uk](mailto: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



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

<b>PART A Personal Details</b>		
	1. Personal details*	2. Agent's details (if applicable)
Title	Ms	
First name	Victoria	
Last name	Critchley	
Job title (where relevant)	Head of DevCo	
Organisation (where relevant)	Associated British Ports	
Address Please include post code		
E-mail		
Telephone No.		
<p><b>Signature:</b> ..... <b>Date:</b> 23/09/21</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.**

<b>Your name or organisation</b> <i>Associated British Ports</i>	
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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.**

<b>Main Modification number</b> <i>Please use modification reference number, e.g. MM1, MM2 etc</i>	
MM230	
MM26	
MM72	

**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.**

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

**5. Do you consider the proposed Main Modification is:**

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

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

**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 letter attached.

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

Please see letter attached.

**3. Please set out the changes to the Main Modification you consider necessary to make**

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

Please see letter attached.

**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 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.***



