

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 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 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:

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| FP/FUL | Full Planning |
| RM/REM | Reserved Matters |
| LB/LBC | Listed Building Consent |
| CA/CAC | Conservation Area Consent |
| 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 |
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| FPI | Full Planning Application by Ipswich Borough Council |
| RMI | Reserved Matters Application by IBC |
| OEL | Overhead electric lines |
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| PREAPP | Pre-application |
| PDE | General permitted development extensions |

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|-----------|--|
| P3JPA | Prior Approval – Office to dwelling |
| 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 |
| ALF/CALF | Trees Applications |
| TALF/PALF | |
| 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 |

Abbreviations

The following abbreviations are used within the Report.

Policies

BREEAM Building Research Establishment Environmental Assessment Method.

NPPF National Planning Policy Framework 2019

Core Strategy and Policies Development Plan Document Review 2017

Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document 2017

SPD Supplementary Planning Document

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 Local Plan

This consists of the Adopted Core Strategy and Policies Development Plan Document Review 2017 (or CS), and the Site Allocations (Incorporating IP-One Area Action Plan) Development Plan Document 2017 (or Site Allocation 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 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.”

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 National Code of Local Government Conduct, and the Council’s Protocol on Planning and Lobbying (May 2002) 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 HPD 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.

(i) necessary (ii) relevant to planning (iii) relevant to the development permitted (iv) enforceable (v) precise and (vi) reasonable in all other aspects.

Use Classes

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. If the uses fall within separate use classes, then permission will normally be required. The use classes are (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.

Permitted Development

The Town and Country Planning (General Permitted Development) (England) Order 2015. Planning Permission is required for all forms of development but that permission 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.

Speaking At Committee

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

Representations

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

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