

**Appeal References: APP/X3540/W/3350673 & APP/R/3515/W/24/3350674**

**Land north-east of Humber Doucy Lane, Ipswich**

**Appeal by Barratt David Wilson and Hopkins Homes**

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**CLOSING SUBMISSIONS ON BEHALF OF SUFFOLK COUNTY COUNCIL**

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1. As set out in Opening, by reason of further work undertaken, further information and/or revisions to previously submitted documentation provided by the Appellants following the refusal of permission by the Local Planning Authorities (“LPAs”), a number of Suffolk County Council’s (SCC’s) points of concern raised in its holding objections submitted to the LPAs and in its Statement of Case had been addressed by the time the Inquiry had opened. Further matters have been resolved during the Inquiry process itself.
2. SCC is now content that the concerns raised in its objections, and mitigation required to make the development acceptable in planning terms, have been resolved and/or are capable of being secured through conditions and/or the proposed s.106 agreement. The remaining points in dispute as between SCC and the Appellants therefore concern what those necessary conditions and/or s.106 provisions should be with regards to (i) highway improvements on Sidegate Lane and Sidegate Lane West and (ii) appropriate contributions for secondary school, sixth form and SEND provision, and for libraries.
3. It remains SCC’s position that the contributions (and improvements) it seeks are necessary to make the development acceptable in planning terms, and otherwise meet the requirements in reg 122 of the CIL Regulations 2010 and/or paragraph 57 of the NPPE.
4. The remainder of these closing submissions are structured by reference to the Main Issues which encompass the matters raised by SCC in its objections and case on appeal

**Main Issue 4: The effect of the scheme on highway safety (*Main access, IBC RF3, trip distribution, trip generation, pedestrian and cycling connectivity, IBC RFR 2, ESC RFR 2*)**

5. In its Statement of Case, SCC maintained its holding objection<sup>1</sup> to the proposed development by reference to:

- (i) The robustness of the assessment in the Transport Assessment (**AD 37**);
- (ii) The design of the proposed vehicular accesses (**AD 2.10**);
- (iii) It not being demonstrated that proper efforts had been made to promote and prioritise walking and cycling off-site within neighbouring areas, or to ensure safe and suitable access to the site for all users. In particular, the lack of an off-site walking and cycling strategy with recommendations for improvements to ensure safe and suitable movement and maximum accessibility to sustainable modes of transport; and
- (iv) Improvements to public rights of way (PROW) and mitigation/contributions required to be secured by planning obligation.

6. As set out in the Addendum to the Highways Statement of Common Ground (**ID 28**):

- (i) Following a review of the information provided with Mr Hassell's Proof (**AP6.1**) and Rebuttal Proof (**REBAP6**), taken with consideration of the SCTM (Suffolk County Transport Model) outputs, it is no longer SCC's position that it cannot conclude, based on the information which has been provided, that there would not be an unacceptable impact on highway safety,<sup>2</sup> or that residual cumulative impacts on the road network, following mitigation, would not be severe for the purposes of para 116 of the NPPF (**NPW2**).

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<sup>1</sup> A copy of the holding objection can be found in Appendix 1 to SCC's SoC (**SC2**)

<sup>2</sup> The Appellants' and SCC's highways experts have responded to the highway safety concerns raised by Save Our County Spaces (**ID 34**) in a joint response submitted on 14 February 2025 (**ID 39**). SCC would also highlight that the draft s.106 agreement includes a contribution to pay for the legal costs of the Traffic Regulation Order to extend the 30mph limit further north along Tuddenham Road to the north of the junction with Church Road (as explained in Mr Cantwell-Forbes' Proof at 6.21-6.42 (**SCC 3.1**)): see Part 5 of the Third Schedule to the draft s.106 agreement.

- (ii) With regards to junction design, in light of the revisions shown on the drawings provided at Appendices 8-11 of Mr Hassel’s Proof and Appendix 3 to his Rebuttal Proof, SCC is content that the proposed site access junctions would be appropriate and that the necessary revisions to the designs as shown on the Proposed Access Strategy Plans (**AD 2.10**) can be secured by condition (see suggested conditions 3 and 14 in the Working Draft IBC Conditions document dated 10 February 2025 as discussed at the Conditions Session on 13 February 2025).
- (iii) With regards to off-site active travel improvements:
- a. There is now a series of agreed off-site active travel improvements (**ID 28**) which are to be secured by condition (see suggested condition 43 in the Working Draft IBC Conditions document dated 10 February 2025).
  - b. A contribution for active travel improvements from Colchester Road via Cemetery Lane and Tuddenham Road to the junction of Tuddenham Road/Westerfield Road has now been agreed and provided for in the (draft) s.106 agreement (**ID 28** paras 9-15; Third Schedule Part 5 para 5 read with the definition of “Ipswich Strategic Planning Area Contribution” in clause 1 and with Annex B of the draft s.106 agreement). As discussed during the Highways RTS (Day 2), the improvements along this route are needed to link the site to the town centre, as required by Ipswich Borough Council Local Plan Policy ISPA4 f) v bullet point 2). They also comprise “appropriate transport mitigation measures” (ISPA4 f) v bullet point 4)) to address the additional demand created by the development, in line with the ISPA Transport Mitigation Strategy which, in broad terms, seeks to free up capacity on existing highways in order to accommodate growth through the implementation of measures to deliver ‘modal shift’, such as improvements to walking and cycling infrastructure<sup>3</sup>. Mrs Ashton confirmed in XIC (Day 7) that with that contribution being secured through the s.106 agreement, these policy requirements are now met.

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<sup>3</sup> More information on the ISPA Transport Mitigation Strategy is provided in **ID31**.

- c. Contributions for improvements to footpaths 45 and 48 and to bridleway 1 are secured through the draft s.106 agreement (Third Schedule Part 5 paras 3 and 4).
  - (iv) Part 6 of the Third Schedule to the draft s.106 agreement secures the improvement of bus services serving the site. A travel plan would be secured by condition (see suggested condition 46 in the Working Draft IBC Conditions document dated 10 February 2025), with monitoring fees secured through Schedule 3 Part 5 of the draft s.106 agreement.
7. The only highways matter which remains in dispute between the Appellants and SCC at the close of the Inquiry relates to the improvements required on Sidegate Lane/Sidegate Lane West. It is common ground that Sidegate Lane is, or forms part of, the most likely walking route between the Appeal Site and Northgate High School (and, in part, for Rushmere Primary School) (Paras 3.1 & 3.2 and Appendix 1 to the Statement of Common Ground on Highways Matters (**SoCG4**)). Sidegate Lane/Sidegate Lane West also forms part of the key walking and cycling route between the Appeal Site and the town centre (See Annex 3 to the Addendum to the Highways Statement of Common Ground (**ID 28**)).
  8. The Appellants suggest widening of existing footways is sufficient (Option B in Annex 5 to **ID 28**). SCC's position is that a shared footway/cycleway is required (Option A in Annex 5 to **ID 28**).
  9. The need for the shared footway/cycleway is evidenced in Mr Cantwell-Forbes' Proof at paras 6.62 to 6.71. In particular, by reference to the guidance in Figure 4.1<sup>4</sup> of LTN 1/20 (**HW03**) the traffic volumes and speed limits on Sidegate Lane mean that mixed traffic on-carriageway cycling is considered to be *"provision suitable for few people and will exclude most potential users and/or have safety concerns"* (pink shading), whilst mandatory/advisory cycle lanes (as distinct from 'protected space for cycling') fall between *"provision suitable for few people and will exclude most potential users and/or have safety concerns"* (pink shading) and *"provision not suitable for all people and will exclude some potential users and/or have safety concerns"* (yellow shading). Mr Cantwell-Forbes' view is that a protected space for cycling is required to ensure that provision is suitable for most users, and thus that a shared-use walking and

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<sup>4</sup> Which should be read with section 4.4. more generally (**HW03** pages 32-34).

cycling facility should be provided off-carriageway. That accords with LTN 1/20. It also secures a safe and suitable route to Northgate High School: a concern also stressed by Cllr Martin in his submission to the Inquiry on Day 7.

10. SCC recognises that there are bound to be some constraints and that there is scope for deviations from the 3.2m standard (Mr Cantwell-Forbes in Highways RTS Day 2). The exact design, and any reduction in width of the carriageway, deviations from the 3.2m standard or loss of trees it might entail, would all be matters that could be considered when the proposed design came forward as part of the s.278 process (Mr Cantwell-Forbes in Highways RTS Day 2). That flexibility is provided for in the proposed wording of the draft condition, with the requirement being to provide a shared footway/cycleway of *up to* 3.2m.

**Main Issue 5: Whether the scheme would be at risk from flooding, having particular regard to flooding and drainage strategy (IBC RFR 5, ESC RFR4)**

11. In its holding objection submitted in response to the planning applications<sup>5</sup> SCC, in its capacity as LLFA, identified 9 points which needed to be addressed to overcome its concerns (and thus objection to the proposed development) on flood risk and surface water drainage grounds. Following refusal of permission by the LPAs, the Appellants provided further information which addressed points 1-4 of its holding objection.<sup>6</sup> A revised Proposed Surface Water Drainage Strategy plan (890695 RSK ZZ XX DR C0007 P02) (**APD1**) was provided by the Appellants in December 2024. This addressed points 5 and 8 of SCC's holding objection.<sup>7</sup> Further information, and a further revised Proposed Surface Water Drainage Strategy plan ((890695 RSK ZZ XX DR C 0007 P03) (Appendices B and C to Mr Fillingham's Rebuttal Proof) (**REBAP 2.3 – 2.4**), provided in January 2025 addressed the remaining points of objection. The experts have prepared a short note which explains how each of those objections have been addressed in the 'Joint SCC and Appellant Response to Inspectors Questions on Drainage Matters' (**ID 09**).

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<sup>5</sup> Within Appendix 1 to SCC's SoC

<sup>6</sup> SCC SoC paras 6.44 – 6.45; Drainage Statement of Common Ground (**SoCG5**) paras 9-13. The additional information can be found at Appendix B to Mr Fillingham's PoE (**AP 2.1**)

<sup>7</sup> Mr Locksmith's Proof (**SCC 1.2**) para 33.

12. SCC is now satisfied that, subject to the conditions proposed in the Working Draft IBC Conditions document dated 10 February 2025, the proposed development would comply with relevant local plan and national policy requirements relating to flood risk and drainage, such that the objections on those grounds have fallen away (confirmed by Mrs Ashton in XIC on Day 7).

**Main Issue: The effect of the scheme on the archaeological significance of the site, having particular regard to investigation and mitigation strategies (IBC RFR 8, ESC RFR 7)**

13. In light of the trial trench evaluation undertaken on the Appeal Site following refusal of permission by the LPAs and review of the same by Dr Cutler of SCC Archaeological Service, SCC is now satisfied that whilst there are archaeological remains that will require targeted mitigation, there is nothing of schedulable quality (national significance) and worthy of preservation in situ. SCC is satisfied that RFR 8 (IBC) / RFR 7 (ESC) can be addressed by suitable conditions to secure remaining evaluation and archaeological mitigation, post-excavation reporting, publication and archiving,<sup>8</sup> and with the conditions proposed in the Working Draft IBC Conditions document dated 10 February 2025 (conditions 10 and 34).

**Main Issue 13: Whether the scheme would make appropriate provision for infrastructure (IBC RFR 13, ESC RFR 11)**

14. Transport infrastructure contributions are now agreed,<sup>9</sup> as are contributions for waste and s.106 monitoring fees.<sup>10</sup> Similarly, the parties are agreed, and the draft s.106 agreement provides for, provision of the early years facility required by policies IPSA 4 f) i and SCLP 12.24, either by the developer or through the provision of land and a financial contribution to SCC (Part 2A of the Third Schedule to the draft s.106 agreement read with the relevant definitions in Clause 1).
15. The contributions which are not agreed – and which are subject to the ‘blue pencil’ provisions in the draft s.106 – relate to secondary school, sixth form and SEND provision, and libraries.

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<sup>8</sup> SCC SoC paras 6.61 – 6.69; Statement of Common Ground on Archaeology (**SoCG 2**) paras 7-9.

<sup>9</sup> Addendum to the Highways Statement of Common Ground (**ID 28**)

<sup>10</sup> Statement of Common Ground on Early Years, Education, Libraries and Waste Matters (**SoCG 6**) para 3.1.

16. The need, justification for, and calculation of the contributions sought in respect of secondary school, sixth and SEND provision are detailed in Mrs Ashton's Proof (**SCC 1.1**) at paragraphs 8.33-8.39, 8.40-8.45, and 8.46 – 8.52 respectively, and in Part 2 of the SCC CIL Compliance Statement, which fall to be read with the legislative and policy context outlined in section 8 of Mrs Ashton's Proof and summarised by her at the RTS on Day 5. SCC would highlight, in particular, in that regard:

(i) Ipswich Borough Council Local Plan (**DP1**) Policy CS 17 (pg 105) read with Appendix 2 (pg 238) and with Table 8A in Chapter 10 (pg 209) which set the general policy requirements for development to meet the on-site and off-site infrastructure requirements needed to support the development and to mitigate its impact on the existing community and environment (CS17); lists the types of infrastructure referred to (Appendix 2); and identifies infrastructure proposals required to support growth (Table 8A) ;

(ii) NPPF December 2024 (**NP2**) paragraph 100, which provides that:

*"It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

*a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; ..."*<sup>11</sup> (emphasis added); and

(iii) Section 106 Developers Guide to Infrastructure Contributions in Suffolk (**DG3**) and the more detailed guidance provided in Topic Paper 4 – Education Provision (**DG 3.2**) and the Update on developer contribution education costs and pupil yields (**DG4**).

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<sup>11</sup> See also, on other public infrastructure, including libraries, para 101.

17. With regards to secondary school provision, this contribution is based on a pupil yield of 99 for the development (calculated using DfE methodology) and using DfE build costs, with the contributions to be used towards the expansion of existing secondary schools, in particular, at Northgate High School. There is no dispute as to pupil yields or build costs: only as to need.
18. SCC's evidence robustly demonstrates the need for additional capacity to accommodate this development. Northgate High School and other schools within three miles' walking distance of the Appeal Site are forecast to be fully subscribed or nearly fully subscribed even before additional pupils are added (see para 8.35 of Mrs Ashton's Proof). As Ms Bates explained in the RTS, SCC has undertaken its forecasting exercise not only on the basis of using trends and preference data, but also on the basis of looking at catchments and numbers in catchments. This is an area of Ipswich where there is an extremely high level of development, and looking at both types of forecasting, there would be a shortage of places at both the local secondary schools to the Appeal Site.
19. The Appellants' position, in contrast, was that there was no need for additional secondary school places as a result of this 660 homes development, with reliance primarily being placed at the RTS on (i) a falling birth rate and (ii) the fact that there are, at the moment, pupils from the south of Ipswich coming to schools in the north, and that *"there is scope in future for some of that movement to be pushed back"*.<sup>12</sup> Ms Bates explained that even allowing for the observed peak in need for primary school places passing through the system: *"with additional growth and pupil yield from [new] developments we believe there won't be sufficient capacity to accommodate the children from those new developments."*
20. At the RTS, the Appellants' expert was asked, in terms, how the Inspector could be satisfied that if she were to, through the 'blue pencil' exercise, conclude that the obligation was not necessary, that she could be satisfied, at this point in time that the needs of the development would be met for secondary school places. SCC's answer is simple: the Inspector could not be. The evidence before the Inquiry clearly demonstrates the need for additional secondary school places to serve this development. There is no properly justified or evidenced basis for concluding to the contrary.

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<sup>12</sup> Mr Kinsman at RTS (my note).



21. With regards to sixth form provision, Ms Bates explained at the RTS that the DfE provides pupil yield data which it is suggested authorities use, and which SCC has used for primary, secondary and sixth form. The multiplier of pupil yield for sixth form for this development is 0.055 which gives a pupil yield of 34.<sup>13</sup> As Ms Bates explained, SCC is aware that when looking at the proportions of students moving on to sixth form that the picture looks different depending on the area of Suffolk being considered. If looking at Lowestoft, for example, it looks very low, whereas in other areas it is greater than 40%. SCC has therefore sense-checked the pupil yield derived from the DfE data against the numbers of pupils at Northgate High School who stayed on for sixth form, which was around 35%, giving a multiple of 0.05 – very close to the 0.055 derived from the DfE figures. Prior to adopting the DfE multipliers, SCC had met with the DfE on a number of occasions and gone through it thoroughly. It is, in effect, a standard methodology for SCC, and, as far as Ms Bates was aware (*"I think"*), *"a great deal of other local authorities have also adopted the DfE multipliers"*.<sup>14</sup> SCC's evidence also demonstrates that there are no surplus places at either Northgate High School or at Suffolk One,<sup>15</sup> the nearest post-16 providers to the Appeal Site (Mrs Ashton's Proof at paras 8.43 – 8.45). Contributions are therefore required to mitigate the impacts of the development.
22. SCC is therefore confident in the pupil yields on which the contributions it seeks are based, which use DfE multipliers and are based on DfE pupil yields which the DfE recommends be used. SCC's calculations, and evidence basis for contributions sought, are clear and robust.
23. In contrast, there are a number of issues with the data on which Mr Kinsman relies for his analysis (specifically, with the DfE published 'PLASC'<sup>16</sup> discussed at paras 4.28 to 4.40 of his Proof (**AP4.1**)) which Ms Bates summarised in the RTS and which had previously been shared with Mr Kinsman. Indeed, it appeared, following the RTS, that the high points of the Appellants' case on this issue was that there seemed to be an *"apparent anomaly"*<sup>17</sup> in the sixth form yield derived from the DfE data using DfE multipliers (SCC's figure) and Mr Kinsman's appraisal of 'stay on' rate from the data he had considered and that *"it would be nice if the DfE*

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<sup>13</sup> See the pupil yield table at para 2.9 and para 2.5 of the SCC CIL compliance statement.

<sup>14</sup> Ms Bates at RTS (my note).

<sup>15</sup> In response to a point made by Mr Kinsman about school sixth form as opposed to other post 16 provision, Ms Bates confirmed at RTS that DfE had asked SCC to include One Suffolk.

<sup>16</sup> Pupil Level Annual School Census

<sup>17</sup> Mr Kinsman's Proof at para 4.41

*came back to me with more detailed information*<sup>18</sup> but that his estimate of 53.7% of the figure calculated by SCC *“is the best I can do with the data that is available to me”*.

24. That is not a robust basis for establishing the contribution towards sixth form provision that is necessary to make this development acceptable in planning terms or to be satisfied that it would meet the needs to which it gives rise. The Inspector need have no hesitation in concluding that the contribution sought by SCC is the contribution which meets and which is required to meet the reg 122 tests, and in wielding the blue pencil to delete Table B in Annex C to the draft s.106 agreement.
25. With regard to SEND provision, Ms Bates explained why, in respect of SEND calculations, SCC had used SCC data rather than DfE figures, as the DfE calculations were *“based on such a small sample of pupils that it was not possible for it to be accurate”* (138 pupils as opposed to thousands in the secondary/primary context). In a context where SEND demand was increasingly constantly over the past 8 years, SCC had looked at the figures it was seeing in Suffolk at the moment to calculate yields for new development. The figures do not include any children with a Education, Health and Care plan (EHC Plan) in mainstreams schools, but did include students placed out of County for whom SCC were responsible (and thus funding). SCC had used the most up to date data from within Suffolk to give an estimate of the percentage of the school population requiring a place, and there was *“no reason to believe any new development would be different to the current population”*. SCC knew from its multipliers that it *“can expect additional children from additional houses”* and SCC was *“confident in our calculation of 3% and the multiplier that results is 0.016<sup>19</sup> which we think is accurate and justifiable”*.<sup>20</sup> Costs have been based on expansion, as opposed to new-build, costs in the National Schools Delivery Cost Benchmarking (2023) **(OT 29)**.<sup>21</sup>
26. The Appellants’ case, for a lower contribution (initially, in Mr Kinsman’s evidence,<sup>22</sup> no contribution at all), as with sixth form and secondary, is not robust, relying as it does on (i) the same PLASC data<sup>23</sup> the deficiencies in which were addressed by Ms Bates in the earlier discussion on sixth form provision at the RTS; (ii) a general decline in birth rates (also

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<sup>18</sup> Mr Kinsman at RTS (my note)

<sup>19</sup> See para 2.9 of the SCC CIL Compliance Statement

<sup>20</sup> Ms Bates in RTS (my note).

<sup>21</sup> SCC CIL Compliance Statement para 2.10.

<sup>22</sup> Mr Kinsman’s Proof at 4.71: *“This information does not support the need for funding any SEND places...”*

<sup>23</sup> Mr Kinsman’s Proof at 4.60

addressed by Ms Bates at RTS); (iii) a suggestion that pupils with places in special educational settings moving into the development would essentially be ‘moving in’ from elsewhere within the County rather than the development giving rise to ‘new’ demand for such places<sup>24</sup>; and (iv) the somewhat unattractive suggestion that because not all students within Suffolk with EHC Plans and who require special educational provision are currently able to be placed at establishments within Suffolk, that developers should not be required to meet the calculated need arising from their development, but (presumably) only some proportion of that need based on the percentage of children actually placed at such establishments of those needing such a place.<sup>25</sup> Such a contention is clearly untenable, and the suggestion that there would be no ‘new’ or ‘additional’ need arising from this substantial housing development, any children requiring such provision having moved into to the development from elsewhere within the County, was unsupported by any evidence beyond the opinion expressed by Mr Kinsman.

27. Again, the Inspector need have no hesitation in concluding that the contribution sought by SCC meets and is the contribution required to meet the reg 122 tests, and in wielding the blue pencil to delete Table B in Annex C to the draft s.106 agreement.

28. In respect of libraries, SCC seeks a contribution of £216 per dwelling in respect of the dwellings falling within the Ipswich Borough Council part of the Appeal Site (libraries contributions are secured through CIL within East Suffolk Council’s area<sup>26</sup>). The contribution is established and supported in policy: see Ipswich Borough Council Local Plan Appendix 2 (key types of infrastructure required by Policy CS17<sup>27</sup>) which includes ‘libraries’ under the sub-heading ‘Communities and Cultural Facilities’ (**DP1** pg 238) and Table 8A (**DP1** pg 217) where the ‘Proposal’ is described as *“Expansion of existing libraries, remodelling of existing libraries or provision of flexible, digital access and/or mobile services. Strategy and distribution of improvements to be developed during the plan period”*, it is described being as *“Essential to support growth”* and specifies a developer contribution (s.106) of £216 per dwelling. This

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<sup>24</sup> “ Also the case that any child that moves to the development that’s already got a plan has unless they are waiting for a place to be available has actually got a place at a school so not new and additional” Mr Kinsman RTS (my note)

<sup>25</sup> “SCC is seeking contributions based on all the pupils with a special needs plan but it does not provide places for all those – only provides a proportion. So it’s an aspirational request, in the sense that they’re suggesting all places should be provided by them when historically that’s not what’s happened.” Mr Kinsman in RTS (my note). See also, to similar effect, his Proof at para 4.63.

<sup>26</sup> For the same reason, no contributions are sought or secured in the draft s.106 towards secondary, sixth form or SEND contributions on dwellings within the East Suffolk area (SCC CIL Compliance Statement para 1.11.

<sup>27</sup> As stated in the introductory text to Appendix 2 (pg 238) these are *“The broad categories of infrastructure to be included in the standard charge”*

development would create up to 660 new homes. That would give rise to additional demand for library services (which are not, as Mr Cuthbertson explained at the RTS limited to the lending and borrowing of books) which needs to be accommodated within the Ipswich library services. That will be addressed, in the case of this development, through enhancements to current library provision, rather than (for example) the provision of a new library on or in the vicinity of the Appeal Site.<sup>28</sup>

29. That approach is well precedented. The need for enhanced provision to accommodate growth is identified in Local Plan policy (see para 28 above). It is supported by the recent Library Needs Assessment (Library Services in Suffolk Need Assessment October 2023 **(OT 14)**). The same contribution as that sought in the present Appeals (of £216 per dwelling) which contribution was to be used to “refurbish and upgrade” the central library in Bury St Edmunds (in a similar fashion to the contribution sought in this appeal being proposed for enhancements to Ipswich Library<sup>29</sup>) was considered to be reg 122 compliant in an appeal allowing up to 1375 dwellings in October 2022 (APP/F3545/W/22/3297751) **(OT 23)**.

30. The Appellants’ case to the contrary appears to be premised on the suggestion that ‘need’ for such additional or enhanced provision has not been demonstrated (although it appeared at the RTS that Mr Kinsman may have been prepared to recognise such need had SCC sought provision of a new library, rather than contribution towards enhancement of existing provision), the suggestion seeming to be that this development would not be providing housing for new or additional residents of Ipswich but for the existing population. This appeared to be a common theme in respect of many of the contributions disputed by the Appellant, and tended to give rise to the impression that this is a somewhat unusual housing development, being one which would provide up to 660 houses but which would not place any additional pressures on local services, the residents of these new homes either being already resident within Ipswich (although it is not entirely clear what that may mean for the houses they vacate) which along with a fall in birth rate would mean that the capacity required to accommodate the needs of this development would be available by the time it came online.

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<sup>28</sup> No such provision is specified in the site specific policies in the Ipswich Borough Council Local Plan (ISPA 4) or East Suffolk Local Plan (SCLP 12.2), in contrast, for example, to the site specific policy for Ipswich Garden Suburb which please see **ID30**.

<sup>29</sup> Discussed in Mrs Ashton’s Proof at paras 8.10 – 8.21.

31. That position is, in SCC's respectful submission, untenable. The evidence is clear: this development will generate additional need within the local area. The need for secondary, sixth and SEND places cannot be met within the existing provision. There is a clear policy recognition that additional homes give rises to growth which in term requires additional provision to be made within library services to accommodate it. The contributions sought by SCC are necessary to make this development acceptable in planning terms, and otherwise meet the tests in reg 122. The Inspector need have no hesitation in so concluding.

### **Conclusion**

32. SCC therefore respectfully asks the Inspector to conclude that, if minded to grant permission for the development, permission should be granted subject to the mitigation and s.106 contributions sought by SCC.

JACQUELINE LEAN

18 February 2025

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