

COMMITTEE: COUNCIL **REF NO: C/18/09**
DATE: 28 NOVEMBER 2018
**SUBJECT: ADOPTION OF THE DEVELOPMENT AND
ARCHAEOLOGY SUPPLEMENTARY
PLANNING DOCUMENT (SPD)**
PORTFOLIO HOLDER: COUNCILLOR CAROLE JONES
HEAD OF SERVICE: MARTYN FULCHER

Short description of report content and the decision requested:

A draft Development and Archaeology Supplementary Planning Document (SPD) was the subject of Public Consultation between Friday 25th May 2018 and Monday 9th July 2018. The findings of the consultation have been considered and a revised SPD document is attached at Appendix 1. A summary of the key issues raised by consultees, and the Council's response, is set out at Appendix 2.

The SPD has been prepared to support the implementation of the Ipswich Local Plan and the delivery of development. It describes the rich archaeological resource in Ipswich, maps character zones indicating how the archaeology varies across the Borough and refers to the Ipswich Urban Archaeological Database. It also provides guidance in relation to development on sites with archaeological potential, ranging from the information that needs to be included with applications, to measures which may be necessary to mitigate the impact of development.

The report seeks Council approval for the adoption of the final SPD.

Ward(s) affected:

All

List of Appendices included in this report:

- a) *Appendix 1 – Development and Archaeology Supplementary Planning Document*
- b) *Appendix 2 – Summary of Consultation responses to the draft SPD and the Council's response*

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This report was prepared after consultation with:

Internal consultees

Development Management

Senior Conservation and Urban Design Officer

Head of Development

Planning and Development Operations Manager

Legal Services

External consultees

Suffolk County Council Archaeology Service

The following policies form a context to this report:

(all relevant policies must also be referred to in the body of the report)

Building a Better Ipswich

Ipswich Local Plan, February 2017

National Planning Policy Framework 2018

Ipswich Statement of Community Involvement Review, March 2018

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)

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|----------------|
| 1. None |
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OTHER HELPFUL PAPERS

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

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| 1. Planning & Compulsory Purchase Act 2004 |
| 2. Town & Country Planning (Local Planning) (England) Regulations 2012 |
| 3. National Planning Practice Guidance, 2014 |

1. Introduction

- 1.1 This report seeks approval of the adoption of the Council's Development and Archaeology Supplementary Planning Document (SPD) for Ipswich.
- 1.2 The report outlines the key issues raised during the public consultation stage leading to the finalisation of the Development and Archaeology (SPD).
- 1.3 The Development and Archaeology SPD will:
- provide up-to-date information on the archaeology of the town to highlight how important and significant it is;
 - provide further detail on approaches taken by Ipswich Borough Council and our advisors, Suffolk County Council Archaeological Service, when applications for development are considered;
 - clarify procedures and best practice approaches at different points in the pre-application, application and development process, including flow charts and checklists for developers;
 - emphasise the need for early assessment and appreciation of the appropriate treatment of archaeological remains;
 - present Archaeological Character Zones that provide an overview of potential implications for developments of different sizes across the Borough;
 - provide information on archaeological considerations at some key sites where regeneration remains a priority for the town, for example the Waterfront where some sites remain derelict; and
 - highlight the scope for promotion of the enjoyment and understanding of Ipswich's heritage to residents and visitors as part of sustainable development.
- 1.4 The SPD has been prepared by the Suffolk County Council Archaeology Service, with input from Ipswich Borough Council Planning and Development and Historic England, to support the implementation of policies contained within the adopted Ipswich Local Plan 2017. As part of subsequent reviews, the SPD will be amended to reflect the Local Plan Review currently being completed. The revised text for the SPD proposed for adoption is attached at Appendix 1 to this report.

2. Background

- 2.1 Ipswich, originally Gipeswic, is one of the earliest towns established after the end of the Roman period in Britain. Ipswich emerged as a port linking the Anglo-Saxon kingdom of East Anglia with continental Europe and was at the forefront of post-Roman urban revival from the mid-7th century AD onwards. Corresponding wic sites existed around the North Sea, and together they yield archaeological evidence for cultural, social and trading networks across early Medieval Europe and sometimes beyond. Ipswich's Anglo-Saxon archaeological remains are, therefore, of international importance.

- 2.2 Buried deposits beneath the town and across the Borough contain a wealth of evidence that contributes to our understanding of the story of the town's evolution. Even on brownfield or previously developed sites, preservation can be good or exceptional. Archaeological deposits are vulnerable, unique, and finite, and modern construction methods and site remediation/clearance practices have the potential to cause total or extensive damage to archaeological features and finds.
- 2.3 One of the core principles of planning set out in the National Planning Policy Framework 2018 is to conserve heritage assets 'in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.' Policies CS4 and DM8 of the Ipswich Local Plan 2017, provide detailed local policy for development and archaeology. A significant consideration for development proposals is, therefore, the impacts of proposals on remnants of the past.
- 2.4 Ipswich is undergoing continued regeneration and development. Archaeological remains can add complexity to redevelopment projects, particularly in the historic core and it can be a significant consideration in the economics and deliverability of new development. As the responsibility for ensuring preservation in situ and/or securing and financing archaeological works fall to developers, there is a need for applicants to gather information, assess impacts and manage risk from an early stage in a project.
- 2.5 To facilitate and encourage sustainable development, this SPD presents further information on Ipswich's archaeology and the considerations and processes for managing and enhancing it in projects of all types and sizes. Early consideration can help to quantify actual risk and levels of survival of archaeology. The SPD also outlines opportunities for celebrating and promoting the town's heritage through development projects.
- 2.6 The National Planning Policy Framework explains that SPDs add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues. Although they do not become part of the development plan, once adopted, the Development and Archaeology SPD would become a material consideration in determining planning applications.

3. Relevant Policies

- 3.1 In 'Building a Better Ipswich' the Council's Corporate Plan (2017), the Council's top three priorities are:
- Protecting frontline council services;
 - Building quality and affordable homes for Ipswich people;
 - Bringing new jobs and investment to Ipswich.

- 3.2 The SPD will support the delivery of housing and employment development by describing the procedures and approaches developers will need to follow in order to comply with the Local Plan and National Planning Policy Framework policies on heritage assets.
- 3.3 The SPD will also support in particular Priority 2 - A High Quality Sustainable Environment by providing detail on the implementation of Local Plan policies CS4 and DM8 and the National Planning Policy Framework.

4. Options Considered / Under Consideration

- 4.1 Option 1: Approve the contents of the SPD for referral and adopt the document. The SPD has been developed with Suffolk County Council Archaeology Service (with support from Historic England and Ipswich Borough Council). The Urban Archaeological Database for Ipswich will provide a vital resource for desk-based assessments of archaeological potential and it is intended to assist developers in understanding the likely nature of archaeology that may exist on their site and the extent of existing information about it. Should the SPD be adopted, the SPD and the Urban Archaeological Database would be formally launched together later in the year, as key resources to assist developers. The SPD will support the implementation of the National policies contained in the National Planning Policy Framework (NPPF) 2018 and the Council's policies on heritage, as detailed in section 3 above.
- 4.2 Option 2: Do not approve the SPD contents for adoption and ask Officers to propose further alterations. This option would result in a small cost and delay, as anything other than minor alterations would require a further round of public consultation.
- 4.3 Option 3: Ask Officers for further fundamental changes to the emerging SPD, but this would mean that the guidance to support the relevant policies of the Local Plan is not in place and involve the Local Plan budget in unanticipated costs.
- 4.4 It is recommended that option 1 is selected in order to move the SPD forward for formal adoption so that it can effectively fulfil its purposes of supporting the development process and protecting archaeological resources.

5. Consultations

- 5.1 The SPD has been prepared by the Suffolk County Council Archaeology Service, with input from Ipswich Borough Council Planning and Development, and Historic England. A 'call for ideas' was issued in June 2017, to which responses were received only from Suffolk County Council and Historic England.

5.2 A six week period of Public Consultation was held between Friday 25th May 2018 and ending on Monday 9th July 2018. Responses have been considered as shown in the statement attached at Appendix 2, which summarises the points raised and explains how they have been addressed. In addition to responses from Heritage England and the Suffolk Preservation Society, there were two responses from individuals. The comments arising related to:

- Structure format and presentation,
- Clarifications of terms and other information,
- Removal of acronyms, and
- The direction or stress given to particular issues in the document.

There were no substantive matters raised beyond those which have been dealt with by careful editing and rewording of the SPD attached at Appendix 1.

5.3 The consultation included a workshop for developers, to gather direct feedback on the content of the draft SPD. Key points discussed at the workshop included the following.

- The dynamic nature of the Urban Archaeological Database (UAD) and the importance of archaeological reports being completed and published, to enable the database to be updated on a rolling basis.
- Encouraging applicants to speak to either Ipswich Borough Council or Suffolk County Council Archaeology Service at pre-application stage, the key advice in the SPD being to seek advice early on to reduce risks to the subsequent stages of the development process.
- How development viability and timescales can be taken into account, for example in discharging conditions – again the SPD and UAD will help to ‘de-risk’ the process. Conditions can be tailored to the relevant stage and discharged at different rates. The need to agree pre-commencement conditions is another reason to start dialogue early.
- A request to make the SPD as interactive as possible and easy to navigate. The final version of the SPD proposed for adoption has been edited where possible and the Council’s Design Team have designed it in such a way as to clearly demarcate sections and aid navigation between them in the web-based version of the document.

5.4 If Council approves the revised text, the SPD will be prepared for final publication and will be placed before Full Council for formal adoption.

6. Risk Management

Risk Description	Consequence of risk	Risk Controls	Probability of risk occurring taking account of controls (scale 1-6) 1 – almost impossible 6 – very high	Impact of risk, if it occurred taking account of actions (scale 1 – negligible; 4 – catastrophic)	Actions to mitigate risk
1. Errors in SPD adoption process	Need to repeat elements of process & resulting costs	Ensure Regulations and Statement of Community Involvement are adhered to	1	2	Checking process; ensuring compliance with relevant legislation and the Council's Statement of Community Involvement Review
2. Errors in guidance provided through the SPD	Poor quality planning applications	Wide involvement in its preparation and seeking public feedback as part of the process	1	2	Having undertaken public consultation on the draft SPD.

7. Environmental Impact Assessment

- 7.1 The EU Directive on Environmental Impact Assessment (EIA), as amended, requires that a formal assessment – including public consultation – is undertaken for specified types of projects before they can go ahead. Direct and indirect environmental impacts should be identified and quantified. Where these are negative, actions to mitigate these impacts should be identified.
- 7.2 The SPD contains guidance to assist the implementation of planning policies set out in the adopted Local Plan, which has itself been subject to a Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA). Thus, the SPD does not create new policy but provides guidance in respect of applying adopted policies.

- 7.3 Nevertheless, a Screening Report was been prepared to test whether or not the SPD required an SEA. The Screening Report concluded that an SEA was not required. There has been no challenge to this conclusion from Natural England, Historic England or the Environment Agency.
- 7.4 Screening was also undertaken in respect of the Habitats Directive and it was concluded that Appropriate Assessment was not required. As above, no comments were raised by the appropriate bodies.

8. Equalities and Diversity Implications

- 8.1 The draft Development and Archaeology SPD will not have an impact on equality and diversity, as it contains guidance relating only to archaeology on development sites.

9. Financial Considerations

- 9.1 The costs of publishing and launching the SPD, if adopted, will be met from the existing Planning Policy budget.

10. Legal Considerations

- 10.1 Part 2 of the Planning and Compulsory Purchase Act 2004 (“the Act”) established the system of local development planning. SPDs are a category of planning documents called ‘local development documents’ (as defined in section 17 of the Act) which supplement the policies in a local plan. Unlike local plans, SPDs are not required to be submitted to independent examination. An SPD is adopted by resolution of the local planning authority as a local development document (as per section 17(8) of the Act).
- 10.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) lay out the procedure for local planning authorities in relation to the preparation of SPDs, including consultation with interested persons and bodies and the documents which must be made available at each stage. Regulation 12 of the Regulations requires a period of consultation of not less than four weeks and this is what took place between May and July 2018.
- 10.3 The basis for Strategic Environmental Assessment (SEA) legislation is the European Directive 2001/42/EC and was transposed into English legislation by the Environmental Assessment of Plans and Programmes Regulations 2004 (‘SEA Regulations’). The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce Sustainability Appraisals for all local development documents incorporating the requirements of the EU Directive on SEA.
- 10.4 The Planning Act 2008 removed the requirement to undertake a SA for a SPD, but SEA remains a requirement resulting from the European Directive. The criteria for assessing the likely effects of the SPD are laid

out in Article 3(5) of the SEA Directive. A screening report has been completed which confirms that SEA is not required (see also section 7 above).

11. Performance Monitoring

- 11.1 Public consultation on the draft SPD was completed on Monday 9th July 2018. The aim is that the Council would adopt the Development and Archaeology Supplementary Planning Document at the Council meeting on 28th November 2018, and thereafter the document would be used to aid decision making on associated planning submissions and guide officer advice on development enquiries.

12. Conclusions

- 12.1 Ipswich has a rich and complex archaeological record, which helps to tell the story of the town's evolution. National and local planning policies require heritage assets to be conserved in a manner appropriate to their significance. Archaeology is therefore an important consideration in the development process.
- 12.2 This SPD has been drafted to help applicants for planning permission understand how important and significant the town's archaeology is and provide further detail about procedures and best practice approaches at different points in the pre-application, application and development process.
- 12.3 Planning regulations and the adopted Ipswich Statement of Community Involvement Review required that public consultation be undertaken on the draft SPD. This has been completed and amendments raised in response to consultation submissions. Subject to Member approval the document is capable of being adopted.

13. Recommendations

- 13.1 That Council adopts the Development and Archaeology Supplementary Planning Document.**