



PLANNING & DEVELOPMENT COMMITTEE

**WEDNESDAY 30 APRIL 2025
GIPPING ROOM, GRAFTON HOUSE
9.45 AM**

COUNCILLORS

LABOUR

**Stephen Connelly
Kelvin Cracknell
Nic El-Safty
Peter Gardiner
Carole Jones
Colin Kreidewolf
George Lankester
Lynne Mortimer
Adam Rae
Jenny Smith**

CONSERVATIVE

**Sam Murray
Nathan Wilson**

LIBERAL DEMOCRAT

Oliver Holmes

Substitutes:

**Pat Bruce-Browne
K Elango Elavalakan
Corinna Hudson
Stefan Long
Philip McSweeney
Christine Shaw
James Whatling**

**Ian Fisher
Edward Phillips**

Inga Lockington

A G E N D A

	PART 1
1.	Apologies for Absence
2.	Unconfirmed Minutes of Previous Meeting - 2 April 2025 (Pages 5 - 14)
3.	To Confirm or Vary the Order of Business
4.	Declarations of Interest
5.	PD/24/13 Planning Applications - General Information (Pages 15 - 30)
a)	PD/24/13 Item 1 - Application IP/24/00918/FUL (Pages 31 - 44) Ipswich Sports Club, Henley Road
b)	PD/24/13 Item 2 - Application IP/24/00359/OUTFL (Pages 45 - 82) Redevelopment Site, Portman Road
c)	PD/24/13 Item 3 - Application IP/24/00494/FUL (Pages 83 - 96) 22 Maple Close
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e)	PD/24/13 Item 5 - Application IP/24/00980/FUL (Pages 111 - 124) Car Parking and Amenity Area at 167A to 167D, Norwich Road

f)	PD/24/13 Item 6 - Application IP/25/00093/VC (Pages 125 - 136) Former Areas U V and W, Ravenswood, Nacton Road
g)	PD/24/13 Information for Councillors including Planning Enforcement Update 2024/25 Quarter 4 (Pages 137 - 150)
	REPRESENTATIONS Representations are available to the press and public via the Planning Online Portal ppc.ipswich.gov.uk

Shirley Jarlett

**SHIRLEY JARLETT
MONITORING OFFICER**

22 April 2025

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 2 APRIL 2025
GIPPING ROOM, GRAFTON HOUSE
9.45 AM

Present: Councillors Stephen Connelly, Kelvin Cracknell, Nic El-Safty, Peter Gardiner, Carole Jones, Colin Kreidewolf, George Lankester, Lynne Mortimer, Adam Rae, Jenny Smith, Sam Murray, Nathan Wilson and Oliver Holmes

91. Apologies for Absence

There were no apologies for absence.

92. Unconfirmed Minutes of Previous Meeting

RESOLVED:

that the Minutes of the meeting held on 5 March 2025 be signed as a true record.

93. To Confirm or Vary the Order of Business

RESOLVED:

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

94. Declarations of Interest

Councillor Jones, being known to people who were speaking on applications, declared an interest in Items 1 & 2 (IP/25/00005/FUL & IP/25/00007/LBC) and Item 4 (IP/25/00054/VC), and left the room during the consideration of these items.

95. PD/24/12 Planning Applications - General Information

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

The applications were considered in the following order:

Items 1 & 2 – IP/25/00005/FUL & IP/25/00007/LBC – Archway and various sites, Lloyds Avenue

Item 4 – IP/25/00054/VC – The Mulberry Tree Public House, 5 Woodbridge Road

Item 3 – IP/25/00097/FPI3 – Car Park, 15-21 Foundation Street

96. PD/24/12 Items 1 & 2 - Applications IP/25/00005/FUL & IP/25/00007/LBC

REPS

Ward: ALEXANDRA

Proposal: IP/25/00005/FUL:

Public realm improvement works to Lloyds Avenue consisting of resurfacing works including increasing the width of public footway and extended shared public space, installation of raised bed planters and landscaping, and existing cycle storage repositioned. Refurbishment of Lloyds Arch undercroft, including insertion of lights and cabling, digital screens/lightboxes, security cameras and radio equipment.

IP/25/00007/LBC:

Refurbishment of Lloyds Arch undercroft, including removal of service box, repositioning of plaques, insertion of lights and cabling, digital screens/lightboxes, security cameras and radio equipment, and general redecoration.

Address: Archway and various sites, Lloyds Avenue

Applicant: Ipswich Borough Council

Agent: KLH Architects Ltd

The Development Management Team Leader reported that a late representation had been received at 8.45am on 2.4.2025 from Mr S Ali in reference to a previous email of 26.3.2025 and whether that was to be considered by the Committee. The late representation raised the following points:

- A petition had been prepared regarding the consultation undertaken in relation to the application; it was not clear whether the petition had gone live or if anyone had signed up to the petition.
- The email of 26.3.2025 referred to the public consultation being unfair; this was in relation to the consultation undertaken prior to the planning application being submitted, not the consultation undertaken as part of the planning application process.

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

Mr Stuart Edgar, agent for the application, spoke in support of the proposals:

- Consultation had taken place with disability groups to help inform the development of the design with regards to disability access.
- Over a period of 14 months, there had been information shared and workshops held with representatives from 5 local disability groups: Progression Session Groups, Suffolk Sight, Suffolk Guide Dogs Forum, Ipswich Disabled Advice Bureau and Suffolk Coalition of Disabled People.
- The first consultation on the proposals in May 2024 resulted in crossing points and dropped kerbs being added at the north end of Lloyds Avenue, horizontal to the top of the taxi rank.
- Further discussions in May 2024 resulted in a second crossing with a raised table being added just before Electric House, opposite the Bingo Hall, to help slow traffic coming around the corner and act as a visual discouragement to general traffic; Lloyds Avenue would still to be open for deliveries and taxi use.
- On 13 December 2024, the final designs were presented to the disability groups for sign off ahead of the submission of the planning application.

Ms Nina Cunningham, Head of Economic Development at Ipswich Borough Council, spoke in support of the proposals:

- Proposals for Lloyds Archway aimed to provide illumination and an interactive art piece that residents and visitors could interact with, drive footfall into the town centre and add to the cultural offer to increase dwell time.
- The art installation would involve workshops to gather input from students and families, and the proposed one-off installation would attract visitors from Ipswich and beyond.
- The proposed digital billboards would be Council owned with the content being controlled by the Council; this would typically be used to promote events to visitors.

Mr Luke O'Brien spoke in opposition to the proposals:

- Objected to the extension of the pedestrianised public space and widening of the pavement.
- Currently many disabled people who wanted a taxi would wait at the bottom of Lloyds Avenue to be picked up as they were not able to walk that far uphill.
- Walking uphill presented a greater problem to people with balance issues who might need to walk with a wider gait or extreme walking pattern; extending the public space would require disabled people to walk further.
- The Police had conducted engagement activities on Lloyds Avenue and access would be required for other emergency vehicles; one loading bay would not be sufficient.
- Under Section 20 of the Equality Act 2010, the Council had an obligation to make reasonable adjustments for the disabled and it would be reasonable to not widen the pavement and extend the public pedestrianised space.

Mr Shofik Ali, taxi driver, spoke in opposition to the proposals:

- The outline of the consultation arrangements given today was speculative and feedback had been given by the paid managers of local groups, whereas the

response received from asking users and businesses on Lloyds Avenue was different, with some people outraged and wanting Lloyds Avenue to be left unchanged.

- There had been instances where some people struggled to make it up to the taxi rank at the top of Lloyds Avenue and were relieved to be able to flag a taxi to collect them from the bottom of Lloyds Avenue; the proposals discriminated against the taxi clientele.
- A petition had been set up to get the public's reactions to the proposals and it was requested that more time be given before taking the decision to be able to take the outcome of the petition into account.
- Football fans were also upset by the proposals and would be adding the petition to their webpages.
- The proposed changes would affect everyone, not just the taxi drivers, but the shops as well, and businesses did not want the reduction in space.
- The proposals also went against the green aspirations of Councillor Kelly from West Suffolk Council as there would not be room for electric charging points on Lloyds Avenue.

Councillor Murray welcomed the consultation with disability groups and their feedback but still had concern about disability access, in particular the type of flooring proposed as this had previously caused an issue on the Cornhill development. Councillor Murray asked about the number of disabled taxis in use and the assessment undertaken in relation to the amount of space available for taxis to manoeuvre.

The Planning Officer reported that the materials for the active space and main footway would be flat profile materials to reduce trip hazards; granite setts were proposed for the landscaped area and were to be installed with minimal gaps between them to avoid trip hazards.

The Development Management Team Leader commented that he did not have information to hand on the number of disabled taxis within the Council's licensed fleet. Disabled groups had been consulted prior to the submission of the application and the flatter area at the bottom of Lloyds Avenue had not been designed as a designated pick up/drop off point for taxis; an equivalent space had been included in the scheme but further up the hill.

Councillor Murray commented that the appearance of the granite setts was irrelevant to wheelchair users, it was a matter of whether a wheelchair could be ridden comfortably over the surface, especially as people would need to further to reach the taxi rank.

Councillor Gardiner highlighted that the granite setts were only proposed within the central area and the adjacent footpaths would have flat surfaces.

Councillor Cracknell, as a wheelchair user, welcomed the revised layout especially at the top of Lloyds Avenue where vehicles entered the road as it was currently difficult to cross the road to get to the front of the taxi rank. Councillor Cracknell highlighted the importance of maintaining the proposed paving and requested that any replacement paving slabs be installed flat to prevent trip hazards.

Councillor Kreidewolf welcomed the digital art installation and improvements to public realm that would make a positive contribution to the town centre street scene. Following issues with the Cornhill development, disabled groups had been consulted during the design process and the Ipswich Disabled Advice Bureau had highlighted the competing interests of the visually impaired and wheelchair users with regards to types of paving surface. Councillor Kreidewolf highlighted that there was a natural incline across the town centre from the river up towards Tower Ramparts, not just on Lloyds Avenue, and added that there were a number of blue badge places allocated in the town centre, for example on Lion Street and Museum Street, where taxis could be ordered from. With regards to the number of taxi rank spaces, CCTV footage had been used to identify usage, and it was rare for all 21 spaces to be in use, with the average usage being 11-12 spaces. Councillor Kreidewolf commented that it was also possible to book taxis offering disabled access through operators such as Uber that could collect the passenger from any location.

Councillor Wilson raised concern about access for emergency vehicles, whether a smooth surface could be used in the public space area to make it more comfortable for wheelchair users and if a more traditional style of seating could be provided.

The Planning Officer reported that there would be the same access for emergency vehicles but with the demountable bollards being located further up Lloyds Avenue. The seating was contemporary, with curved seating and planting behind, and would encourage movement through the area.

The Development Management Team Leader highlighted that conditions 3 and 6 would cover details of the materials to be used and the seating/planters, and the points raised would be taken into consideration when these conditions were discharged.

RESOLVED:

Application IP/25/00005/FUL:

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

- 1. Development to be in accordance with the approved drawings and the requirements of any succeeding conditions.**
- 2. Submission of a Construction Management Plan (pre-commencement condition).**
- 3. Before the development hereby approved is commenced, evidence shall be submitted to, and approved in writing by, the Local Planning Authority of the requisite Section 278 highway agreement, including the plans and final details of the proposal (and including details of materials).**
- 4. Before the development hereby approved is commenced, planting management details are required to be submitted to, and approved by, the Local Planning Authority.**
- 5. Before the development hereby approved is commenced, details of the bollards to be installed are to be submitted to and approved by the Local Planning Authority.**

6. Prior to their installation, details of the planters and their seating shall be submitted to and approved in writing by the Local Planning Authority.
7. Prior to their installation, details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. Prior to their installation, details of the final lighting scheme and control details are to be submitted to and approved in writing by the Local Planning Authority.

Application IP/25/00007/LBC:

Grant listed building consent subject to the following conditions (briefly):

1. The works hereby permitted shall be carried out in accordance with the approved drawings, documents, and correspondence, and the requirements of any succeeding conditions.
2. Methodologies and sample panels for the proposed redecoration of the columns, walls and ceiling of the archway shall be submitted to, inspected, and approved by the LPA prior to works commencing on the ceilings.
3. Full details, including manufacturer specification, and methodology for installation on site, for the proposed digital screens and light boxes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site.
4. Full details of all new fixtures and fittings (including lighting, CCTV and radio equipment) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site.
5. Full details of all permanent signage shall be submitted to and approved by the Local Planning Authority prior to installation on site.

97. PD/24/12 Item 3 - Application IP/25/00097/FPI3

Ward: ALEXANDRA

Proposal: Continued use of land on a temporary basis as short-stay public car park (further to planning permission ref: IP/22/00065/FPI3).

Address: Car Park, 15-21 Foundation Street

Applicant: Ipswich Borough Council

Agent: Mr Michael Newsham

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

Councillor Rae asked how realistic the estimate was for a development coming forward in 2028/29.

The Head of Planning & Development commented that the dates in the adopted Local Plan reflected when the landowner estimated that a development would come forward.

Councillor Jones added that this site was one of three sites within a wider site allocation and that not all of these sites were owned by the Council.

RESOLVED:

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

- 1. Use shall cease on or before 3rd April 2027.**
- 2. Short stay parking only (maximum 5 hours)**
- 3. Disability parking signage to be retained.**
- 4. Parking and manoeuvring areas to be maintained as per submitted plans for the duration of the development.**
- 5. Secure cycle and PTW parking to be retained.**

98. PD/24/12 Item 4 - Application IP/25/00054/VC

Ward: ST MARGARETS

Proposal: Variation of Condition 1 (list of approved plans) of planning permission IP/23/000346/FUL (Extensions to existing facility to provide enlarged prayer hall and classrooms).

Address: The Mulberry Tree Public House, 5 Woodbridge Road

Applicant: Mr Mohamad

Agent: Mr Sherwan Mohammed

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

Mr Mojlum Khan, Bangladeshi Support Centre Multicultural Services, spoke in support of the proposals:

- Had been approached by the applicant for support and advice on capacity building to accommodate emerging community groups.
- The Nawracy Culture Centre was very busy, offering social, cultural and spiritual activities to communities, and space was needed to accommodate community groups from different backgrounds in Ipswich.
- The proposed variation from the previous application was a matter of practicality as the original windows would diminish the size of usable space within the upstairs rooms as there were areas where it was not possible to stand upright.
- There was a balance to be met between retaining the heritage character of the building and creating an extension that would be able to meet the growing need for local services; the proposed minimal adjustment would achieve both objectives.

Mr Mohammed Mainul Alam, Bangladeshi Support Centre Multicultural Services, spoke in support of the proposals:

- The Centre supported many organisations and had been especially busy during Ramadan.
- The proposed variation to the extension would make a big difference to the capacity of the building as currently nearly half of the space in the upstairs rooms was unusable because of the slope.
- It was important to retain the heritage of the building, but there was also a need to accommodate all the people who accessed services.

Mr Gaffor Omer, NHS employee, spoke in support of the proposals:

- The Centre had not only been used for vaccination sessions but also had an ongoing use for health assessments, providing public health services alongside the cultural activities.

Councillor Rae commented that he had visited the building, and the original conversion had improved its aspect within the street scene; however, the proposed change was unlikely to release much additional space, and it was necessary to respect this historic building.

Councillor Lankester understood the reason for wanting to replace the pitched roof with a flat roof but could see no reason for the proposed change in materials, especially as UPVC windows and fibreglass roof coverings would not be appropriate in this location.

Councillor Kreidewolf commented that the original change of use application had been successful in bringing a redundant building back into use, which was well used by the community; however, this was a locally listed building with a prominent frontage and due regard should be given to listed building responsibilities.

RESOLVED:

Refuse the variation of planning condition for the following reason (briefly):

The extension would not respect and promote the special character and local distinctiveness of Ipswich by protecting and enhancing significant views nor represent good architectural design. It would represent poor design that would result in harm to the setting of the adjacent Conservation Area and to the significance of the locally listed building of which it would form a prominent part, particularly when viewed from the east looking towards the Central Conservation Area beyond.

The proposed variation represents a material diminution to an approval that would fail to be in accordance with the NPPF. Public benefits have been put forward by the applicant, however these do not justify the less than substantial harm to the setting of the heritage assets and the variation would therefore fail to be in accordance with policies DM12 and DM13, as well as the aims of the NPPF.

99. PD/24/12 Information for Councillors

99.1. Councillor Jones noted that the appeal in relation to 25 Civic Drive had been dismissed by the Planning Inspector as the Council's Local Plan policies had been correctly applied and should not leave occupants in sub-standard accommodation.

RESOLVED:

that the information for Councillors be noted.

The meeting closed at 11.20 am

Chair

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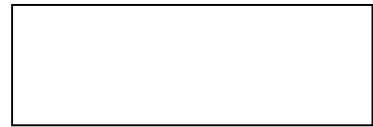
Agenda Item 5

PLANNING AND DEVELOPMENT COMMITTEE

Ref PD/24/13

DATE: WEDNESDAY 30th APRIL 2025

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)

Proud of Ipswich: Championing our community and revitalising our town (Corporate Strategy 2023)
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 2023
17. Borough Council Statement on Affordable Housing
18. National Planning Policy Framework 2024
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	Development by Government Department
GDO/GDF/GDR	
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 (C onservation Area)
TALF	Trees Application (T PO)
PALF	Trees Application (P lanning 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 11 December 2024. 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](https://www.ipswich.gov.uk/content/speaking-planning-and-development-committee) 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

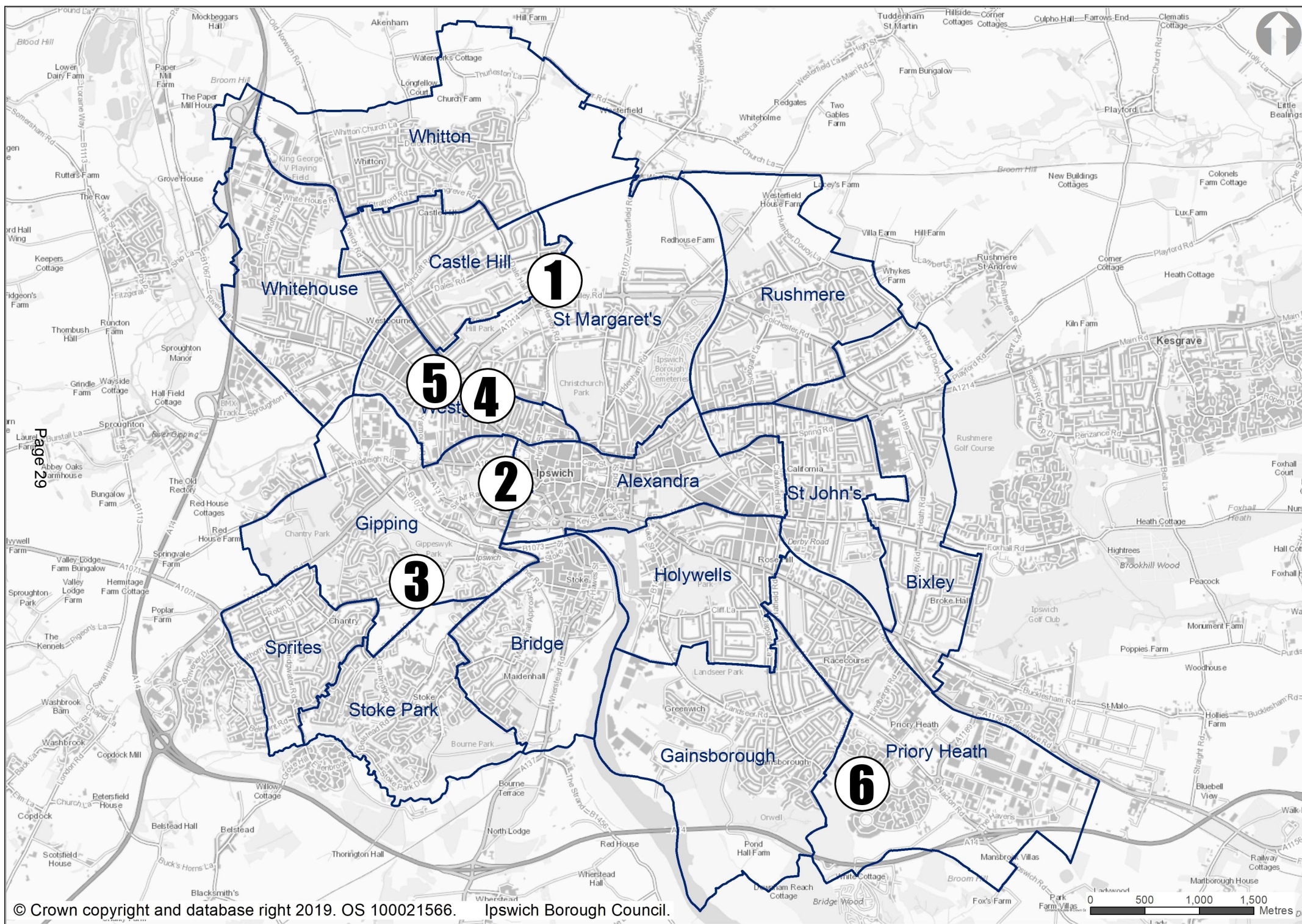
CONTENTS

Item No	Ref. No.	Address	Ward
Item01	IP/24/00918/FUL (J Burgess)	Ipswich Sports Club Henley Road	CASTLE HILL
Item02	IP/24/00359/OUTFL (R Collins)	Redevelopment Site Portman Road	GIPPING
Item03	IP/24/00494/FUL (Y Jeffery)	22 Maple Close	GIPPING
Item04	IP/24/00962/FUL (P Lambert)	68 Newson Street	WESTGATE
Item05	IP/24/00980/FUL (A Kittle)	Car Parking And Amenity Area At 167A To 167D Norwich Road	WESTGATE
Item06	IP/25/00093/VC (J Burgess)	Former Areas U V And W Ravenswood Nacton Road	PRIORY HEATH

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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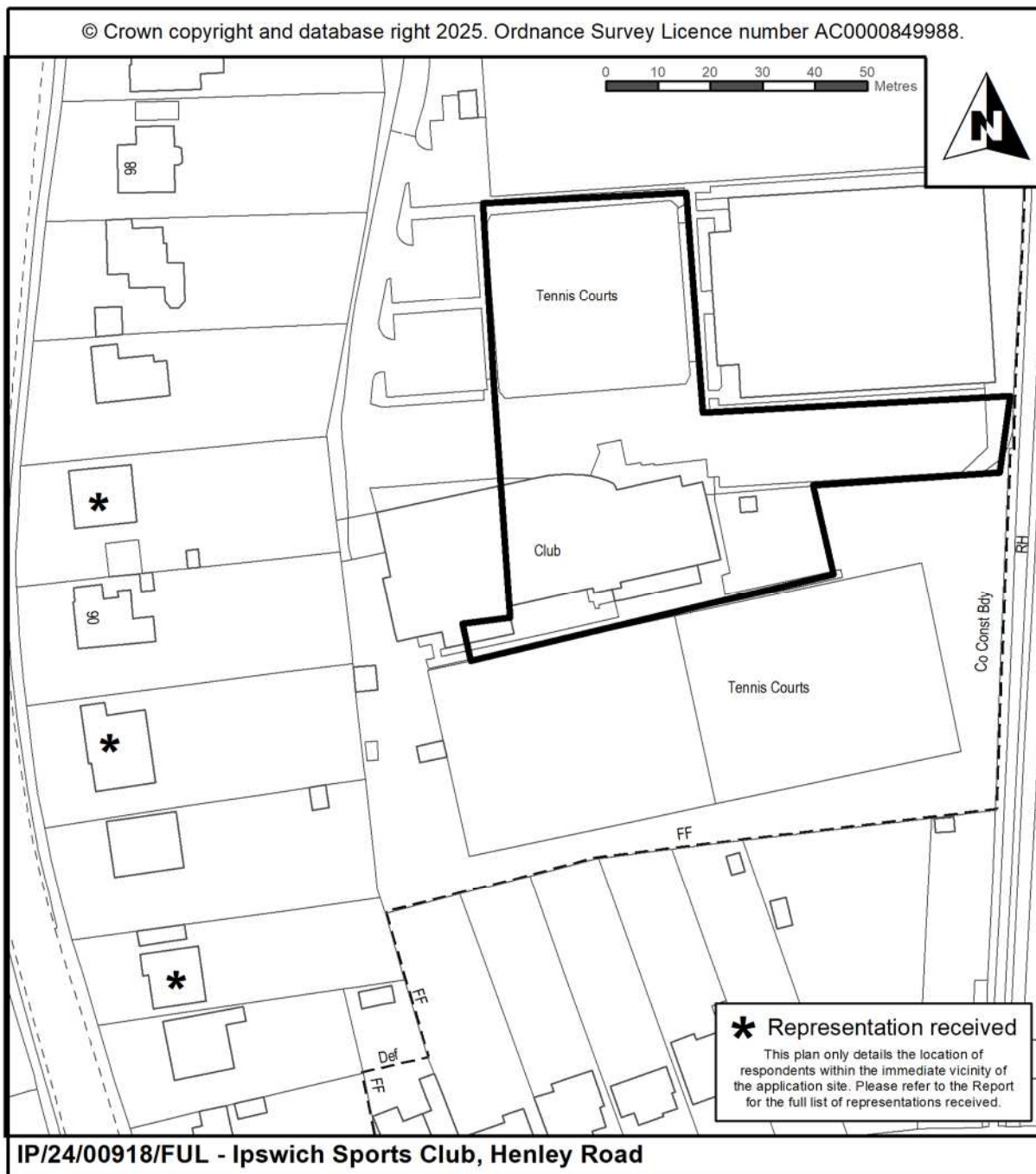
Ward: CASTLE HILL

Proposal: Erection of roof canopy and glass and fenced enclosure to existing tennis/padel courts, erection of 112sq metre extension to gym studio siting of shipping containers (containers -retrospective consent).

Address: Ipswich Sports Club, Henley Road,

Applicant: Ipswich Sports Club

Agent: Mr Rob Marsh-Feiley



Recommendation

That planning permission be granted subject to standard conditions relating to time limit and biodiversity gain condition, and subject to the following conditions (briefly): -

1. Development to be in accordance with approved drawings. For the avoidance of doubt, the permission does not extend to the development shown on existing tennis courts under 'Phases 1 or 2' of the submitted phases plan.
2. Before work on the canopy or extended courts commence, details of materials to be used and lighting to be installed (including details/mitigation to avoid unacceptable light spillage), **together with a scheme of mitigation with regard to the noise generated by the existing and proposed clubhouse, including gym extension, existing west facing windows and proposed north facing windows**, shall be submitted and approved. The development shall only be carried out and brought into use in accordance with the approved details and maintained as such thereafter.
3. The hereby-approved extended courts shall not be in use nor lights switched on outside of the hours of 8am to 8pm.
4. **Before the hereby-approved extended courts or gym extension are first brought into uses a management plan shall be submitted to and approved. The development shall only be operated in accordance with the approved plan.**

This application was reported to the Planning and Development Committee on the 5 February 2025 and was deferred to enable an acoustic noise report to be submitted and this has now been received. Updates to the report are in bold text, other than the Recommendation and section headings from the previous report.

1. Proposal

- 1.1 The application site is located within the Castle Hill, Whitehouse and Whitton Character Area of the Urban Character SPD. It comprises land associated with a wider sports club use including a principal building, internal and external courts, former hockey pitch and vehicular areas, with separate access from Henley Road. The application site itself is focused upon the main building, land adjacent to that building, and two external courts. One of these courts is in use as a Padel court with a glass enclosure to its sides, the other is in use as a tennis court.
- 1.2 Surrounding the wider sports club site there are residential properties within Vere Gardens, Valley Close, Valley Road and Henley Road, with Fonnereau Way also to the east, a public footpath and wildlife corridor. There are several protected trees on the eastern boundary and the site is within a green corridor, as identified within the Local Plan.
- 1.3 The hockey pitch within the northern part of the wider site has planning permission for 28 dwellings (refers IP/16/00987/FUL). Work begun involving the widening of the access so therefore the permission is extant and the site is allocated for housing within the Local Plan (refers IP356).
- 1.4 The application relates to the external courts within the application site and seeks the erection of a roof canopy and a glass and fenced enclosure around an extended court surface. These courts are sited approx. 20 metres from the western boundary of the wider Sports Club site with dwellings fronting Henley Road. The proposed plans show 4 padel courts and a single pickle court on the extended surface area, resulting in the loss of a non-native hedge adjacent to the existing court. The existing tennis and padel courts in their current configuration will be removed.
- 1.5 Padel is a game played on an enclosed court slightly smaller than that used in tennis. It has similarities with squash in that external walls of a court are used in play. Pickle ball is played on a smaller court and has similarities to table tennis. Both of these sports use a paddle, as opposed to a traditionally strung tennis or squash racquet.
- 1.6 The roof canopy would be fabric and would rise to a height of 10 metres, comparable to the existing indoor tennis court building directly next door. A small spectator stand is shown on the eastern side of the reconfigured courts. The stand is shown to have 29 seats with space of 4 wheelchairs.

- 1.7 It is also proposed to extend the main building to the south, forming a new studio gym with a floorspace of 110 sq.m. The extension would be constructed using timber cladding and metal roofing.
- 1.8 The application seeks the continued siting of metal shipping containers adjacent to the main building and car parking area. These are for use in connection with an external area next to the main refreshments bar of the sports club within its principal building.
- 1.9 The application is supported by the following documents:-
- Application drawings/forms.
 - Air Quality Assessment
 - Biodiversity Net Gain Metric
 - **Noise Assessment**

2. Background

- 2.1 The site represents a long-established sports and recreation facility. The main clubhouse complex was constructed in the 1980's (refers IP/87/00512/FUL), with the indoor tennis courts constructed in the 1990's (refers IP/93/00062/FUL). **In 1991 permission was granted for extensions to the western side of the clubhouse (refers IP/91/00158/FUL).**
- 2.2 More recently a temporary inflatable dome over 3 external courts for use over winter months was allowed on appeal in 2014 (refer IP/13/00390/FUL) and, as noted above, permission was granted for housing on a redundant hockey pitch.
- 2.3 In 2022, permission was granted for a further car parking area (refer IP/22/00153/FUL). Although that development has not been commenced the car parking area is shown on the drawings submitted as part of this application.
- 2.4 The existing padel court, sited on the location of the proposed courts to be extended and covered with a canopy, does not have a formal planning permission and has been in situ for approx. 3 years. Similarly, the containers the subject of this application are already present on site.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 12.12.2024 and 14.01.2025. 33 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 2024.
- 3.2 Comments that were received are summarised below.

IBC Environmental Health – No objection regarding Air Quality, Contaminated Land, noise or light.

Suffolk County Council Highways – No objection. Conditions recommended requiring provision of cycle parking before first occupation.

Ipswich Conservation and Design Panel – No objection. It was explained to the Panel that padel is a form of tennis with elements of squash, ie its played on a court, within an enclosure that has glazed rebound surfaces as well as a central net. There is noise created by the surface contact with the ball, and the proximity to housing was pointed out.

Panel members assessed this and other issues such as the bulkiness of the structures, their visibility from Fonnereau Way and possible light spillage from the illuminated courts at nighttime. Generally, it was felt the established sports location, some distance away from housing, will help manage most of these issues. However, a number of mitigation measures are recommended.

Recommendation Approval, but the noise and light disturbance issues should be assessed, and mitigations put in place if necessary. It was also suggested there could be additional screen planting to the east of the containers, in order to improve screening from Fonnereau Way (it was noted the containers can be seen from the popular footway).

Representations:

3.3 The following representation has been received with no objection:-

1. Ms J Summers, 22 Vere Gardens, IP1 4NZ received 17.12.24

Issues raised:-

- No objection but that restrictive conditions should be imposed with regard to hours of use.

3.4 The following representations have been received against the proposal:-

1. Mr S Brown, received ~~19.1.24~~ **19.12.24**
2. Miss H Bhatt, 84 Henley Road, IP1 4NQ received 06.01.25
3. Mr G Wood, 92 Henley Road, IP1 4NQ received 13.01.25

Issues raised:-

- No noise mitigation or assessment for padel courts or gym/studio extension
- Suggested that detailed Air Quality Assessment should be required given traffic volumes on Henley Road. Not possible to provide representation without accurate information.
- Lack of reference to existing padel courts.
- Proposal would increase noise, air and light pollution. Suggested opening times being restricted to between 8am and 9.30pm.
- **Concern regarding noise impact and lack of detailed noise mitigation/assessment.**
- **Suggested that a detailed air quality assessment was required together with consideration of highway safety concerns of the junction.**

A further late representation was received from Mr S Brown on 03.02.2025 which reiterated concerns with regard to noise impact.

IBC Conservation and Urban Design comments were also received and an update was providing at the meeting as follows:- The proposals were located within an established sports facility some distance from the housing on Henley Road. Although generally acceptable in this setting, there were some concerns about possible impacts: - noise spillage from the padel courts as the gameplay involved hard rebound from the glass enclosure of the courts; - light spillage – it was not clear if the padel court fabric canopy was opaque, i.e. whether it would be suffused with the internal floodlighting after dark and therefore conspicuous or would contain the court light spillage; - the visual impact on nearby Fonnereau Way of the containers, which were the least acceptable addition in design terms being messy and opportunistic. Additional screen planting to the east of the container area, between it and the pathway, could reduce any impacts.

3.5 Following the applications deferral at the 5 February 2025 meeting a Noise Assessment was submitted by the applicant and reconsultation was undertaken between 25.03.2025 and 15.04.2025.

3.6 Comments that were received are summarised below:-

IBC Environmental Health –Officer visited the site during the last consultation and witnessed a game being played on the existing court and found that noise would not be an issue in a well-managed facility. The submitted assessment confirms my opinion.

Representations:

3.7 The following representations have been received objecting to the proposal:-

1. Mr G Wood, 92 Henley Road, IP1 4NQ received 07.04.25
2. Mr S Brown, 88 Henley Road, received 08.04.25

Issues raised:-

- **Noise Assessment does not address the issues raised and is not fit for purpose. It does not**

deal with intensity and frequency of noise, only decibel level. The report makes assumptions suggesting limited occupation in the evening but it appears that the applicant aims to operate in the evening, therefore increasing impact. The report does not take into account impact upon gardens, focussing upon dwellings themselves.

- Concerns are not necessarily noise, but also from anti social behaviour including foul and abusive language.
- Noise complaint have been made to Ipswich Borough Council.
- The applicant has not consulted with neighbours.
- Concerns raised regarding application process.
- Applicant has history of ignoring planning process. Reference to open windows, removal of trees and unauthorised structures.

4. Policy

National Planning Policy

National Planning Policy Framework (2024)
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', DM5 'Protection of Open Spaces, Sports and Recreation Facilities', DM8 'The Natural Environment', DM9 'Protection of Trees and Hedgerows', DM10 'Green and Blue Corridor', DM12 'Design and Character', DM18 'Amenity', DM21 'Transport and Access in New Developments', DM22 'Car and Cycle Parking in New Development'.

Other Planning Guidance

Reptile Strategy (2021)
Ipswich Urban Character SPD - Castle Hill, Whitehouse and Whitton Character Area
Cycling Strategy (2016)
Low Emissions SPD (2021)
Suffolk Guidance for Parking (2023)

5. Planning Assessment

Proposal in relation to open space, sport and recreation policy

- 5.1. Policy DM5 seeks to protect open space, sport and recreation facilities. Development involving the loss of open space, sports or recreation facilities will only be permitted if a) the site or facility is surplus in terms of all the functions an open space can perform, and is of low value, poor quality and there is no longer a local demand for this type of open space or facility, as shown by the Ipswich Open Space, Sport and Recreation Facilities Study 2009 (as updated in 2017) and subsequent update; or b) alternative and improved provision would be made in a location well related to the users of the existing facility; or c) the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss.
- 5.2. The site is not actually identified as being protected within the Local Plan however the enhancement of an existing sports facility would clearly be in accordance with policy DM5.

Biodiversity

- 5.3. Policy DM8 states 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. Furthermore within the buffer zones around core areas and corridors, development will be required to enhance the ecological network, through measures such as wildlife beneficial landscaping.

- 5.4. Policy DM9 states applications for development should retain existing trees and hedgerows of amenity or biodiversity value where possible, with requirements for reports and appropriate protection or replacement planting. 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.
- 5.5. The recent Environment Act 2021 and associated enabling legislation set out a hierarchy of habitat, depending upon its *distinctiveness*, ranging from 'very high distinctiveness' such as wetlands likely to be the subject of extensive protection and seen as irreplaceable, to 'very low distinctiveness', such as features common within an urban area, i.e. introduced shrubs or even allotments used by residents.
- 5.6. Under the Act, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain. Achieving 10% net gain means fully compensating for losses of habitat on a development site, but then going further so that overall, there is a gain in habitat of at least 10% as a result of the development process. This is secured through a condition and is mandatory with regard to this application.
- 5.7. There are no irreplaceable habitats affected by the proposal. The proposal seeks the removal of non-native hedge adjacent to the existing court to be extended. The non-native hedge is approx. 30 metres x 1 metre and would be classified as 'very low distinctiveness', equating to 0.0300 'hedgerow units' based upon the applicant's submitted biodiversity metric. The applicant's proposal is to plant a new native hedge to achieve an 11.58% gain. This is indicated to be on the eastern boundary adjacent to a wildlife corridor associated with Fonnereau Way.
- 5.8. The existing hedge is of little amenity value, being located well within the site and not readily visible from public vantage points. It's main benefits are the screening of the existing courts when viewed from the western boundary with private rear gardens, and from the car parking areas and access road within the application site associated with the use.
- 5.9. The proposed gym extension would impact upon an existing hard surfaced area only. The containers are sited on an area of the site that was an area of modified grass and seating used in connection with the adjacent bar area within the building. There was a row of conifers that were removed between 2022 and 2023, and there are special provisions for the calculation of the pre-development biodiversity value of onsite habitat when loss or impact to habitats (or 'degradation') has occurred prior to the submission of a planning application.
- 5.10. No details have been provided as to the biodiversity value of the conifers, however from the available information Officers can conclude that these would have been classified as 'very low distinctiveness'. They are clearly non-native species so therefore, although the applicant has overlooked their removal from the submitted metric, it will still be possible to achieve the necessary 10% gain on site. In this regard, there are extensive areas available to the applicant to provide the necessary gains in addition to the new native hedge already indicated.
- 5.11. A representation received suggest work to trees prior to the submission of the application on the western boundary. These works sit outside the scope of operational development works relating to the proposal and it is not considered reasonable to include any such tree works as 'degradation'. No protected trees were affected, and the works took place close to the boundary where cutting back or removal is expected from time to time.
- 5.12. From the submitted details and those generally available, Officers are satisfied that the requirements of the biodiversity net gain condition can be met on site and that the proposal would be acceptable having regard to policies DM8 and DM9.
- 5.13. Policy DM10 states development within the green and blue corridors will be expected to maintain, and where possible enhance, the corridor's amenity, recreational and green transport functions. The Council will seek to establish attractive green links and to provide for public access wherever safe and practicable. The amenity function of the corridor would be maintained by the proposal and the provision of native hedgerow planting closer to the nearest public vantage point, together with further in site enhancements, would be beneficial having regard to policy DM10.

Design and Character

- 5.14. Policy DM12 sets out the requirement for new development to be well-designed and sustainable. In the plan area this will mean layouts and designs that provide a safe, and attractive public realm capable of being used by all.
- 5.15. Furthermore the policy states that proposals should also respect and promote the special character and local distinctiveness of Ipswich by criteria that includes protecting and enhancing significant views with design that should help to reinforce the attractive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene; and ensuring good architectural design that responds to and reflects its setting, is sustainable, accessible and designed for long life by being capable of adaptation to changing needs and uses over time and demonstrate the principles of dementia friendly design.
- 5.16. The policy sets out that designs that do not adequately meet or address the set criteria of the policy will be refused. In this regard, the Ipswich Conservation and Design Panel have commented and note the scale of the canopy. However as this would be sited away from boundaries it was not felt that harm would occur and the main concerns are light and noise, discussed below.
- 5.17. The canopy would be comparable to the existing indoor tennis courts in terms of its height and whilst it would be a visible addition, Officers consider that the proposal sits comfortably on the site and would be acceptable having regard to policy DM12.
- 5.18. The extension and containers have limited visual impact, although as noted by Panel it is possible to see the containers from the adjacent path. As stated already further planting is proposed adjacent to Fonnereau Way as part of the applicant's proposed biodiversity net gain and further biodiversity gains will be required in addition to this in order to fully meet biodiversity net gain requirements. Such planting would soften the impact of development although the containers and extension are seen in the context of existing buildings, courts and vehicular areas associated with the use. The development would be acceptable having regard to policy DM12.

Amenity

- 5.19. With regard to amenity, policy DM18 states that 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.
- 5.20. The Council will consider overbearing impact and sense of enclosure, sunlight, daylight, overshadowing and artificial light levels, noise and vibration levels, odour, fumes, dust and ventilation, contamination, visual privacy and overlooking.
- 5.21. The representations set out that the development would increase impact with regard to artificial light and noise in particular. At present there is a single informal padel court on an existing tennis court within the area to be redeveloped – as already noted this has no formal planning permission but neighbours state that they have noticed an increase in noise when it is used, particularly early morning and evening.
- 5.22. The area is already floodlit (approved in 2009, refers IP/09/00671/FUL) and the proposed canopy would include new internal lights underneath the canopy. This would alter the nature and character of the lighting, from the current arrangement with external lights directed down to the courts, to an illuminated fabric canopy.
- 5.23. No reports have been submitted with regard to the precise noise or light pollution impact of the proposal, however no objections have been received from IBC Environmental Health with regard to noise or light pollution and the distance between the canopy and neighbours will mitigate against its impact.
- 5.24. The surrounding area is predominantly residential, although background noise from nearby roads and noise associated with the existing facility, a large and well used sports facility, is clearly a factor. However such noise would be lesser during early morning or late evenings and its at these times when neighbours notice the greatest impact from the existing court, as well as the other floodlit tennis courts also in use.
- 5.25. Although the representations received suggest that the existing court is causing an issue, no formal complaints have been received citing this as a statutory nuisance under Environmental Health

legislation. Furthermore, the previous arrangement of two floodlit tennis courts is lawful, subject to a restrictive condition that the lights be turned off between 10pm and 8am. It is also notable that the tennis dome to the south of the site is also not open to patrons outside of the same hours, ie 8am to 10pm. However extensive use of the facility by patrons is permitted up until 10pm, including outdoor tennis, and this is likely to cause a degree of noise and disturbance from time to time.

- 5.26. The noise and disturbance associated with the proposed padel and pickle courts, which include external walls of which the ball will rebound, is likely to be greater and more intrusive than the traditional noise associated with tennis. Therefore, in the absence of detailed assessments and following the representations received, it is recommended that further restrictions be imposed upon the hours of use – allowing use up until 8pm only.
- 5.27. Furthermore, it is also recommended that further details of the lights to be installed are provided before the canopy is erected. This condition, together with restrictions on hours of use, seek to ensure that no demonstrable harm or unacceptable loss of amenity occurs as to be contrary to policy DM18.
- 5.28. **Following the applications deferral the applicant submitted a noise assessment, produced by Sound Acoustics. The assessment states that the likely noise level associated with a single padel court and a tennis court is LAeq,T 36.2 dB measured at the ground floor of the nearest houses. For the proposed 4 padel courts and a pickleball court the likely noise level would be LAeq,T 40.3 dB, experienced at the same point.**
- 5.29. **The ambient background noise level has been considered. For example at 6.45pm, the ambient noise is measured at LAeq,5mins 47dB. Including the proposal, the predicted noise is LAeq,T 47.8 dB. This amounts to a marginal increase in noise over an above the background noise within the area.**
- 5.30. **There are no objections from IBC Environmental Health. However, the representations received raise concern in relation to the Assessment, in that it primarily focusses upon decibels and impact upon facades of houses, as opposed to gardens that are closer and would be subject to greater impact. Whilst this is correct for the summary and conclusion of the report, there is reference to impact upon gardens within the report itself. The assessment predicts the proposed courts to generate a noise level of LAeq 42.7 dB within garden areas.**
- 5.31. **The Assessment inevitably focusses upon decibels as its measurement and this does not cover other factors that may lead to annoyance, such as shouting and anti-social behaviour, including swearing and abusive language. The existing situation is also unauthorised so should not be relied upon as the starting point for consideration – a better reference point would be the ambient background noise put forward. In this regard the site is within an urban area with the expected background noise and also relates to a long established sports and leisure use with a range on internal and external courts with extensive car parking and access facilities, the latter directly on the boundary of the neighbours most impacted by the proposal. The applicant's position is that the proposal would not exceed Sport England guidance with regard to noise.**
- 5.32. **Given the matters raised within the representations and following consideration of the Assessment, Officers recommend a further condition in the form of a management plan, to be submitted and approved prior to first use of the proposed courts. This would address a range of matters other than the noise generated by the game itself and provide neighbours with a point of contact with the applicant with regard to any issues with regard to the proposal.**
- 5.33. **Reference is made to the other aspects of the sports club use not subject to this application. Consent is not required for tree felling unless the tree is protected by a preservation order although this may have a bearing upon biodiversity net gain requirements as set out elsewhere in this report. There are restrictive conditions imposed on an earlier extension granted in 1991 for extension to the west of the clubhouse, requiring windows on the west elevation to be 'fixed non-opening type and opaque glazed'.**
- 5.34. **There is a limited period of time in which a local planning authority can enforce conditions and the use permitted in 1991 has been operating for some time. However, noise from any open windows on the west elevation will add to the background noise and overall impact experienced by neighbours. This will exacerbate the impact of the proposed development and therefore it is**

recommended a scheme of mitigation be required with regard to the noise generated by the clubhouse, including proposed gym extension, any existing west facing windows within the main building and proposed north facing windows.

- 5.35. Officers are further satisfied, with the receipt of this additional information, that subject to conditions, together with restrictions on hours of use, no demonstrable harm or unacceptable loss of amenity occurs as to be contrary to policy DM18.**

Parking and Highway Impact

- 5.36. Policy DM21 sets out criteria for the promotion of sustainable growth in Ipswich and reducing the impact of traffic congestion. Criteria includes that new development shall not result in a severe impact on the highway network or unacceptable impacts on highway safety, either individually or cumulatively, allow for deliveries and servicing and mitigate any significant impacts.
- 5.37. Policy DM22 states that the Council will require all new development to have regard to adopted car and cycle parking guidance, 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. Car parking must be designed so as not to dominate the development or street scene or to result in the inefficient use of land.
- 5.38. The guidance states that the proposed gym, taken by itself, would require 5 car parking spaces. Outdoor courts are considered on their merits with no set standards, and the guidance also advises that destination uses such as a sports club are advised figures and that a lower provision of vehicle parking may be appropriate in urban areas where there is good access to alternative forms of transport and existing car parking facilities.
- 5.39. No additional car parking is proposed, however the existing 113 car parking spaces within the application site would be acceptable provision for the extended building having regard to the marginal increase in size and trip generation. Furthermore it is not considered that it would be reasonable to require additional car parking spaces for the reconfigured and marginally extended courts. There is already provision for electric vehicle charging and cycle parking as part of the existing use and there are no objections from SCC Highways.
- 5.40. The proposal would therefore be acceptable in terms of parking provision and overall highway impact having regard to policies DM21 and DM22.

Other considerations

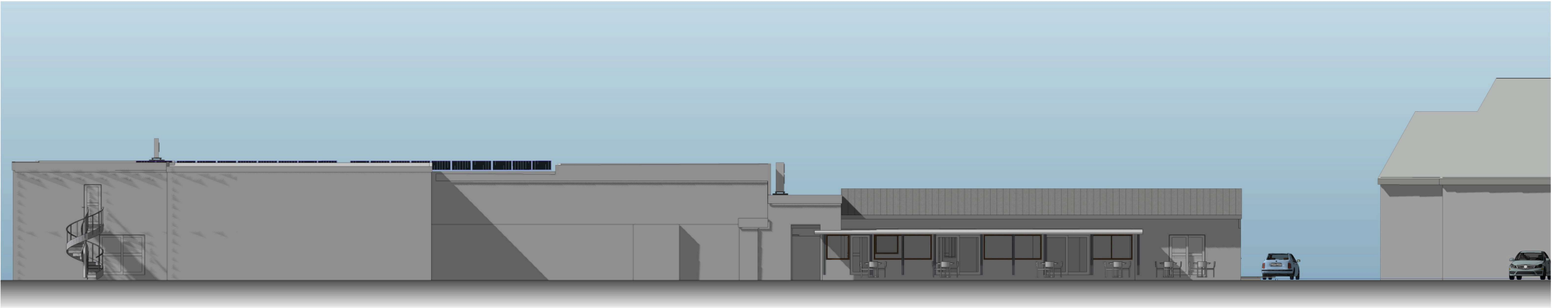
- 5.41. Policy DM3 states that the Council will ensure that the impact of development on air quality is mitigated and ensure that proposals do not negatively impact on existing air quality levels in the Borough. The site is located away from heavily trafficked roads – these are set out within the Low Emission SPD and do not include either Henley Road or Valley Road nearest to the application site. The proposal would not give rise to any harm or unacceptable impacts having regard to policy DM3.
- 5.42. Policy DM4 relates to flood risk and sets out criteria that must be satisfied. However whilst the policy relates to all development the site is at low risk of flooding from rivers or the sea and the proposal only marginally increases hard surfaces. Officers can conclude that the proposal will not increase flood risk and would be acceptable having regard to policy DM4.
- 5.43. The submission includes a phasing plan that sets out the current arrangement of a single padel court sited on a tennis court as ‘Phase 1’. There is also a ‘Phase 2’ arrangement that shows two padel courts with a retained tennis court with only part of the proposed extension carried out. However, no alterations to the flood lights or new canopy are shown as part of this second phase.
- 5.44. It is important that the extent of the application and any subsequent permission is clear and in this case the applicant is suggesting a further phase in between the current situation (which has no formal planning permission) and the development the subject of this application. A condition is recommended making it clear that the permission does not extend to either the retention of the existing arrangement or the development of Phase 2. Either the application is constructed and maintained on this basis, or the padel court is removed and returned to use as a floodlit tennis court.

6. Planning Balance

- 6.1. Decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. In this regard, the provision of additional facilities associated with a well-established and used sport facility is acceptable in principle and this offers substantial benefit to the local area.
- 6.2. There are impacts of the extended and altered development as set out in the report. Biodiversity Net Gain would be subject to a condition and is a mandatory requirement that the applicant must comply with. Officers can conclude that it will be possible to comply with the condition and there are no grounds to refuse planning permission.
- 6.3. There are impacts in terms of amenity impact, specifically light and noise pollution. However, there are mitigating factors and conditions are recommended by way of further control and Officers can conclude that no unacceptable impact would occur to justify refusal.

7. Conclusion

- 7.1. Officers conclude that the proposal, subject to conditions, is acceptable in terms of the principle of an extended sport facility, air quality, flood risk, biodiversity net gain, amenity impact, design and character, highway impact and parking provision.
- 7.2. On this basis the proposal would be acceptable having regard to policies DM3, DM4, DM5, DM8, DM9, DM10, DM12, DM18, DM21 and DM22.



Existing Clubhouse (Squash Courts)

Existing Elevation

Existing Clubhouse (Function Room)

Existing Indoor Tennis Centre



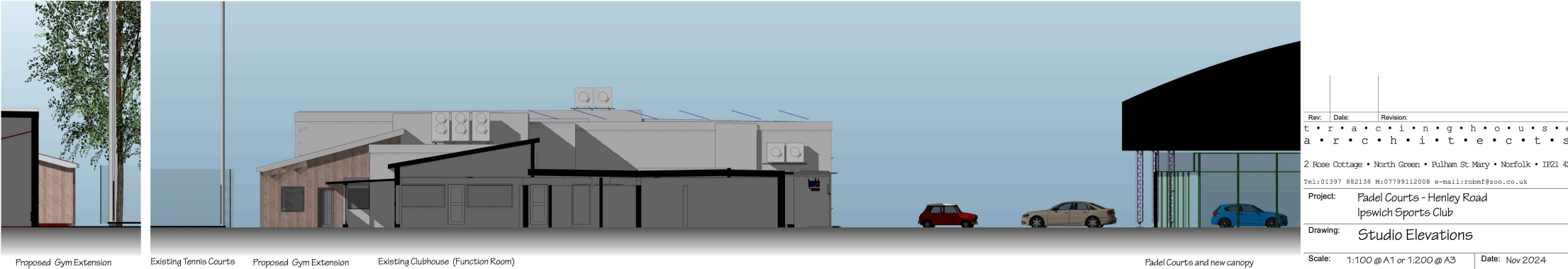
Existing Clubhouse (Squash Courts)

Proposed Gym Extension Padel Courts and new canopy behind

Existing Clubhouse (Function Room)

Existing Indoor Tennis Centre

Proposed Elevation



Proposed Gym Extension

Existing Tennis Courts

Proposed Gym Extension

Existing Clubhouse (Function Room)

Padel Courts and new canopy

Proposed Elevation

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2 Rose Cottage • North Green • Rulham St Mary • Norfolk • IP21 4XX		
Tel: 01397 882138 M: 07799112008 e-mail: robm@zoo.co.uk		
Project:	Padel Courts - Henley Road Ipswich Sports Club	
Drawing:	Studio Elevations	
Scale:	1:100 @ A1 or 1:200 @ A3	Date: Nov 2024
Job Ref:	Dwg No.	Rev:
ISC-PADEL -211-A		
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t r a c c i n g h o u s e		
a r c h i t e c t s		
2 Rose Cottage • North Green • Pulham St Mary • Norfolk • IP21 4XX		
Tel: 01397 882138 M: 07799112008 e-mail: robmf@200.co.uk		
Project: Padel Courts - Henley Road Ipswich Sports Club		
Drawing: Proposed Plan - Containers		
Scale: 1:75 @ A1 or 1:150 @ A3		Date: Nov 2024
Job Ref: ISC-PADEL		Dwg No. -207-A
Rev:		

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Item 02

Application No. IP/24/00359/OUTFL

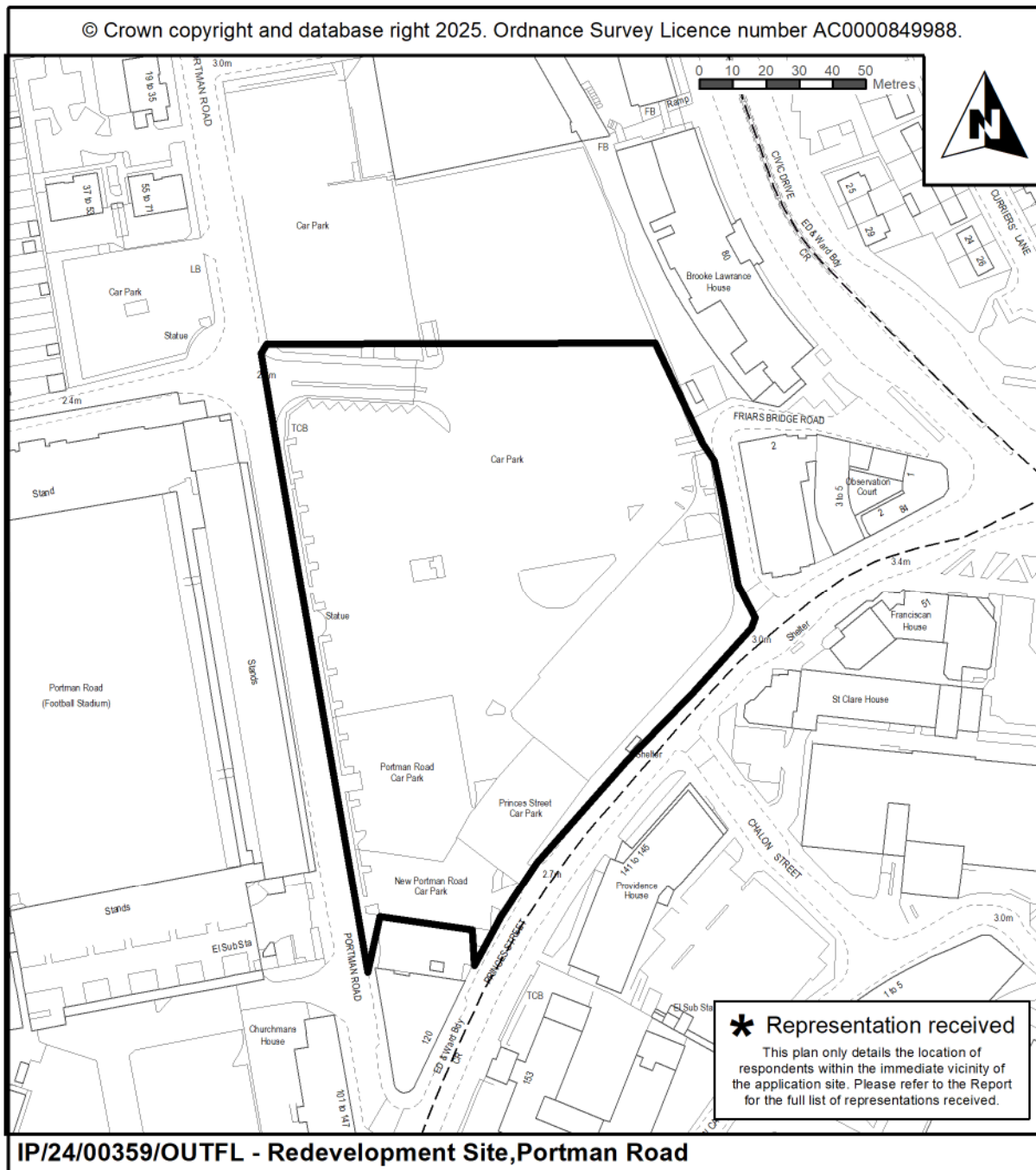
Ward: GIPPING

Proposal: Hybrid planning application comprising: Outline planning permission (all matters reserved except for access) for highway works (including provision of a new pedestrian route from Portman Road); creation of a public realm, landscaped areas and associated infrastructure works. Full planning permission for a new Aquatics Centre, associated access, car parking, and associated landscaping and public realm.

Address: Redevelopment Site, Portman Road,

Applicant: Handford Developments

Agent: Cheryl Peel



IP/24/00359/OUTFL - Redevelopment Site, Portman Road

Recommendation

A. The completion of a legal agreement securing the following contributions together with necessary legal fees (index linked)

1. A Traffic Regulation Order Contribution of £15,000 (Index linked) is required to cover the County Council's costs in administering the necessary Traffic Regulation Order to remove the existing car parking bays on Friars Bridge Road and implementing additional parking restrictions.
2. A Travel Plan Evaluation and Support Contribution is required to cover the County Council's cost in evaluating and monitoring the Travel Plan for the lifetime of the approved plan. A £1,200 (RPI index linked on an annual basis) per annum contribution needs to be payable prior to the approval of the Full Travel Plan and annually thereafter for a minimum of five years.

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

1. Development to be in accordance with approved plans.
2. Details of external materials to be submitted for approval.
3. Remediation Strategy to be submitted and approved.
4. Details of appropriate flood resistant/resilient measures, and flood evacuation plan.
5. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved.
6. 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.
7. 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.
8. Within 28 days of practical completion, surface water drainage verification report shall be submitted to the Local Planning Authority, 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.
9. Details of an Operational Management Plan to be submitted and approved.
10. Details of hard and soft landscaping, including maintenance, to be submitted and approved.
11. Development to be undertaken in accordance with recommendations in the submitted Air Quality and Dust Risk Assessment.
12. Details of renewable/low-carbon energy to be submitted and approved, in accordance with policy DM2.
13. Details of a precautionary working method statement (PWMS) to be submitted regarding felling of trees.
14. Pre-commencement submission of a Habitat Management and Monitoring Plan to be submitted and approved.
15. No part of the development permitted by this consent shall be commenced until the multi-storey car park permitted through Planning Permission IP/20/00398/OUT13 has been completed and is available for public use.
16. No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Friars Bridge Road has been submitted to and approved.
17. No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Princes Street (between the site access and Handford Road) has been submitted to and approved.
18. No part of the development shall be commenced until details of a scheme to improve local bus stop infrastructure have been submitted to and approved.
19. Notwithstanding the details presented within submitted Drawing Number SK01 Revision B, no part of the development shall be commenced until details of the proposed access from Princes Street (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved.
20. Before the access is first used visibility splays shall be provided as shown on Drawing Number SK01 Revision B with an X dimension of 2.4 metres and a Y dimension of 43 metres

(tangential to the nearside edge of the carriageway) and thereafter retained in the specified form.

21. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water.
22. Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved.
23. Notwithstanding the details presented within submitted Drawing Number 15774 - DB3 -B01 - ZZ - DR - A - 90004 Revision C, before the development is commenced details of the areas to be provided for accessible parking provision shall be submitted to and approved.
24. Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved.
25. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved.
26. No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been submitted to and approved.
27. Prior to first occupation, details of the travel arrangements to and from the site for employees and customers in the form of an Interim Travel Plan shall be submitted for the approval in writing.

C. Grant outline planning permission subject to the following conditions (briefly):-

1. Submission of reserved matters (Layout, Appearance, Scale, Landscaping) to be within set timeframes.
2. Details of hard and soft landscaping for pocket park, including maintenance and management, and boundary treatment.

D. That in the event that an agreement has not been satisfactorily completed within a period of 6 months (or other time frame as may be agreed) from the date of this resolution, the Head of Planning and Development be authorised to refuse hybrid planning permission on the grounds (briefly) that the requirements necessary to make the development acceptable in planning terms have not been secured through a s106 legal agreement contrary to policies DM21 and CS17 of the Ipswich Core Strategy and Policies DPD Review (2022).

Informatives (to include):-

1. Statutory biodiversity gain condition requirement.

The application is referred to the Planning and Development Committee as the Council is both the applicant and the landowner of the site, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992.

1. Proposal

- 1.1. The application site is currently, in the main, various public pay and display surface car parks. Portman Road C car park is a long stay public pay and display surface car park with spaces for 562 cars, 4 blue bay spaces and 10 motorbike bays. It is open 24 hours and charges for car parking from 8am to 10pm. The site also includes a smaller temporary Ipswich Borough Council (IBC) owned Princes Street car park where the former Drum and Monkey PH was, the NCP owned Portman Road car park, and another IBC car park (Portman Road D). Part of the site also includes a former commercial building which was demolished in approx. 2020, and has an extant planning permission for an office building (ref. IP/14/00896/FPI3 refers), which is currently enclosed by hoarding. The site is bounded by Princes Street to the south, by Portman Road and Ipswich Town Football Club to the west, by Friars Bridge Road to the

east and Portman Road Car Park B to the north. The nearest river (River Orwell) is located approximately 475m south of the site. The Sir Bobby Robson statue is located on the western boundary of the site, with the Kevin Beattie statue to the north of the site.

- 1.2. The proposal can be viewed as two elements, the first is for the aquatics centre, and the second is for the wider masterplan proposals, which are intrinsically linked to the siting, layout and orientation of the proposed Aquatic Centre.
- 1.3. The full planning application comprises of 1.33 hectares, whilst the outline planning application comprises of 0.54 hectares.

Full Application - Aquatics Centre

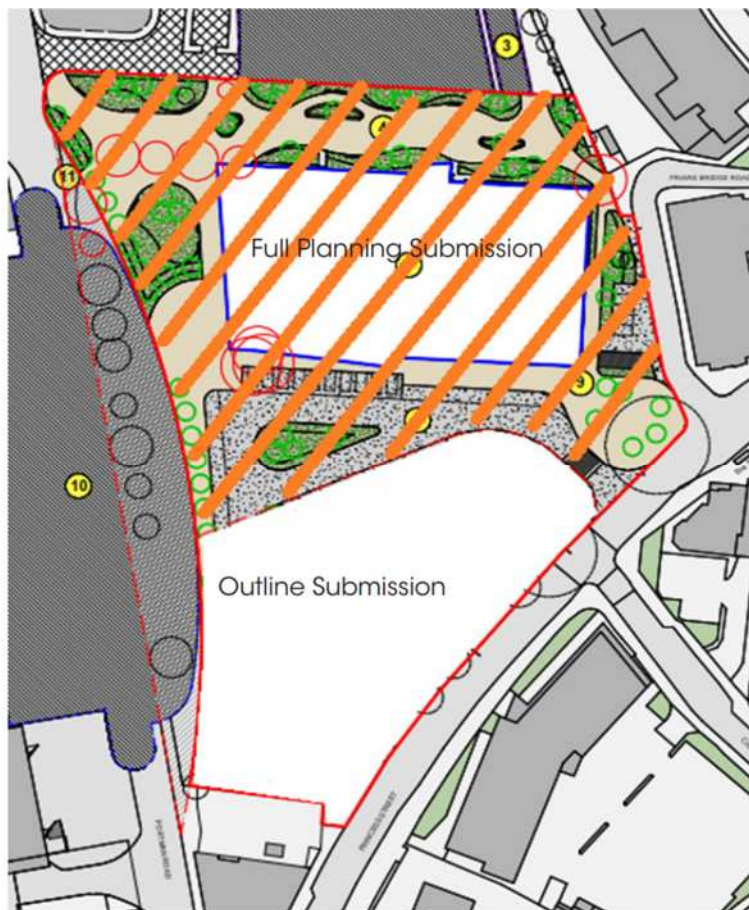
- 1.4 The main Ipswich Borough Council (IBC) swimming facilities within the town centre are located at Crown Pools on Crown Street opposite the Tower Ramparts bus station. Crown Pools were constructed in 1984 and, at the time, were considered state of the art, however they are now coming to the end of their lifecycle, proving costly to maintain and the facilities need updating to support current demand.
- 1.5 Having looked at a number of possible sites in the vicinity, the applicant has settled on the open car parking area at Portman Road as a location to situate a new aquatics centre, given that: the forthcoming multi storey car park development (ref. IP/20/00398/OUT13) will release space, provide parking; and its strategic position with connecting train and bus services would provide a natural connection to the town centre.

Outline Application - Masterplan Development

- 1.6 The wider Masterplan Development of the application primarily forms the area to the south of the Aquatics Centre and forms the outline part of this planning application. The area will be formed of a pocket park and a future development plot. This plot could be used for a hotel, however the proposal has been submitted as only a future development plot to allow flexibility as to what the final use of this area will be. The development plot will be accessible to all users and will be provided with off-street pick-up and drop-off accessibility to ensure that the highway network is not blocked whilst the plot is in operation.
- 1.7 To the south of the development plot will be a pocket park which will be an area of enhanced landscaping with new hard and soft landscaping, enhancing the soft landscaping across the site. This is an area that people can relax, exercise, socialise and play.
- 1.8 The red line for the application site has been formulated to ensure that there is space to the west for any potential future expansion of Ipswich Town Football Club's Cobbold stand which would then involve the realignment of Portman Road. This planning application therefore safeguards any potential expansion of the football stadium.

Hybrid Application

- 1.9 The scheme is submitted as a hybrid planning application seeking outline planning permission (with access as the only matter for consideration) for the southern parcel of the site, and full planning permission for the aquatics centre. The application is submitted as a hybrid, rather than two separate submissions, given that the proposals are intrinsically linked as part of an overall cohesive masterplan.



- 1.10 The proposed Aquatic Centre development will comprise of a leisure/splash pool, learner pool (17m in length), competition/main pool (25m in length), café, fitness suite, plant rooms, kids' soft play and studio/activity facilities, as well as the various ancillary rooms associated with such a use. The centre would be provided over two floors.
- 1.11 The Aquatic Centre is a part of a larger masterplan, including but not limited to, the re-routing of Portman Road, a future redevelopment site, and additional carparking.
- 1.12 The main vehicular access to and egress from the site will be via Princes Street. The pedestrian access points are located on Princes Streets, Friars Bridge Road, and Portman Road.
- 1.13 The application has been submitted with the following supporting documents:
- Air Quality Screen and Dust Risk Assessment
 - Archaeological Desk Based Assessment
 - BNG Planning Stage Report 1
 - Boundary Treatment Plans
 - Certificate.
 - Contamination Report.
 - Design and Access Statement.
 - Drainage Strategy Report and Plans.
 - External Lighting Layouts.
 - Flood Risk Assessment
 - Geoarchaeology Report,
 - Hard and Soft Landscaping Plan and Sections.
 - Heritage Statement and Plan.
 - Masterplans.

- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Site Plan and Elevations.
- Statement of Community Involvement
- Sustainability Statement
- Transport Statement
- Travel Plan 'Drainage Strategy Report and Guidance

2. Background

- 2.1 The site, in part, currently supports a temporary car park (Princes Street car park) as well as the main surface Portman Road C car park, Portman Road D car park, and NCP Portman Road car park.
- 2.2 The Portman Road Car Park C (562 spaces) was granted a permanent permission in 1985, under ref. IP/85/00779/FPI.
- 2.3 The recent planning history of the site includes permission for the temporary car park, which was constructed following the demolition of the former Drum and Monkey Public House site (original planning permission 18/00250/FPI3). That permission has been recently renewed under ref. 24/00995/FPI3, which expires on 5 February 2027.
- 2.4 Furthermore, there is an extant planning permission pertaining to part of the site for a 5-storey office building (IP/14/00896/FPI3 refers), however it is understood this development is not to be implemented in full.
- 2.5 Just to the north of the application site, outline planning permission, ref. IP/20/00398/OUT13, was granted for a 7 floor, 749 space, multistorey car park on the 4 September 2020. A reserved matters (appearance and landscaping) application has been submitted but remains undetermined. The multi-storey car park proposed would be situated near to the application site on adjacent land to the north-west.

3. Consultations

- 3.1. Public and statutory consultation was undertaken between 5th June 2024- 30th September 2024. 161 adjacent properties were notified of the application, in addition to a press notification and site notices. The application was advertised on the IBC website in accordance with the Ipswich Statement of Community Involvement 2024.
- 3.2. Comments that were received are summarised below:

Suffolk County Council Lead Local Flood Authority:

No objection subject to conditions relating to details of the strategy for the disposal of surface water; details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site; details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction; and within 28 days of practical completion, surface water drainage verification report shall be submitted to the Local Planning Authority.

SCC Highways:

No objection subject to following conditions and obligations:-

MULTI-STOREY CAR PARK:

Condition: No part of the development permitted by this consent shall be commenced until the multi-storey car park permitted through Planning Permission IP/20/00398/OUT13 has been completed and is available for public use.

ACCESSIBILITY – FRIARS BRIDGE ROAD:

Condition: No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Friars Bridge Road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: alterations to the junction with Princes Street to increase the depth of the existing raised crossing, improvements to the footway on the western side of Friars Bridge Road to deliver a minimum width of 2.0m and the provision of a 3.0m walking and cycling facility on the southern side of the east-west section of Friars Bridge Road between the development site and Civic Drive.

ACCESSIBILITY – PORTMAN ROAD (BETWEEN SITE ACCESS AND HANDFORD ROAD):

Condition: No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Princes Street (between the site access and Handford Road) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: improvements to the existing mandatory cycle lanes to ensure they are level with the existing footways and improvements to the junctions with Great Gipping Street and Canham Street.

ACCESSIBILITY – GREAT GIPPING STREET:

Condition: No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Great Gipping Street has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: the provision of mandatory cycle lanes on both sides of Great Gipping Street.

ACCESSIBILITY – PASSENGER TRANSPORT:

Condition: No part of the development shall be commenced until details of a scheme to improve local bus stop infrastructure have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: raised DDA compliant kerbs for the bus stop outside of St Clare House (westbound Princes Street) and raised DDA compliant kerbs and a shelter for each of the two bus stops (northbound and southbound) on Civic Drive between AXA and Princes Street.

VEHICULAR ACCESS – PRINCES STREET:

Condition: Notwithstanding the details presented within submitted Drawing Number SK01 Revision B, no part of the development shall be commenced until details of the proposed access from Princes Street (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority.

VISIBILITY SPLAYS:

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing Number SK01 Revision B with an X dimension of 2.4 metres and a Y dimension of 43 metres (tangential to the nearside edge of the carriageway) and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

SURFACE WATER:

Condition: Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water.

CYCLE PARKING:

Condition: Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

ACCESSIBLE PARKING:

Condition: Notwithstanding the details presented within submitted Drawing Number 15774 - DB3 -B01 - ZZ - DR - A - 90004 Revision C, before the development is commenced details of the areas to be provided for accessible parking provision shall be submitted to and approved in writing by the Local Planning Authority.

BIN STORAGE AND PRESENTATION AREAS:

Condition: Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

CONSTRUCTION MANAGEMENT PLAN:

Condition: Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority.

Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- parking and turning for vehicles of site personnel, operatives and visitors.
- loading and unloading of plant and materials.
- piling techniques (if applicable).
- storage of plant and materials.
- provision and use of wheel washing facilities.
- site working and delivery times.
- provision of boundary hoarding and lighting.
- details of proposed means of dust suppression.
- details of measures to prevent mud from vehicles leaving the site during construction.
- haul routes for construction traffic on the highway network.
- details of deliveries times to the site during construction phase.
- layout of facilities above to be included on a plan.

HIGHWAY CONDITION SURVEY:

Condition: No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been submitted to and approved in writing by the Local Planning Authority.

TRAVEL PLAN:

Condition: Prior to first occupation, details of the travel arrangements to and from the site for employees and customers in the form of an Interim Travel Plan shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority.

This Interim Travel Plan must contain the following:

- Baseline travel data based upon the information provided in the submitted Transport Statement, with suitable measures, objectives, targets and commitments identified to reduce the vehicular trips made by employees and customers, with suitable remedial measures identified to be implemented if these objectives and targets are not met
- Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
- A commitment to monitor the vehicular trips generated by the employees and customers and submit a revised ("Full") Travel Plan no later than six months after occupation.

- A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum period of five years using the same methodology as the first monitoring undertaken.
- A suitable marketing strategy to ensure that all employees and customers on the site are engaged in the Travel Plan process.
- A Travel Plan budget that covers the full implementation of the Travel Plan (for a minimum period of five years from the approval of the Full Travel Plan).
- A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area.

The approved Interim Travel Plan and Full Travel Plan shall be implemented in full accordance with the details presented within the Interim Travel Plan and Full Travel Plans.

OBLIGATIONS:

TRAFFIC REGULATION ORDER OBLIGATION – GREAT GIPPING STREET:

A Traffic Regulation Order Contribution of £15,000 (Index linked) is required to cover the County Council's costs in administering the necessary Traffic Regulation Order to remove the existing car parking bays on Great Gipping Street and implement additional parking restrictions should this be required to facilitate the scheme detailed within the recommended condition.

This contribution is considered necessary to facilitate the scheme of improvements on Great Gipping Street, as detailed within the "comments" section of this consultation response, of which is considered necessary to ensure that safe and suitable access to the site can be achieved for all users (Paragraph 114(b) of the NPPF), appropriate opportunities to promote sustainable transport modes have been taken up (Paragraph 114(a) of the NPPF) and priority is given first to pedestrian and cycle movements, both within the scheme and with neighbouring areas (Paragraph 116(a) of the NPPF).

TRAFFIC REGULATION ORDER OBLIGATION – FRIARS BRIDGE ROAD:

A Traffic Regulation Order Contribution of £15,000 (Index linked) is required to cover the County Council's costs in administering the necessary Traffic Regulation Order to remove the existing car parking bays on Friars Bridge Road and implementing additional parking restrictions should this be required to facilitate the scheme detailed within the recommended condition.

This contribution is considered necessary to facilitate the scheme of improvements on Friars Bridge Road, as detailed within the "comments" section of this consultation response, of which is considered necessary to ensure that safe and suitable access to the site can be achieved for all users, appropriate opportunities to promote sustainable transport modes have been taken up and priority is given first to pedestrian and cycle movements, both within the scheme and with neighbouring areas.

TRAVEL PLAN EVALUATION AND SUPPORT OBLIGATION:

A Travel Plan Evaluation and Support Contribution is required to cover the County Council's cost in evaluating and monitoring the Travel Plan for the lifetime of the approved plan. A £1,200 (RPI index linked on an annual basis) per annum contribution needs to be payable prior to the approval of the Full Travel Plan and annually thereafter for a minimum of five years.

IBC Park and Cemetery Team- Landscape & Arboriculture Officer:

Highlighted an Independent Arborist needs to monitor tree planting process on site, canopies of mature trees should be shown on the plans and shade consideration, distance of tree planting from utilities questioned, and maintenance and aftercare group questioned.

Trees in planters should be avoided. Tree pits should be combined into planting beds for best chance of survival or should be linked. It is preferable that trees are planted in the ground.

Tree categories rating agreed with. Removal of two Category A trees including T7 London Plane and G10 Yew Tree not supported. Value of London Plane tree is high (estimated £195,871).

AIA and associated plans sufficient. However, new trees proposed within R8 RPA is not supported.

Suffolk County Council Archaeological Service:

No further archaeological work required.

IBC Senior Conservation and Urban Design Officer:

No objection. A high-quality design with good public realm, that should be robust enough to absorb the possible enlargement of the stadium east stand.

Suffolk Constabulary:

No objection. Comments provided on a Management Plan, Safer Streets, Natural Surveillance, Reducing the risk of Anti-Social Behaviour, CCTV /Alarm, Lighting, Physical Security, Cycle Storage, and Waste Storage.

Request that a Management Plan is conditioned, due to the proximity to ITFC to prevent crime allow safe management of the Portman Road area.

Environment Agency:

No objection, but provides further details on flood risk, safety of building, and safety of inhabitants.

Place Services:

No objections subject to securing biodiversity net gains.

Ipswich Conservation and Design Advisory Panel:

The Panel members supported the Aquatic Centre in principle, upon conversation with local residents. They supported the functional building and the soft landscaping, in conjunction with the football stadium.

Concerns included:

- The panel members were concerned about the use of the spaces on match day, where there would be high footfall. Required an understanding of congregation points.
- Soft landscaping- planting beds are narrow, Lawn will be trampled. Avenue of trees suggested and robust planting.
- Layout- southern section not effectively use, the orientation of the building does not provide efficient circulation.
- Building design- brutalist, maintenance concerns, over-use of Corten steel. Suggesting a green or dark grey colour with living walls and grass roof to break up structure.
- Plans- exclude necessary extraction etc. from roofline giving potential false clean lines.

IBC Environmental Protection Services- Air Quality:

No objection. Mitigation measure acceptable.

IBC Environmental Protection Services- Contamination:

Comments made regarding submission of a Remediation Strategy prior to commencement.

Natural England:

No Comments.

Anglian Water:

Assets close by. Foul drainage to be dealt with by Ipswich Cliff Quay Raeburn Water Recycling Centre which has capacity for these flows. Informatives suggested for used water network. SuDs are a preferable surface water disposal method. Consent is required for trade effluent disposal from AW. Suggested Condition - *No development shall commence until a surface water management strategy has been submitted to and*

approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

Community Safety Officer:

No incidence of drug related litter.

Suffolk CC Fire and Rescue Service:

General comments regarding access and firefighting facilities. No additional water supply required although sprinklers are recommended.

Representations:

The following representations have been received against the proposal:

1. C Stace, 17 Mandy Close, received 7th June 2024.
2. A Bates, 2 Friars Bridge Road (Vertas Group), received 12th June 2024.
3. A Rust, 75 Gipping Road, received 13th June 2024.
4. L Howlett, 40 Alderman Road, received 18th June 2024.
5. I Ali, 17 Alderman Road, received 18th June 2024.
6. P Forster, 3 Redan Street, received 18th June 2024.
7. Dave, No address, received 21st June 2024.
8. R. Tibble, 14 Valleyview Drive, received 24th June 2024.
9. Thomas, 57 Cuckfield Avenue, received 10th November 2024

Issue raised included:

- Concern over viability of the centre as it wont be able to operate on ITFC match days due to traffic congestion.
- Concern over location of new pool next to the football ground especially on match days.
- Assurances wanted over multi-storey car park will be brought into operation before closure of Portman Road carpark.
- Concern over noise and disturbance of construction to adjacent businesses.
- Proposed swimming pool facilities are inadequate - lack of deep water, water flumes, 50 metre pool, lack of seating proposed, lack of diving facilities etc.
- Lack of adequate access for those with disabilities/ discriminate against those with disabilities.
- Parking concerns of local residents – request additional restrictions in resident parking Zone 4 to later hours beyond the current 6pm.
- Questions the need of another pool, that does not go beyond the provision at Crown Pools.
- Lack of public transport to the site.

Support raised include:

- Principle of development.
- Location of the development.

4. Policy

National Planning Policy

National Planning Policy Framework (2024)

National Planning Practice Guidance

Local Planning Policy

Core Strategy and Policies DPD (2022)

Policy CS1: Sustainable Development

Policy CS2: The Location and Nature of Development

Policy CS3: IP-One Area Action Plan

Policy CS4: Protecting Our Assets
 Policy CS5: Improving Accessibility
 Policy CS14: Retail Development and Main Town Centre Uses
 Policy CS16: Green Infrastructure, Sport and Recreation
 Policy CS17 Delivering Infrastructure
 Policy DM1: Sustainable Construction
 Policy DM2: Decentralised Renewable or Low Carbon Energy
 Policy DM3: Air Quality
 Policy DM4: Development and Flood Risk
 Policy DM5: Protection of Open Spaces, Sports and Recreation Facilities
 Policy DM6: Provision of New Open Spaces, Sports and Recreation Facilities
 Policy DM8: The Natural Environment
 Policy DM9: Protection of Trees and Hedgerows
 Policy DM12: Design and Character
 Policy DM13: Built Heritage and Conservation
 Policy DM14: Archaeology
 Policy DM15: Tall Buildings
 Policy DM18: Amenity
 Policy DM21: Transport and Access in New Developments
 Policy DM22: Car and Cycle Parking in New Development
 Policy DM24: Protection and Provision of Community Facilities
 Policy DM31: Town Centre Uses Outside the Central Shopping Area
 Policy DM33: Protection of Employment Land

Site Allocations and Policies DPD Review (2022)

SP1 The Protection of Allocated Sites
 SP17 Portman Quarter
 SP23 Opportunity Area F River and Princes Street Corridor.
 SP45 Old Cattlemarket, Portman Road (site allocation IP051)
 SP34 Town Centre Car Parking in the IP-One Area

Other relevant Planning Guidance

Suffolk Guidance for Parking – Technical Guidance (2023)
 Cycling Strategy SPD (2016)
 Development and Flood Risk SPD (2022)
 Development and Archaeology (SPD) (2018)
 Ipswich Urban Character SPD – Valley Character Area
 Low Emissions SPD (2021)
 Public Open Space SPD (2017)
 Space and Design Guidelines SPD (2015)
 Ipswich Town Centre and Waterfront Public Realm SPD (2019)
 BNG Interim Guidance (May 2023)
 Burlington Road Conservation Area Appraisal and Management Plan

4.1 The identified site lies within the IP-One Area Action Plan, and the Town Centre boundary. The Area Action Plan is incorporated into the Site Allocations and Policies Development Plan Document (DPD) Review (2022). The IP-One Area has been defined by the Council. It is slightly larger than the Town Centre and includes the Central Shopping Area, Portman Quarter, the Waterfront and the Education Quarter. The IP-One Area is defined on the Policies Map. Within the IP-One Area, the site lies within the Portman Quarter. The site also lies within Opportunity Area F River and Princes Street Corridor, but outside of the central car parking core.

4.2 The site is identified as being within Flood Zone 3, which is identified as having a high probability of flooding.

4.3 The Burlington Road Conservation Area is located to the north of the site.

4.4 The proposed site forms part of site allocation IP051 which is identified as being appropriate for mixed use development including office, hotel, leisure, and car parking. In terms of other site allocations, the site is within an identified existing employment area (E7 - Civic Drive/ Princes Street/Russell Road/ Portman Road) which is protected by Local Plan policy DM33. The site has been identified as an opportunity area and lies adjacent to a Tall Building Arc (policy DM15).

5. Planning Assessment

Context of Proposal

5.1 In 2019 Ipswich Borough Council delivered a borough-wide Sport and Physical Activity Needs Assessment forming the basis to develop the Sport and Leisure Facilities Needs Assessment (2019), Sport and Physical Activity Strategy (2022-2027) and the Sports Facilities Strategy (2022-2030) for Ipswich.

5.2 Both needs assessments have identified a significant shortfall in quality, sustainable sports facilities which serve the needs of Ipswich residents and surrounding communities. One of the key conclusions from the Sport and Physical Activity Needs Assessment insists that the current poor quality and condition of the IBC facilities clearly affects the range of activities that can be offered to residents and is, in some cases, failing to meet the needs and expectations of residents. In particular, this affects those from underrepresented groups and who are facing increased barriers to physical activity.

5.3 Ipswich has relatively high levels of deprivation as a result of higher than average proportions of elderly residents, high unemployment, lower-than average skill level, income deprivation and crime. These are all relevant factors to the poor health outcomes and inequalities faced in Ipswich.

5.4 In developing a new Aquatics Centre, outcomes will include overall health improvement, better skills pathways and more jobs through a highly enhanced provision, in replacement of the current town centre aquatics provision. The proposal is located centrally in the borough, serving residents widely across the borough and remaining highly accessible by local transport to residents living in areas of relatively high deprivation. Ipswich is the least active place in the East of England and this proposal aims to change that.

5.5 It is understood this proposal aims to significantly improve the opportunities to encourage increased activity, address physical and mental health issues with targeted programmes, develop skills and improve the quality and range of facilities available to local people.

Principle of Development

5.6 Under the provisions of Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan, which in this case are the Ipswich Core Strategy and Policies DPD (2022) and the Ipswich Site Allocations (Incorporating IP-One AAP) DPD (2022), unless material considerations indicate otherwise.

5.7 Policy CS3 sets the context for the IP-One Area Plan which is designed to plan for significant change in central Ipswich and help to deliver the Ipswich Vision. The Area Action Plan allocates sites and defines the extent and policy for the Portman Quarter and sets down principles to be applied to new development within identified Opportunity Areas as well as defining the Central Car Parking Core within which parking controls will apply and identifying where new community facilities and open space should be provided.

5.8 The site lies within Opportunity Area F – River and Princes Street Corridor (Policy SP23) defined on the IP-One Area Action Plan Inset Policies Map, and includes leisure uses as a suitable defined use within the Opportunity Area. This means that the use of Portman Road Car Park C as a two-storey Aquatic Centre is acceptable in principle.

5.9 The policy goes on to say that any proposal should include the following design principles including:

'....ii).creation of new townscape east of Portman Road, with well-defined blocks and through routes to improve permeability;...

.....v. layout and design to address flood risk;.....'

- 5.10 In addition, in relation to development potential, paragraph 5.82 in the related supporting text to requiring high quality design principles should be employed in the design of new buildings to the Opportunity Area.
- 5.11 Paragraph 5.85 states:
- 'The area of surface level car parking to the east of Portman Road has potential to be redeveloped as a mixed use (predominantly office) environment, reconnecting the edge of the Town Centre to the east with inner urban housing and public open space to the west.'*
- 5.12 However, planning permission was previously given for office development to the north-east of the site (under ref. IP/14/00896/FPI3), and the use of the site for an Aquatics Centre is compliant with the general uses prescribed for the Opportunity Area F. It is important that the general urban design access links required by this policy are retained.
- 5.13 It is also acknowledged that policies SP45 and SP17 would also support the use of the site for a leisure/recreational use, therefore whilst the site falls into existing Employment Area E7, it is considered the principle of development would be supported for the Aquatics Centre, and a commercial development such as a hotel, whilst a pocket park would provide a small leisure/recreational facility for all users.
- 5.14 Moreover, it is acknowledged the proposed site forms part of site allocation IP051 which is identified as being appropriate for mixed use development including office, hotel, leisure, and long stay car parking. This IP051 site allocation would encompass part of the master plan site identified under the outline planning application element of the application, and includes that area identified for future possible development such as a hotel. It is considered the future development proposals of the master plan would accord with the general aims of site allocation IP051.

Layout and Design Considerations

- 5.15 Policy DM12 states (amongst other things), that proposals should respect and promote the special character and local distinctiveness of Ipswich by:
- g) protecting and enhancing significant views that are considered to be important or worthy of protection, including those set out in the Ipswich Urban Character Studies, Conservation Area Appraisal and Management Plans, as well as the setting of any heritage assets. The design should help to reinforce the attractive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene;*
- h) ensuring good public realm design that enhances the streetscape and protects and reinforces a sense of place, through the appropriate use of public art, bespoke paving, street furniture and soft landscaping; and*
- i) ensuring good architectural design that responds to and reflects its setting, is sustainable, accessible and designed for long life by being capable of adaptation to changing needs and uses over time and demonstrate the principles of dementia friendly design.*
- 5.16 In terms of design, as a hybrid application only details of the proposed Aquatics centre have been provided. The proposed new Aquatics centre would sit centrally on the site as the focal piece within the wider masterplan development. The orientation has been carefully considered by the applicant to ensure the functionality of the building, in terms of thermal efficiency and reducing glint and glare. In addition, opportunities have been explored to increase activity and to promote active frontages where possible.
- 5.17 The position of the Aquatics centre has also been carefully positioned to take into account the presence of underground services in the area, notably the main sewerage runs which are referenced within Policy SP45.
- 5.18 In terms of the scale and massing, the building is reflective of its proposed use as an Aquatics centre. The site lies adjacent to a Tall Building Arc (as identified with the Policies Map) to the east and Portman

Road Football Stadium to the west. The proposal would therefore assimilate well with its surrounds in terms of its scale, bulk and massing.

- 5.19 With regards to materials, a mixture of materials would be used, separating the ground floor from the first floor. On the first floor, the applicant has indicated two different options of materials within their Design and Access Statement, with both options proposing use of large-format cladding. The submitted elevational drawings show a chalk-white coloured fibre cement with varying textures, as it adds subtle detailing that becomes more apparent as one approaches the building. Integral vertical strip LED lighting would be used to enliven the elevations further. Cor-Ten steel is also indicated as an alternative as a contemporary product that complements the colour of traditional brickwork found throughout Ipswich. However, this has not been provided on the elevational drawings submitted with the application, and comments provided by the Council's Senior Urban Design Officer has no objection to the use of chalk-white coloured fibre cement cladding. It is acknowledged that comments from the Conservation and Design Panel suggest the use of a green or dark grey cladding colour with living walls and grass roof to break up the structure. It is considered the proposed colour is appropriate for its setting, and the use of a living wall on this building, whilst supported in general, would not be appropriate given its use and setting: the north and east elevations would be restricted by the amount of sunlight received; the west elevation is the main entrance and activity area; and the south elevation has a large amount of louvres to support the plant room.
- 5.20 The cantilevered areas feature black glass curtain walling, paying homage to the Willis Building and reducing solar gains on the south elevation to minimize the risk of overheating. During the day, this glass forms a reflective surface but becomes opaque when illuminated as the day progresses.
- 5.21 As mentioned, the first-floor cladding incorporates vertical LED strip lighting along the first-floor element, aligned with the bottom and top levels of the cantilevered elements. These lights can be controlled to produce different effects and colours, adding a dynamic feature to the new pedestrian walkway and enhancing the space at night.
- 5.22 The ground floor section of the building is provided in the main with dark coloured brickwork alongside curtain wall glazing, giving the building a contemporary appearance.
- 5.23 The outline element of the planning application seeks permission for a development plot, which in the future could be used for a hotel. An end occupier has yet to be identified. As different hotel operators will have a range of differing requirements in terms of layout, design and facilities and servicing access, future flexibility is being sought by the creation of only a development plot at this stage. The plot as defined by the submitted parameter plans can be outlined now to identify the extent of the area and how it relates to the wider masterplan. In advance of an application being made for a building on the plot, it will be landscaped and enclosed with appropriate boundary treatment.
- 5.24 The outline plans only show the parameters that the applicant is seeking in terms of the development plot footprint and extent of surrounding landscaping. The design, appearance and landscaping details will be provided as part of Reserved Matters and follow-up applications at the appropriate time.
- 5.25 Alongside the development plot is an area of hardstanding to the east which will form disabled parking and area of enhanced hard landscaping around the plot itself. Again, the details of which have not been determined at this stage and will form part of a Reserved Matters application.
- 5.26 To the south of the car parking area and development plot will be a pocket park. This is an area of enhanced landscaping which will include hard and soft landscaping, helping to enhance the biodiversity across the site.
- 5.27 The development plot and associated landscaping tie in with the wider site as part of the overall masterplan to bring together how the entire Portman Road site will be regenerated.
- 5.28 The way in which the outline and full applications link into one another in this hybrid planning application will demonstrate how the wider allocated Portman Road site will be regenerated to a high quality and accord with the Local Plan requirements and Ipswich Borough Council's ambitions for the site.

- 5.29 It is understood from the applicant that the proposals have been continuously developed to consider the guidelines and impact of the inclusive design standards included within the Equality Act ensuring that these facilities provide for a range of users with protected characteristics.
- 5.30 Part M of the Building Regulations defines the minimum access standards for all buildings (It must be noted that Part M does state all of the inclusive design issues to ensure a fully inclusive environment which are paramount to the design and outline of sporting facilities).
- 5.31 Sport England anticipates all designers to refer to Sport England guidance, as well as the 'Approved Document M which supports Part M, when designing sports facilities.
- 5.32 The layout of Ipswich Aquatics Centre in its wider context is shown on the site plan. This demonstrates the orientation of the building in the wider context. Consideration is given to making the centre as accessible as possible – appreciating the needs and requirements of people with disabilities and diverse levels of sporting ability; swimming and gym use are activities that many people enjoy and gain the biggest rewards.
- 5.33 The design of the Aquatics centre has been approached with the use of the following documents - Equalities Act (2010); Part M of the Building Regulations; Sport England guidelines.
- 5.34 The proposal has been designed appreciating Sport England's 'Accessible Sports Facilities' guidance and includes a wet and dry changing places, swimming pool; pool pod, dipper and easy access steps to the main pool.
- 5.35 The main car park is located to the south of the building, accessible parking bays have been positioned close to the main entrance to minimise and reduce distance. Three drop off points are located on the south elevation close to the main entrance.
- 5.36 The main entrance doors will be automated along with the access to the changing village. The facility is fully accessible with 2no. 8 person passenger lifts located close to reception and behind the turnstiles. The overall internal layout of the building is very simple and efficient to enhance wayfinding and improve legibility.
- 5.37 All changing areas offer flexibility for all users. Sport England guidance requires a provision of a combined accessible WC and shower rooms for the use of disabled users - these are provided on both floors. Changing areas are designed for wheelchair use to ensure equality is maximised.
- 5.38 2 no. 'Changing places' room are provided both in the wet change area and dry side – allows users to access the facility with minimal diversion. Both areas provide a generous change area to 'changing place' guidance for individual disabled users or those with severe disabilities that require more help.
- 5.39 Concerns have been raised by some local residents with regards to proposals being discriminate against disability groups. However, it is considered that the applicant has engaged with the relevant legislation and guidance to ensure the layout and operation of the new centre would comply with the relevant legislation and guidance to ensure the new centre would be accessible to all.
- 5.40 The submitted elevations indicate the use of an obscuring pattern applied to the ground floor glazing to provide for privacy.
- 5.41 It is considered the proposal would accord with policy DM12.

Impact on Heritage Assets

- 5.42 Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that, when a local planning authority considers whether to grant planning permission for development that affects a listed building or its setting, it must have "special regard" to the desirability of preserving the building, its setting and any special architectural or historic features; and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

- 5.43 Policy SP45 (for Site Allocation IP051), states development needs to ensure that proposals protect or enhance the setting of the Burlington Road Conservation Area to the north of the site. A proportionate Heritage Impact Assessment is required in accordance with Policy DM13.
- 5.43 On this basis the applicant has submitted a HIA. This identifies that the site is not a designated heritage asset. To the north, across Handford Road, lies the Burlington Road Conservation Area, which is characterised by Victorian villas in spacious gardens. Approximately 100m to the east of the site, but separated by other buildings, is the Grade I listed Willis Building. The HIA identifies that the site is surrounded by historic blue coloured iron railings that once surrounded the old Cattle Market, and the statue of Sir Bobby Robson.
- 5.44 The proposal includes the removal of some of the historic railings from the site, which will mean the loss of a feature of local historical and architectural interest with a low adverse impact at a local level. The removal is necessary to facilitate the redevelopment of the site that will give new leisure facilities to the local people. The loss of the railings will be mitigated to some extent by the retention of the western line of railings, which will remain as a reminder of the past use of the site as the cattle market and add historic character to the area. The retained railings will be redecorated to improve their appearance.
- 5.45 The Sir Bobby Robson Statue is not required to be moved. It is noted that the statue of Sir Bobby Robson is highly valued locally. Provided it remains publicly accessible, which is the case, there will be no harm associated with its siting.
- 5.46 The HIA considers that the proposed Aquatics Centre and landscaping will not harm the setting and views of the Burlington Road Conservation Area.
- 5.47 The Willis Building can be glimpsed from the site and this glimpsed view will be retained and potentially given more emphasis through the reinstatement of a path along the line of the historic Portmans Walk to the north of the site. Other views of the Willis Building will be unaffected by the proposed works. Overall the proposals will have a negligible impact on the setting and views of the listed building.
- 5.48 It is considered the proposal would accord with policy DM13, and the relevant legislation.

Access and Parking

- 5.49 Policy DM21 states to promote sustainable growth in Ipswich and reduce the impact of traffic congestion, new development shall:
- a) not result in a severe impact on the highway network or unacceptable impacts on highway safety, either individually or cumulatively;*
 - b) not result in a significant detrimental impact on air quality and shall address the appropriate mitigation measures as required in accordance with Policy DM3;*
 - c) incorporate electric vehicle charging points, including rapid charging points in non-residential developments;*
 - d) provide a car club scheme or pool cars, where this would be consistent with the scale and location of the development;*
 - e) prioritise available options to enable and support travel on foot, by bicycle or public transport, consistent with local strategies for managing the impacts of growth on the transport network, and ensuring that any new routes are coherent and in accordance with the design principles of Policy DM12 and local walking and cycling strategies and infrastructure plans;*
 - f) have safe and convenient access to public transport within 400m, and facilitate its use through the provision or contributions towards services or infrastructure;*
 - g) protect the public rights of way network and take appropriate opportunities to enhance facilities and routes;*

h) ensure safe and suitable access for all users, including people with disabilities and reduced mobility;

i) allow for the efficient delivery of goods and access by service, refuse collection and emergency vehicles and bus permeability;

j) mitigate any significant impacts on the transport network; and

k) contribute as required to other mitigation measures identified through Policy CS20 and the ISPA Transport Mitigation Strategy, where this meets the planning obligation tests in set out in national policy.

- 5.50 Applicants will be required to demonstrate how any adverse transport impacts would be acceptably managed and mitigated and how the development would contribute to achieving the modal shift target for Ipswich by 2031. The Council will expect major development proposals to provide an appropriate Travel Plan, having regard to the thresholds set out in the Suffolk County Council Suffolk Travel Plan Guidance, to explain how sustainable patterns of travel to and from the site and modal shift targets will be achieved. Development proposals will be accompanied by a satisfactory Transport Statement or Transport Assessment, having regard to the indicative thresholds below, which demonstrates that the cumulative impacts of the development after mitigation are not severe.
- 5.51 Furthermore, through Policy SP34 (Town Centre Car Parking in the IP-One Area), the Council is pursuing a Town Centre car parking policy with the twin aims of supporting the economy of the Town Centre and limiting congestion, through encouraging the use of sustainable modes of transport.
- 5.52 As part of the Car Parking Strategy and Review, a number of multi-storey car parks are proposed providing additional short stay shopper and visitor parking or long stay commuter parking. The Old Cattle Market (IP051) in Portman Road is allocated for long stay car parking. This provision is linked in the policy to the expiry of temporary short stay public car parking within the town centre so that there is no net gain in long stay parking spaces.
- 5.53 The Council is preparing an Ipswich Area Parking Plan to indicate how new, permanent parking provision will be made to replace the existing temporary spaces, in accordance with the evidence. In doing so, the Council will have regard to the County Council's Transport Mitigation Strategy for the Ipswich Strategic Planning Area and emerging action plan to ensure that parking is considered as part of a comprehensive approach to sustainable travel into central Ipswich.
- 5.54 The proposal would remove a number of pay and display car parking spaces within Zone 2 (Station and Office) of the Parking Strategy, although this loss would be compensated by the approval for the Multi-storey car park. The loss of car parking spaces would not be a reason to refuse planning permission, although there would be a need to ensure the loss of the car parking is compensated by the new car parking prior to the application site being operational closed-down. A condition can be imposed in this regard.
- 5.55 Policy DM22 states that the Council will require all new development to have regard to adopted car and cycle parking guidance, 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. The Council will also require the provision of integral secure cycle parking in any new car parks in the Town. Car parking must be designed so as not to dominate the development or street scene or to result in the inefficient use of land. There will be maximum standards of car parking provision with no minimum requirement for residential development within the IP-One Area, which has frequent and extensive public transport networks, and easy access to a wide range of employment, shopping, and other facilities.
- 5.56 In this regard to the south and east of the proposed new aquatic centre an area of open surface car parking is proposed to accommodate 15 no. new car parking spaces. The spaces to the south of the aquatic centre (10 spaces) would be accessed from Princes Street. This parking area to the south of the building would include accessible parking, and coach parking facilities only. The development will include a service bay which will be utilised for deliveries to the proposed Aquatic Centre. This bay would also be used for additional coach parking when not being utilised for servicing.

- 5.57 The proposed development will only include 10 blue badge parking spaces, which are located in the car park to the south of the building, and 5 staff parking bays, which will be accessed from Friars Bridge Road. Therefore, it is accepted that the scheme may not be able to proceed until the multi-story car park has been developed.
- 5.58 Policy DM22 also requires that new development will provide not only high quality, secure cycle storage, but within non-residential developments of more than 1,000 sq. m or where more than 50 people will be employed, high quality shower facilities and lockers for staff. The proposed development would include 54 cycle parking spaces which are located in the public realm area to the west of the building, close to the main entrance and external activity area, and therefore provided with good natural surveillance. Sufficient shower and locker provision has been provided.
- 5.59 Policy SP45 (for Site Allocation IP051), states a Transport Assessment and Travel Plan will be required in accordance with Policies DM21 and DM22.
- 5.60 A Transport Assessment and Travel Plan (prepared by TPA, April 2024) has been provided as part of the application for the aquatics centre.
- 5.61 The reports conclude that the improvements to the public realm would provide an attractive environment close to the site, which would promote pedestrian access to the site and enhance connections to the surrounding land uses and the town centre.
- 5.62 A TRICS assessment has been conducted to identify future traffic flows and it considered that whilst the proposals would result in an increase to movements in the vicinity of the site, this increase is at a level that would not materially impact the operation of the local highway network during traditional peak hour periods.
- 5.63 As the majority of parking for users of the Aquatics Centre would be housed within the multi-storey car park, the impact on additional traffic attracted to the site, would be included within the highway impact assessment associated with the planning application IP/20/00398/OUT13, which has already been determined and approved by both the highway authority and the LPA.
- 5.64 The proposal is therefore considered by the applicant to be acceptable in relation to highway safety and free flow of traffic, and there are no highway reasons as to why the development should not be supported.
- 5.65 The Highway Authority initially raised concerns on a number of points, which the applicant responded to via a Technical Note – Consultation Response.
- 5.66 The Highway Authority has assessed this response and notes that Paragraph 3.3 of the submitted Technical Note outlines that the assessment of the multi-storey car park would have considered the impact of the proposed Aquatic Centre; however, it is not considered that this was the case. The multi-storey car park was assessed based on existing car parking demand (from 2020) and did not undertake an assessment on the local highway network based on trip generation associated with the proposed Aquatic Centre.
- 5.67 They state it is evident that the proposed Aquatic Centre will attract more trips than what is already present on the local highway network through the trip generation presented within the submitted Transport Statement. It appears that the greatest impacts to the local highway network are during the PM Peak, where 126 two-way trips are anticipated between 17:00pm – 18:00pm.
- 5.68 It is not considered that there is a detailed understanding of the impacts to the local highway network afforded by the additional trips associated with the proposed Aquatic Centre. To mitigate impacts associated with the proposed development it is considered necessary to provide real opportunities for active and sustainable travel to increase the share for these modes and minimise the reliance on car trips so far as reasonably practicable.
- 5.69 A range of measures to promote walking, cycling and accessibility to public transportation have been identified within the Highway Authority consultation response through appropriate planning conditions and obligations, including the provision of a Travel Plan which can be used to implement measures to maximise opportunities for sustainable and active modes of travel and measure effectiveness of

those measures. They state that should the Local Planning Authority be minded to approve the development proposal, Suffolk County Council in its capacity of the Local Highway Authority recommends the conditions and obligations are applied to the permission as outlined in section 3 of this report.

5.70 The Local Planning Authority must consider the conditions and obligation proposed in line with the relevant legal tests. In summary, Paragraph 55 of the National Planning Policy Framework sets out that planning conditions should be kept to a minimum and only used where they satisfy the following tests:

1. Necessary;
2. Relevant to planning;
3. Relevant to the development to be permitted;
4. Enforceable;
5. Precise; and
6. Reasonable in all other respects.

5.71 Further, Paragraph 58 sets out that planning obligations must only be sought where they meet all of the following tests:

1. Necessary to make the development acceptable in planning terms
2. Directly related to the development and
3. Fairly and reasonably related in scale and kind to the development

5.72 Whilst it is considered that the majority of the conditions and obligations proposed in Section 3 of this report do meet the tests, the following are areas where the Local Planning Authority do not consider that the tests are met.

Great Gipping Street

The County Council, as the Highway Authority, proposed the following condition:

Condition 3: No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Great Gipping Street has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: the provision of mandatory cycle lanes on both sides of Great Gipping Street.

The approved scheme shall be laid out and constructed in its entirety prior to the proposed use commencing. Thereafter the layout shall be retained in its approved form.

Reason: To ensure safe and suitable access is delivered for all users and to ensure that improvements are made to prioritise and promote sustainable travel modes and to offer a genuine choice of travel modes.

5.73 Officers note that the Highway Authority provides little justification for the reasons why this condition has been imposed, other than the road is part of National Cycle Route 51. Whilst the route may be part of the National Cycle Route, officers do not consider that a significant number of cyclists who would be visiting the Aquatics Centre would utilise Great Gipping Street as they would be most likely to travel via alternative routes including:

- a) From Princes St – use of Portman Rd or Friars Bridge Rd
- b) From Norwich Rd – use of Portman Rd (North of Handford Rd) and Portman Rd (South of Handford Rd)
- c) From St Matthews St roundabout – i) Civic Drive and Friars Bridge Road. or ii) use of Civic Drive, Handford Rd and Portman Rd

5.74 There is of course potential the Aquatics Centre may be accessed by cyclists via Great Gipping St, but given the other routes above are more direct this route is not likely to be used by a significant number of cyclists. Therefore, officers do not consider that this improvement can be directly related to the development, nor would it meet the six tests set out in Paragraph 56 of the NPPF.

- 5.75 A new east-west connection will be provided to the north of the proposed Aquatics Centre, which would provide a more attractive route for cyclists, wishing to travel between Portman Road and Civic Drive. This would further reduce the number of cyclists that may utilise Great Gipping Street. Without the mandatory cycle lanes, the requirement for the £15,000 contribution for the Traffic Regulation Order for Great Gipping Street would also not be required.
- 5.76 Officers consider the imposition of a condition to improve cycling and walking on Great Gipping Street would not meet the relevant condition tests. Further, the obligation would also not meet the relevant tests. These, therefore, are not proposed as conditions or planning obligations as part of this recommendation.

Princes Street cycle improvements

- 5.77 Suffolk County Council as the Highway Authority also proposed a condition for Princes Street cycling and walking improvements:

No part of the development shall be commenced until details of a scheme of works to improve walking and cycling on Princes Street (between the site access and Handford Road) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall include: improvements to the existing mandatory cycle lanes to ensure they are level with the existing footways and improvements to the junctions with Great Gipping Street and Canham Street.

The approved scheme shall be laid out and constructed in its entirety prior to the proposed use commencing. Thereafter the layout shall be retained in its approved form.

Reason: To ensure safe and suitable access is delivered for all users and to ensure that improvements are made to prioritise and promote sustainable travel modes and to offer a genuine choice of travel modes.

- 5.78 The applicant does not agree that the cycleway provision along Portman Road needs to be improved as the existing wands provide 'light segregation' for cyclists as defined in LTN 1/20, and it is clear from this guidance that light segregation would be appropriate for a 30mph road for traffic flows up to 6000+ per day, which would indicate that on Portman Road the 'light segregation' of cyclist that is currently present, is appropriate. Providing a fully stepped cycle track as suggested by the Highway Authority would be an over-provision of cycleway in relation to the guidance contained in LTN 1/20.
- 5.79 Notwithstanding the above, officers do not consider that the increase in the number of cyclists attracted to the Aquatics Centre would justify the level of improvement of the cycling provision that has been proposed. The modal share presented in the Transport Statement indicated that 4.77% of those using the Aquatics Centre would arrive by cycle. This would equate to 127 two-way cycle trips per day. Assuming that these trips are equally split across the access routes (Princes Street (south)/Portman Road (south), Princes Street (east) Franciscan Way, Portman Road (north) and Civic Drive. This would relate to 25 two-way additional cycle trips per day using Portman Road to the north of the site. This level of increase in cycling does not justify the level of improvement in cycling provision suggested by SCC Highways.
- 5.80 The Highway Authority confirmed that there are no longer wands (bollards separating cyclists from vehicles) present on Portman Road, meaning the cycle provision is a mandatory cycle lane in terms of LTN1/20, and cannot be considered as 'light segregation', where officers consider that it should be accepted on the basis that light segregation is in place. If Portman Road is considered on the basis of benefiting from mandatory cycle lanes, it is not suitable in LTN 1/20 terms.
- 5.81 It is suggested that 25 daily cycle trips on Portman Road does not warrant improvement, however the Highway Authority believes it does, but it should also be considered that Travel Planning will seek to increase the proportion of cycling, so one would hope the demand would be even greater than the trips forecasted through TRICS.
- 5.82 Assessing provision only on the basis of additional cycling demand does not seem suitable. Consideration should also be given to the intensification of vehicular traffic on Portman Road, of which would impact existing cyclists and would be directly related to the development. This was not

considered as part of the multi-story car park application as trips associated with the Aquatic Centre were not included / assessed.

- 5.83 The Highway Authority suggests a way forward could be to change the position to secure details of a lightly segregated improvement scheme, in addition to the raised crossing facilities, which would improve the current mandatory cycle lanes to light segregated. The Highway Authority would be amenable to this. They note the comments in relation to Great Gipping Street and would consider the priority to be Portman Road.
- 5.84 The temporary wands (put in place during Covid-19) have already been removed and therefore some form of light segregation would be required between cycles and vehicles (that said some of Portman Road is now closed to vehicles). Given modal shift towards sustainable forms of transport, some form of improvement to the cycle lane along Portman Road would be required and would be reasonable in terms of the conditions test, but given the data collection in terms of cycle use, officers would suggest the raising of the cycle lane to existing level of the existing footways would not be reasonable in this regard.
- 5.85 Whilst the original condition proposed is not considered to meet the relevant tests, a condition with revised wording is proposed that officers consider would meet the test.

Summary

- 5.86 Notwithstanding the above, the majority of the obligations and conditions proposed in Section 3 of this report do meet the legal tests and subject to conditions and obligations to secure these, it is considered the proposal would accord with policies DM21 and DM22.

Impact on Amenity

- 5.87 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. The factors we will consider include:
- overbearing impact and sense of enclosure;
 - sunlight, daylight, overshadowing and artificial light levels;
 - noise and vibration levels;
 - odour, fumes, dust and ventilation;
 - contamination; and
 - visual privacy and overlooking
- 5.88 The site is not in close proximity of residential properties, although it is noted residential properties do exist to the south (Churchman House), north (Portman Road and Great Gipping Street) and east (Observation Court). A noise impact assessment has been submitted in support of the application, demonstrating that there would be no demonstrable harm to the amenity of neighbouring properties by reason of noise generated from the plant rooms.
- 5.89 The application site is located a significant distance from any residential occupiers, and therefore impacts in relation to overshadowing or loss of light are not considered to be demonstrable to current or future occupiers' amenity.
- 5.90 No adverse comments have been provided by the Council's Environmental Protection team with regards to residential amenity impact.
- 5.91 Concerns have been raised by some local residents and businesses with regards to noise and disturbance of the construction, however an appropriate condition would be imposed to control any adverse disturbance during the construction phase, including dust suppression.
- 5.92 It is considered the proposal would accord with policy DM18.

Flood Risk/Drainage

- 5.93 Policy DM4 states development will only be approved where it can be demonstrated that the proposal satisfies all the following criteria:
- a) the sequential test set out in national policy is met, other than on allocated sites where the sequential test will not need to be repeated for uses consistent with the allocation;
 - b) if it is not possible for the development to be located in a zone at lower risk of flooding, that the sustainability benefits would outweigh the flood risk and the development will remain safe for people for its lifetime;
 - c) 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);
 - d) that no surface water connections are made to the foul system and connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments);
 - e) that adequate sewage treatment capacity and foul drainage already exists or can be provided in time to serve the development;
 - f) it will be adequately protected from flooding in accordance with adopted standards of the Suffolk Flood Risk Management Strategy;
 - g) it includes water efficiency measures such as water re-use, stormwater or rainwater harvesting, or use of local land drainage water; and
 - h) it does not have any adverse effect on European and Nationally designated sites in terms of surface water disposal.

Applications should be supported by site-specific flood risk assessments as required. The Development and Flood Risk Supplementary Planning Document provides relevant guidance on what constitutes safe development.

- 5.94 The development is in Flood Zone 3 which would be at high risk of flooding. A flood risk assessment has been submitted as part of this application.
- 5.95 A site-specific Flood Risk Assessment has been submitted with the planning application taking into account the findings of the Ipswich SFRA October 2020 through appropriate mitigation alongside a Surface Water Management Strategy.
- 5.96 The Environment Agency has been consulted and do not object to the proposal. They have provided comments on a proposed hotel being a more vulnerable development and the need for finished floor levels being above 3.98m AOD. Given that this element of the proposal is in outline form only, this detail can be secured at reserved matters stage.
- 5.97 The EA confirms the finished first floor levels have not been proposed for the aquatic centre, however they expect this to be above 4.28 m AOD and therefore they expect there is refuge above the 0.1% (1 in 1000) annual probability flood level of 3.98 m AOD (+ 300mm freeboard). Refuge is not required for 'less vulnerable' development, so long as the application supported by a flood emergency plan. A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access with internal flooding in the event of a breach flood. A FEP can be conditioned.
- 5.98 The submitted FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding. The development has been designed to provide refuge above the predicted flood levels. Given that refuge is identified as a fall back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water, as per the requirements of paragraph 005 of the Flood Risk and Coastal Change PPG. A condition can be imposed to provide

certainty that the buildings will be constructed to withstand these water pressures.

5.99 The Lead Local Flood Authority (Suffolk County Council) has been consulted, and do not object to the proposal subject to conditions relating to details of the strategy for the disposal of surface water; details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site; details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction; and within 28 days of practical completion, surface water drainage verification report shall be submitted to the Local Planning Authority.

5.100 It is considered the proposal would accord with policy DM4 subject to conditions.

Secure by Design

5.101 Section 12 paragraph 135(f) of the NPPF 2024 states development should 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.

5.102 Officers are aware that due regard has to be given to the Equality Act 2010 in decision making. Under section 149 of the act, all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity and foster good relations. The "protected characteristics" to which the act applies include age, race, religion or belief, sex, sexual orientation, gender reassignment, disability, pregnancy and maternity.

5.103 It is acknowledged that 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.

5.104 The applicant advises that Ipswich Aquatics Centre's primary goal is to provide a public facility for all with a safe and secure environment. The scheme has been worked up with secure design features in mind. The scheme would incorporate:

- Full access control system to ensure entry to sensitive areas of the building is restricted
- CCTV coverage to be monitored remotely as the staff will not be in a position to view the cameras frequently
- The lighting strategy will enhance visibility and should also reduce the areas on the site where crime can take place.
- Use of an obscuring pattern applied to the ground floor glazing to provide for privacy.
- Anchor points to motorcycle and cycle hoops will be secure and also visible.

5.105 Suffolk Constabulary has been consulted, and whilst they raise several issues, they do not object to this application but does request that a management plan is included as a condition of planning.

5.106 The Constabulary notes that careful management of and communication between the operation of the Aquatic centre and ITFC on match days will reduce the risk of anti-social behaviour, and it is therefore considered essential that a management plan for the Aquatic Centre is in place, and they strongly recommended that this plan is included as a condition of any planning permission granted. This should include the following:

- Regular (monthly) meetings to be held between the management of the aquatic centre, ITFC's Operations and Stadium/Facilities Managers and the Suffolk Constabulary Dedicated Football officer. This must include liaison to ensure events at the Aquatic Centre do not clash with events (including matches) at ITFC in order to reduce the risk of congestion and conflict.
- Provision of private security for the Aquatic Centre on days when events are held at ITFC.
- Managed entry to the Aquatic Centre toilets and café on event days.
- Tables and chairs to be removed from the external café areas during events.

- Temporary measures that can be deployed to prevent people from accessing the public realm areas during ITFC events if required for safety.
- Measures to deter ASB at all times.

5.107 It is considered the proposal would accord with policy DM12 in this regard subject to a management plan condition.

Archaeology

5.108 Policy DM14 states that the Borough will require that development proposals which may disturb remains below ground are supported by an appropriate assessment of the archaeological significance of the site including, if necessary, the results of a programme of archaeological field investigation. Such assessments should be proportionate to the importance of the site. Sites within the Area of Archaeological Importance are especially likely to contain significant archaeological remains. The Development and Archaeology Supplementary Planning Document provides guidance on the preparation of archaeological assessments.

5.109 Planning permission will not be granted if the remains identified are of sufficient significance to be preserved in situ and cannot be so preserved in the context of the development proposed, taking account of the necessary construction techniques to be used. Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

5.110 Where archaeological potential is identified but where the public benefits of the proposal convincingly outweigh harm to the significance of archaeological heritage assets, development which would destroy or disturb potential remains will be permitted, subject to an appropriate programme of archaeological investigation, recording, reporting, archiving, publication, enhanced public understanding and community involvement.

5.111 Policy SP45 (for Site Allocation IP051), states the site has potential for palaeo-environmental and waterlogged remains. An Archaeological Assessment will therefore be required along with any necessary mitigation measures in accordance with Policy DM14.

5.112 The Suffolk CC Archaeological Service (SCCAS) has been consulted and advises no further archaeological work is required on this site, and therefore no conditions are required in this regard.

5.113 It is considered the proposal would accord with policy DM14.

Contamination and Air Quality

5.114 Policy DM3 states 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.

5.115 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.

5.116 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.

5.117 The application has been accompanied by an Air Quality and Dust Risk Assessment. This acknowledges the proposal will comprise the demolition of the existing ground level carpark. Construction activity associated with the proposed development is assessed to be medium risk for dust soiling, and low risk for human health effects. The adverse impacts of construction on air quality are likely to be negligible through good site practice and by adopting the mitigation measures in Section 6.1 of the Assessment, such as dust management plan. This could be conditioned.

- 5.118 The Council's Environmental Protection team have raised no objection with regards to air quality.
- 5.119 Policy SP45 (for Site Allocation IP051), states that a Contaminated Land Assessment is required and appropriate mitigation to address any contamination identified in accordance with Policy DM18.
- 5.120 The site is 'brownfield' having previously been developed. Therefore, the site may have been affected by contamination from its previous use or those uses at surrounding land. As a result, the application has been accompanied by the Contaminated land Assessment. The Council's Environmental Protection team has been consulted and requests the submission of a Remediation Strategy prior to commencement of the development. This can be conditioned.
- 5.121 It is considered the proposal would accord with policies DM3 and DM18 in this regard.

BREEAM and Sustainability

- 5.121 Policy DM2 requires new development over 1,000sqm to provide at least 15% of their energy from decentralised and renewable or low-carbon sources.
- 5.122 Policy DM1 encourages non-residential development of 500 sq. m and above to achieve a minimum of BREEAM Very Good standard or equivalent.
- 5.123 The proposal goes beyond this, and seeks to achieve a BREEAM excellent form of development. As part of the application, a BREEAM pre-assessment has been submitted to demonstrate how this can be met, and to ensure that suitable weight can be afforded to this as part of the planning determination. The applicant hopes that in going above and beyond the current planning policy requirements for achieving sustainable development, that this will positively impact the future of the major development submissions in the Borough.
- 5.124 A Sustainability Statement also supports the application, and details the efforts and initiatives undertaken by the facility to promote environmental, social responsibility, and economic viability in line with the applicant's commitment to sustainable practices.
- 5.125 This Statement identifies various renewable and low carbon technology options which are initially deemed viable for the development, such as the use of Air Source Heat Pumps, photovoltaic panels, and solar hot water. A condition can be imposed to ensure the 15% requirement is met.
- 5.126 It is considered the proposal would accord with policies DM1 and DM2 subject to conditions.

Biodiversity/Arboriculture

- 5.127 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.
- 5.128 This is a position shared by the NPPF Paragraph 187. This states that development should contribute to and enhance the natural and local environment by: "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*" These requirements are reflected within Policies CS4 (Protecting our Assets) and DM8 (The Natural Environment) of the Local Plan.
- 5.129 The application has been submitted with an Ecological Appraisal, which identifies the site comprises a large car park with sealed surface, some introduced shrub, other neutral grassland and trees. The findings of the survey confirm that the habitats onsite have the potential to support breeding birds and roosting bats.
- 5.130 The report confirms given the onsite presence of potential bird nesting habitat, any clearance of vegetation, or buildings that support suitable nesting features, should be timed to avoid the bird breeding season (March-August inclusive). If this is not possible, these habitats can only be removed following confirmation by a suitably qualified Ecologist that they are not in active use by nesting birds.
- 5.131 The report acknowledges that given the potential of tree T7 (large London Plane tree on the eastern boundary of the site) to support roosting bats, a tree climbing survey under the supervision of a bat

licenced Ecologist is recommended to characterise the roost features. This work was undertaken in July 2024.

- 5.132 Following this work it was concluded that the tree to be removed could support individual or a small number of bats. No further survey work was required, however compensation measures will be needed in advance of the works along with a precautionary working method statement (PWMS), which can be conditioned.
- 5.133 Provided the recommendations within the report are followed and the mitigation hierarchy of avoidance, mitigation, compensation and enhancement is implemented throughout the detailed design process, potential negative effects from development on important ecological features will be negligible, and the proposal would not have an adverse impact on the biodiversity of the site.
- 5.134 The application was submitted post 12 February 2024, and therefore the application submission is required to provide a mandatory minimum 10% gain in biodiversity. The application has been submitted with a Biodiversity Net Gain Report, BNG Habitat Plan and statutory biodiversity metric.
- 5.135 The report states the site will achieve a biodiversity net gain via offsite habitat compensation. The total net unit change is +0.78 area habitat units (+17.66% change). The applicant has agreed to the planting of 46 native trees within parkland or grassland somewhere in the local authority area, although this would be considered via a pre-commencement condition. It is understood that the developer is committed to achieving the targeted biodiversity net gain for this site, so it is anticipated this can be delivered via a biodiversity gain plan secured by planning condition.
- 5.136 Provided the recommendations within this report are followed and the mitigation hierarchy of avoidance, mitigation, compensation, and enhancement is implemented throughout the detailed design process, the scheme will achieve a significant net gain in biodiversity.
- 5.137 The application has been submitted with a detailed landscaping proposal. The proposal shows that whilst in order to accommodate the scheme, a total of 7 trees need to be removed, this loss is offset by a mix of hard and soft landscaped areas which will visually enhance the site.
- 5.138 A proposed new public realm is to be created to the north of the new aquatics centre, linking the Masterplan area with surrounding routes into the Ipswich Town Centre. This new link will bring visitors through the development to arrive at the new aquatics facility, across a mix of high quality hard and soft landscaped areas. A number of additional trees are proposed to be planted to offset the loss of the seven trees which are to be removed to accommodate the proposals. The additional planting, and soft and hard landscaping is considered to result in a visual improvement and multi-functional space surrounding the proposed new built form, as well as encouraging sustainable access to the site, in accordance with planning policy.
- 5.139 In order to meet the 10% biodiversity net gains requirement, a significant number of trees and planting is required. To ensure that the useable space on site is not compromised by providing this additional planting, the applicant has been working alongside the landscape consultant to provide the best possible solution. The additional trees required to meet the 10% requirement are to be provided off site, in one of the Council managed open spaces.
- 5.140 As such, whilst the full 10% BNG cannot be met on site, the policy requirements can be met as part of the proposals in on site and off site landscaping contributions.
- 5.141 Policy DM9 seeks to protect existing trees and seeks to secure additional trees, particularly on a 2 for 1 basis where a mature or semi-mature tree or hedgerow is proposed for removal.
- 5.142 As noted the proposal results in the loss of 7 trees. As a result, the application has been accompanied by an Arboricultural Impact Assessment, Tree Survey and Tree Protection Plan.
- 5.143 Trees identified for removal within the proposed development area are the Category A trees T7 (London Plane) and the easternmost tree of G10 (Fastigate Yew), and the Category B trees G7 (Tree of Heaven), G9 (Birch) and the two northernmost trees of G8 (Ash/Field Maple/Alder).

- 5.144 Trees T8, T11, T12, G5, G8 and G10 within the report will require works within the root protection area, as highlighted on the Tree Removal and Protection Plan, which include landscaping, planting and some new hard surface installation. The existing hard surface must remain in place for as long as possible to provide protection to the roots during construction. Areas which are not currently protected will require additional ground protection.
- 5.145 As noted a total of 7 trees are to be removed to accommodate the proposal, but where possible a number of the trees on site have been retained. The loss of the trees on site have been offset by additional planting which seeks to meet the requirements of a 10% Biodiversity Net Gain both on and off site.
- 5.146 It is considered the proposal would accord with policies DM8 and DM9 subject to conditions.

Other Considerations/comments from representations

- 5.147 The Sir Bobby Robson statue is located in this application site, however the development has been located to ensure that the relocation of this statue is not required and it can be retained in its current location.
- 5.148 Concerns have been raised by local residents with regards to local parking restrictions within Zone 4, and those resident permit parking restrictions expiring at 6pm, and therefore those accessing the pool facilities after this time may take the opportunity to park in those areas for free, restricting the parking opportunities for local residents. Whilst this is a local concern, this is not directly linked to the proposal, as this concern is already voiced with regards to evening ITFC football matches. It is considered this is a situation which would need to be monitored by the Council, outside of its remit as the local planning authority.
- 5.149 Concerns have been raised with regards to the lack of proposed facilities within the new aquatic centre, such as lack of 50m competition pool, deep water, water flumes, diving facilities, and reduced competition seating.
- 5.150 There is insufficient space within the proposal to accommodate a learner pool and a 50m pool. Whilst a 50m pool could technically be split for different uses with one part being a learner pool, this would increase running costs as it is much harder to provide the correct water temperature for different uses in this arrangement and the whole pool would need to be heated to learner pool temperature.
- 5.151 The depths of both the main pool and the training pool meet national standards and the training pool will have a moveable floor that allows it to flex between 1.5m and 2.0m.
- 5.152 The water 'play' area focuses on encouraging families with young children to use the Aquatics Centre and whilst more 'play' options such as flumes would be favourable, this would be cost prohibitive in relation to ongoing operational costs as would providing the required depth for diving facilities.
- 5.153 Current Total Gala Seating Capacity at Crown Pools is 600. New Facility Total Gala Seating Capacity: 663 - 497 seats within the Pool Hall & 168 seats within the Studio Pool. The Studio Pool will also serve as a warm-down pool, improving upon Crown Pools, which currently lacks a suitable warm-down facility.

6. Planning Balance

- 6.1 The main IBC swimming facilities within the town centre are located at Crown Pools on Crown St opposite the Tower Ramparts bus station. Crown Pools were constructed in 1984 and at the time were considered state of the art, however they are now coming to the end of their lifecycle, proving costly to maintain and the facilities need updating to support current demand.
- 6.2 This application site comprises surface level car parking located to the east of Portman Road, and to the rear of buildings along Civic Drive. The site is in a transitional area between the Town Centre and river valley, located adjacent to ITFC. This open car parking area at Portman Road is considered an ideal place to situate the new Aquatics centre, given that the forthcoming multi story car park development will release

space, provide parking, and its strategic position with connecting train and bus services which would provide a natural connection to the town centre.

6.3 The proposed new aquatics facility will sit centrally in the new masterplan area as the focal piece within the development. The orientation of the building has been carefully considered to ensure that there is a physical and visual relationship with the surrounding public realm, as well as ensuring its functionality as a swimming pool complex in considering thermal efficiency, and reducing glint and glare by ensuring that the pools and associated glazing have a north facing frontage. In addition, opportunities have been explored to increase activity and to promote active frontages where possible.

6.4 The proposals would meet planning policy requirements, and the aspirations of Policy SP45 (Site Allocation IP051) in terms of how the mixed use development on the site should be brought forward. The proposal is of a high quality design and appearance which will make a positive architectural statement creating a gateway development to welcome visitors to this mixed use site.

7. Conclusion

7.1 The proposed hybrid application would, subject to the compliance with planning conditions and S106 obligations, accord with the adopted policies of the Ipswich Local Plan (2022).

7.2 Officers therefore consider that the proposals would be acceptable having regards to policies CS1, CS2, CS3, CS4, CS5, CS14, CS16, CS17, DM1, DM2, DM3, DM4, DM5, DM6, DM8, DM9, DM12, DM13, DM14, DM15, DM18, DM21, DM22, DM24, DM33, SP1, SP2, SP17, SP23, SP45 and SP34.

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SITE KEY:

- OUTDOOR PAVING
- OUTDOOR PAVING - MIX OF DIFFERENT COLOURS
- PICK - UP / DROP OFF POINTS
- ACCESSIBLE PARKING BAYS
- VEHICULAR ASPHALT
- PROPOSED SOFT LANDSCAPING
- PROPOSED MULTI-STORY CAR PARK
- FUTURE DEVELOPMENT SITE (OUTLINE INDICATIVE ONLY)
- PROPOSED NEW COBBOLD STAND
- BOUNDARY LINE
- PROPOSED NEW TREES
- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED
- PROPOSED BENCHES
- PROPOSED PLANTERS / BENCHES
- RESIN BOUND GRAVEL
- SUB-STATION, BIN STORE, GENERAL ENCLOSURE
- STATUE / PUBLIC ART
- BOLLARDS

FOR MORE INFORMATION REFER TO THE LANDSCAPE ARCHITECTS MASTERPLAN

Notes:
This is an illustrative masterplan only and the level shown is a conceptual representation and is not intended to be interpreted as such or level.

PARKING PROVISION NOTES:
Accessible spaces = 10, no spaces
Cycle parking = xxx, no spaces
Drop off / set down point = 3, no



Page 75

Proposed Site Plan (Outline Submission)

1. CONSULT: Landscape Architect	17.01.2023
2. CONSULT: Planning Department	17.01.2023
3. CONSULT: Planning Department	17.01.2023
4. CONSULT: Planning Department	17.01.2023
5. CONSULT: Planning Department	17.01.2023
6. CONSULT: Planning Department	17.01.2023
7. CONSULT: Planning Department	17.01.2023
8. CONSULT: Planning Department	17.01.2023
9. CONSULT: Planning Department	17.01.2023
10. CONSULT: Planning Department	17.01.2023

PLANNING ISSUE

DB3

LEEDS

10 South Street, Leeds, LS1 1QJ
0113 243 2022 | www.leeds.gov.uk

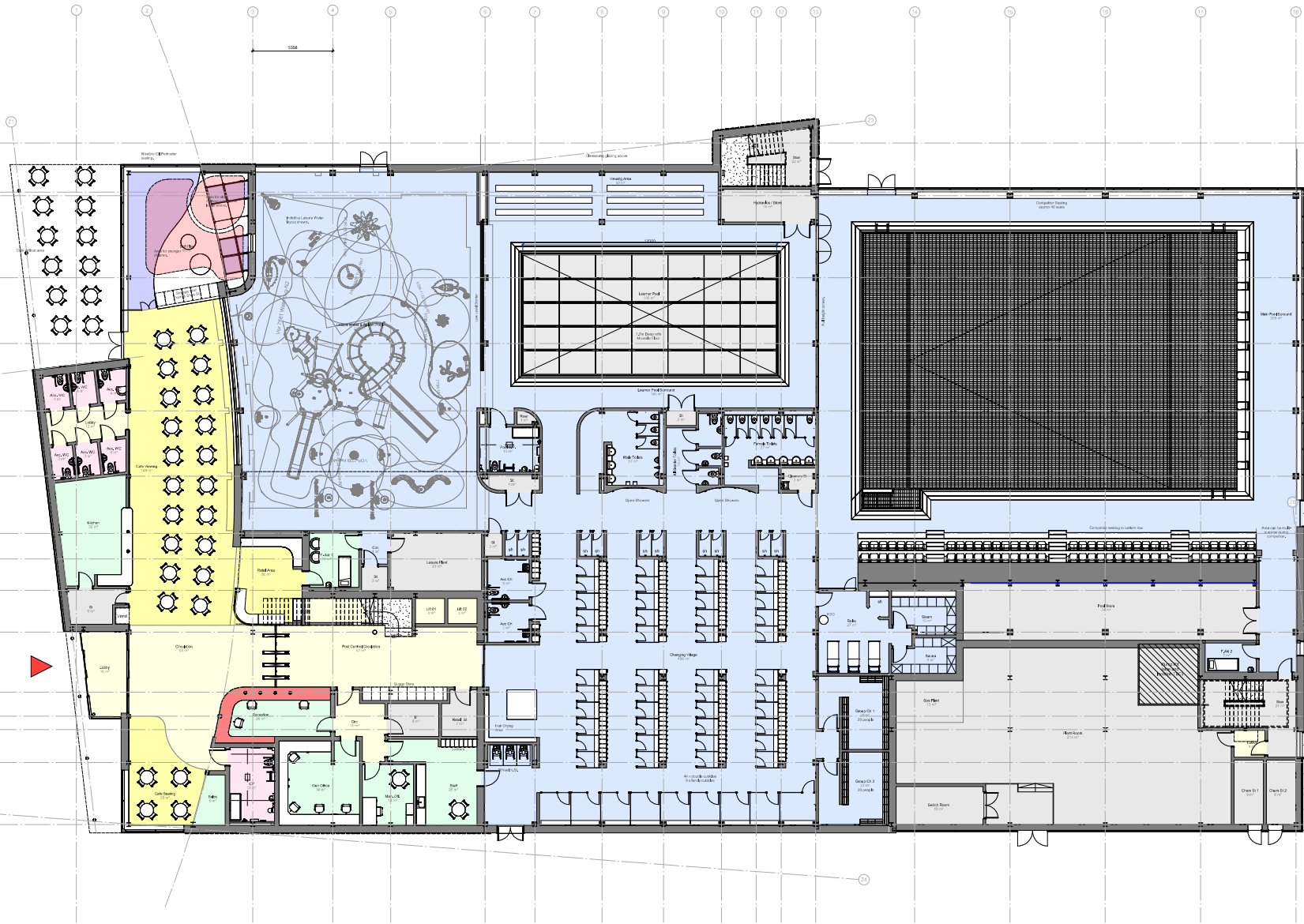
BRISTOL BOROUGH COUNCIL

PROPOSED SITE PLAN OUTLINE SUBMISSION

DATE	17.01.2023	BY	17.01.2023
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DATE	17.01.2023	BY	17.01.2023
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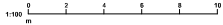


- Cafe & Viewing
- Circulation
- Dry Change & WC
- Plantable Space
- Plant, Storage & Stairs
- Staff Areas
- Wet Areas
- Calculating...



00 Level 0

1:100



1	000000	Planning Issue	17	01
2	000001	000000	18	02
3	000002	000000	19	03
4	000003	000000	20	04

PLANNING ISSUE

DB3

LEEDS

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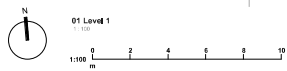
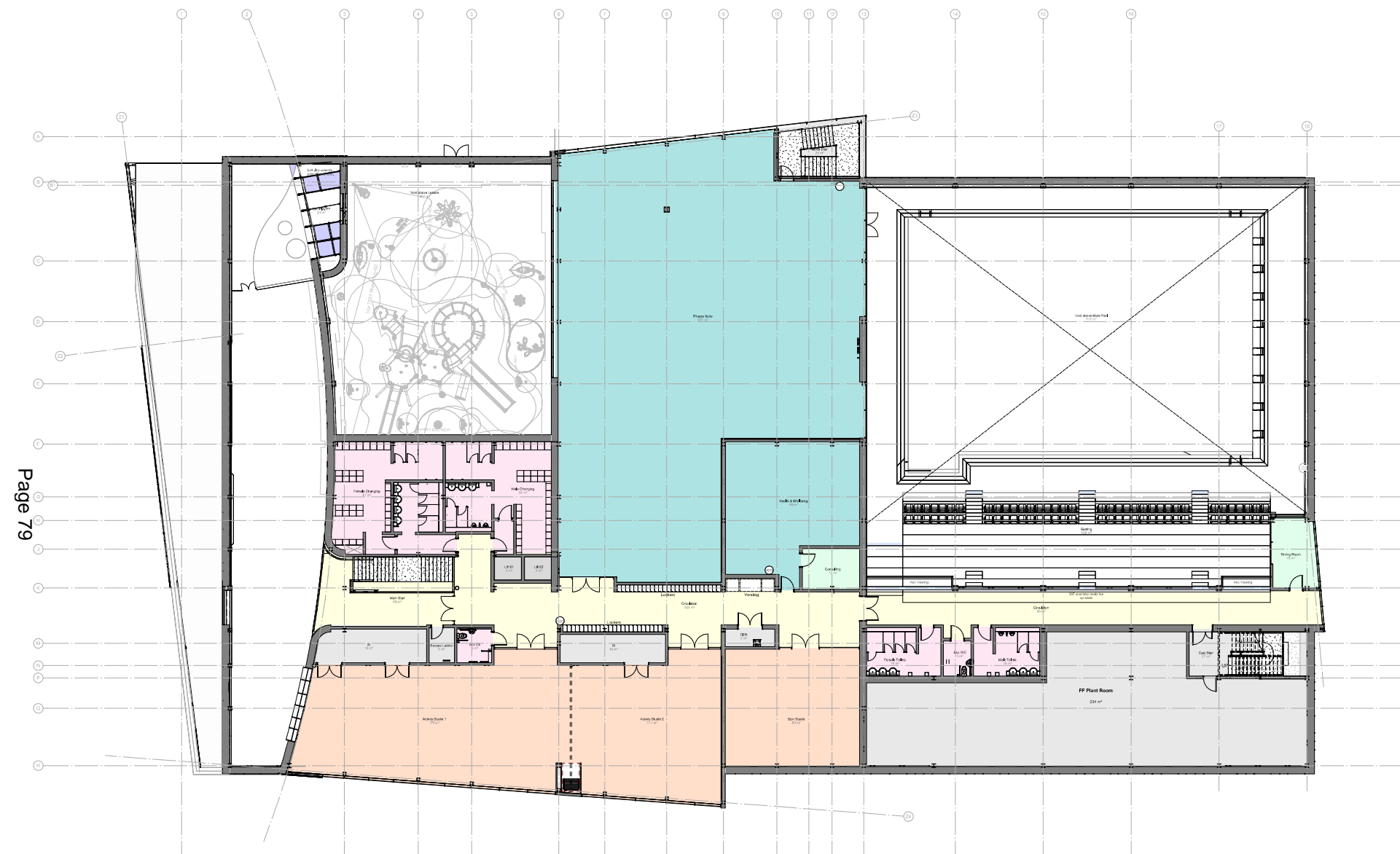
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-  Circulation
-  Dry Change & WC
-  Fitness Suite
-  Flexible Space
-  Plant, Stores & Stairs
-  Staff Areas
-  Studios
-  Wet Areas
-  Calculating...

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Item 03

Application No. IP/24/00494/FUL

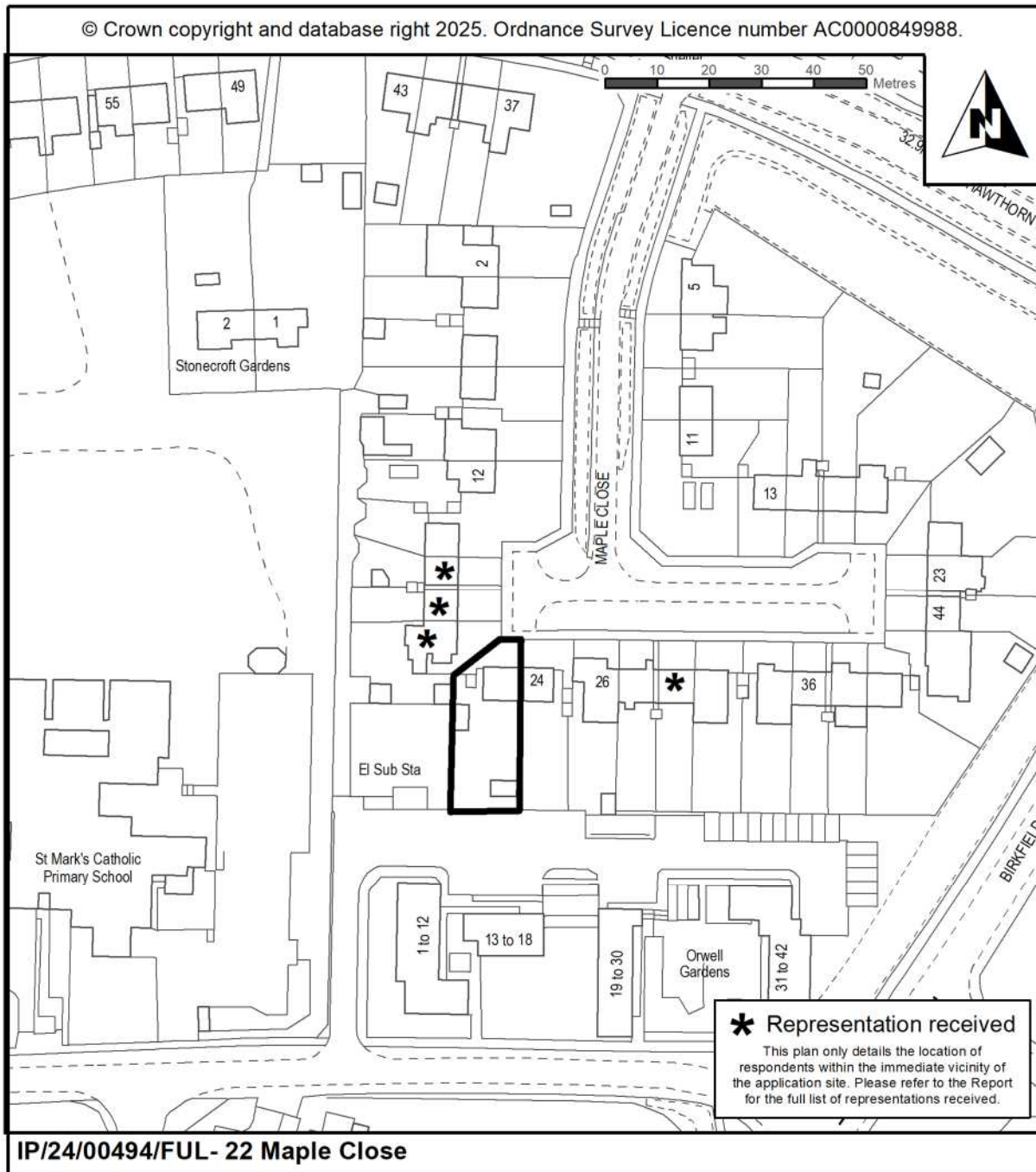
Ward: GIPPING

Proposal: Erection of outbuilding for use as a nail and beauty salon (Sui Generis) (retrospective application). REVISED DESCRIPTION.

Address: 22 Maple Close, Ipswich,

Applicant: Mr & Mrs Brame

Agent: Mr Ian Smillie



Recommendation

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

1. Development approved as per submitted drawings.
2. The approved use shall not be operated nor take appointments outside of the following hours:
Monday - Friday - 09:30 - 17:00.
Saturday, Sunday and Bank Holidays- No working hours
3. During operating hours (As defined by Condition 2), the parking space shown on the Site Location and Block Plan, drawing No.2023070/01 rev. A, shall be made available for the parking of visiting clients.
4. Details to be submitted for a minimum of one secure cycle storage space.
5. Submission of a management plan to cover the following points - Clients shall attend the salon by pre-booked appointments only. The start of each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment. A record of each appointment from the granting of this permission shall be kept informing of the time at which each appointment began, ended and the date they occurred.

1. Proposal

- 1.1 Planning permission is sought for the erection of an outbuilding for use as a nail and beauty salon (Sui-Generis use). The planning application is retrospective, as the building and the use are already operational, and the application has been submitted following planning enforcement investigation. The outbuilding measures approx. 4.925m by 2.825m (13.91 sqm), and 2.66m in height.

Description of the Site

- 1.2 No.22 Maple Close is a two-storey semi-detached dwellinghouse located at the end of the Maple Close cul-de-sac located in the Chantry suburb of Ipswich. The surrounding properties are neatly laid out in perpendicular lines fronting the highway with dwellings comprising a mix of semi-detached and terrace properties. These are set back from the highway with front gardens, verges and hardstanding between the carriageway and surrounding buildings, resulting in a relatively low density of development.
- 1.3 The property has a dropped kerb and area of hard standing at its front, that could accommodate two vehicles within the front garden of the application site. Street parking along Maple Close is generally permitted, except around the T-junctions where there are double yellow lines, and some of this is indiscriminate as vehicles are parked on road verge. Maple Close is also provided with off-street unallocated resident parking areas.
- 1.4 The site is within the Chantry, Stoke Park and Maidenhall Character Area of the Ipswich Urban Characterisation Study (2019), specifically within the Chantry sub-area. There are no other designations attached to or associated with the site.

2. Background

- 2.1. The site has been operating as a nail and beauty salon since at least February 2023, when the first enforcement complaint was received.
- 2.2. The site includes several domestic ancillary outbuildings along the west side of the site in addition to the outbuilding located at the bottom of the garden which is the subject of this application. The original use of the outbuilding was as a summerhouse, incidental to the enjoyment of the dwelling, which was erected in 2019. The building was subject to a planning enforcement case (23/00015/CHAUSE) where the construction of the outbuilding was determined to have not constituted permitted development (Class E, Part 1, Schedule 2) due to its height exceeding the prescribed limit (2 metres), this is in addition to the ongoing use of the building as a beauty salon (Sui Generis) without planning permission. Aerial photographs from 2013, 2016 and 2020 show that a range of domestic structures

have been erected within the site over time, including a visibly different structure occupying the current site of the summerhouse. An application for prior approval, for a single-storey rear extension, was submitted and approved in 2022 (under ref. 22/00094/PDE) and has been completed.

- 2.3. A pre-application enquiry was submitted in June 2023 for the proposed use. The officer concluded that the introduction of a small-scale business within the site could be supported in principle, but would be dependent on the proposed use being appropriate within a residential context. Parking matters were required to be resolved in accordance with the prescribed guidance for parking or through the provision of an overriding justification in favour of allowing reduced parking standards. It was noted that the existing summerhouse did not have planning permission, and an application should be submitted to ensure that the building was also lawful development.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 27th January 2025 and 15th April 2025. The initial consultation (from 27/01/2025) was for the proposed use for a temporary 3 year period, as submitted by the applicant. Officers did not consider that there was a need for a 3 year limitation, and therefore, this was removed from the development description and re-consultation occurred (from 17/03/2025). 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 2024.

- 3.2 Comments that were received are summarised below:

SCC Highways: No objection.

Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.

SCC Suffolk Fire and Rescue Service: No objection.

Access and Fire Fighting Facilities: Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies: No additional water supply for firefighting purposes is required in respect of this planning application.

IBC Environmental Protection: No objection.

- 3.2 Representations:

- 3.3 The following representations have been received objecting to the application (as originally submitted with the 3 year time limit): -

1. 2no. Anonymous residents of Maple Close, Ipswich, received 31/01/2025.
2. C & H Daniels; 18 Maple Close, Ipswich, received 31/01/2025.
3. N. Stringer; 16 Maples Close, Ipswich, received 03/02/2025.
4. D. Green; 20 Maple Close, Ipswich, received 03/02/2025.
5. S. Garnett; 30 Maple Close, Ipswich received 04/02/2025.
6. L. Suckling; 23 Iris Close, Ipswich received 12/02/2025.

Summary of issues raised: -

- This business in a small residential area and is disturbing the peace.
- Maple Close is a small cul-de-sac with very limited parking for its residents.
- There are not enough parking spaces for residents and people arrive home from work and cannot park where they live.
- Increased foot traffic and car traffic.
- People waiting outside our houses looking into our houses and sitting on our walls.
- This nail business is run by the homeowner's niece who does not actually live at the property.
- The occupants have 3 cars, plus the niece's car, plus her boyfriend's car, and client's cars on top of that, at least 7-10 nail customers from this business.
- The proposed nail bar has been operating since 2021.
- The cul-de-sac is home to young children going to and returning from school, concern this would prevent safe and free movement around Maple Close with traffic attending during and after School times.
- Parking restricts access for emergency services.
- Temporary fencing has been put up to stop people standing in neighbouring gardens.
- Business being run from 7.30 in the morning till 10 at night.
- Security lights going off lighting my house up.
- Noise from dogs barking when people go past.
- Problem with rats in their garden running through to neighbour's gardens from theirs.
- Litter being dropped out of people cars cigarette ends in neighbour's gardens.
- Application should go to a planning committee - benefits of scheme do not outweigh harm to residential amenity.

3.4 No additional consultation responses were received within the re-consultation period following the removal of the temporary three year time limit.

4. Policy

4.1. National Planning Policy

National Planning Policy Framework (2024)
National Planning Practice Guidance

4.2. 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
DM8 The Natural Environment
DM12 Design and Character
DM16 Extension to Dwellings and the Provision of Ancillary Buildings
DM18 Amenity
DM21 Transport and Access in New Development
DM22 Car and Cycle Parking in New Development
DM31 Town Centre Uses Outside the Central Shopping Area

4.3. Other Planning Guidance

Space and Design Guidelines November 2015
Low Emissions SPD December 2021
Cycling Strategy SPD July 2016
Ipswich Urban Characterisation Study July 2019 – Chantry Character Area

5. **Planning Assessment**

Principle of Development

- 5.1. The outbuilding, or summerhouse, has been erected without planning permission. The building is not considered to be Permitted Development as the height of the outbuilding at 2.66m, and exceeds the maximum prescribed height for an outbuilding within 2m of the curtilage of the dwelling (restricted to 2.5m (Schedule 2, Part 1, Class E(e)(ii)). The regularisation of the outbuilding, as an ancillary building within the curtilage of the dwelling, is considered to be akin to householder development. When considered in isolation, from the proposed change of use, the structure is considered to be acceptable in principle, and does not impact upon neighbouring residential amenity.
- 5.2. Policy DM31 states that within the Town Centre (defined on the IP-One Area Action Plan Inset Policies Map) but outside the Central Shopping Area, the development of non-retail town centre uses, including leisure, recreation, culture and tourism uses, will be permitted. This area must be considered first before edge or out of centre locations for these town centre uses. The site is considered to be outside of the Town Centre and as such available sites within the Town Centre should be considered first in order to meet the requirements of policy DM31. However, the scale of the proposed business, the singular client service, and the fact the business will not be open to passing trade, would suggest that the building may operate as a domestic business which can be accommodated outside of the town centre in accordance with this policy. Small scale domestic beauty, nail and hair salons are commonly seen across Ipswich and the country at large, with a strong precedence within planning supporting home business such as these.
- 5.3. It is considered that the proposed use in this location is supported in principle, however the acceptability of the use is subject to wider material planning considerations.

Design and Layout

- 5.4. Paragraph 130 of the National Planning Policy Framework (NPPF) has a requirement that decisions ensure that new development will function well and add to overall quality and visual attractiveness of its surroundings.
- 5.5. Policy DM12 requires all new development to be well-designed and sustainable, to ensure that new development contributes towards sustaining a safe and attractive public realm. Policy DM16 is specific to householder extensions and ancillary buildings within the curtilage of a dwellinghouse. The policy criteria require development to respect established design principles in their locality of the development and prevent an over developed or unbalanced street scene. In addition to these policies are adopted Supplementary Planning Documents (SPDs) which provide specific guidance and set design expectations for development within the borough.
- 5.6. The outbuilding is set back within the rear garden close to the curtilage boundary at the rear of the site and close to the shared boundary with No.24 Maple Close. It has no visual presence within views of Maple Close. The land to the rear of the site is part of the Orwell Gardens flats and is used for private parking, from this area the structure is visible but is not prominent and is screened by boundary vegetation.
- 5.7. The building has the appearance of a generic garden structure with a shallow dual pitch roof, and front and rear gables. Elevation plans include a description of the exterior materials, these being a felt roof, horizontal timber cladding and stained timber walls and doors. There is a small area of decking in front of the building. The building is painted/stained in black.

5.8. It is not considered that the outbuilding harms the visual amenity of the site and its surroundings and would have little to no impact on the character and appearance of the surrounding street scenes in accordance with Policies DM12 and DM16 of the Local Plan and consistent with the aims of the NPPF.

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. The Space and Design Guidelines SPD include criteria for measuring the potential impact of development on residential amenities. Exceptions to these criteria will only be made where satisfactory mitigation measures can be secured.

5.10. The relative size and position of the outbuilding is unlikely to have any detrimental impact on the residential amenity of the surrounding neighbours. The building is close to a 1.8m close board fence along the shared boundary with No.24 Maple Close and it is not considered that either the outbuilding or the decking at its front would allow for any increased or adverse overlooking of the neighbour's private residential amenity space. The position of the building relative to nearby buildings and boundary features would not result in there being any adverse overshadowing of the neighbouring properties.

5.11. The introduction of a formal commercial or business use would be out of keeping within the immediate context of the site, which is primarily comprised of residential dwellings with non-residential within the wider context of the site relating to schools and recreation grounds. The immediate area has a distinct absence of any known formal commercial and business activity, but the nature of this business is typically regarded as common enough and small-scale domestic business which it is deemed appropriate within a residential setting. No objections have been raised from Environmental Protection team in respect of noise or odour nuisances or impacts on air quality resulting from the use of the building. The introduction of a small-scale business for a single employee working with individual clients within reasonable working hours (Monday - Friday - 09:30 - 17:00. Saturday, Sunday and Bank Holidays- No working hours) is unlikely to result in any adverse or harmful detrimental impact on residential amenities, notwithstanding parking matters considered below.

5.12. Representations from the local residents have been received with objections to the continued use of the outbuilding as a beauty salon. These concerns relate to disturbances of the peace from lighting and noise, late night working hours, increased foot and vehicle traffic, disturbance from clients waiting outside houses, litter being dropped by clients, and rodents emanating from the garden of the property.

5.13. Regarding the rodents, a site visit was made on 18 February 2025. The site seemed reasonably tidy and there was no evidence to suggest that either the residential use or the beauty salon could reasonably result in or increase the presence of any rodents. When asked about this the applicant stated that their own assessment of the issue suggested that rats were passing from another external location through their garden and into the neighbour's gardens. Why there may be a rodent issue at and around the site is considered to be immaterial to this proposal, and there is no reason to suggest that there is any causal link between the outbuilding/beauty salon and the presence of these rodents. While the outbuilding may serve as refugia for rodents, and other animals, it is considered unreasonable to refuse planning permission for this reason.

5.14. A number of concerns were related to disturbances from clients and working practices. The applicant has stated that they run the business seeing one client at a time and allowing 15 minutes between

client visits to ensure there is time to clean the facilities, prepare for the next client and to ensure one client has left before the next arrives. The applicant disputes the claims of working hours as late as 10pm. Besides anecdotal evidence, there is no evidence to either support or contradict these claims. Opening hours for visiting clientele will be restricted by condition to between 9:30 and 17:00 on weekdays only, this is considered reasonable for local home businesses in residential settings. Any requirement to increase hours or operational days to a Saturday or Sunday would require the need for a further planning application. While it is unfortunate clients may be acting disrespectfully, this is not something that can be reasonably controlled by the applicant or the Local Planning Authority. By having a 15-minute space between clients and parking for clients being made available within the site during opening hours, this would assist in reducing the need for clients to wait outside of the business premises. The retention of parking facilities will be secured by condition. Security lighting and noise from dogs is considered to be unrelated to the proposed change of use and part-and-parcel of the residential use of the site as much as any other use of the site and therefore cannot be controlled by way of planning permission.

- 5.15. Subject to conditions being applied to the permission, it is not expected that the proposed change of use would have any adverse impact on the residential amenities of the surrounding residential properties. Officers consider the proposal to be in accordance with Policy DM18 of the adopted Local Plan.

Amenity of the Occupant

- 5.16. Policy DM7 requires a standard of 75sq.m of private amenity space for a 3-bedroom house. The change of use of the outbuilding from a summerhouse may be interpreted as a reduction in the available amount of private amenity space within the site, however there would be sufficient garden space retained to meet the policy requirement. It is noted the outbuilding is not segregated from the residential garden.

Highways and Parking

- 5.17. Policy DM21 promotes sustainable development that will not result in a severe impact on the highway network or unacceptable impacts on highway safety.
- 5.18. Policy DM22 refers to car parking and cycle parking, requiring development to have regard to the adopted car and cycle parking guidance, to provide design and integrated parking solutions.
- 5.19. Secure and covered cycle storage facilities should be provided for the proposed business use in accordance with the Suffolk Guidance for Parking which would require storage space for at least 2 cycles, however in this case, as there would only be 1 client on site at a time, provision is only considered necessary for 1 cycle. Secure cycle storage may be accommodated within the private garden of the dwelling. This can be secured by planning condition.
- 5.20. The proposed change of use would be operated by a relative of the occupant. As such there is a very modest amount of employment generated, one staff member/ the owner of the business, as a result of the use with staff having to commute to the site. It is considered that there is space within the site to accommodate two vehicles. Details have been submitted showing a dedicated parking space for clients within the site, a condition would ensure this space is made available to clients only during business hours. This would help alleviate any issues related to street parking by clients and clients waiting outside of the premises.
- 5.21. Several of the public representations objected to the resulting pressure for parking within the cul-de-sac that has occurred as a result of the change of use. Assuming the occupants of the dwelling have two vehicles, as per the Suffolk Guidance for Parking standards for three-bedroom dwellings (the site can accommodate two off street parking spaces), and the needs of the business require

one parking space, (as per the requirements of the SGP as the outbuilding is less than 20 sqm), it would be reasonable to assume that at least one vehicle would need to be parked on the street during business hours, although it is noted the applicant/operator of the proposed use also drives to the site. Maple Close has a narrow single lane carriage way running through it which would not easily facilitate on-street parking. Unallocated resident off-street parking bays are available, with at least 8 bays for vehicle parking. Some, but not all, of the properties within the close have hardstanding with space to park 1-2 vehicles. Visiting the site, it is noted that there are vehicles parked within turning bays, on verges and on the pavements. The road into Maple Close is narrow with a pavement which vehicles frequently park on. Officers visited the site in the morning (Monday 3rd March – 8-8:30am), during the day (Tuesday 4th March – 2-2:30pm and Wednesday 5th March – 10-10:30am), and in the evening (Friday 28th February – 5-5:30pm). Parking in the close was significantly higher during the morning and evening than during the daytime, as would be expected with the typical commuting patterns.

- 5.22. The eclectic layout and visible differences seen in the hard standing associated with the dwellings within Maple Close imply that vehicle parking was not a planned feature of the original housing development. It would appear piecemeal off-street parking has been added to the properties over time, this is corroborated by street view images and aerial photographs. This includes the public off-street parking bays which were constructed sometime between 2009 and 2012. While the parking of one vehicle or two vehicles within the street is not ideal, it is noted that the greatest pressure from parking from the proposed use would occur during working hours, 9:30-17:00, time when the area is expected to be least occupied by vehicles.
- 5.23. SCC Highways have raised no objection to the proposal.
- 5.24. The impact on parking is not considered to be ideal, due to the potential reliance on on-street parking or use of the unallocated off-street parking areas. However, the pressure would be mitigated as parking associated with the proposal would be limited to working hours, 9:30-17:00 (as recommended via condition), at times when the area is expected to be least occupied by vehicles due to traditional commuter temporal patterns of other residents within Maple Close. Additionally, each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment, therefore, only one client car should be present at any one time.
- 5.25. Subject to conditions being applied to the permission, provision of on-site car parking and cycle parking, and reliance on one or two on-street car parking space, is not considered to be detrimental. Officers consider the proposal to be in accordance with Policies DM21 and DM22 of the adopted Local Plan.

Landscaping and Biodiversity Matters

- 5.26 The summer house was erected on site prior to the adoption of statutory biodiversity net gains, as was The original use of the outbuilding as a beauty salon. As the original use would have constituted householder development, it would be exempt from the need to provide a 10% net gain of biodiversity within the site. It is considered unnecessary to require a 10% biodiversity net gain for the proposed change of use. Whilst policy DM8 requires that all development to incorporate measures to provide net gains for biodiversity (separate to BNG legislation), given the nature of the proposal it is considered ecological enhancements are not required by this application.

Air Quality

- 5.27 Policy DM3 states 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.

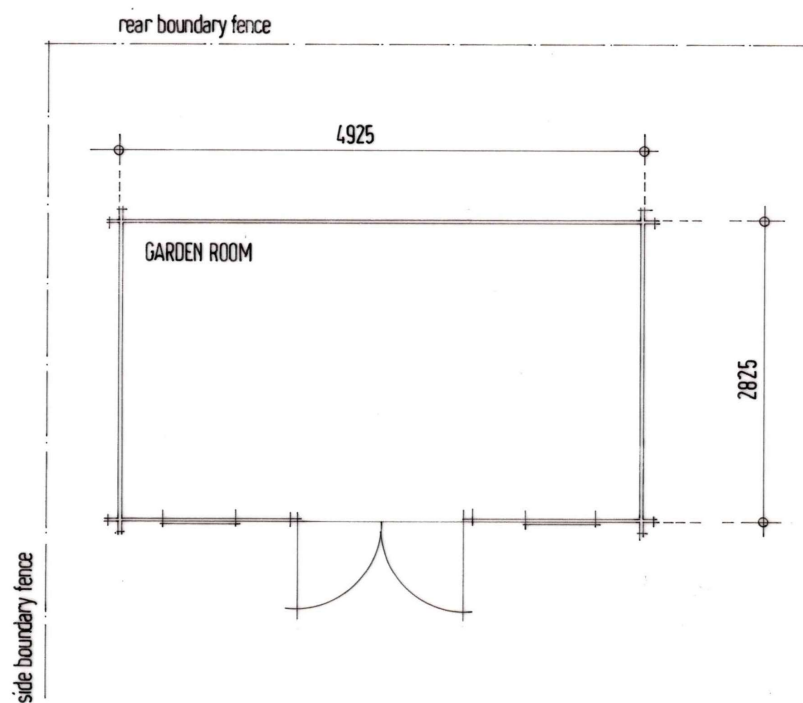
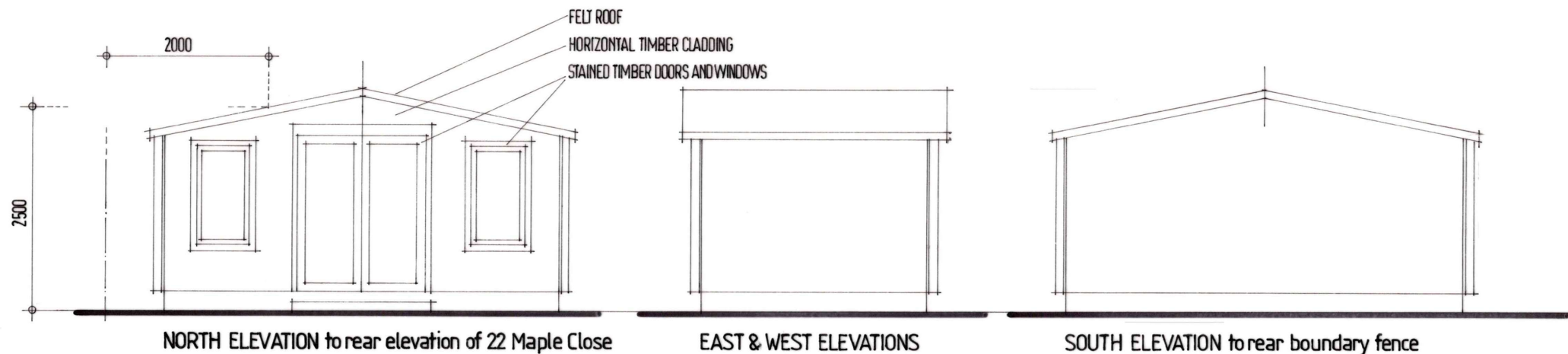
The site is not within an Air Quality Management Area. The salon would not introduce new sources of air pollution nor is it likely to result in an increase of emissions from the site.

No objections have been received from the Councils Environmental Protection team in respect of air quality.

6 . Planning Balance / Conclusion

- 6.1 The proposal is considered by Officers to be acceptable, in regard to both the outbuilding and change of use. The proposal is not considered to harm the visual amenity of the site and its surroundings, nor the amenity of the neighbours or the occupants. The impact on parking is not considered to be ideal, potentially relying on the parking of one or two vehicles within the street. However, the pressure would be mitigated as parking associated with the proposal would be limited to working hours, 9:30-17:00 (as recommended via condition), at times when the area is expected to be least occupied by cars due to traditional commuter temporal patterns of other residents within Maple Close. Additionally, each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment, therefore, only one client car should be present at any one time.
- 6.2 The proposal is therefore considered compliant with Local Plan policies DM3, DM8, DM12, DM16, DM18, DM21, DM22, DM31, and the NPPF 2024; and in relation to chapter 16 of the NPPF 2024. It is recommended that planning permission is granted.

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Ian Smillie Architectural Services
75 Camden Road, Ipswich IP3 8JN

telephone 01473 714209
Do not scale from this drawing
if in doubt ASK

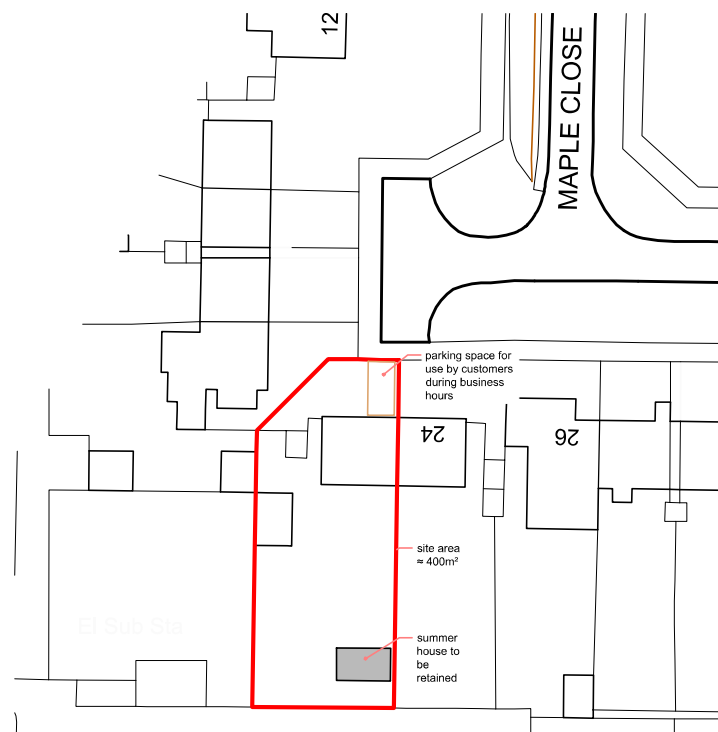
Proposed retention of summer house and temporary permission for use
as a beauty treatment room

22 Maple Close, Chantry Estate, Ipswich
for Miss Brame

scale 1:50 @ A3

drwg. number 20230701 02

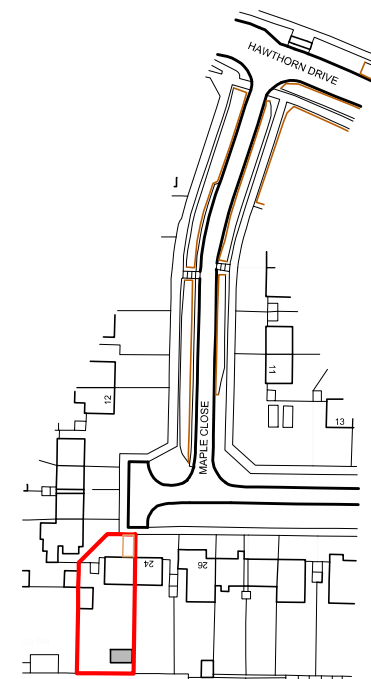
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Block plan



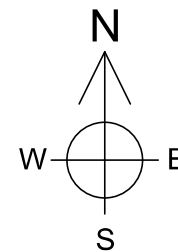
Scale bar 1:500 @ A3



Location plan



Scale bar 1:1250 @ A3



Ian Smillie Architectural Services
75 Camden Road, Ipswich IP3 8JN
telephone 01473 714209
Do not scale from this drawing
- If in doubt ASK

Site location and block plan

Proposed retention of summer house and temporary permission for use as a beauty treatment room
22 Maple Close, Chantry Estate, Ipswich
For Miss Brame

Scales 1:500 & 1:1250 @ A3 drg. number 2023070/01 Rev. A

Rev. A: Customer parking space identified

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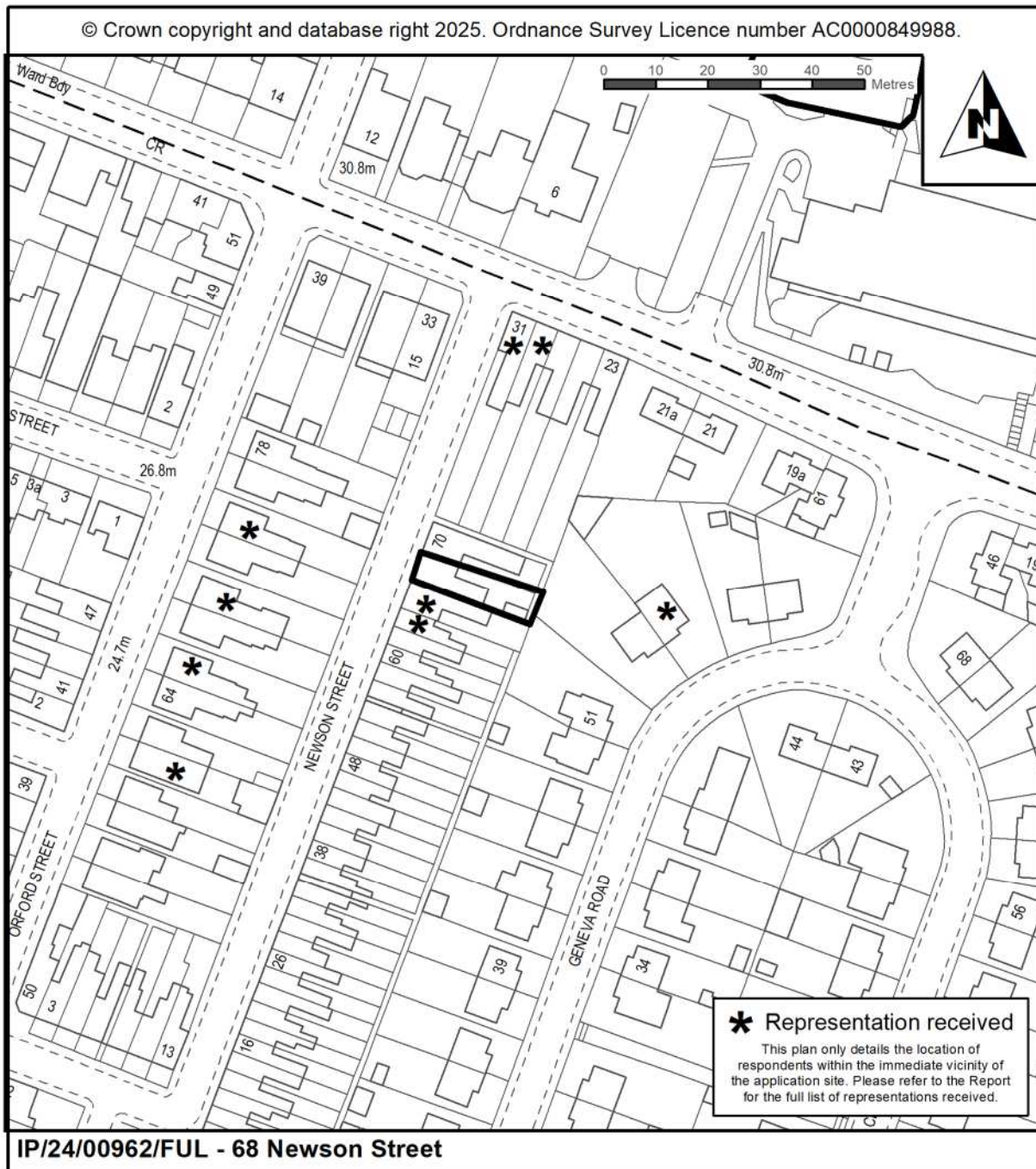
Ward: WESTGATE

Proposal: Change of use from dwellinghouse (use class C3) to 5 person (5 bedroom) HMO (use class C4).

Address: 68 Newson Street,

Applicant: Balachandran Raveendran

Agent: Mr John Scaife



Recommendation

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

1. Development to be in accordance with approved plans.
2. Pre-commencement management plan.
3. Pre-commencement cycle and refuse plans.
4. Pre-commencement sound insulation details, to meet the expectations of the Environmental Protection Officers' comments.
5. Pre-commencement condition regarding security features to be installed.
6. Compliance condition requiring that the room annotated as 'shared space' shall always remain available for the use of Bedroom 03.
7. Compliance condition requiring that the premises shall be occupied by no greater than 5 occupants, 1 per room.

1. Proposal

- 1.1. Change of use from dwellinghouse (use class C3) to 5 person (5 bedroom) HMO (use class C4).

2. Background

- 2.1. The proposed site sits within the Article 4 Direction area removing permitted development right change of use from single dwellinghouse (use class C3) to small HMO (use class C4).
- 2.2. The premises comprises a two-storey terraced building facing directly on to Newson Street, with rear garden and access route from rear garden wrapping around the back and side of end of terrace no.70 Newson Street.
- 2.3. The application was re-advertised and re-consulted upon following a change of the site location plan. The original plans omitted the access route however such access route is a critical component on the acceptability of the proposed change of use therefore was included in the site location plans.
- 2.4. Officers note that the dwelling has been advertised on the market as a 4-bed dwelling.

3. Consultations

3.1. *Suffolk Constabulary*

- 3.2. Summary: Suffolk Constabulary does not object to this application but does request that conditions relating to the gating of the shared communal rear access, installation of CCTV, a robust communal door and access control system as described are included as a condition of any planning permission granted. Suffolk Constabulary had no further comments at point of re-consultation.

3.3. *Suffolk Fire and Rescue Service*

- 3.4. Summary: Standing advice regarding Access and Fire Fighting Facilities to be in accordance with Building Regulation requirements only.

3.5. *Ipswich Borough Council – Private Sector Housing*

- 3.6. No comments at time of first consultation. Upon second consultation the following points were raised:

A fire assessment will be needed before the property can be used as a HMO; If bedroom 4 is to be used as a bedroom, it must be 6.51m² or above. Alternatively, the applicant could continue to use the 'siting room' as a bedroom, and bedroom 4 as a shared areas as shown on the previous plans.

3.7. *Ipswich Borough Council Environmental Protection Officers*

3.8. Air Quality: No Comments

3.9. Noise and Vibration: Applicant has not provided information as to how the separating floors and wall between each room for residential purposes will be upgraded to meet the required Part E standard for airborne and impact sound. Upon second round of consultation, the Environmental Protection Officers reiterated that it will be difficult to obtain the required sound insulation given that the premises is a brick shell with timber suspended floors.

3.10. Contaminated Land: No comments

3.11. Lighting: No comments

3.12. Odour: No Comments.

3.13. *Suffolk County Council Local Highway Authority*

3.14. As per Suffolk Guidance for Parking (SGP) 2023, a class C4 property states that a 5-bedroom HMO should have a minimum of 3 spaces allocated per dwelling. However, as the proposal is located in an urban area where there is good provision of public transport. A relaxation of parking standards would be permitted and would comply with SGP 2023. This section states that such developments must be designed to provide exceptional standards of sustainable transport.

3.15. Holding Objection until exceptional cycle parking provision is provided and details of storage and collection points for refuse. Holding objection re-iterated at time of re-consultation.

3.16. Representations:

3.17. The application underwent 2 rounds of public consultation due to a revision to the plans. The first round of consultation was for the period 12.12.24 – 14.01.25. The second was for the period 11.03.25 – 08.04.25.

3.18. The original set of plans showed no rear garden access. The revised set of plans included the rear garden access. The amendment to the red-line boundary to include the rear access lane led several objectors to reiterate their original objections, with one objector specifically raising concerns of additional risks resultant from the inclusion of the rear access.

3.19. Several letters of representation were a repeat of a templated letter. Both the templated letter and bespoke communications raised similar concerns and the responses have been pooled together. MP and Cllr objections have been separated for clarity.

3.20. No letters of support have been received.

3.21. 1no. MP Objection to the proposal:

3.22. Jack Abbott MP (13.01.25) and (08.04.25)

-Cramped living conditions

-5 bedroom indicated 10 occupants potentially.

-One share bathroom and one shares WC accessed through a kitchen only.

-No dining or living room to eat and relax.

-Small garden.

-Numerous HMO's in the area leading to over-concentration.

3.23. 2no. Cllr Objections to the proposal:

3.24. Cllr C Jones and Cllr J Gibbs (07.01.25) (Westgate Ward Cllrs)

- 5 bedrooms means there could be 9 or 10 residents.
- Only one shared bathroom and a single toilet for the residents, and located on ground floor.
- No living room or dining room for occupants
- Bedroom 3 is very small
- Limited garden space
- Newson Street is one of mainly small houses.
- Densely populated street.
- Cllrs receive complaints of anti-social behaviour.
- Cllrs receive complaints of fly-tipping.
- Anglesea Road has larger premises, already converted to HMO's.
- Risks affecting mix of tenure.

3.25. 28no. Households objecting to the proposals:

3.26. C, Sullivan, 29 Anglesea Road, IP1 3PS (02.01.25), (05.01.25 emailed to Cllrs), (17.03.25), (28.03.25), (31.03.25) (phone call also received, to which Officer explained the assessment against HMO policies and reason for recommending approval)

D, Strong, 11A Anglesea Road, IP1 3PL (07.01.25)

T, Parry, 20 Anglesea Road, IP1 3PP (06.01.25) and (07.04.25)

C, Talbot, 45 Anglesea Road, IP1 3PR (07.01.25)

S, Southernwood, 16 Anglesea Road, IP1 3PP (08.01.25)

D, Dixie and C Dixie, 8 Anglesea Road, IP1 3PT (09.01.25)

K, Gardener, 30 Cardigan Street, IP1 3PF (13.01.25) and (01.04.25)

D, Dridley, 37 Orford Street, IP1 3PE (14.01.25)

J, Taverner, 66 Newson Street, IP1 3NY (09.01.25)

M, Gardner 48 Orford Street, IP1 3NS (14.01.25) and (01.04.25)

C, Pyper, 74 Orford Street, IP1 3PE (12.01.25) and (17.03.25)

T, Owens, 60 Orford Street, IP1 3PE (12.01.25) and (08.04.25)

S, Holder, 5 Alpe Street, IP1 3NZ (10.01.25)

K, Marrable, 64 Orford Street, (13.01.25) and (05.04.25)

N and L, Bayliss, 31 Anglesea Road, IP1 3PS (12.01.25) and (02.04.25)

A and J, Hunn, 10 Anglesea Road, IP1 3PT (13.01.25) and (04.03.25) and (08.04.25)

C, Francis, Geneva Road, IP1 3NP (14.01.25) and (04.04.25)

R, Duncombe-Anderson, 70 Orford Street, IP1 3PE (13.01.25)

P and J Nice, 51 Orford Street, IP1 3PE (10.01.25)

C, Jane, Orford Street, IP1 3PE (20.01.25)

A, Clarke, 10 Warrington Road(27.01.25) and (17.03.25)

M, Nash, 64 Newson Street,

J, Hook, Woodbridge (26.03.25)

P, White, 18 Warrington Road, IP1 3QU (28.03.25)

C, Preston, 18 Gymnasium Street, IP1 3NZ (29.03.25)

C, Miller, 9 Ivry St, IP1 3QW (31.03.25)

J, Moser, 28 Warrington Road (31.03.25)

3.27. Summary of issues raised (please note, tally has not been included as issues were shared across the majority of letters of representation):

-Parking Shortages in the area being exacerbated, only one permit is permitted per household.

-Parking issues leading to highway impacts, including matters such as emergency vehicle access issues and domestic access issues.

-Waste Disposal issues, notably in an area facing allegedly significant fly-tipping problems, and impacting upon adjacent Conservation Area also.

-Noise pollution emanating from the HMO, and access and egress from the HMO.

-A reduction in the well-being of the area

-Anti-social behavior issues, including but not limited to alleged drug issues in the area, and concerns of access to rear garden of properties off Orford Street.

-Break-up of social cohesion / harmony through the loss of a single dwelling.

-The introduction of an unsuitable tenure type (i.e. HMO rather than a single family dwelling)

-Affects residential character of the area

-Poor quality internal and external facilities / amenity spaces for occupants of the HMO.

-Over-concentration of HMOs in the area exacerbating amenity impacts, including but not limited to larger premises on Anglesea Road

-Over-concentration straining local infrastructure.

-Proximity to schools.

-The footpath / rear access should not be used for cycle access and will lead to disturbance, noise, litter, and security risks.

-Transient population leading to poor upkeep and maintenance of the building, leading to untidiness (adjacent to a Conservation Area also)

4. Policy

4.1. National Planning Policy

National Planning Policy Framework (2024)

National Planning Practice Guidance

4.2. 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)
- DM7 (Provision of Private Outdoor Amenity Space in New and Existing Developments)
- DM8 (The Natural Environment)
- DM12 (Design and Character)
- DM18 (Amenity)
- DM19 (The subdivision of family dwellings)
- DM20 (Houses in Multiple Occupation)
- DM21 (Transport and Access in New Developments)
- DM22 (Car and cycle parking in new development)

4.3. Other Planning Guidance

- Space & Design Guidelines Supplementary Planning Document (November 2015)
- Cycling Strategy Supplementary Planning Document (March 2016)
- Ipswich Urban Characterisation Study – Norwich Road Character Area
- Suffolk Guidance for Parking (4th Edition, October 2023)
- Low Emissions Supplementary Planning Document (November 2021)
- Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) - Supplementary Planning Document (February 2020)
- HMO Guidance Document (August 2024)
- HMO Landlords Handbook

4.4. Relevant Article 4 Direction

Article 4 Direction (Change of use from Single Residential Dwelling (C3) to Small House in Multiple Occupation (C4).

5. **Planning Assessment**

Principle of Development

- 5.1. The proposed site sits within the Article 4 Direction area removing permitted development right change of use from single dwellinghouse (use class C3) to small HMO (use class C4).
- 5.2. The description of the development is seeking a change of use from a dwelling (Use Class C3) to a five person, five bedroom HMO (Use Class C4).
- 5.3. Policy DM19 (the subdivision of family dwellings) states development involving the conversion of houses into flats, bedsits or Houses in Multiple Occupation will be permitted provided that the development 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.
- 5.4. DM19 proceeds to consider matters of concentration of uses, and matters of parking and refuse. The proposed dwelling is marketed as a 4-bedroom house and therefore is in accordance with DM19(a).
- 5.5. Policy DM20 (Houses in Multiple Occupation) provides specific policies applicable to HMO's to consider what is acceptable and what is not in Planning policy terms.
- 5.6. Policy DM20: Houses in Multiple Occupation states when HMO's are likely acceptable and when not. The policy links with other policies within the Core Strategy, but provides a framework of assessment

for the current proposal. Subject to compliance with the HMO-specific policy DM20 and linked policies, the principle of the development is acceptable on grounds that the proposed use is residential and sits within a residential area.

Room Standard

- 5.7. Policy DM20(a) 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 demonstrate that they meet the nationally required minimum room standards for HMOs.
- 5.8. The Houses in Multiple Occupation Landlord's Handbook room size requirements for HMO's where there is no separate living room:
- 1 person: 10 sq.m.
- 5.9. Bedrooms 1 (13sq.m), 2 (13sq.m), 4 (13sq.m), and 5 (13sq.m) comply and have a sq.m area greater than 10sq.m.
- 5.10. Bedroom no.3 is below 10sq.m at 9sq.m. The minimum bedroom sizes for a 1person HMO room is 6.51sq.m where a separate living room is provided. The premises provides a shared room which can be used for the occupant of bedroom no.3. A condition is recommended to be applied ensuring this remains in perpetuity. On basis of the shared room always being accessible to the occupant of room no.3, the proposal is acceptable in this regard.

Noise, disturbance and Loss of Privacy

- 5.11. Policy DM20(b) 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 would not adversely affect the amenity of nearby residents in terms of noise and disturbance or loss of privacy.
- 5.12. The enclosed area of the dwellinghouse is to the rear. The outdoor amenity space is approximately 68m², shy of the 75m² required for a 3+ bed dwelling under policy DM20(e) in conjunction with Policy DM7 and the Space and Design Guide SPD.
- 5.13. The application site is within walking distance of Christchurch Park to the East, at 315m.
- 5.14. With the outdoor amenity space just shy of the sought after 75sq.m. and Christchurch Park in walking distance, officers consider the risk of increased outdoor activity, noise, and disturbances from the HMO spilling into Newson Street or the wider surroundings to be minimal.

Local Employment Uses

- 5.15. Policy DM20(c) 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 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.
- 5.16. The proposal is for a change of use from C3 dwelling only, therefore does not affect non-residential buildings and local employment uses.

Amenity impacts resultant from over concentration

- 5.17. Policy DM20(d) 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 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.
- 5.18. Policy DM20(i-iv) states an over-concentration is:

- 5.19. (i) more than two HMOs side by side;
- 5.20. (ii) the sandwiching of a single self-contained house or flat between two HMOs;
- 5.21. (iii) more than two HMOs within a run of twenty properties on one side of the road; or
- 5.22. (iv) more than one HMO in a road of fewer than twenty properties on one side of the road.
- 5.23. Planning application data and HMO Licensing Register data indicates no other HMO's along Newson Street. The proposal therefore does not constitute over-concentration under policy DM20(d) and DM20(i-iv).
- 5.24. Over-concentration is assessed to ensure there are not amenity impacts as a result of cumulative HMO uses. Issue of over-concentration includes matters such as refuse build up, breaks in social cohesion between known neighbours along a given street, increased anti-social behaviour, and general amenity impacts through intensification of the use of a dwellinghouse. The current application does not constitute over-concentration when measured against the tests of policy DM20(i-iv), therefore the amenity issues of over-concentration are not considered non-compliant with policy and is instead, in Officers opinion, acceptable.
- 5.25. An objection was received regarding the potential for there to be 9-10 occupants given the 5 no. Bedrooms. Although the description of development would preclude such use, a condition is recommended to prohibit more than 5 occupants within the premises.

Acceptable living environment for future occupants

- 5.26. Policy DM20(e) 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 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.
- 5.27. The Environmental Protection Officers in their consultation response highlighted concerns of noise disturbance between internal spaces / rooms of the HMO. A condition has been applied requiring details of sound insulation to be installed and implemented shall be submitted and approved by the Local Planning Authority prior to commencement of the use to ensure the occupants are protected from noise disturbance from within the premises.
- 5.28. The proposal includes outdoor amenity space, is in close proximity to Christchurch Park, has rooms sizes compliant with the HMO Landlord's Handbook, and shall require by pre-commencement planning condition details on secure and covered cycle parking and refuse storage details. The red line boundary was amended on the application to reassure Officers that the external circulation route is feasible and available for cycle and refuse access. Objections were raised stating the external access route is unsuitable for cycles and risks leading to disturbances and security risks however, Officers hold the view that such a rear access is a common and suitable feature for amenity and access purposes of terraced dwellings.
- 5.29. Officers note a number of objections were in reference to increased parking demand however understand that residential permit parking schemes do not include Houses in Multiple Occupation therefore Officers are content to state the HMO poses no risk to the immediate vicinity and instead the combination of cycle storage through the planning system and non-eligibility for residential permits means risks emanating from increased vehicular movements and parking demand in the immediate area is avoided.
- 5.30. In terms of internal amenities, the HMO Landlords Handbook requires of a 1-5 Person HMO: At least 1 kitchen, not more than 1 floor distance from furthest bedroom. Where there is more than 1 floor distance an additional kitchen should be provided, or, a dining room provided on the same floor as the kitchen.

At least 1 bathroom and 1WC. Where there are 5 persons the bathroom and WC must be separate, although the bathroom may also contain a WC.

5.31. The premises is 2-storeys, meaning the 1no. kitchen is within 1 floor distance from the furthest bedroom, The WC and bathroom are separate.

5.32. Officers therefore conclude that the proposal complies with this element of the policy. Similarly, overcoming the concerns raised regarding the limited facilities (WC and living room space) available to occupants

Local Services and accessible sustainable transport modes.

5.33. Policy DM20(f) 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 are well-served by local services and accessible by sustainable transport modes.

5.34. The premises is within 400m of Local Centre (St Matthews Street, and Bramford Road) and 400m of District Centre (Norwich Road), close to the corner with Anglesea Road where there is a bus stop. Though outside of the IP-One Area, is 616m from Tower Ramparts Transport Hub.

5.35. The premises is therefore considered by Officers to be compliant with policy DM20(f).

Natural Environment

5.36. To take account of the impact that proposed development would have, together with other approved developments, a contribution of £142.27 per dwelling towards the Recreational Disturbance and Mitigation Strategy (RAMS) is required under policy DM8. The per dwelling figure may be multiplied in cases where HMO occupier numbers may be greater than a conventional dwelling.

5.37. The current proposal, but for the Article 4 Direction removing the change of use, would be permitted development and not subject to the contribution. Therefore, Officers consider a contribution would not be required in this instance.

5.38. Mandatory Biodiversity Net Gain came into force on 2 April 2024. This was before this application was registered and therefore BNG is applicable. However, it is considered the development is subject to the de minimis exemption as the proposal is for a change of use only and does affect any Priority Habitat and affects less than 25m² or 5 linear metres of any other habitat.

Air Quality

5.39. The site falls outside of any Air Quality Management Area and is not within the buffer zone of and such area. The proposal is for a comparable use to the existing C3 use, therefore Officers consider the proposal to pose little risk to the Air Quality of the town. DM3 is therefore satisfied.

Flood Risk

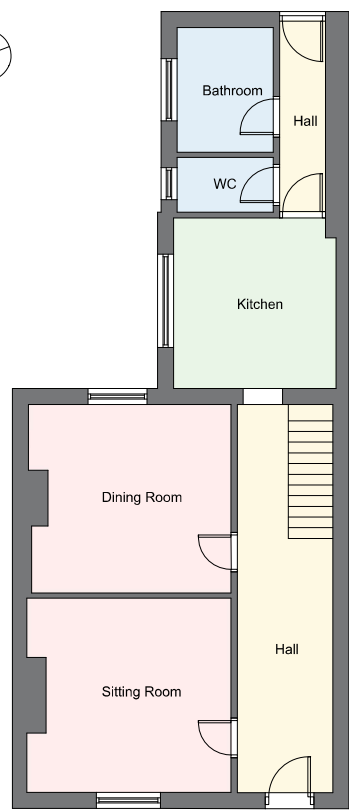
5.40. The site is outside any Flood Zone where there is a risk to life from flooding. Policy DM4 is therefore satisfied.

6. Planning Balance

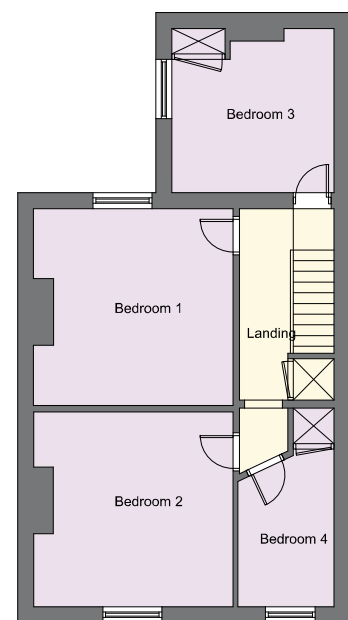
6.1. Officers consider that the proposed Change of use from dwellinghouse (use class C3) to 5 person (5 bedroom) HMO (use class C4) is acceptable on the basis that the change of use is in accordance with the HMO-specific policies.

7. Conclusion

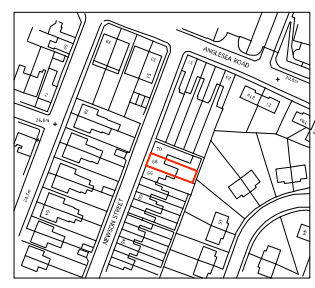
- 7.1. The proposed change of use from dwellinghouse (use class C3) to 5 person (5 bedroom) HMO (use class C4) and, subject to conditions, complies with policies DM3, DM4, DM7, DM8, DM12, DM18, DM19, DM20, DM21, DM22 and the NPPF 2024.



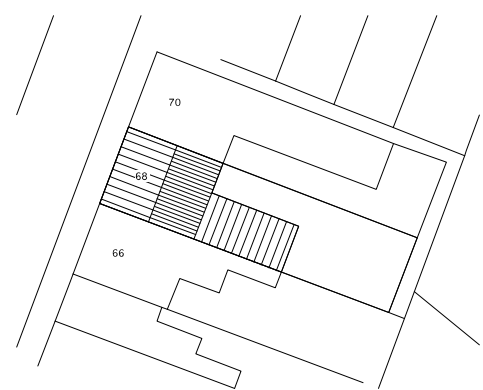
EXISTING GROUND FLOOR PLAN 1:50



EXISTING FIRST FLOOR PLAN 1:50



SITE LOCATION PLAN 1:1250



EXISTING SITE PLAN 1:200

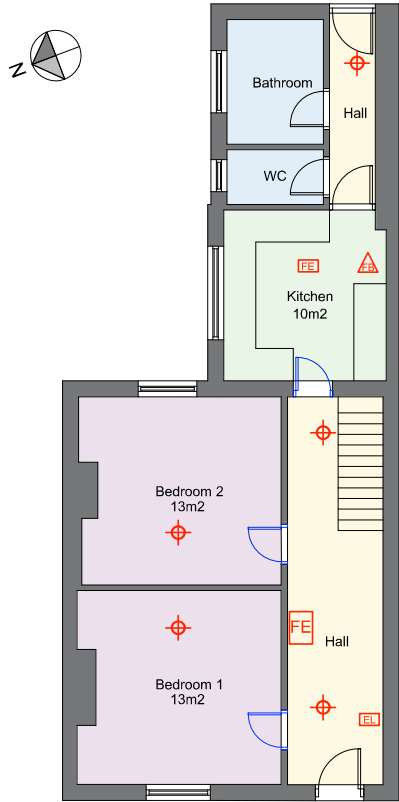
68 Newson Street, Ipswich - Existing Plans & Elevations



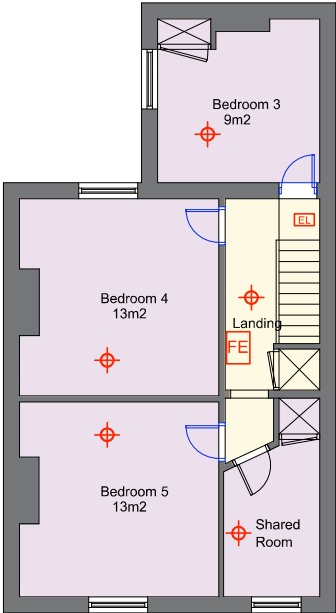
EXISTING FRONT ELEVATION
(No works proposed)

REV	DESCRIPTION	DATE
01	EXISTING FLOOR / SITE PLANS	
PROJECT	68 NEWSON STREET, IPSWICH, SUFFOLK IP1 3NY	
CLIENT	R BALA	
SCALE	1:50 (B/A1)	DATE: APRIL 2024
STATUS	PLANNING	DRAWN: JS
JOB NO	1681-01	DRAWING NO: 01

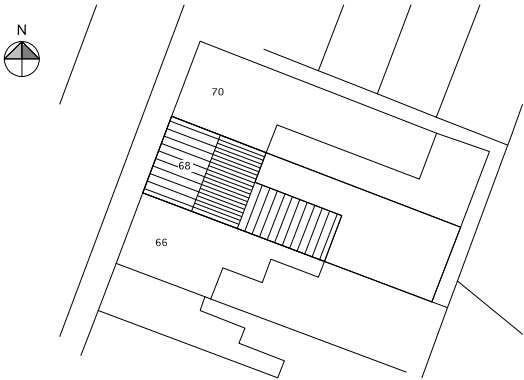
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PROPOSED GROUND FLOOR PLAN 1:50



PROPOSED FIRST FLOOR PLAN 1:50



PROPOSED SITE PLAN 1:200
(Unchanged)

KEY

- EMERGENCY LIGHT
- INTERLINKED SMOKE DETECTION
- 30 MINUTE FIRE PARTITION WALL
- 30 MINUTE FIRE PARTITION CEILING
- 30 MINUTE FIRE DOOR
Complete with intumescent strips,
cold smoke seals and overhead
self closing device
- HEAT DETECTOR
- FIRE BLANKET
- FIRE EXTINGUISHER

REV	DESCRIPTION	DATE
TITLE: PROPOSED FLOOR / SITE PLANS		
PROJECT: 68 NEWSON STREET, IPSWICH, SUFFOLK IP1 3NY		
CLIENT: P BALA		
SCALE: 1:50&A1	DATE: APRIL 2024	
STATUS: PLANNING	DRAWN: JS	
JOB NO: 1681-01	DRAWING NO: 02	



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Item 05

Application No. IP/24/00980/FUL

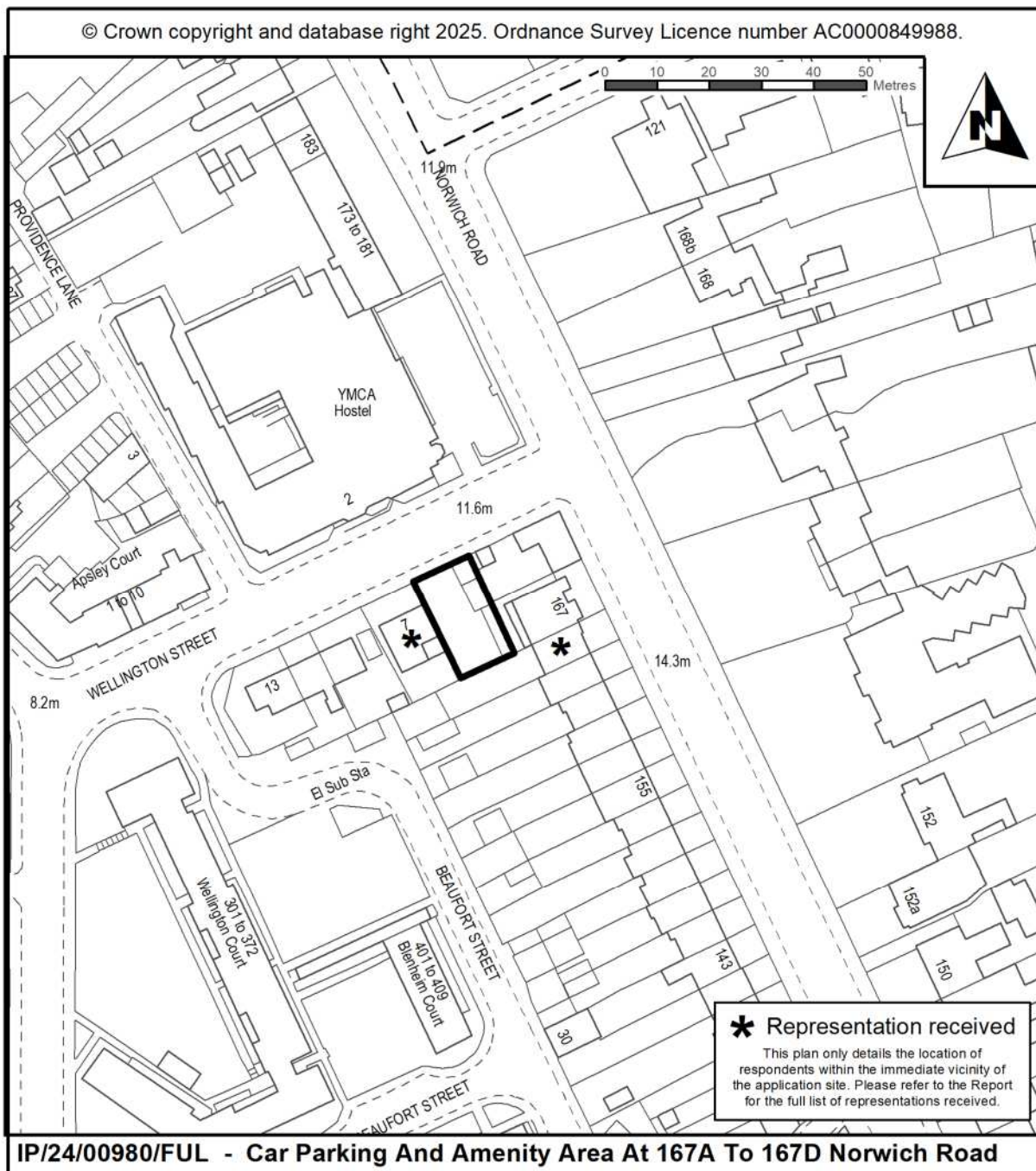
Ward: WESTGATE

Proposal: Erection of two storey building comprising two 1-bedroom flats (Use Class C3), with associated boundary treatment works, cycle storage, and soft and hard landscaping. (Revised description)

Address: Car Parking And Amenity Area At 167A To 167D, Norwich Road,

Applicant: Crackerjack Homes Ltd

Agent: Mr Ben Willis



Recommendation

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

1. Development to be in accordance with the approved drawings and the requirements of any succeeding conditions.
2. First floor south and east facing windows to be obscure glazed.
3. Prior to occupation details of bin storage/collection arrangements, shall be submitted and approved.
4. Details of boundary treatments (including gaps for wildlife and secure boundary treatment shall be submitted and approved before first occupation.
5. Details of enclosed cycle parking shall be submitted and approved before first occupation.
6. Detail of construction management plan to be submitted and approved before commencement, including dust mitigation
7. Prior to commencement details of phase ii contamination report to be submitted along with verification report as required.
8. Details of external facing materials to be provided prior to commencement above slab level.
9. Before commencement details of sedum roof landscaping shall be submitted and approved, with provisions for planting and ongoing maintenance.
10. Before commencement of internal conversion works, details of energy and water efficiency measures and 15% of energy to be from decentralised and renewable or low carbon sources, unless demonstrated neither feasible nor viable, shall be submitted and approved.
11. Before commencement, details of a revised landscape plan that seeks to address policy DM9, two for one tree planting replacement.
12. Details of a landscape management and maintenance plan for 5 years to be submitted and approved.

Informatives

1. Statutory biodiversity gain condition requirement
2. Sprinklers recommended in development.

1. Proposal

- 1.1 The application proposes the erection of a two-storey building for two one bedroomed flats. There would be communal side and rear gardens and bin and cycle storage. The existing front wall is curtilage listed and would be retained but would incorporate a pedestrian arched gateway. The gateway already has listed building consent under reference 24/00981/LBC.
- 1.2 The site is in the Norwich Road/Anglesea Road Conservation Area. It is in Flood Zone 1. It is in a residential area.
- 1.3 The site formed part of the garden area to the Grade II Listed terrace along Norwich Road, which is situated to the east of the site. It is separated from the heritage asset and has become overgrown.

Planning permission has recently been granted for the conversion of the heritage asset's outbuildings to residential use, references 24/00880/FUL and 24/00980/LBC which are immediately east of the site.

- 1.4 Adjacent to the application site to the west is a detached modern dwelling. Across the road to the north are buildings occupied by the YMCA. The gardens to neighbouring properties in Norwich Road are to the south of the site.
- 1.5 The proposed building would be of contemporary style with a flat roof. This would be a sedum roof. There would be an entrance lobby on the east side containing a staircase and entrance doors to the two flats. Unit 1 would be on the ground floor and unit 2 would be on the first floor. Each unit would have living room and kitchen facing Wellington Street, a central bathroom and a bedroom to the rear overlooking the rear garden. The lobby would be finished externally in cladding and the main body of the building would be finished in red brick. Window frames would be anthracite grey.
- 1.6 No parking is proposed. A lockable shed for cargo bikes is proposed in the north east corner of the garden along with a bin store.
- 1.7 The application is supported by the following documents:-
 - Air Quality Assessment
 - Arboricultural Impact Assessment
 - Biodiversity Net Gain Assessments
 - Contaminated Land Reports
 - Design and Access Statement (incorporating Heritage Statement)
 - Design and Access Report
 - Ecological Reports
 - Tree Protection Scheme

2. Background

- 2.1 The site was previously used as a garden containing a swimming pool which has been infilled. It contained a number of overgrown shrubs and trees, concrete walkways and redundant raised flowerbeds. The agent has confirmed that the shrubs and trees have been cut back.
- 2.2 The application as originally submitted was for 3 flats in a 3 storey building. It has been reduced to 2 flats in a 2 storey building. The revisions sought to reduce the overall visual impact.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 19.12.24 and 14.1.25 for the original 3 flats, 3 storey proposals and then 13.03.2025 and 8.04.2025 for the revised 2 flats, 2 storey proposals. 7 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 then adopted Ipswich Statement of Community Involvement 2024.
- 3.2 Comments that were received are summarised below.

IBC Urban Design – Original comment for 3 flat proposals-

The proposed building would look squeezed into the plot, and it would be a shame to lose the trees, which are believed are a remnant of the historic formal gardens to 167 Norwich Road. The plot sits within the CA boundary, and I believe the trees/greenery makes a contribution to the conservation

areas and the setting of the Grade II Listed terrace, but I acknowledge that the CAAMP does not mention it.

If the principle of development is acceptable, I am concerned that the proposed three-storey flat-roofed structure would be a very prominent addition to the streetscape. A detached two-storey residential property with a gabled roof to match the roofline of the neighbouring properties may be more in-keeping with the character of this road.

Revised comment for 2 flat proposals- Although the proposal is not for the preferred single family unit, this two storey development of flats is well proportioned and in a straightforward style which has complementary features with both the suburban housing and listed building to either side. The materials suit the design, and the proposed sedum roof will add environmental benefits.

It is noted the sedum roof has been rather hurriedly added to the spec – the systems are quite complex and require recessing within an aluminium tray with an edge upstand, as well as layers of planting medium; it could impact the parapet detail. Ideally, more information should be provided ie a cross section showing how the sedum roof will work with the parapet; this could also be a condition of any approval. Recommendation Approval. It is recommended a condition be applied requiring the type of brick (ie manufacturer, product name) to be specified. Conditions could also cover the spec of the sedum roof.

IBC Environmental Protection – Contaminated land: A Phase II survey will be required paying particular attention to the recommendations in the Phase I report - "We would recommend that a Stage I/ Tier II Ground Investigation is undertaken across the site. The investigation would likely comprise a series of dynamic sampling boreholes including concrete coring to a maximum depth of 2.00mbgl across hardstanding areas, and hand excavated boreholes across soft landscaping areas to a maximum depth of 2.00mbgl. Soil samples should be retrieved from the Made Ground and underlying geology and tested for atypical range of contaminants. The ground investigation should also include sampling of the infilled swimming pool for waste classification purposes. Air Quality: No objections. Noise: No objections. Private Sector housing: No comment

IBC Waste Management – No comment received.

IBC Parks and Cemeteries – Category C trees provide some benefit for air quality. Trees should be replaced elsewhere via a S106 agreement.

SCC Drainage (Lead Local Flood Authority) – No specific comment LPA should be mindful that the application complies with national and local policy, best practice and guidance in relation to flood risk and surface water drainage.

SCC Highways – No objections (3 flat scheme) - conditions only relating to provision of cycle parking and areas for bin storage and presentation. No further comment for 2 flats scheme.

Place Services – (3 flat scheme) No objection subject to securing mandatory biodiversity net gains. Informative to be applied. No further comment for 2 flats scheme.

Suffolk CC Fire and Rescue Service – (3 flat scheme) No objections. Comments regarding access and fire fighting facilities. No additional water supply required although sprinklers are recommended. No further comment for 2 flats scheme.

Suffolk Wildlife Trust – No comments received.

Historic England – Not offering advice, views of specialist conservation and archaeological advisors should be sought.

Ipswich Conservation and Design Advisory Panel – (3 flats scheme) The panel were concerned about the proposal, although willing to accept the principle of development in this location. The rectangular stack of 3 flats is not well suited to its location alongside the listed building and Wellington St housing, and its scale will fill a strategic space corresponding to an area of former gardens to the listed terrace (the red brick boundary wall is also part of the original garden arrangement, and may be curtilage listed). The separation between the existing properties allows glimpses of greenery and creates a more

spacious setting for the listed terrace.

It was noted the application does not contain visualisations of the development in its streetscape / conservation area setting, apart from an elevation drawing.

The blank south elevation will be conspicuous in views from Wellington St, and the regular, 3 storey vertical stacking of elements were considered unsympathetic in this streetscape setting. There were also questions about the size of flats, which do not appear to be space standard compliant.

Recommendation - Object to this proposal although a single 2-storey house, appropriately scaled and detailed, could possibly be considered – the potential for a vehicle access opening through the boundary wall was also mentioned though would have to be assessed in the light of the design proposal and the heritage / streetscape significance of the section of wall.

Representations:

3.3 The following representations have been received objecting to the proposal:-

1. N Andrews 165 Norwich Road received 28.12.24, 30.12.24 (3 flat proposal) and 8.4.24 (2 flat proposal)
2. B Hewitt 7 Wellington Street received 23.3.25
3. H. Havell 141 Norwich Road received 15.1.25 (3 flat scheme)

Issues raised:-

- Close to grade ii listed terrace (139-167 Norwich Road)- design height and proximity detracts from heritage and setting of the listed building
- Building is squeezed in between listed building and 20th century housing disrupting street character
- House does not transition well in terms of design or scale
- Loss of privacy overlooking from new windows reducing the privacy of gardens and conservatory
- Increased noise and disturbance
- Reduction in light
- Reduction in overall green space and garden character
- Loss of trees
- Retaining 1 tree and the proposed landscaping is insufficient to compensate for loss of existing greenery
- Increased on street parking in an already congested road or congestion from visitors and deliveries
- Construction impacts from noise, dust and vibration, disruption to neighbouring properties access

4. Policy

National Planning Policy

National Planning Policy Framework (2024)
National Planning Practice Guidance

Local Planning Policy

Policies CS4 'Protecting Out Assets', 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', DM13 'Built Heritage and Conservation'. DM18 'Amenity', DM21 'Transport and Access in New Developments', DM22 'Car and Cycle Parking in New Development', DM23 'The Density of Residential Development'

Other Planning Guidance

Cycling Strategy SPD (2016)
Norwich Road/Anglesea Road Conservation Area Appraisal and Management Plan
Low Emissions SPD (2021)
Reptile Strategy SPD (2021)
Suffolk Coast RAMS (2020)
Nationally Described Space Standards (2015)
Space and Design Guidelines SPD (2015)
Suffolk Guidance for Parking (2023)

Legislation

Sections 16(2), 66(1), and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that, when a local planning authority considers whether to grant listed building consent and/or planning permission for development that affects a listed building or its setting, it must have special regard to the desirability of preserving the building, its setting and any special architectural or historic features it possesses; and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5. Planning Assessment

Principle of Development

- 5.1. Paragraph 11 of the NPPF 2024 sets a presumption in favour of sustainable development for applications involving the provision of housing where a local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below i.e. less than 75% of the housing requirement over the previous three years. In this regard, the Council cannot demonstrate a five year supply of deliverable sites though at 85% it currently meets the Housing Delivery Test requirements.
- 5.2. Policy CS7 sets the amount of housing to be provided across Ipswich though the figure has been superseded by requirements in the 2024 NPPF. The housing requirement increases from 466 dwellings per annum (the Local Plan figure is 460 dpa) to 723 dwellings per annum – a 55.4% increase.
- 5.3. The presumption in favour of development does not apply where any adverse impacts of such permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes individually or in combination.
- 5.4. The site is within a residential area. Given the policy requirement the principle of residential development is therefore in accordance with the Local Plan and would contribute towards housing supply and delivery.

Sustainable construction

- 5.5. Policy DM1 states new residential development will be required to meet a high standard of environmental sustainability. The following standards should be achieved as a minimum unless, in

exceptional circumstances, it can be clearly demonstrated that this is either not feasible or not viable: a) A 19% improvement in the reduction of CO2 emissions above the Target Emission Rate of the 2013 Edition of the 2010 Building Regulations (Part L); and b) The water efficiency standards of 110 litres/person/day as set out in Requirement G2, Part G of Schedule 1 and regulation 36 to the Building Regulations 2010, as amended. Development will also be expected to incorporate sustainable drainage and water efficiency measures as required by policy DM4. Surface water should be managed as close to its source as possible. This will mean the use of Sustainable Drainage systems including measures such as green or blue roofs, soakaways and permeable paving.

- 5.6. A planning condition can be imposed to meet the policy requirement. With this in place, Officers can conclude that the proposal would be acceptable having regard to policy DM1.

Air quality

- 5.7. Policy DM3 states the Council will ensure that the impact of development on air quality is mitigated and will 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 will give consideration of both the exposure of occupants to air pollution and the effect of the development on air quality.
- 5.8. The applicant has submitted an appropriate report. The use of control measures with regard to dust emissions during construction would provide suitable mitigation and reduce potential neighbour impacts to an acceptable level. This can be further controlled by conditions, together with provision of cycle parking for residents and visitors. No objection has been raised by IBC Environmental Health.
- 5.9. As proposed the development would be acceptable having regard to policy DM3.

Flood Risk and Drainage

- 5.10. Policy DM4 sets criteria for development and flood risk, with reference to sequential tests, exception tests, restrictions upon drainage connections/sewage capacity, water efficiency and biodiversity. The site is in flood zone 1, the lowest zone for potential risks of flooding.
- 5.11. SCC Drainage made no comment or objection with regard to site flooding. The proposal would be acceptable having regard to policy DM4.

Private outdoor amenity space

- 5.12. Policy DM7 states that to ensure that new residential developments deliver a high quality and environmentally sustainable living environment, developments will be required to incorporate well-designed and located private outdoor amenity space of an appropriate type and amount which should also contribute to the improvement of biodiversity. For all apartments or upper floor maisonettes an average of 25 sq. m of private outdoor amenity space is required.
- 5.13. The proposals provide a communal garden of 83sqm which is in excess of the policy requirement.
- 5.14. The rear garden would back onto the side boundary of no 165 Norwich Road. There would be 14m between the rear of the proposed building and the rear of no 165. The rear garden depth of the proposed development measures 6m, whereas the Space and Design Guidelines require 9m. The rear garden would be finished with a flowering lawn mix. The neighboring property has a number of mature trees on its boundary though these are out of the control of the applicant/site occupier. They do however provide some screening of the neighbour's garden. Further comment is provided in the amenity section of the report.
- 5.15. The proposals are acceptable with regard to policy DM7.

Biodiversity and Trees

- 5.16 Policy DM8 states 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.
- 5.17. It is understood that a number of shrubs and trees have been removed from the site. The agent has advised that these have been cut back rather than removed. Officers can confirm this point at committee. The soft landscaping scheme shows that the rear lawn would be a flowering lawn mix, privet hedging, flowering lawn mix and shrubbed borders in the front and side of the building. A sedum roof is proposed. Policy DM8 does not require a certain percentage of an increase in biodiversity. It states 'net gains' only. It is considered that the site is currently unmanaged with areas of hardstanding. The provision of the additional shrubs and flowers would contribute to the biodiversity of the site resulting in an overall biodiversity gain. The management of these areas and the requirement to maintain them for a minimum period of 5 years to ensure their establishment can be met by condition. The requirements of policy DM8 are met.
- 5.18. In addition to the above policy, under the Environment Act 2021, the proposals will have to deliver at least 10% mandatory biodiversity net gain. The proposal is unable to secure such gains in compliance with the Environment Act. In order to meet mandatory net gain requirements the applicant would need to secure off site credits in addition to the Local Plan requirement for on site provision. An informative can be added to the decision to advise the agent/applicant about the requirement. The consultee on BNG matters, Place Services, has raised no objection to the proposals subject to meeting the statutory requirements for provision of BNG requirements.
- 5.19. Financial contributions will need to be secured in relation to the avoidance and mitigation of impacts of increased recreation, to contribute towards the provision of strategic mitigation as established through the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 5.20. The application site is in proximity to the Stour and Orwell Special Protection Area and it has been identified that new housing development close to such designated European sites will have a likely significant effect on the interest features of those sites through increased recreational pressure, both alone and in-combination with other development. To mitigate this effect a contribution of £145.90 per dwelling has been identified as being necessary.
- 5.21. The agent has provided the per dwelling RAMS mitigation and it can be concluded that the development would have 'no likely significant effects' on the designated site. The proposal would be in accordance with policies DM8 and CS17 which seek to protect designated sites in accordance with the Conservation of Habitats and Species Regulations (2017).
- 5.22. Policy DM9 states 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 appropriate reports and 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, unless otherwise agreed by the Local Planning Authority.
- 5.23. Design in new development should have proper regard to the setting of protected trees. There are no Tree Preservation Orders on the site though the site is in a Conservation Area where all trees with a stem diameter of 7.5cm or more measured at 1.5m above the ground are protected. The root areas of the mature trees in the neighbour's garden (Holly, Apple and Horse Chestnut) would need to be protected. The applicant has provided a tree protection plan showing that the root areas of these trees would be protected during development.
- 5.24. The submitted AIA notes that the site is largely overgrown. Trees to be removed at the site are apple tree and a fig tree with a group of fig trees. These are categorised as category C trees in the submitted Arboricultural Impact Assessment. There are other self seeded trees across the site. Whilst IBC Landscape Services have noted that even category C trees provide some benefit to air quality, their low category and that they are fruit trees would not normally mean that they could be protected by a Tree Preservation Order. A tree adjacent to the site boundary wall is to be retained. The more mature trees appear to have been part of a vegetable garden which is now long un-managed. It is considered that the proposed soft landscaping scheme with its replacement shrubs and hedging along with the retention of the front garden tree would provide some mitigation for the loss of the Category C fruit

trees. A planning condition for their retention and maintenance would ensure their longevity and benefit to the amenities of the area.

- 5.25. It is considered that the landscape plan could be amended to incorporate some tree planting though it is appreciated that the site is very small to accommodate a minimum 4 standard trees to replace the 2 that would be lost by the proposals. It is however considered that suitable replacements with the correct tree management ie those on a dwarf rootstock could be incorporated into the site to meet the policy requirements. As such, the proposed planting would be in accordance with the requirements of policy DM9.

Design and Appearance

- 5.26. Policy DM12 requires that all new development is '*...well-designed and sustainable*' and *that proposals should respect and promote the special character and local distinctiveness of Ipswich...*'. It requires that the setting of heritage assets is protected and the design would '*...help to reinforce the attractive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene...*'.
- 5.27. The site is located in the Norwich Road/Anglesea Road Conservation Area. Policy CS4 seeks to preserve and enhance the character and appearance of Conservation Areas. Policy DM13 requires that development must consider the impacts of the historic built environment and protect and enhance the special interest character and appearance of the area and its setting.
- 5.28. As set out within the Consultation section concerns were initially raised with regard to the design and appearance of the development and the applicant has submitted a development which is reduced in height and reduces the number of units to 2 flats.
- 5.29. Comments of the Ipswich Conservation and Design Panel have also been considered. The reduction in the scale of the building and subsequent reduction in the number of units attempts to address their concerns. No objection has been raised by IBC Conservation and Design officers.
- 5.30. Overall, the design and appearance of the building would be acceptable having regard to policies DM12 and DM13.

Amenity

- 5.31. 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. The factors to be considered include:
- overbearing impact and sense of enclosure;
 - sunlight, daylight, overshadowing and artificial light levels;
 - noise and vibration levels;
 - odour, fumes, dust and ventilation;
 - contamination; and
 - visual privacy and overlooking (including privacy distances set out below)

Rear facing elevation to rear facing elevation containing windows serving habitable rooms	21 Metres
Rear facing elevation to the site of another which does not contain a window serving a habitable room	12 Metres
Rear facing elevation to rear garden boundary	9 Metres

- 5.32. Alternative distances of less than the recommended figures will only be considered where there is already an established pattern of development in an area that matches proposed developments, or alternative, non-traditional layouts achieve acceptable standards of privacy and amenity.
- 5.33. New development that would adversely affect the continued operation of established uses will not be permitted.
- 5.34. As noted above, the rear garden measures 6m in depth whereas the Space and Design Guidelines would normally require 9m. There would be 14m between rear elevations of properties which whilst not being back to back, are adjacent to each other. Objection has been raised by third parties regarding potential overlooking of the property. It is considered that the first floor bedroom window could be obscure glazed by condition to prevent overlooking of neighbouring properties. The proposal already proposes obscure glazing of the east facing window in the stairwell at first floor level which would look directly at the rear of no. 167 Norwich Road.
- 5.35. The proposal has also been considered with regard to sunlight, daylight and overshadowing. The proposed dwelling would be 2 storey similar to the neighbouring property to the west. The rear would be south facing. The neighbouring property to the west would continue to have a south facing garden, unhindered by the proposed development. The rear of the garden backs onto the west facing garden of the neighbour in Norwich Road. The proposed development would not cause a significant loss of light to the neighbouring property. It is not considered that the proposed development would cause a significant loss of light to neighbouring properties.
- 5.36. The habitable rooms of the proposed flats would receive adequate natural light.
- 5.37. No objections have been received from IBC Environmental Health with regard to noise. The proposed development is set back from Norwich Road. There will be short term impacts during construction but this could be mitigated through a construction management plan.
- 5.38. Subject to an obscure glazing condition for the first floor south and east facing windows, the proposal is acceptable having regard to policy DM18.

Parking and highway impact

- 5.39. Policy DM21 seeks to promote sustainable growth in Ipswich and reduce the impact of traffic congestion and sets a number of criteria for how this will be achieved in Ipswich. Policy DM22 states that the Council will require all new development to have regard to adopted car and cycle parking guidance 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. Car parking must be designed so as not to dominate the development or street scene or to result in the inefficient use of land.
- 5.40. The proposed development is a car free development. Provision has been made for cycle parking in the front garden though details are required which can be secured by condition.
- 5.41. The site is in a sustainable location being within walking distance of Ipswich Town center. SCC Highways have raised no objection to the proposals, only requiring cycle and bin storage and presentation conditions.

Internal Space Standards

- 5.42. Policy DM23 states that, to ensure that dwellings, and especially flats, provide versatile and attractive living space that appeals to a wide audience and is therefore more sustainable in changing market conditions, the Council will require developers to meet the Nationally Described Space Standards set out in Technical Housing Standards – Nationally Described Space Standard (Communities and Local Government, 2015) unless it can be demonstrated that it would not be viable. Each of the proposed flats measures 40.25sqm with an additional landing area.
- 5.43. The minimum space standard for a 1 bedroom flat with a shower room is 37.sqm. The proposal at 40.45sqm per flat in accordance with internal space standards.

Archaeology

- 5.44. Policy DM14 states the Borough will require that development proposals which may disturb remains below ground are supported by an appropriate assessment of the archaeological significance of the site including, if necessary, the results of a programme of archaeological field investigation. Such assessments should be proportionate to the importance of the site.
- 5.45. The site is not designated as being important for archaeology. SCC Archaeological Services have not indicated that there is any interest in the site. The proposal would be in accordance with policy DM14 and no further assessment or mitigation is required.

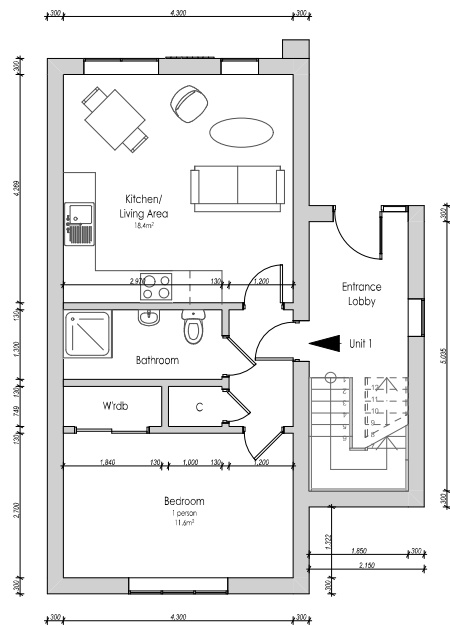
6. Planning Balance

- 6.1. Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The proposals are largely compliant with adopted policy in particular those policies which require certain size standards to be met. The site is in a sustainable location and no objection has been raised by consultees. The proposals would in a small way contribute to the Local Authority's housing number requirements.
- 6.2. The proposed development is a contemporary non-traditional design in a Conservation Area. The applicant has reduced the size of the development to address concerns raised, with regard to its scale. Conditions can be imposed to overcome concerns with regard to potential overlooking. A number of shrubs and trees on the site have been cut back. The landscape plans can be amended to incorporate trees at the site. Landscape maintenance conditions would ensure that on site planting would be retained and maintained where possible. This would provide some maturity to planting at the site.

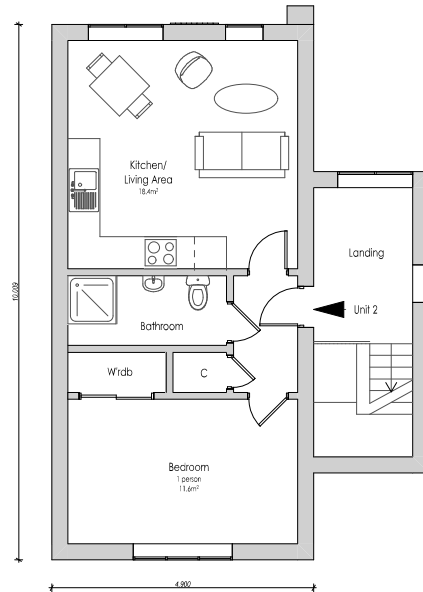
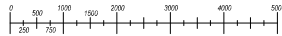
7. Conclusion

- 7.1 The proposal is considered to be acceptable in terms of the principle of residential development on this site and with regard to sustainable design subject to conditions where necessary. In these regards the proposal would be acceptable in relation to policies DM1, DM3, DM4, DM7, DM8, DM9, DM12, DM14, DM18, DM21, DM22, and DM23.

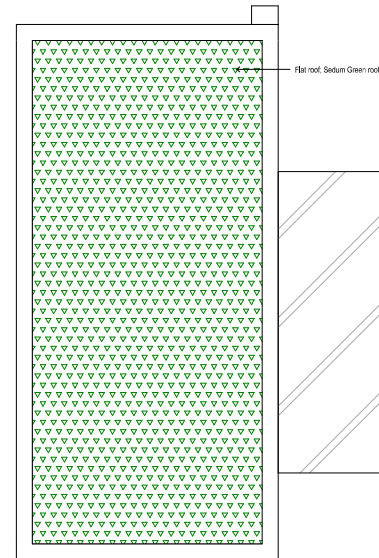
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Proposed GF Layout
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Proposed FF Layout
Scale: 1:50

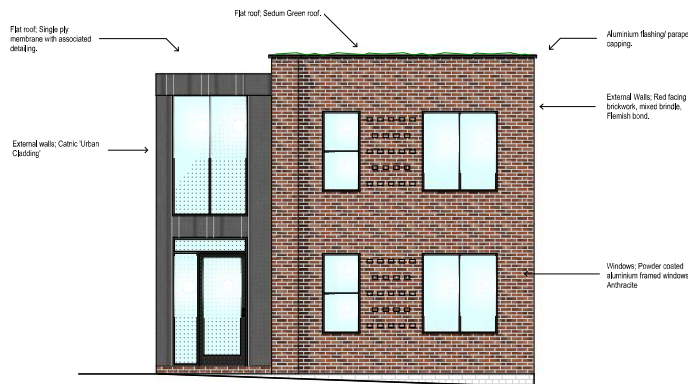


Proposed RF Layout
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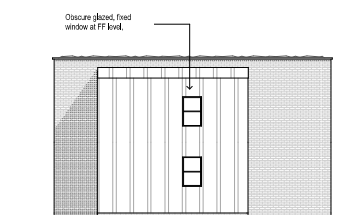
GIA Schedule:
GF Apartment 1 - 40.5m²
FF Apartment 2 - 40.5m²
Total GF GIA Footprint - 81.7m²

The measurements shown are based on Ordnance Survey Data only and have not been subject to a topographical survey.
All dimensions and levels to be checked on site by Contractor and site dimensions to be his responsibility.
Drawing errors and omissions to be reported to the Designer.
This drawing is to be read in conjunction with all relevant consultation and/or specialist contractor drawings and documents. Any variations or discrepancies are to be reported to the Designer before works commence.
This drawing is to be used for the purpose of Planning and Building Control Approval only.

Amendments

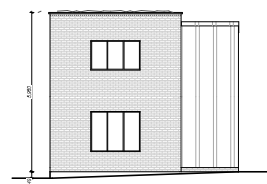
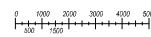


Proposed Front Elevation
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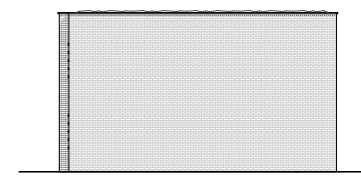


Side Elevation

Proposed Elevations
Scale: 1:100



Rear Elevation



Side Elevation

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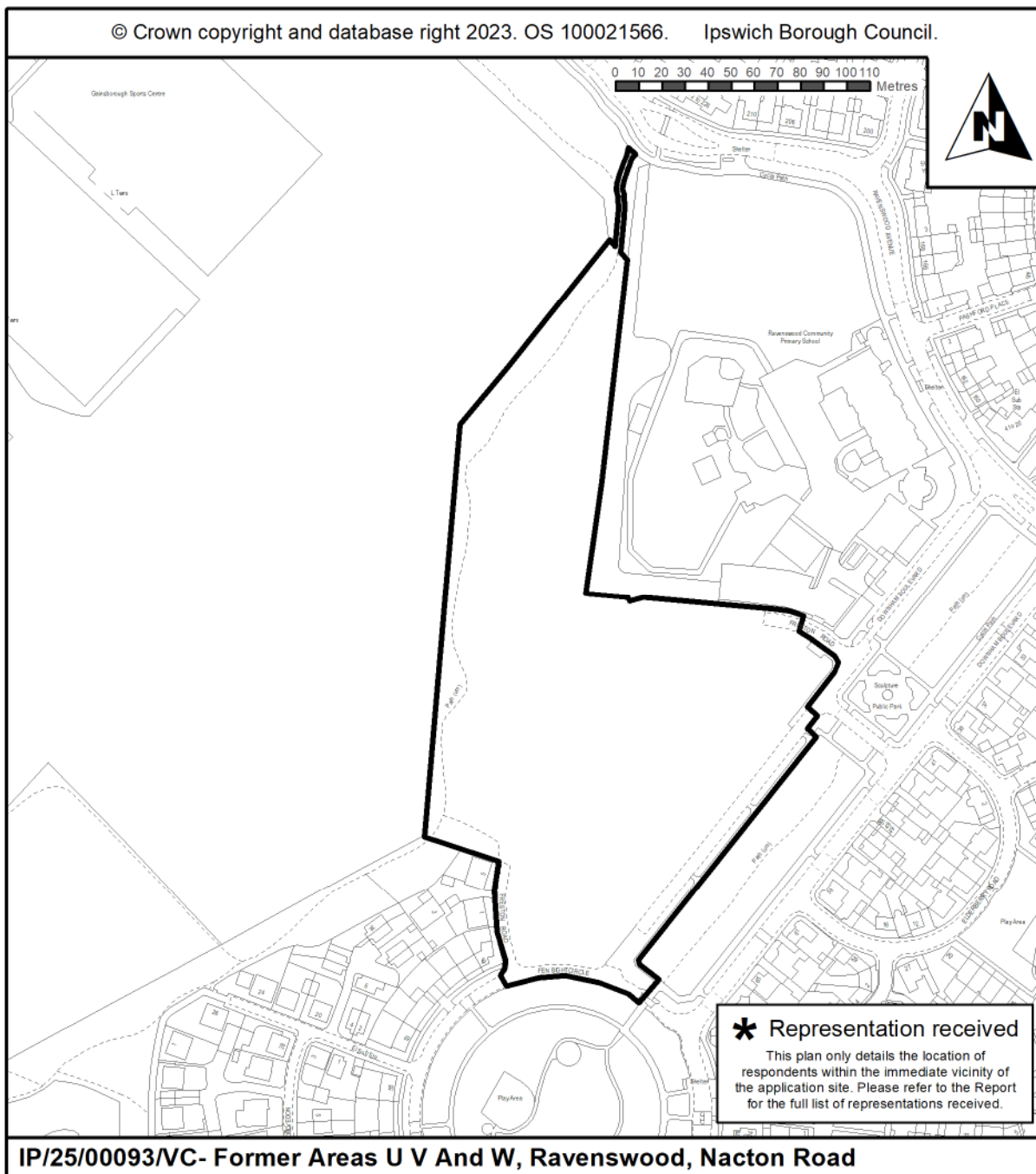
Ward: PRIORY HEATH

Proposal: Variation of Condition 1 (approved plans) of planning permission IP/20/00781/FUL: Erection of 96 dwellings (house and flats) including roads, footpaths, drainage and landscaping, to vary tenure mix from 10 no. starter homes to 10 no. market rent.

Address: Former Areas U V And W, Ravenswood, Nacton Road

Applicant: Handford Homes

Agent: Jenny Pike



Recommendation

Subject to Deed of Variation to vary tenure mix from 10 no. starter homes to 10 no. market rent, grant planning permission subject to the following planning conditions (repeated where necessary from extant permission other than condition 1 which refers to revised drawings) (briefly): -

1. Development to be in accordance with the revised drawings and the requirements of any succeeding conditions.
2. Development to be in accordance with approved details relating to materials and landscaping.
3. Condition relating to maintenance of approved landscaping.
4. Retention of details/measures approved pursuant to conditions of extant permission:- fenestration, boundaries, cycle storage, refuse facilities, lighting, electric vehicle charging, public art, phasing arrangements, means to prevent inappropriate parking, decentralised and renewable or low carbon energy, fire hydrants, on-going maintenance and management, tree protection, ecology management, mitigation and enhancement plan, energy and water efficiency, maintenance of surface water drainage,
5. Condition relating to contaminated land, including reporting of any unexpected contamination.
6. Provision of approved cycle/pedestrian path in accordance with phasing plan.
7. Restriction upon permitted development rights, no extensions or outbuildings over 10m3 in size, no satellite dishes fronting Fen Bight Circle or Downham Boulevard.
8. Within 28 days of completion of the last dwelling/building being erected, details of all Sustainable Drainage System components and piped networks shall be submitted in an approved.
9. Approved private vehicular accesses and areas retained.
10. Provision of approved travel packs on first occupation.

The application is referred to the Planning and Development Committee as Ipswich Borough Council is the landowner and Handford Homes (an Ipswich Borough Council owned company) is the applicant, under Regulation 3 of The Town and Country Planning General Regulations 1992.

1. Proposal

- 1.1 This application seeks the variation of Condition 1 (approved plans) of planning permission IP/20/00781/FUL: Erection of 96 dwellings (house and flats) including roads, footpaths, drainage and landscaping, to vary tenure mix from 10 no. starter homes to 10 no. market rent.
- 1.2 The permission has been commenced, substantively constructed and most of the dwellings are occupied. The planning permission included the provision of 10 no. Starter Homes as part of the overall tenure mix. It is proposed to change the tenure of these 10 no. Starter Homes to Market Rent. The plots affected are 1-10 inclusive, which comprise 2 houses (3 bed) and 8 flats (2x 2 bed and 6x 1 bed). There are no other changes proposed. Appendix 1 shows the location of the previously approved Starter Homes (drawing no. 0103-P05), with the report drawing showing the location of the proposed Market Rent properties (drawing no. 2235 DE 10-002 Rev C).
- 1.3 The application is supported by a Planning Statement and Viability Assessment Report.

2. Background

- 2.1 Planning permission was granted subject to conditions and a Section 106 Agreement in 2021 for the erection of 96 dwellings (house and flats) including roads, footpaths, drainage and landscaping (refers IP/20/00781/FUL).

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 11th February 2025 and 16th April 2025. 42 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 2024. The Ravenswood Residents Association were also notified.

3.2 No substantive comments were received from consultees.

Representations - None received.

4. Policy

National Planning Policy

National Planning Policy Framework (2024)
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 CS7 'The Amount of Housing Required', CS8 'Housing Type and Tenure', CS12 'Affordable Housing', 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', 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', DM21 'Transport and Access in New Developments', DM22 'Car and Cycle Parking in New Development', DM23 'The Density of Residential Development', DM34 'Delivery and Expansion of Digital Communications Networks'

Other Planning Guidance

Cycling Strategy SPD (2016)
Ipswich Urban Character Studies SPD
Low Emissions SPD (2021)
Public Open Space SPD (2017)
Reptile Strategy SPD (2021)
Suffolk Coast RAMS (2020)
Nationally Described Space Standards (2015)
Space and Design Guidelines SPD (2015)
Suffolk Guidance for Parking (2023)

5. Planning Assessment

Mix of dwellings and affordable housing

- 5.1. Policy CS8 relates to housing type and tenure. The policy states that the Council will plan for a mix of dwelling types to be provided, in order to achieve strong, vibrant and healthy communities. All major schemes of 10 dwellings or more will be expected to provide a mix of dwelling types and sizes. Exceptions to this approach will only be considered where: a) A different approach is demonstrated to better meet housing needs in the area; or b) The site location, characteristics or sustainable design justify a different approach; or c) A different approach would expedite the delivery of housing needed to meet targets and is acceptable in other planning terms.
- 5.2. The policy also states that in considering the most appropriate mix of homes by size and type for major residential development proposals, the Council will take a flexible approach taking into account needs identified through the current Ipswich Strategic Housing Market Assessment, and any other evidence of local needs supported by the Council and the policies of the local plan.
- 5.3. The policy continues by stating that, over the plan period, the Council will seek to secure a diverse range of housing tenures in the market and affordable sectors, to support the creation of mixed and balanced communities. Overall provision should meet the needs identified through the Ipswich Strategic Housing Market Assessment, where it remains up to date, and any other evidence of local

needs supported by the Council. Affordable housing provision within market housing schemes will be made in accordance with Policy CS12.

- 5.4. Policy CS12 states the Council will seek to ensure that a choice of homes is available to meet identified affordable housing needs in Ipswich. Outside the Ipswich Garden Suburb and the northern end of Humber Doucy Lane, this will be achieved by requiring major new developments of 15 dwellings or more (or on sites of 0.5ha or more) to provide for at least 15% on-site affordable housing by number of dwellings. The requirement for affordable housing does not apply to developments composed of 65% or more flats on brownfield sites.
- 5.5. The policy continues by stating that at least 60% of affordable housing provision shall consist of affordable housing for rent including social rent and the remainder affordable home ownership. The Council will only consider reducing the requirement for the proportion of affordable housing on a particular development site, or amending the tenure mix to include more affordable home ownership, in accordance with national policy or where: a) Alternative provision is outlined by the applicant within a site-specific viability assessment (using a recognised toolkit) and the conclusions are accepted by the Council; or b) An accepted independent review of development viability finds that alternative provision on viability grounds is justifiable; and c) The resultant affordable housing provision would ensure that the proposed development is considered sustainable in social terms through its delivery of housing integration, with particular regard to meeting the identified need for small family dwellings where these can reasonably be integrated into the scheme.
- 5.6. The policy also states that the presumption will be in favour of on-site provision rather than the payment of commuted sums in lieu of provision. Affordable housing should be integrated into developments and should not be readily distinguishable from market housing.
- 5.7. The NPPF states where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on site (para 64). Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs across different tenures of affordable housing (para 66).
- 5.8. Furthermore, the NPPF states (para 71) that mixed tenures sites can provide a range of benefits, including creating diverse communities and supporting timely build out rates, and local planning authorities should support their development through their policies and decisions. The NPPF defines affordable housing and the most recent version, introduced since the extant approval was granted, removes Starter Homes from the definition.
- 5.9. The applicant has highlighted the Ipswich Strategic Housing Market Assessment update prepared by Peter Brett Associates and HDH Planning and Development in 2019. This specifies that for Ipswich the following percentage change in tenure of new accommodation is required to meet anticipated needs in the period to 2036 (from 2014 base). It is also worth noting that the Section 106 considered the approved starter homes as affordable homes, although this approach would be out of date based upon the NPPF:

Tenure	Current tenure profile	Tenure profile 2036	Change required	% Change required
Owner occupied	32,073	36,176	4,103	53.2%
Private rent	15,160	16,758	1,598	20.7%
Shared ownership	313	749	436	5.7%

Social Rent/ Affordable Rent	12,648	14,226	1,578	20.5%
Total	60,194	67,909	7,715	100%

5.10. Based upon the above, the applicant considers that there is greater demand for private rental properties within affordable housing provision, as opposed to other ownership based tenures and no other evidence appears available to refute this. On the basis of this update, the revised tenure mix, which increases the percentage of rental properties and omits the approved starter homes (considered under the previous approval to be affordable) would remain appropriate having regard to the tests within policy CS8.

5.11. In any case the range of house types and sizes would be unchanged, it is only the tenure mix that would be altered. Officers can conclude that the proposal would be acceptable taking into account policy CS8.

5.12. For completeness the approved tenure mix and revised tenure mix put forward by the applicant are as follows:-

Tenure	Approved	Proposed
Affordable Rent	67 (70%)	67 (70%)
Market Rent	19 (20%)	29 (30%)
Starter Homes (Sales)	10 (10%)	0 (0%)
Total	96	96

5.13. Turning to policy CS12, the development would still provide sufficient affordable homes, with 70% of the dwellings being affordable, all of which are to be affordable rent. As already noted above starter homes no longer falls within the NPPF definition of affordable housing and the loss of these therefore has little bearing on the developments compliance with policy.

Viability

5.14. The applicant states that the main reason for the variation is viability. A viability assessment has therefore been put forward and allows Officers to conclude that the development is unviable as approved and is unable to provide sufficient profit for a developer, taking the normal approach to viability (showing a loss of £1.2 million). For the variation, the revised development would still be unable to achieve sufficient profit as to be a viable development, but the situation is improved (loss reduced to £11,000).

5.15. The applicant found that the costs of developing the site were higher than anticipated. The submitted report highlights that external costs (historically between 10% and 20% of the overall build cost) have increased. The assessor notes that they have experienced an increase in external costs of between 40% and 50% of overall build costs on other schemes so such an increase is not uncommon. In this instance the costs were much greater, between 60% and 85% of overall costs. It is also notable that the costs set out in the appraisal are the actual costs associated with the development, not a projection.

5.16. Ordinarily a developer would have to negotiate Section 106 obligations, including affordable housing and contributions, reduce costs or otherwise increase the value of the development, i.e. by building

more dwellings for instance. In this case the improved viability is sufficient for the developer to continue to bring the site forward and other options are not available as the development has been substantively constructed.

Other Considerations

- 5.17. There are no other changes sought as part of the variation. It should be noted that following the previous permission, the Council have adopted a new Local Plan in 2022 and there have been multiple iterations of the National Planning Policy Framework. The development remains acceptable taking into account current policy and material considerations, including the recently introduced NPPF (2024). The proposal therefore remains acceptable having regard to delivering Infrastructure, design and character, air quality, flood risk, provision of open space, sport and recreation, garden space, the natural environment, protection and provision of trees, amenity, transport and parking. It is recommended that any conditions that remain relevant from the extant permission are repeated, i.e. to ensure that approved details are retained where necessary, such as cycle parking or landscape detail. It will not be necessary to submit further details however as these have already been received and agreed where necessary.
- 5.18. Mandatory Biodiversity Net Gain has been introduced since the extant permission was granted. However, variation of conditions are an exemption to these requirements.

6. Planning Balance

- 6.1. Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Material considerations include the NPPF, the most recent was published last year. In particular the Council is unable to demonstrate a five year supply of deliverable sites. Therefore the presumption in favour of sustainable development set out within the NPPF is now applicable for housing and this variation looks to facilitate such development.
- 6.2. 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 as the LPA does not have a 5 year supply of deliverable sites, planning permission should be granted for the proposal unless:-
- the application of NPPF policies that protect areas or assets of particular importance provides a strong reasons for refusal,
 - or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.3. Only the second test applies and there are no adverse impacts that significantly and demonstrably outweigh the benefits. The benefits include that the variation would facilitate the development of a housing scheme in a sustainable location, in a manner that makes an effective use of land and is well designed. It would continue to provide affordable homes. Planning permission should therefore be granted for the variation.

7. Conclusion

- 7.1 Officers can conclude the variation remains acceptable having regard to the mix of dwellings and affordable housing provision. Viability arguments have also been put forward and the proposal contributes towards housing supply having regard to the NPPF.
- 7.2 Subject to conditions and a deed of variation to the Section 106 Agreement, the proposal is in accordance with Local Plan policy, including policies CS7, CS8, CS12, CS17, DM1, DM2, DM3, DM4,

DM6, DM7, DM8, DM9, DM12, DM18, DM21, DM22, DM23 and DM34. The proposal represents sustainable development having regard to the NPPF.

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NO DIMENSIONS TO BE SCALED FROM THIS DRAWING

This document references the following BPs:		
Reference Name	Status	Revision
P1-01-0001-Design-0101		P1.1

Revisions	Date	Drawn	Checked
P01 Planning	11/09/20	CR/AM	
P02 Make Road Limits Added	14/09/20	SE	
P03 To be Amended	14/09/20	SE	
P04 Garden Amenity areas Added	20/09/20	IK / SP	
P05 Planning Amendments	06/11/20	IK / SP	

ACCOMMODATION SCHEDULE				
House Type	Sq m	Amenity	Parking Spaces	Quantity
1BH	61 sq m	25 sq m	1	27
2BH	85 sq m	25 sq m	2	29
2BH	85 sq m	50 sq m	2	9
3BH	106 sq m	75 sq m	2	24
4BH	120 sq m	75 sq m	3	2
5BH	118 sq m	75 sq m	3	2
5BH	122 sq m	75 sq m	3	3
Total				85

Visitor Parking Spaces	24
★	Denotes Starter Home
★	Denotes Market Rent



Client
Handford Homes

Project
Ravenswood U/VW Site, Ipswich

Title
Proposed House Types Plan

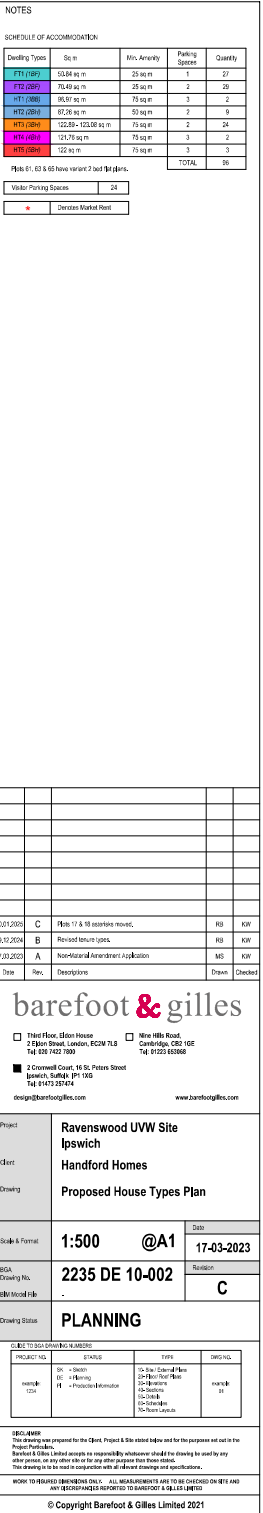
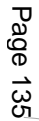
Project N°	Drawing N°	Revision
4576 - 0103		P05
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1:500	@ A1	Planning

BS 1192 Part 1
PC-Designer-0103



The Old Steelyard
Poplar Lane
Sproaghon
Ipswich
IP8 3HL
t: 01473 689 532

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INFORMATION FOR COUNCILLORS

TREE PRESERVATION ORDERS

The following Tree Preservation Orders have been served.

TPO REF NO	TPO DESCRIPTION	ADDRESS	DATE OF AUTHORISATION	DATE SERVED
TPO 3 of 2024	T1 – English Oak G1 – consisting of 13 x English Oak, 3 x Common Ash, 3 x Field Maple & 1 x Sycamore.	Tuddenham Rd opposite Halfway Cottages, & Tuddenham Lane, North of Tuddenham Rd Business Centre & Westerfield House (off Humber Doucy Lane)	29.10.2024	28.03.2025

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
None					

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
23/00020/REFUSE	23/00671/CLD	31 Woodbridge Road East Ipswich	Certificate of lawful use (existing) of premises as a vape shop from previous use as a beauty salon and display of advertisements	08.04.2025	Dismissed

			with deemed consent.		
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COUNTY DECISIONS

REFERENCE	ADDRESS	APPLICATION DESCRIPTION	DECISION
SCC/0090/22IP/Ar t27 c13	Land between Sproughton Road & Bramford Road at Europa Way, Ipswich	Discharge of Condition 13 of SCC/0090/22IP	Approved
SCC/0009/25IP	Car park, Beacon House, White House Road, Ipswich IP1 5PB	Installation of solar canopies on non- domestic off-street parking	Prior Approval Not Required



Appeal Decision

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 April 2025

Appeal Ref: APP/R3515/X/23/3332449

31 Woodbridge Road East, Ipswich, Suffolk IP4 5QN

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr M Silva against the decision of Ipswich Borough Council.
 - The application ref IP/23/00671/CLD, dated 23 August 2023, was refused by notice dated 19 October 2023.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 (as amended).
 - The use for which a certificate of lawful use or development is sought is described as 'Certificate of lawful use (existing) of premises as a vape shop from previous use as a beauty salon and display of advertisements with deemed consent.'
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above is taken from the Council's decision notice, noting this is not the same as that given on the original application or appeal form, specifically the appeal form does not refer to the advertisements.
3. There is nothing in law to prevent a developer from applying for an LDC under section 191 to ascertain whether an advertisement display is lawful. In this case, it seems the matter relating to the advertisements may have been resolved between the parties, and since the details are limited to a photograph, I shall consider the appeal based on the description given on the appeal form.
4. Section 191(2) of the 1990 Act states that uses are lawful at any time if no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and, they do not constitute a contravention of any of the requirements of any enforcement notice then in force.
5. The Council raised concern that the appellant has put forward new arguments in support of their case beyond those submitted as part of the application. However, in section 195 appeals, the parties and interested persons may submit additional evidence which was not before the authority at the time of its decision.
6. An Inspector should consider any relevant new evidence advanced at the appeal, including where this evidence was not advanced at application stage, since the purpose of the LDC provisions are to enable the making of an objective decision based on the best facts and evidence available when the decision is taken.
7. Where an LDC is sought, the onus of proof is on the appellant and the standard is the balance of probabilities.

8. In reviewing the file, it appeared that the appeal could be determined without a site visit – without causing prejudice to any party. This is because the parties have submitted sufficient evidence to understand the nature of the site given the dispute.

Main Issue

9. The main issue is whether the Council's decision to refuse to grant an LDC was well-founded.

Reasons

10. On 1 September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force, amending the Town and Country Planning (Use Classes) Order 1987 (UCO). The amendments created a new broad 'commercial, business and service' use class (Class E) which incorporates amongst others, the former Class A1 (shops), and includes other uses which it is appropriate to provide in a commercial, business or service locality.
11. The Council set out the planning history in their statement and stated that the only decision of relevance is IP/12/00621/FUL which granted planning permission for a single-storey rear extension to a hairdressing salon on 10.10.2012. They appear to have accepted that the previous lawful use of the premises was as a Class A1 shop.
12. In broad terms it is the appellant's case that the lawful use of the premises is as a Class E shop and the former use as a beauty salon fell within Class E(c)(iii), accordingly there has been no material change of use to the existing use. Alternatively, if the beauty salon was a sui generis use, the previous and lawful use of the premises now falls within Class E (formerly Class A1) and there is a right of reversion to that use.
13. There is little detail about how the beauty salon operated however, it seems to me that beauty salons are a well-established feature of modern high streets. That they may operate on an appointment only basis would not preclude them from falling within Class E, because as the appellant pointed out, many uses which would be considered to fall within Class E operate on an appointment basis, and in some cases also use chemicals, such as hairdressers, dentists and opticians. Accordingly, I find that a beauty salon could fall within Class E(c)(iii).
14. Section 55(2)(f) of the Act provides that a change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class. There appears to be no dispute that a vape shop would fall within Class E, so if the use as a beauty salon was lawful at the time it was instituted there would have been no development.
15. The lawfulness of the use as a beauty salon must be determined by reference to the Order as in force at the time the use was instituted. It does not matter that Class A1 was later incorporated into Class E and that a beauty salon could now fall within Class E.
16. Prior to the 2020 Regulations coming into force, a beauty salon was generally considered to be a sui generis use, as acknowledged by the appellant. Therefore, if the use as a beauty salon began before 1 September 2020 it would have required express planning permission, unless it had been established that the specific use

was not materially different in character to the lawful use of the premises – which the appellant has not sought to establish.

17. The appellant stated that the property was used as a hairdressing salon from around 2009, coffee was also sold from the hairdressers in around 2015. From 2017 - 2020 the premises was a hairdressers and beauty salon, and around 2019/2020 the entire premises was in use as a beauty salon.
18. Therefore, based on the appellant's submissions and the balance of probabilities, the use as a beauty salon began before 1 September 2020 and was development which required an application for planning permission. Since express planning permission was not granted the use was unlawful.
19. As I see it, based on the evidence, the lawful use of the property for Class A1 (now Class E) purposes was lost through the unlawful material change of use to use as a beauty salon (*sui generis*), therefore there is no actual lawful use of the land.
20. Consequently, the use as a vape shop is development which requires an application for planning permission. Since express permission has not been granted the use cannot be lawful.
21. Although referred to by the parties, neither has explained under what provision they consider there to be a right of reversion. The right of reversion to a past lawful use pursuant to section 57(4) of the 1990 Act, only applies where an enforcement notice has been issued, and does not, in any event, provide for resumption of a past lawful use when there have been one or more intervening unlawful uses between that and the current unlawful use.
22. I therefore find, based on the evidence before me and as a matter of fact and degree, that the appellant has failed to provide sufficiently precise and unambiguous evidence to demonstrate, on the balance of probability that the use as a vape shop is lawful.

Conclusion

23. For the reasons given above, I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of; *'Certificate of lawful use (existing) of premises as a vape shop from previous use as a beauty salon and display of advertisements with deemed consent'* is well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act (as amended).

Felicity Thompson

INSPECTOR

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Our Ref: SCC/0090/22IP/Art27 c13
Date: 20th March 2025
Enquiries to: Mark Barnard
Tel: 01473 264755
Email: mark.barnard@suffolk.gov.uk



Mr Clive Wilkinson
SCC Highways
Growth Highways & Infrastructure
Endeavour House
Russell Road
Ipswich
IP1 2BX

Dear Mr Wilkinson,

Article 27 of the Town and Country Planning (Development Management Procedure) Order 2015

Planning Reference: SCC/0090/22IP/Art27 c13

Proposal: Discharge of Condition 13 of SCC/0090/22IP

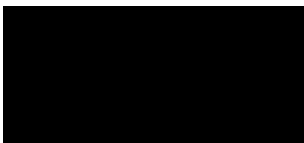
Location: Land between Sproughton Road & Bramford Road at Europa Way, Ipswich

Further to the submission of the above details, I can confirm that approval has been granted for:

- (1) Condition 13 (Tree Safety report) as set out in:
 - (a) Tree Risk Assessment by WSP (26th February 2025)

Our files have been updated accordingly to show this condition has been satisfactorily discharged.

Yours sincerely,



Rob Hancock
Assistant Director for Planning, Housing & Growth
Growth Highways & Infrastructure

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Our Ref: SCC/0009/25IP
Date: April 3rd April 2025
Enquiries to: Mark Barnard
Tel: 01473 264755
Email: mark.barnard@suffolk.gov.uk



Mr Mark Dale
Carbon Reduction Manager
Corporate Property – Assets & Investment
Suffolk County Council
Endeavour House
Russell Road
Ipswich IP1 2BX

Dear Mark

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 14, Class OA

Application No: SCC/0009/25IP

Proposal: Installation of solar canopies on non-domestic off-street parking

Location: Car park, Beacon House, White House Road, Ipswich IP1 5PB

Suffolk County Council as Local Planning Authority has considered your application for whether prior notification of the proposed development as described above is required.

Although such works may be permitted development, before you can carry them out, an application must be made to the relevant local planning authority for determination as to whether prior approval for them is required. The purpose of the control is to give the local planning authority the opportunity to control the development.

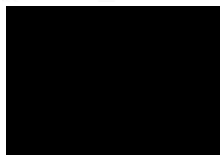
The local planning authority has made the following determination.

Prior approval is **not required** in accordance with the provisions of the Town & Country Planning (General Permitted Development) Order 2015, specifically Schedule 2, Part 14, Class OA.

The development shall:

- 1) Be carried out in full accordance with the following submitted documents and plans:**
 - a) Application form and Certificate signed by Mark Dale of Suffolk County Council dated 24th January 2025.
 - b) Outline Design Pack by Energy Efficient Solutions Group dated 10th January 2025.
 - c) Glint & Glare Screening Assessment by Arthian Rev 1.0 dated 21st February 2025.
 - d) Block Plan E010 Rev 02 by Energy Efficient Solutions Group dated 3rd March 2025.
- 2) Be completed within a period of three years starting from the date of this letter.**
- 3) Be removed as soon as reasonably practicable when it is no longer needed, and the land restored to its condition before the development took place so far as reasonably practicable.**

Yours sincerely,

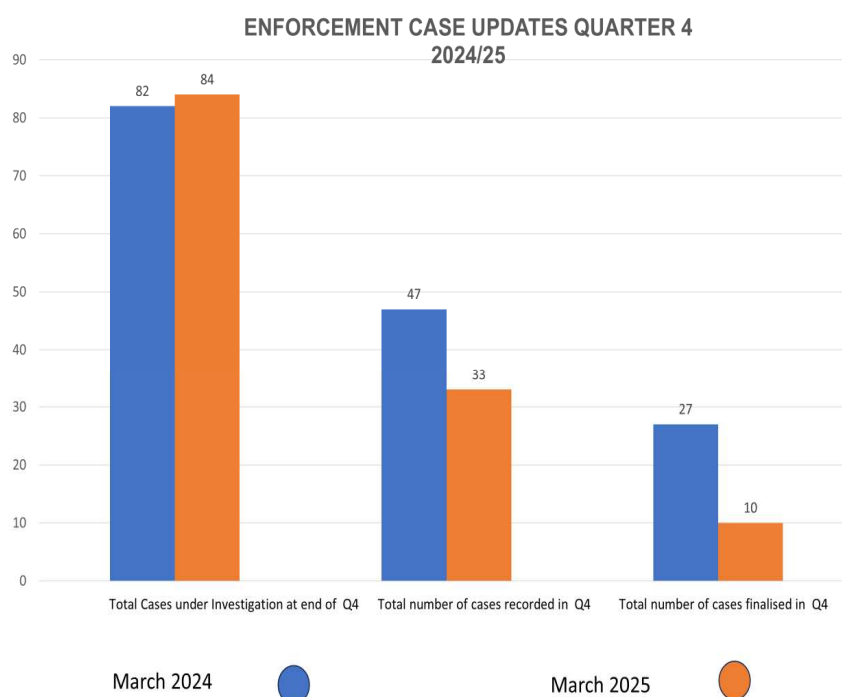


James Cutting
Head of Planning
Growth Highways & Infrastructure

Ipswich Borough Council Planning Enforcement Report for Q4 – 2024/2025

1.0 Introduction

- 1.1 This report will examine Planning Enforcement data, such as the number of reported breaches of planning rules, case resolutions and the ward areas most affected. It will provide a breakdown of performance over the past three months and give a valuable insight into the trends that shape our approach to planning enforcement action. The following chart provides an overview of new investigations, outstanding enforcement cases and cases finalised.
- 1.2 The number of outstanding investigations recorded reflects the increase in enforcement cases received over the past twelve months which increased by approximately fifteen percent over the previous year.
- 1.3 Throughout 2024, the Planning Enforcement Team experienced a significant rise in reported enforcement cases, but since the beginning of 2025, these have reverted to more normal levels, meaning the total number of cases under investigation has reduced by approximately thirty cases in the first three months of this year, which has afforded officers more time for new investigations.



2.0 Where Breaches have occurred in Q4:

2.1 The next chart provides a breakdown of the specific Wards where breaches of planning have been reported, assisting us in providing an appropriate and efficient response. It provides a snapshot for Ward Councillors to respond to specific problems within their dedicated areas and enables them to gain a clearer understanding of the issues:

2.2

Alexandra	5
Bixley	5
Bridge	2
Castle Hill	3
Gainsborough	0
Gipping	2
Hollywells	2
Priory Heath	2
Rushmere	0
Sprites	4
St Johns	0
St Margarets	0
Stoke Park	0
Westgate	6
White House	1
Whitton	1

Case Breakdown

Unauthorised Operational Development	12
Unauthorised Change of Use	8
Unlawful Advertisements	3
Breach of Conditions	4
Unauthorised Works to Protected Trees	3
Section 215 Untidy Sites	1
Unauthorised Works to Listed Buildings	2

2.3 The analytical data can also assist with monitoring and responding to more complex cases, such as those connected to protected trees or listed buildings, as these cases, are often more complex leading to criminal investigations that require extensive commitment from officers.

4.0 Investigations of relevance:

4.1 An 'untidy site', at a dwelling house in Bramford Road.

The Planning Enforcement team have provided regular updates on the case of a significantly untidy property situated within Bramford Road, which continues to accumulate large quantities of detritus, within the front and rear gardens that is detrimentally affecting the amenity of the area.

As previously reported, the occupant was summonsed to attend Ipswich Magistrates Court in January, for failing to comply with an untidy site notice, requiring improvement of the property.

The Owner then failed to attend court, and following being given a further opportunity they have requested that the case is referred to a full hearing, which is due to be heard at the beginning of May 2025.

A further update will be contained in the next report.

4.2 Land adjacent to St Peter's Church College Street – formerly the known as the 'Cardinals Loft' site.

At the beginning of March, the Planning Enforcement team were alerted to some unauthorised development work occurring on land adjacent to St Peter's Church in College Street.

This is a site of significant archaeological interest and is within proximity of Wolsey Gate and St Peter's Church, both of which are listed buildings.

An inspection found the owners of the site had laid a tarmac surface and white line makings for over eighty car parking bays, without planning permission.

An urgent archaeological assessment of the site concluded that no significant damage had been caused and the tarmac may have inadvertently provided a protective covering.

The tarmac was found to be in direct contact with the wall of St Peter's Church and as such would have required listed building consent, so immediate removal of this section of tarmac was enforced.

The owners of the site have been required to submit a Planning Application, seeking to retain the carparking facility to provide temporary carparking for residents of a nearby block of flats that is about to have replacement cladding fitted.

Updates regarding the progress of the planning process will be provided in subsequent reports.

4.3 HMO Update

Since the implementation of the Article 4 Direction on the 1st June 2024, in designated areas of Ipswich, restricting the development of small Houses of Multiple Occupancy (HMOs), the Planning Enforcement team has been monitoring compliance.

Working closely with our internal partners in the Council's Private Sector Housing Department, officers have begun to identify properties that are suspected were established as HMOs following the implementation of the new rules.

As officers identify a property that it is believed to be in breach of the Article 4 Direction, officers will commence enforcement action by initially writing to the owners requiring them to restore the property to a normal dwelling, under use class C3, or to submit a full planning application seeking C4 use, as an HMO within the designated area.

The enforcement action has only recently commenced and further updates will be included in future reports on this subject, including any escalation in the enforcement.

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