

JOINT STATEMENT OF CASE

IPSWICH BOROUGH COUNCIL & EAST SUFFOLK COUNCIL

APPEAL REFERENCE: APP/R3515/W/24/3350674 & APP/X3540/W/24/3350673

Appeal under Section 78 of the Town and Country Planning Act 1990 in respect of:

Hybrid Application - Full Planning Permission for the means of vehicle, cycle and pedestrian access to and from the site. Outline planning application (all matters reserved) for a mixed use development for up to 660 dwellings (Use Class C3), up to 400 sq m (net) of non-residential floorspace falling within Use Class E and/or Use Class F2(b), an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works. (THE APPLICATION IS A CROSS-BOUNDARY APPLICATION AND IS LOCATED IN BOTH IPSWICH BOROUGH COUNCIL AND EAST SUFFOLK COUNCIL).

Site address: Land Between Humber Doucy Lane And Tuddenham Lane, Humber Doucy Lane, Ipswich, Suffolk (also referred to as: Land north-east of Humber Doucy Lane, Humber Doucy Lane, Ipswich)

Appeal by: Barratt David Wilson And Hopkins Homes

Date: 11th November 2024

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1. INTRODUCTION

- 1.1 This joint Statement of Case ('Statement') has been prepared by Ipswich Borough Council ('IBC') and East Suffolk Council ('ESC') (together 'the Councils') in response to appeals submitted by Barratt David Wilson And Hopkins Homes ('Appellant') against the decisions of the Councils on 4 June 2024 (IBC Ref – IP/24/00172/OUTFL; ESC Ref – DC/24/0771/OUT) to refuse permission for a major cross boundary development.
- 1.2 A separate statement of case will be produced by Suffolk County Council ('SCC') who are a participating in the appeal as a Rule 6 party, and who will be addressing the reasons for refusal concerning Highways, Flooding and Drainage and Archaeology. SCC will also address the conditions and planning obligations which are relevant to their areas of expertise.

2. SITE AND CONTEXT

- 2.1 The proposed development falls within a residential site allocation in both the Ipswich Borough Council Local Plan (ref: ISPA4) and the East Suffolk Council Suffolk Coastal Local Plan (ref: SCLP12.24).
- 2.2 The appeal site comprises of three parcels of land adjacent to the existing urban footprint of Ipswich and approximately 3km to the north-east of the town centre. The development proposed in these parcels would be located north of Humber Doucy Lane, south and west of Tuddenham Lane and east of Tuddenham Road. The total site area is 31.52ha.
- 2.3 To the north and east of the site, the development footprint is rural in character, with small clusters of residential dwellings positioned in between agricultural fields, and the villages of Tuddenham St Martin approximately 1.2km to the north and Rushmere St Andrew approximately 660m to the south-east.
- 2.4 The main developable parcel comprises a single large field that fronts onto Humber Doucy Lane, and a separate smaller field on the north side, which fronts on to Tuddenham Road, divided by an established tree lined public right of way (which provides access to Lacey's Farm and Allen's Farm to the east). This parcel falls partly within Ipswich Borough and partly within East Suffolk. The smaller field on the northern side is roughly triangular in shape and bordered to the north by the railway line.
- 2.5 The second largest parcel lies to the south-east of the main parcel with a frontage to Humber Doucy Lane. It is bounded to the east by Seven Cottages Lane, which leads to Tuddenham Lane and Lambert's Lane. This parcel is partly in agricultural use, and partly in use as additional playing pitches for the adjoining Ipswich Rugby Club. The access to the Rugby Club separates the main parcel from the south-eastern parcel.
- 2.6 The third and smallest parcel is located on the western side of Humber Doucy Lane, to the south of the junction with Tuddenham Road. This parcel forms part of the application site in the event there is any requirement to undertake highway improvements at the Humber Doucy Lane/Tuddenham Road junction. No development

is otherwise planned for this parcel.

2.7 The appeal site does not cover the entire local plan allocation. The ISPA4.1 allocation includes a rectangular area of land located on the western side of Humber Doucy Lane, which does not form part of the appeal site. This part of the allocation has been separately promoted for development with an application for full planning permission for the 'Erection of thirteen dwellings, new vehicular access, associated hard and soft landscaping' received on the 16th July 2024 – reference 24/00510/FUL. The application was withdrawn on the 30th September 2024. The site location plan is provided at **Appendix A**.

2.8 The appeal site is an undeveloped greenfield site currently under use as agricultural fields and a rugby pitch. There is no evidence of any other kind of development on the site since 1948 and no demolition is proposed.

2.9 The delegated officers reports provide further details on the surrounding development.

3. PROPOSED DEVELOPMENT

3.1 The planning applications subject to this appeal are hybrid planning applications which proposes some details in full and the remainder as proposals for outline permission. The proposals applied for are as follows:

- **Full Planning Permission for the means of vehicle, cycle and pedestrian access to and from the site.**
- **Outline Planning Permission with all matters reserved, for a mixed use development for up to 660 dwellings (Use Class C3), up to 400 sq m (net) of non-residential floorspace falling within Use Class E and/or Use Class F2(b), an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works.**

3.2 The access (the means of vehicular access, pedestrian and cycle access to and from the site), subject of the application for full planning permission, is shown on the "Proposed Access Strategy" Plans (Sheets 1 to 6). The Outline Planning Permission (all matters reserved) is the subject of eight Parameter Plans which address, amongst other matters: land use; green and blue infrastructure; maximum heights and density; and access and vehicular movements. Also submitted for illustrative purposes were a Framework Plan and Landscape Strategy Plan.

3.3 The application was also accompanied by a range of assessments and technical details. Together the plans and accompanying documents have allowed for judgements to be made as to the likely impacts of the development in respect of some matters. However, as set out in the reasons for refusal, the Councils considered that the application was deficient in a number of technical aspects which resulted in some impacts and planning considerations not being capable of being fully assessed, and which were therefore subject to refusal on the basis that insufficient information had been provided.

4. BACKGROUND TO APPEAL (including Pre Application Advice):

- 4.1 The appeal site was allocated in the Suffolk Coastal Local Plan in September 2020 and the Ipswich Local Plan in March 2022. Neither envisages delivery from the allocation within the early years of the plan periods. The housing trajectory for the Ipswich Local Plan had the first completions in 2031/32, whilst the Suffolk Coastal Local Plan had the first completions in 2033/34. This trajectory considered, among other factors, the significant housing growth currently underway in the Ipswich Garden Suburb and allowed for essential infrastructure, such as primary school provisions, to be established.
- 4.2 The Councils consider that the applications were made prematurely, without sufficient pre-application discussions, site assessments/surveys or consultation having taken place. Some (albeit not all) of the reasons for refusal are as a direct result of the premature application.
- 4.3 Whilst the Appellants are correct to note that pre-application discussions did take place from July 2023 onwards the Councils are of the view that pre-application discussions did not reach an adequate conclusion. It was made clear to the Appellants that further work would be required in a number of areas to support an acceptable application. Both District Councils and the County Council were encouraging of further pre-application engagement to progress the design and technical considerations.
- 4.4 In July 2023 IBC and ESC were approached by Phase2Planning to discuss a proposal for the development of this site allocation. A log of the pre application meetings is provided at **Appendix B**. As set out in the Appellants statement of case, an inception meeting was held on the 20th July 2023 and a series of topic based pre application meetings were held until December 2023. As evident from Appendix B no meetings were held between Inception Meeting 2 on the 15th September 2023 and the 1st November 2023. During the period 1st November 2023 to 8th December 2023 four meetings were held. The pre-application discussions were in effect therefore condensed into a matter of weeks and not the 5 months implied by the Appellant. Furthermore, these were not as productive as they might have been and some were ineffectual due to a lack of material made available by the Appellant before or during the meetings.
- 4.5 In paragraph 1.18 of the SoC the Appellants appear to suggest that it was the Councils who effectively put a stop to further pre-application discussions in December 2023. This is incorrect. The position of the Councils was clearly set out in the email from James Mann (IBC – Head of Planning and Development) dated 22nd December 2023 (Provided at **Appendix C**). It stated:

“I think it is fair to say that we collectively, officers from ESDC and IBC, consider this to be a good point to pause briefly to reflect on the journey you have taken us on so far and to come back with something in writing to set this out. One of the main issues thus far has been the close proximity of meetings, so going forward it would be good to have these staggered with larger gaps between for officers to digest information coming forward and to reflect before moving to the next one. Something like a meeting every 3-4 weeks to allow ESDC and IBC to meet in-between. The details of this can be finalised in the new year.”

4.6 The email went onto set out the 'next steps' that would be taken in the new year, including that a written response would be provided in light of the matters raised in pre-application discussions thus far.

4.7 The suggestion was that there was a 'brief pause' in pre-application discussions following concerns previously raised by IBC and ESC that the pace of the pre application discussions wanted by the Appellants did not allow either party to properly consider the information provided and for this to inform the development of the proposal. IBC and ESC set out how it was considered to achieve effective pre application discussions going forward and this was strongly encouraged. See emails from James Mann of the 12th and 22nd December 2023 (Provided at **Appendix D**).

4.8 In accordance with the commitment made in James Mann's email of 22nd December 2023, a written letter of advice was issued on the 8th February 2024 which provided an overview of the matters discussed and highlighted further work and / or information that was required and would need to be resolved prior to the submission of a planning application (Provided at **Appendix E**). The content of the letter was worked on by both authorities and provided joint advice from both ESC and IBC Planning Officers.

4.9 James Mann's covering email to the formal written response provided on the 8th February 2024 also highlighted the need for further pre-application discussions before any application was made:

"I appreciate the desire to get an application in and to be able to deliver housing on the ground, this is something that we are all wanting to see. That said, we have some concerns that the drive to deliver quickly may be to the detriment of a high quality outcome and may not actually result in a quicker process. As such I would re-iterate the views in the previous email below, that a formal pre-app, where the issues can be carefully discussed and, hopefully, resolved, would be the best route at this stage. We look forward to working with you on this and look forward to hearing how you are proposing to respond to this advice, hopefully discussions around a formal pre-app." (email provided at **Appendix F**)

4.10 One of the main concerns that was raised as part of the pre application consultation was the location of the main access and it was advised further discussion on this was essential.

4.10 There were a number of other issues that were identified in the Councils interim written pre-application advice dated 8th February 2024, that were advised needed to be resolved prior to the submission of an application. Had the pre-application discussions been completed, as advised, it is likely that at least some of the concerns of the Councils with the proposal, as articulated in the reasons for refusal, could have been successfully addressed.

4.11 In addition to the pre application discussions on the 4th January 2024 an EIA Screening Request was sought from IBC and ESC for 'a full planning application for the construction of approximately 675 new dwellings together with early years facilities and

up to 400 sq m (net) of non-residential supporting uses, alongside open space, landscaping, and relevant service infrastructure on approximately 31.5 hectares of land primarily located to the east of Humber Doucy Lane.’ A Screening Opinion was issued by both Councils on the 21st May 2024 following further information being submitted for the LPAs to be able to duly consider the request. A copy of the Screening Opinions is provided at **Appendix G(i) and G(ii)**.

4.12 Notwithstanding the Councils repeated advice that the application was not ready for submission and that further pre-application discussions were necessary, the planning application was submitted in March 2024.

4.13 No Planning Performance Agreement was entered into for this application and was therefore subject to statutory timeframes for determination. The decision on the application was issued on the 4th June 2024, the final date of the statutory time period (13 weeks) for determination under article 34 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Although the Appellant has complained in the SoC that they had limited opportunity to respond to concerns raised on the application, including from statutory consultees, the Councils consider that this was ultimately the result of the Appellant’s inadequate pre-application engagement, and premature application. If there had only been a small number of items/matters to resolve then it may have been appropriate to work on resolving these and to extend the determination date. However, the number and interrelated nature of the concerns of the scheme meant the points of resolution were not readily addressed nor limited, and therefore a decision within the statutory period was considered the best course of action.

4.14 Moreover, at the time the application was being considered the Government were consulting on ‘An accelerated planning system’ (published 6th March 2024). In this consultation, the Government expressed their concern over the high use of extension of times and indicated that extensions should be only granted in exceptional circumstances. In this case, the pre-application advice had been clear that further work was needed and therefore objections raised could not be regarded as unforeseen.

4.15 Shortly following the decision, IBC and ESC issued a joint statement which set out that the Councils wanted to see development on the site and encouraged the developer to consider alternative proposals through further pre-application. This is provided at **Appendix I**. IBC and ESC reached out to the Appellants, in an email from James Mann on the 12th June 2024 following the issue of the decision to suggest a meeting. A meeting was held on 12th August 2024 in which all parties discussed the reasons for refusal, and it was made clear that the Councils preference was for a re-submission following further pre application discussions with an aim of addressing the reasons for refusal. However, the Appellants made it clear at that meeting that they did not intend to resubmit a revised application and would be submitting an appeal.

4.16 IBC and ESC continued to advise the Appellants of their intention to work collaboratively explaining that, if an appeal were to be lodged, the 6 month period in which they had to submit an appeal ought to be used to address as many of the reasons

for refusal as possible. Unfortunately, this opportunity was not taken up and instead an appeal was lodged with PINS on the 23 August 2024. As will be referenced within this statement, the Appellants are now seeking to address the deficiencies of the application as part of the appeal process. By way of example, updated ecology surveys were provided on 6th November 2024, only two working days prior to the (extended) deadline for filing this statement of case. And the Appellant has indicated that the Inspector will be invited to determine the appeal on the basis of amended Access drawings (Appellant's SOC, paragraph 4.41), but as far as the Councils are aware these revised drawings have not been submitted.

5. THE REASONS FOR REFUSAL AND OVERVIEW OF EVIDENCE

5.1 The applications were submitted to both IBC (ref. IP/24/00172/OUTFL) and ESC (ref. DC/24/0771/OUT), and each Council refused their respective applications under delegated authority. The reasons for refusal ('RfR') are broadly similar in principle but are different in respect of relevant Development Plan policies and particular issues which are only relevant to the parts of the site within each Council's Administrative boundary.

5.2 The full reasons for refusal are attached as an Appendix to this **Statement (Appendices J and K)**. In summary the reasons for refusal can be covered in the following headlines:-

RfR#	IBC Reasons for Refusal	RfR#	ESC Reasons for Refusal
1	Lack of Masterplan	1	Lack of Masterplan
2	Transport	2	Transport
3	Humber Doucy Lane main access <i>(IBC only)</i>		
4	Landscape and Heritage Impact	3	Landscape and Heritage Impact
5	Flooding and Drainage Strategy	4	Flooding and Drainage Strategy
6	Ecology and BNG	5	Ecology and BNG
7	HRA mitigation	6	HRA mitigation
8	Archaeology	7	Archaeology
9	Air Quality	8	Air Quality
10	Loss of Sport Pitches <i>(IBC only)</i>		
11	Housing	9	Housing
12	Open Space and Green Infrastructure	10	Open Space and Green Infrastructure
13	S106	11	S106

5.3 Two reasons for refusal were included by IBC only because those matters (Humber Doucy Lane main access and Loss of Sport Pitches) apply to those parcels of the appeal site which fall within IBCs area only. The other reasons for refusal are common to both Councils. A copy of the delegated reports supporting the reasons for refusal for each Council are attached at **Appendices L and M**.

5.4 The Councils will subsequently submit evidence in connection with the principal/main issues referred to in this statement. At present it is considered that at least 5 witnesses may be called by the Councils dealing with the following reasons for refusal:

- Lack of Masterplan
- Humber Doucy Lane main access – character and visual impacts
- Landscape and heritage impacts
- Ecology
- HRA mitigation
- Air Quality
- Loss of Sports Pitches
- Housing
- Open Space and Green Infrastructure,

5.5 The Councils will also provide evidence concerning matters of planning policy and overall planning balance, together with (in so far as is appropriate) Planning Obligations and conditions.

5.6 The Councils will rely on evidence produced by Suffolk County Council (“SCC”) as a Rule 6 party in respect of the following matters:

- Highways and Transport
- Humber Doucy Lane main access – technical considerations
- Surface Water Drainage
- Archaeology
- S106 Planning Obligations and conditions

5.7 The Councils may also reference/rely on evidence produced and submitted to the Council and PINS by third parties, such as Sports England and Active Travel England.

5.8 Notwithstanding the Councils concerns that the application was made prematurely, and the clear indication from PINS that the appeal process should not be used to evolve a scheme, the Councils will continue work with the Appellant to see whether the issues raised by the reasons for refusal can be narrowed.

5.9 On 5th November 2024 (received 6th November 2024) Phase 2 Planning wrote to the Councils concerning reasons for refusal 5 (drainage), 6 (ecology), 8 (Archaeology) and 9 (Air Quality). Accompanying this letter was new substantial evidence concerning ecology (Supplementary Ecological Reports for Bats (CSA/ 6675/10); Dormouse (CSA/6675/11); Birds (CSA/6675/12) and Great Crested Newts (CSA/6675/13) all dated November 2024).

5.10 Given the limited time since receipt of this letter, the Councils have not been able to review all of the information provided. However, we will work with SCC and the Appellant to agree whether, on the basis of the new information provided and in light of the matters raised in the correspondence, any of the RfRs have been overcome. The Councils outline their latest position on each of these RfRs below, but anticipate being able to provide an update on these matters by the date of the Case Management Conference (‘CMC’, 19th November 2024).

5.11 It has been agreed between parties that topic based SoCGs will be worked upon to agree matters wherever possible in advance of the Inquiry. Joint SoCGs between the Appellants, IBC, ESC and Suffolk County Council are proposed for matters such as drainage and highways.

6. PLANNING POLICY FRAMEWORK

6.1 Relevant to this appeal the statutory development plan comprises the following:

- Ipswich Borough Council Local Plan March 2022 comprising the Core Strategy and Policies DPD Review and the Ipswich Site Allocations (Incorporating IP-One AAP) DPD Review.
- East Suffolk Council – Suffolk Coastal Local Plan 2020
- Rushmere St Andrew Neighbourhood Plan (Made 28 June 2023)

6.2 Within the development plans those policies considered to be most important for the determination of this appeal are those referred to in the respective RfR:

6.3 These policies form part of adopted development plan documents and are considered to be sound and so should be afforded full weight. It is not understood that the Appellant alleges that they are out of date for any reason.

IBC		ESC	
Reasons for Refusal	Relevant Policies	Reasons for Refusal	Relevant Policies
Masterplan	ISPA4, DM1, DM12, DM18.	Masterplan	SCLP12.24, SCLP11.1, RSA 9
Transport	ISPA4, DM21.	Transport	SCLP12.24, SCLP7.1
Humber Doucy Lane (<i>IBC only</i>)	ISPA4, DM12, DM18, DM21.		
Landscape and Heritage Impact	ISPA4, DM12, DM13.	Landscape and Heritage Impact	SCLP12.24, SCLP10.4, SCLP11.1, RSA 9
Flooding and Drainage Strategy	DM4.	Flooding and Drainage Strategy	SCLP12.24, SCLP9.6, RSA 9(e)
Ecology and BNG	DM8.	Ecology and BNG	SCLP10.1
HRA	DM8.	HRA	SCLP12.24, SCLP10.1
Archaeology	DM14.	Archaeology	SCLP12.24, SCLP11.7
Air Quality	DM3.	Air Quality	SCLP10.3, SCLP11.2
Loss of Sport Pitches (<i>IBC only</i>)	ISPA4, DM5.		
Housing	ISPA4.	Housing	SCLP12.24
Open Space and Green Infrastructure	DM6.	Open Space and Green Infrastructure	SCLP3.5, SCLP12.24,

			SCLP8.2, SCLP11.1, RSA 9, RSA 11
S106	ISPA4, CS8, CS12, CS16, CS17, DM8, DM21.	S106	SCLP12.24, SCLP3.5, SCLP5.9, SCLP5.10, SCLP7.1, SCLP10.1

6.4 The National Planning Policy Framework ('NPPF', December 2023) sets out the Government's planning policies for England and how they should be applied; it is a material consideration for decision-taking purposes though it makes clear that it cannot displace the statutory primacy of the development plan.

6.5 The NPPF is supported and complemented by the National Planning Practice Guidance ('PPG'). The Councils consider that it too is an important material consideration alongside the NPPF.

7 CASE FOR THE COUNCILS

Overview

7.1 The appeal site forms part of a cross-boundary allocation site in both the IBC and ESC development plans. It follows that the principle of residential-led, mixed development on this site is settled.

7.2 However, given the sensitivity of the site it is critical that the right development is proposed. Such a design must respect, and respond appropriately to, the site's context and constraints. These include the site's function as a transition between Ipswich's urban edge, and the more rural landscape character of East Suffolk; the need to preserve and enhance the setting and significance of nearby designated heritage assets; the potential for archaeological remains to be contained within the site itself; the presence of valuable sports pitches currently used by Ipswich Rugby Club; and the requirement to provide bespoke and effective Suitable Alternative Natural Greenspace to avoid adverse impacts on the European protected sites. Moreover, the design must be high-quality, ensuring (amongst other matters) that the Open Space provided is of a sufficient quantum and quality; that it provides a "soft edge" to the urban area; and that the residential development proposed is properly connected, both internally and to services and facilities outside the site.

7.3 For the reasons outlined below, and which will be addressed more fully in evidence, the Council do not consider that the current proposal achieves these objectives, resulting in a scheme which conflicts with the development plans, not least the requirements of the site allocation policies (ISPA 4.1 & SCLP12.24). Furthermore, the premature application has resulted in a number of areas in which the evidence as to the impacts of the proposal are lacking, and which prevent the full impact of the proposals to be assessed, including in relation to their impact on highways, ecology and archaeology.

- 7.4 It follows that the Councils do not agree with the Appellant's contention that the "areas of substantive disagreement are...relatively few and very specific" (Appellant's SoC, para 1.14)

Masterplan (RfR 1 – both decisions)

- 7.5 The Local Plan allocation policies relevant to the appeal site require the site to be "planned and comprehensively delivered through masterplanning of the site." The Councils do not consider that the appeal proposals are the result of an adequate masterplanning process. The deficiencies in the application, which have led to the reasons for the refusal, are at least in part the result of a failure to demonstrate how the components parts have shaped the proposed development and that the allocated site will come forward in an acceptable form of development which is coordinated and comprehensively planned.
- 7.6 The deficiencies in the masterplanning process are both procedural and substantive. In terms of procedure, for example, it is only now, at the appeal stage, that the Appellant is seeking to provide information – such as the ecology reports and archaeological surveys – which should have informed the proposed design as part of the masterplanning. Indeed, the Appellants themselves recognise the archaeological trial trenching (which is only currently taking place, despite the clear indication in the supporting text to ISPA4 that such investigations should inform planning applications) has the potential to require a "scheme review" (appellant's SoC, para 4.93)
- 7.7 The Appellant's approach to masterplanning is consistent with its approach to the pre application process which as demonstrated in Section 4 above was progressed at a pace that was not conducive to full consideration by the Councils or the local communities to be properly engaged in master planning of the site.
- 7.8 In terms of substance, the allocation policies envisage that master planning will result in the development being "planned and comprehensively delivered". This proposal will not result in a comprehensive planning, let alone delivery, of the allocation site. As noted above, the appeal proposals do not bring forward all of the land within the allocation, omitting allocated land to the west of Humber Doucy Lane, which has already been the subject of a separate application for residential development.
- 7.9 Moreover, the Council's consider that the masterplanning process should have been used to determine, and justify, key elements of the proposal, such as the appropriate amount of residential development on the allocation; the most suitable location for the site access; and the internal connectivity between the site parcels. This has not been done.
- 7.10 As is explained below, the proposal is for 660 dwellings, notwithstanding that the cumulative indicative site capacity for the entire allocation is for 599 dwellings and despite the fact the appeal proposals would not bring forward the entire allocation. However, the masterplan provides no justification for the amount of residential development proposed, or the consequential impact that such a level of development of the appeal site would have, including on the extent of land available to function as a green buffer (relevant both to minimising the impacts on the designated heritage assets and ensuring an appropriate

transition to the countryside); the amount and disposition of open space; and the loss of sports pitches.

7.11 As is also detailed below, the proposed access onto Humber Doucy Lane has a number of deficiencies, both technical and in terms of its adverse impact on the character of the lane. The Councils suggested that an alternative opposite Sidegate Lane would be preferable. However, this alternative does not appear to have been properly considered as part of the masterplanning process, apparently being dismissed on the basis that it would rely on 3rd party land (despite a bus access being shown in this location - Proposed Access Strategy Sheet 4 - 890695-RSK-ZZ-XX-DR-C-0004-P02).

7.12 Finally, it is not apparent how, if at all, the masterplanning process sought to optimise the interconnectivity for cycle and pedestrian movements between the various parcels of land, particularly the main parcel of development and the eastern parcel (residential areas E1 and E2)

7.13 The Appellants has stated that, 'if the LPAs genuinely considered that the information submitted with the application was insufficient for consideration (para. 4.21)' to decline to validate the application or use powers under Article 5(2) of the T&CP DMPO. The validation process is not to determine the adequacy of the information submitted as part of the application to demonstrate the proposed development is acceptable, this is a matter for consideration during the application process when consultation with relevant parties is undertaken. In the case of this application, as set out in a number of the RfR below, the information provided was deficient to allow the Councils to conclude that the proposed development would be acceptable. The Councils do not consider an order under Article 5(2) of the DMPO would have provided the information to have addressed the deficiencies in the application.

Transport (RfR 2 – both decisions)

7.14 The Council's will rely on the evidence provided by the Highway Authority (SCC as a Rule 6 Party) in relation to this matter.

7.15 The Council will support the evidence provided by SCC, particularly in relation to the deficiencies of the proposal in respect of the connectivity for cycle and pedestrian movements in and around the site including between the main parcel of development and the eastern parcel (residential areas E1 and E2). The current proposal would require pedestrian and cyclists from the eastern parcel to cross Humber Doucy Lane twice in order to access the main parcel, which is the only location in the development where a convenience store may be located (identified as a "mixed-use development parcel" on the Land Use parameter plan).

Humber Doucy Lane (RfR 3 - IBC decision only)

- 7.16 The appeal site is situated to the north of Humber Doucy Lane and the main access junction into the proposed development is from this road (Humber Doucy Lane). This is within the IBC borough administrative boundary and hence this particular reason for refusal is only on the IBC's decision.
- 7.17 The Councils will evidence that this part of Humber Doucy Lane needs to be designed sensitively given its character and this is recognised within the Ipswich Local Plan. The rural character of this part of Humber Doucy Lane character will be demonstrated to be retained alongside the development of the Westerfield Care Village and parcel of allocated housing opposite.
- 7.18 The Councils will rely on the Highway Authority's evidence with regard to the suitability of the main access junction (a proposed signalised junction opposite Inverness Road). The Appellants in their SofC at Paragraph 4.41 assert that minor changes could be made to the access junction provided, and that the Inspector will be invited to determine the appeal on the basis of revised designs. So far as the Councils are aware, no such revised designs have been submitted, nor has there been any further consultation undertaken. The Councils are unable to comment on whether such amended plans should be accepted on appeal, until they have seen the proposed amended plans.
- 7.19 Notwithstanding the technical acceptability of the junction design (or otherwise), the scale and position of the junction proposed would have an adverse impact on the character of this part of Humber Doucy Lane, at a point where there is a clear transition from urban to rural.
- 7.20 The Council do not consider this location for the access on Humber Doucy Lane to be acceptable, particularly where other, more suitable access locations, have not been properly explored by the Appellant. The access for the appeal site was a significant issue for the Councils with alternatives being proposed at the pre-application stage. The Councils had advised the Appellants further work on this was required to inform the design proposals before the application was submitted. The alternative being considered was a location further east on Humber Doucy Lane (where the bus access is shown - Proposed Access Strategy Sheet 4 - 890695-RSK-ZZ-XX-DR-C-0004-P02) where the character is more built up as a result of the existing development. This would provide the opportunity for a much more appropriate location which would have less of an adverse impact upon the rural character of Humber Doucy Lane. The Councils still retain the merits for an alternative location which is closer to Sidegate Lane should be fully explored. This would also link to RfR on the transport matter of key connections being in closer proximity to the Sidegate Lane (a key connecting route for onward travel out of the site).

Landscape and Heritage Impact (RfR 4 IBC decisions, RfR 3 ESC decision)

- 7.21 The Councils will evidence the site allocations in both Plans recognise the sensitivity and importance of a transition space for the new rural edge that will be created between Ipswich and the wider Countryside in East Suffolk. This is important in both landscape and heritage terms.

- 7.22 In landscape terms, as ISPA4 recognises, “the effective use of green infrastructure” should be used “to create a transition between the new development/Ipswich urban edge and the more rural landscape character of East Suffolk”. Both policies require that landscaping “provide a soft edge to the urban area where it meets the countryside”.
- 7.23 In heritage terms, both policies require that the setting of designated heritage assets, including Allens House and Lacey’s Farmhouse, “must be preserved or enhanced as part of any future development of the site”. Moreover, as part of the plan-making process for the allocation of the site in IBC’s plan, main modifications were made to ensure a number of mitigation measures, including a reduction in site capacity from 496 to 449 dwellings (on ISPA4 area only¹) to allow a buffer of green space and landscaping at the site boundaries closest to these heritage assets.
- 7.24 The appeal proposals include an area of public open space to the north and northeastern boundaries of the allocation, beyond the areas identified for residential development. This space varies in width and is to be “inclusive of existing vegetation and ancillary infrastructure (i.e., drainage, access roads, pedestrian and cycle routes, local green spaces, play and recreation spaces)”. The Councils are firmly of the view that the design and quantity of space, and the variety of uses proposed for the north boundary of the proposed development, fails to effectively or adequately create the required transition space from the new urban edge to the countryside. It also fails to minimise the harm caused to setting and significance of the Grade II listed buildings (Allens House and Lacey’s Farmhouse), let alone achieve the local plan policy objective of preserving their significance.
- 7.25 The transition space is simply too narrow to be effective as in some areas, for instance to the west/north-east of parcels C and B1 (nearest Allen’s house and Lacey’s Farmhouse), to the north/north-east of parcel B2 and to the north of parcels E1 and E2. However, the concern is not simply with the quantum of green buffer provided. As noted above, the buffer zone will include ancillary infrastructure (such as attenuation basins, pedestrian paths, cycle routes and equipped play areas) which both limits the extent to which the area will function as a transitional space and buffer zone to the heritage assets, but will also result in an intensity of use and activity which is not conducive to the rural character.
- 7.26 The Appellants argue that any widening of the transition zone in the north-eastern area would be at the expense of reducing green infrastructure elsewhere. However, this assumes that there is no reduction in the amount of housing proposed, noting that the proposal is for 61 units above the amount of dwellings provided for in the combined allocations (see the Housing RfR below). A reduction in the amount of housing would provide more space to deliver a successful transition space as well as reducing the quantum of open space and SuDS requirements for the proposed development.
- 7.27 The Council’s do not dispute that the level of harm to the heritage assets has been assessed as a low level of less than substantial. However, as a matter of national policy *any* harm to designated heritage assets must be given “great weight” (NPPF, para 205) and requires “clear and convincing” justification (NPPF, para 206). Moreover, the allocation policies specifically require that the significance of these designated heritage assets are

¹ Reducing the site capacity for the entire allocation from 646 to 599

to be “preserved” - i.e. no harm. And the capacity of the allocation was specifically reduced in order that there was sufficient room to provide a buffer zone and landscaping in order for this to be achieved.

- 7.28 The appeal proposal therefore does not provide an adequate buffer/off-site to the designated heritage assets, does not preserve the significance of those assets and fails to provide any justification (let alone a clear and convincing justification) as to why this harm ought to be permitted.

Flooding and Drainage Strategy (RfR 5 IBC decision, RfR 4 ESC decision)

- 7.29 The Councils will rely on the evidence of the Local Lead Flood Authority (SCC as a Rule 6 Party) in relation to this matter. It is understood that, although further information provided by the Appellant has overcome some of the LLFAs’ concerns, there are still significant matters which cannot be addressed. These include the absence of evidence that there is sufficient space to provide the requested SUDs features, which again calls into question the appropriateness of the masterplanning.

Ecology and BNG (RfR 6 IBC decision, RfR 5 ESC decision)

- 7.30 The Councils were, and remain, of the view that, at the time of determination, insufficient ecological information had been provided in order for the application to be properly assessed. The Ecology Assessment submitted with the application identified that further ecology survey were required. In particular, there was insufficient ecological information on European Protected species (bats, Dormouse, Great Crested Newt), Protected species (reptiles), Ancient / Veteran Trees and Priority Species (Farmland Birds). The Councils disagree with the Appellants that sufficient information was available in the absence of these surveys for the Councils to conclude that their statutory duties were fulfilled and policy requirements met. The absence of the necessary ecological survey results at the time of the determination of the application meant that the full impacts of the proposal on protected and UK Priority species could not be fully assessed and allow for any necessary avoidance, mitigation or compensation measures to be adequately secured.

- 7.31 The Appellants have submitted new information as part of the appeal process. The first with an Ecology Assessment dated May 2024 included as an Appendix to their SoC (albeit this did not include any new surveys). The second set of information being received just two working days before the Councils Statement of Case has to be submitted to PINS. The Councils received a Covering Letter from Phase2Planning dated 5th November 2024 (received 6th November 2024) with Supplementary Ecological Reports for Bats (CSA/6675/10); Dormouse (CSA/6675/11); Birds (CSA/6675/12) and Great Crested Newts (CSA/6675/13) all dated November 2024.

- 7.32 The Councils will review the new information in order to determine whether it addresses the concerns raised in the reason for refusal. It hopes to be in a position to provide an update before, or at, the case management conference on 19 November. The Councils can advise from an initial review of the most up to date ecological surveys submitted on the 6th November that it has been identified additional protected species

(great crested newts) in the vicinity of the site which were previously considered likely absent in the March 2024 EclA, as well as increased importance of the site for foraging bats. This highlights that the Councils would not have had sufficient information within the application to determine the ecological impacts of the proposed development.

- 7.33 In relation to Biodiversity Net Gain, the Councils have considered the Appellants comments within their SoC. It is accepted that adequate baseline information on this has been submitted and that matters of detail on Biodiversity Gain delivery are for later in the planning process. Subject to the required planning conditions being imposed on any grant of permission the Councils are content for the BNG element of this RfR to fall away.

HRA (RfR 7 IBC decision, RfR 6 ESC decision)

- 7.34 The application site is within the Zone of Influence for one or more European designated sites scoped into the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). It is therefore anticipated that new residential development in this location is likely to have a significant effect on the designated features of these European designated sites, through an increase in recreational pressures.

- 7.35 The site is within 13km of:

- The Stour and Orwell Estuaries Special Protection Area
- The Stour and Orwell Estuaries Ramsar Site;
- The Sandlings Special Protection Area;
- The Deben Estuary Special Protection Area; and
- The Deben Estuary Ramsar Site.

- 7.36 Information, as required, to inform a Habitats Regulations Assessment (HRA) report was submitted in support of the planning application and included measures to mitigate the impact of the development on the integrity of the identified European designated sites the mitigation proposed and deemed necessary included on-site recreational greenspace, including a SANG. Policy ISPA4 f(iii) listed the requirements for this allocated site including a project level Habitat Regulations Assessment and Suitable Alternative Natural Greenspace (SANGS).

- 7.37 Although the appeal proposal appears to rely on the on-site open space provided on site to operate as “Suitable Alternative Natural Green Space” the Councils will evidence the effectiveness of this as mitigation is considered to be undermined by the design, uses and location of the spaces proposed. In particular the separation of part of the proposed open space away from the main development site is considered to significantly limit its availability and desirability. The inclusion of large drainage basins, other infrastructure (including formal play space) and the potential for some parts of the open space to be designed to maximise their biodiversity value for Biodiversity Net Gain purposes is also considered to negatively impact upon the amount of green space which can be considered as suitable alternative natural green space for mitigation purposes.

- 7.38 The Councils will provide evidence to demonstrate the proposals for mitigation via on-site recreational green space fails to meet the identified requirements and ensure that the

proposed development will not have an adverse effect on the integrity of the European designated sites identified.

Archaeology (RfR 8 IBC decision, RfR 7 ESC decision)

7.39 The Council will rely on the evidence provided by SCC in relation to this matter.

7.40 The Archaeological Assessment which was submitted in support of the application was deficient and a full archaeological evaluation needed to be undertaken along with a detailed strategy for further investigation and appropriate mitigation to inform the development to ensure preservation in situ of any previously unknown nationally important heritage assets within the development area.

7.41 The application site is identified as lying in an area of archaeological potential and as such relevant policies within respective Local Plans require that development proposals which may disturb remains below ground are supported by an appropriate Archaeology Assessment. SCC Archaeology in their consultation response confirmed that this large site has very high archaeological potential and the Archaeology Assessment which had been submitted showed several areas of previously unknown dense archaeological anomalies and highlighted the need for further archaeological investigation – starting with trial trenching. In the absence of this information the development proposals cannot be fully informed to establish the full archaeological implications of this area and the suitability of the site for the development and/or whether any changes would be required to the proposed development to mitigate any archaeological findings.

7.42 The Councils have been made aware by SCC the required trial trenching is now being undertaken and that the current position in relation to this matter will be reflected in their SoC. The Councils will reflect on this position as part of the Case Conference on the 19th November but maintain the view that at the time the decision was made on the application, the information on this particular topic was deficient and the application should therefore not have been submitted until all the relevant assessment work had been completed.

Air Quality (RfR 9 IBC decision, RfR 8 ESC decision)

7.43 The Covering Letter from Phase2Planning received by the Councils on the 6th November 2024 indicated a willingness to address this matter through discussions on the section 106. The Council will liaise with the Appellant to determine whether the necessary mitigation in respect of Air Quality, applying the “Damage Costs approach” applicable to large developments, can be secured.

Loss of Sport Pitches (IBC only RfR10)

7.44 This RfR only appears on the IBC decision as the sports pitches in question are located in the IBC authority boundary. It should be noted that the pitches are part of the larger Ipswich Rugby Club whose site crosses over into the ESC authority boundary.

- 7.45 Part of the application site includes an area used by the adjacent Rugby Club for rugby pitches. IBC Local Plan Policy ISPA4 for the allocation of this site for housing, requires replacement of sports facilities to be provided if required in order to comply with Local Plan Policy DM5. The appeal proposals would remove the current rugby pitches, and would not provide replacement facilities.
- 7.46 The Councils will provide evidence to demonstrate, contrary to the Appellants position, that the sports pitches which would be lost are in use and there is a local need for them to be replaced. The Councils will refer to evidence from the Ipswich Rugby Club to set out the ways in which the sport pitches are used, the regularity of their use and address the points raised by the Appellants that there is suitable alternative pitch provision available in the locality which negates the need for them to be replaced.
- 7.47 Sport England objected to the planning application and have maintained this objection in a detailed written representation made to PINS. The Councils will refer to, and rely on, their evidence in their case for this matter. The role of Sport England in the determination on such matters (including at pre-application stage) is made clear in the IBC Local Plan and specifically for Policy DM5 it is noted that developer engagement with Sport England would be expected to ensure that the loss of any open space, sports or recreation facility will be acceptable.
- 7.48 The Council disputes the Appellant's contention that the proposal complies with the exceptions set out in Policy DM5, in particular exception (b), namely that "alternative and improved provision would be made in a location well related to the users of the existing facility". In particular, the Councils will evidence that the proposed provision of the Multi-Use area within the proposed development is not an acceptable alternative provision to the sports pitches which would be lost as a result of the proposed development and disagree with the assertion of the Appellants in para 4.120 of their Statement of Case that "Overall the Appeal scheme delivers a net benefit in terms of spaces for active play and recreation".

Open Space and Green Infrastructure (RfR 12 IBC decision, RfR 10 ESC decision)

- 7.49 The Councils each have their own open space typologies and space requirements. The Councils will evidence that in both instances the quantum and quality of open space proposed fails to meet the relevant policy requirements. This was detailed within the delegated reports. Although the total amount of open space is in excess of the amount required by policy, the proposal does not provide the required space or layout to ensure that all open space typologies and their essential characteristics are successfully accommodated within the proposed development. The location and distribution of the open spaces is also considered unacceptable in terms of recreational space and children's spaces being limited to linear routes and transitional spaces at the periphery of the development and the lack of generous open spaces being integrated within the residential parcels of the development. Furthermore, the proposals fail to demonstrate that the spaces proposed will be well overlooked, meaningful, useable and suitably distributed throughout the site.

7.50 The delegated reports, which support the decisions, are clear on the open space deficiencies in terms of type and the Councils shall confirm their policy requirements in respect of the development and evidence the way in which the proposals fail to meet these standards in respect of proposed type, size and location. The Councils shall provide their position in relation to the Appellants assertion that there is a surplus of playing fields and allotments in the area and therefore these types of open space, as well as natural and semi-natural greenspace do not need to be provided in the proposed development. The Councils shall also evidence why the scheme is unacceptable despite the total open space proposed being in excess of the total amount of open space required by policy which will be related to matters of type, distribution and useability.

7.51 The Councils will also evidence why the open space proposed to provide the setback to Humber Doucy Lane should be better designed to protect its sensitive character; the Councils are not seeking a traditional landscape buffer here in the same vein as that required along the northern edge of the development, rather an appropriate response to the character of the road through planting and layering of frontage infrastructure. Information to demonstrate the creation of a successful urban edge here has not been provided. The Councils shall evidence the sensitive nature of Humber Doucy Lane and the harm which will be caused by the development to the existing townscape and the historic character of the road.

7.52 The Councils will also set out how this RfR is connected to the unacceptability of the Masterplan (RfR no. 1), Landscape and Heritage Impact (IBC RfR no.4 & ESC RfR no.3), drainage design (IBC RfR no.5 & ESC RfR no. 4), HRA mitigation (IBC RfR no. 7 & ESC RfR no. 6) and housing number (IBC RfR no. 11 & ESC RfR no. 9).

Housing (RfR 11 IBC decision, RfR 9 ESC decision)

7.53 As explained above, the combined cross-boundary allocation, as set out in the two allocation policies, is expected to deliver approximately 599 homes. The number was reduced (from approximately 646 homes to 599 homes) as part of the IBC Local Plan to allow for sufficient green buffer to the north-eastern boundary.

7.54 The proposed development exceeds the combined housing allocation number identified in the Local Plans for this site by each of the Councils. This is despite the fact that the proposal does not bring forward the entire allocation site.

7.55 The Councils will evidence that as a result of the deficiencies in the application, as set out in a number of the RfRs, an increase in the number of houses beyond those set out within the Policy allocation has not been demonstrated to be capable of being adequately accommodated. In particular, it is considered that proposal fails to demonstrate that there will be adequate spaces around the application site to comply with relevant open space standards; provide a suitable drainage design; provide sufficient space to the rural edge to the north and protect the character of Humber Doucy Lane to the south; or retain or replace the existing sports pitches.

S106 (RfR 13 IBC decision, RfR 11 ESC decision)

- 7.56 A S106 legal agreement would be expected to secure necessary mitigation, housing mix and type, affordable housing and infrastructure to support the proposed development. A S106 legal agreement was not in place at the time of decision and therefore the proposals were found to be non-compliant with a number of policies.
- 7.57 This appeal will require a lengthy and complex Section 106 agreement given the size and nature of the proposal, the two Local Planning Authorities and the different effects on obligations. It is highly regrettable that, as at the time at submission of our Statement of Case neither the District Councils or County Council, have yet received a draft Heads of Terms nor a draft Section 106 agreement (**see emails to agent at Appendix N**). This is despite the fact that the Councils strongly encouraged the appellants to maximise the use of the period between the refusal and appeal submission deadline to progress matters beneficial to the consideration of the appeal. By way of example, emails are provided from Ben Woolnough to Kevin Coleman dated 24th July 2024 and 27th August 2024 at **Appendix O**.
- 7.58 Although the Councils will work pro-actively when it is provided with heads of terms and/or a draft section 106 agreement, given the very late stage in proceedings there can be no guarantee that an acceptable agreement will be completed in time for the Inquiry dates.

8. PLANNING OBLIGATIONS AND CONDITIONS

- 8.1 As set out above in this statement a draft s106 has not been submitted with the Appellants appeal submission and it was understood that the intention of the Appellants was to work with both Councils to prepare one. As of 11th November 2024 no advancement of this discussion has taken place. Despite this being highlighted by email by the Councils to the Appellant. PINS current guidance is for appeals proceeding by either a hearing or an inquiry a draft S106 version should be submitted by the Appellant with their appeal form.
- 8.2 There are a number of complexities to advising on appropriate obligations. As noted above due to the deficient nature of the application it has not been possible to ascertain the mitigation package required and ultimately what will need to be secured in any S106. There is also a fundamental disagreement on housing numbers which also impacts on the levels of contributions / mitigation which needs to be secured. Furthermore, there are multiple parties which would need to be signatories in this instance – IBC, ESC and SCC, as well as the applicants. In addition, ESC are a CIL charging authority and IBC is not which adds additional complexity.
- 8.3 Given the above it is not possible to set out the detailed obligations expected, but the Councils are able to comment on the areas which are considered necessary to be addressed, although the Councils reserve the right for this to be expanded if new information comes to light during the course of the appeal. This is provided at **Appendix P**.
- 8.4 As with the S106 given the deficiencies in the application the Councils are unable to set out all planning conditions necessary but have provided headings for the conditions

at **Appendix Q**. The Councils reserve the right for this to be expanded if new information comes to light during the course of the appeal. The Councils will work with the Appellant to process a detailed set of conditions.

9.0 CONCLUSION

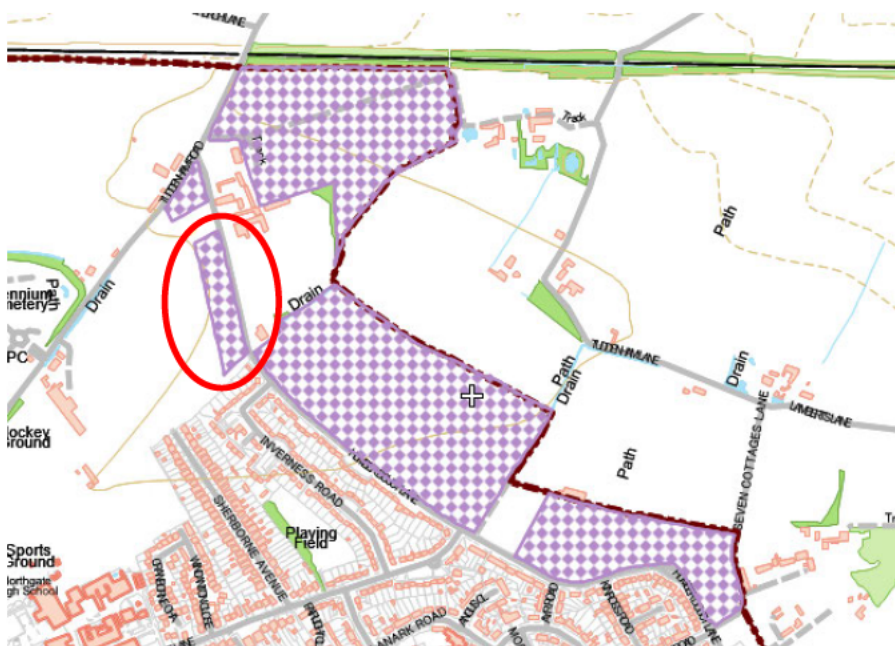
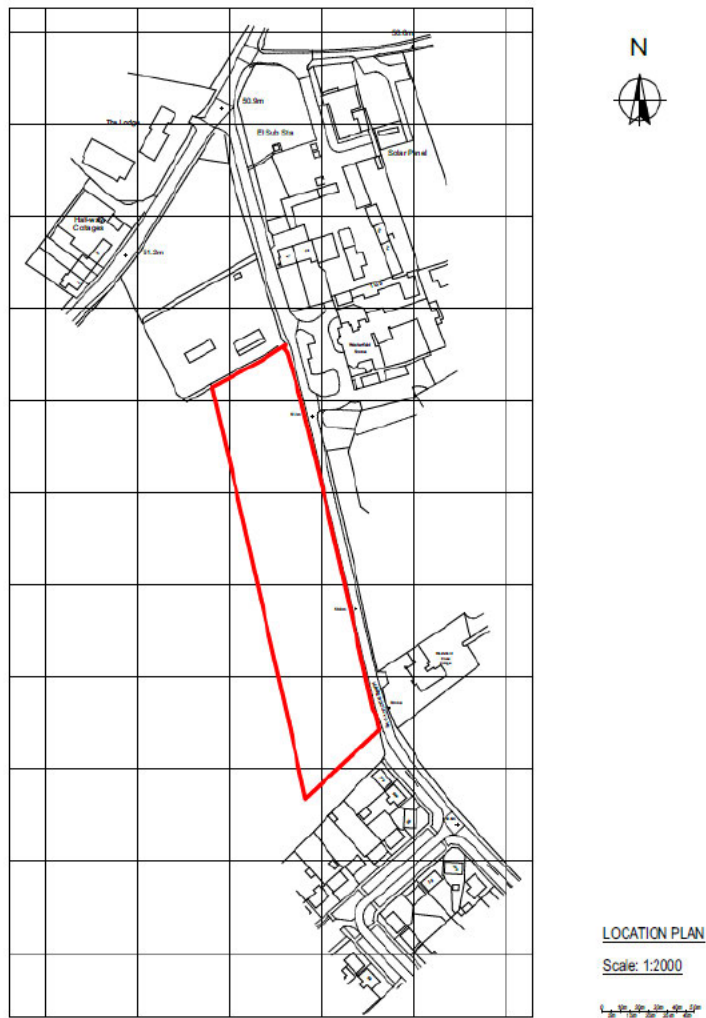
- 9.1 For the reasons outlined above, the Councils consider that the proposals do not comply with the site allocation policies, and do not comply with the development plan overall.
- 9.2 The Councils do not consider that the benefits of the scheme, including the delivery of housing, would outweigh the harm that the proposed development would cause. This is a site which has been recognised by the Councils, through their development plans, to be appropriate for residential-led mixed -use development. However, those allocations also recognised that any proposal would need to be carefully (master)planned and designed to appropriately address the context and sensitive of the site, and in order to bring forward a high-quality form of development. Unfortunately, the current proposal fails to meet those policy requirements.

10. DOCUMENTATION

10.1 In support of the Joint Local Planning Authorities' case, the following documentation (amongst other) may be referred to:

- The adopted Ipswich Core Strategy and Development Management Policies Plan, and any proposed amendments to that document. Reference would include, but not be limited to, the policies cited on the relevant decision notice.
- The adopted Suffolk Coastal Local Plan and 'made' Rushmere St Andrews Neighbourhood Plan, and any proposed amendments to those documents. Reference would include, but not be limited to, the policies cited on the relevant decision notice.
- Any relevant Supplementary Planning Documents, Design Guides, and design standards.
- Any relevant evidence documents pertaining to previous, existing or proposed development plan documents.
- Evidence relating to open space provision within the relevant Local Planning Authority areas.
- The supporting evidence submitted with the original planning applications.
- Applications Plans and Illustrative Plans submitted as part of the original application;
- 2023 National Planning Policy Framework, and relevant Planning Practice Guidance;
- Any relevant revisions to National Planning Policy/Guidance, Ministerial Statements, or relevant national statistics/policy statements.
- Relevant legislation/case law.
- Representations received from statutory and non-statutory consultees to the original submission and to the documents submitted during the appeal process.
- Documents and correspondence related to the pre-application process.

Appendix A - site location plan for 24/00510/FUL



Appendix B - Log of Pre-Application Meetings

Meeting date	Agenda	Attendance 1. IBC and 2. ESC
30/06/2023	<u>Pre-App Meeting #1 – Inception Meeting – 1 hour meeting</u>	1. James Mann, Sally Minns, Rosalynn Claxton 2. N/A
15/09/2023	<u>Pre-App Meeting #2 – Inception Meeting 2</u>	1. James Mann, Rosalynn Claxton 2. Ben Woolnough, Chris King, Andrea McMillan
19/10/2023	<u>Site visit</u>	1. James Mann, Rosalynn Claxton, Mike Taylor 2. Chris King, Ruth Chittock
<u>01/11/2023</u>	<u>Pre-App Meeting #3 - Topic Workshop at East Suffolk Council Offices</u>	1. James Mann, Sally Minns, Rosalynn Claxton 2. Chris King, Ruth Chittock, Ben Woolnough, Andrea McMillan
<u>02/11/2023</u>	<u>Pre-App Meeting #4 – Highways Workshop</u>	1. James Mann, Sally Minns, Rosalynn Claxton 2. Ben Woolnough, Chris King, Anthony Taylor
<u>29/11/2023</u>	<u>Pre-App Meeting #5 – Infrastructure / Phasing</u>	1. James Mann, Rosalynn Claxton, Mike Taylor 2. Chris King, Ruth Chittock, Ben Woolnough, Andrea McMillan, Anthony Taylor
<u>8/12/2023</u>	<u>Pre-App Meeting #6 - Progress Review Meeting</u>	1. James Mann, Sally Minns, Rosalynn Claxton 2. Chris King, Ruth Chittock, Ben Woolnough, Andrea McMillan, James Meyer

Appendix C: James Mann's email of the 22nd December 2023

From: James Mann

Sent: 22 December 2023 14:14

To: Kevin Coleman [REDACTED]

Cc: Sally Minns [REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: Humber Doucy Lane - Update

Good afternoon Kevin,

Apologies for the delay in coming back to you on this.

I think it is fair to say that we collectively, officers from ESDC and IBC, consider this to be a good point to pause briefly to reflect on the journey you have taken us on so far and to come back with something in writing to set this out. One of the main issues thus far has been the close proximity of meetings, so going forward it would be good to have these staggered with larger gaps between for officers to digest information coming forward and to reflect before moving to the next one. Something like a meeting every 3-4 weeks to allow ESDC and IBC to meet in-between. The details of this can be finalised in the new year.

Next steps in January

- IBC / ESDC to meet with the Rugby Club to discuss their aspirations and plans. I note that you (BDW and Hopkins) will also continue dialogue in the interim but we consider this important, particularly before briefing IBC members as this will be asked and a clear (er) answer will be required.
- Following this IBC to brief members on HDL proposals so far and to get political steer.
- IBC/ESDC to provide a written response on the key areas discussed thus far.
- IBC / ESCD will provide a full fee schedule for the meetings thus far.

It is the intention that a written response including fee schedule will be with you by the end of January 2024.

Obviously an application coming in at the end of February will change the dynamic of what I have just set out, but it is still important for us to pause at this point to inform and update members and to provide a written response to the meetings thus far. It is obviously out of our hands when an application is submitted, but I would strongly encourage continued pre-application discussion as this will ensure a smoother application process when it comes in.

I have copied in colleagues at IBC and ESDC just to inform that an application might be landing in February and will also inform Members through the briefing that this is now the intention.

Hope you have a great Christmas break and looking forward to working with you in 2024!

Kind regards,

James

Appendix D: James Mann's emails of the 12th and 22nd December 2023

From: James Mann

Sent: 22 December 2023 14:14

To: Kevin Coleman <[REDACTED]>

Cc: Sally Minns <[REDACTED]>
[REDACTED]
[REDACTED] >

Subject: RE: Humber Doucy Lane - Update

Good afternoon Kevin,

Apologies for the delay in coming back to you on this.

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Next steps in January

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I have copied in colleagues at IBC and ESDC just to inform that an application might be landing in February and will also inform Members through the briefing that this is now the intention.

Hope you have a great Christmas break and looking forward to working with you in 2024!

Kind regards,

James

From: Kevin Coleman [REDACTED]

Sent: 21 December 2023 12:26

To: James Mann <j[REDACTED]>

Subject: RE: Humber Doucy Lane - Update

EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe.

Morning James, I just thought I would drop you a quick note to say firstly, thanks for all of your input so far, its has bene very valuable and much appreciated.

I look forward to receiving your thoughts after the New Year, and after you've had a chance to consult with Councillors. Hopefully the highways summary I provided earlier in the week is helpful, but let me know if you would like anything more.

From our side, the outcome of the meeting I had with HH/BDW last week was that the pressure is still very much on them to submit an application at the earliest opportunity, which looks like being towards the end of February. I do appreciate that this is quicker than you might wish, and I know is sooner than Ben would wish for. This is obviously going to limit the time available for pre-app next year, and I'm conscious that resourcing is an issue, so I guess from my point of view it's a case of working out what is the top priority for discussion/agreement prior to an application coming in, and limiting ourselves to that, so that we don't place too much of a demand on you or Ben's team.

In theory, of course, this should be quite straightforward – what could be easier than an Outline residential application on a site allocated for residential development! I say that tongue in cheek, as obviously there is more to it, as the discussions around access locations have proved. But I think probably agreeing the access strategy and a basic Concept Framework might be the priorities from our point of view, subject obviously to your thoughts after the break.

Have a good Christmas,

Regards

Kevin Coleman BSc(Hons) DipTP MRTPI

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

270 Avenue West, Skyline 120, Great Notley, Braintree, Essex CM77 7AA

From: James Mann <[REDACTED]>

Sent: Tuesday, December 12, 2023 1:00 PM

To: Kevin Coleman [REDACTED]>

Subject: RE: Humber Doucy Lane

Hi Kevin,

Apologies for not updating you following our conversation.

The gist of it was that we feel that we would like to run this past our respective Cllrs and then provide an update in terms of where we are with the pre-app process and set a line in the sand to this point. We also discussed the frequency of meetings and will propose more of a framework for how we go forward, recognising the pace at which your clients are wanting to progress but also ensuring that officers have time to digest before meetings and reflect afterwards to provide more informed feedback.

We will revert back shortly with a time scale for this based on Cllr availability etc.

Kind regards,

James

From: Kevin Coleman <[REDACTED]>

Sent: 12 December 2023 12:07

To: James Mann <[REDACTED]>

Subject: Humber Doucy Lane

EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe.

Hi James, I'm off to a meeting with my clients this afternoon, and they are bound to ask me whether I've heard from you at all ... so whilst I appreciate that you may not have written anything as yet, are you able to give me a one liner gist of the discussion you had with Ben?

Thanks

Kevin Coleman BSc(Hons) DipTP MRTPI

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Appendix E: Pre Application written response dated 8th February 2024

(saved as pdf)

Appendix F: James Mann's covering email 8th February 2024

From: James Mann
Sent: 08 February 2024 12:52
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Humber Doucy Lane - Update
Attachments: Humber Doucy Lane pre-app 08.02.24.pdf; Humber Doucy Lane, IBC ISPA 4.1 November 2023.pdf; Humber Doucy Lane, ESC SCLP 12.24 November 2023.pdf; Fee

Proposal for meetings to date IBC and ESDC 08.02.2024.pdf

Good afternoon Kevin,

In advance of your meeting please find attached a joint response from IBC and ESDC and SCC comments.

Please also find attached a fee schedule for the meetings thus far with IBC and ESDC. We will need payment for these prior to additional meetings and can discuss separately.

There are a few things I would reiterate in this email that I think are important to highlight.

Additional public consultation on the 15th February

We were not aware this was being carried out and it is very difficult for us to answer Member queries on something that we have no idea about. It is imperative that both IBC and ESDC are kept up to date on issues like this as it is becoming more politically sensitive and we cannot assist if we are not aware, this does not then inspire confidence with our Members.

- Can you provide us with detail of the information to be shared on the 15th? Ideally a PDF of the boards that will be on display.

- I wonder also how feedback from the previous consultation has been factored into the proposals and taken on board? Can you provide an update on this?

Overarching advice & Next steps

I appreciate the desire to get an application in and to be able to deliver housing on the ground, this is something that we are all wanting to see. That said, we have some concerns that the drive to deliver quickly may be to the detriment of a high quality outcome and may not actually result in a quicker process. As such I would re-iterate the views in the previous email below, that a formal pre-app, where the issues can be carefully discussed and, hopefully, resolved, would be the best route at this stage.

We look forward to working with you on this and look forward to hearing how you are proposing to respond to this advice, hopefully discussions around a formal pre-app.

Kind regards,

James

Appendix G(i): IBC EIA Screening Opinion

(saved as pdf)

Appendix G (ii): ESC EIA Screening Opinion

(saved as pdf)

Appendix H: Timetable of events

Event	Date/s
Initial preapplication correspondence from BDW	26.06.2023
Preapplication Inception meeting	30.06.2023
Preapplication site visit	19.10.2023
Preapplication Advice issued	08.02.2024
Planning application start date	05.03.2024
EIA Screening Request Submitted	08.01.2024
EIA Screening Opinion Issued	21.05.2024
Planning application determined	04.06.2024
Pre-notification of appeal	24.07.2024
Appeal Lodged	23.08.2024
Appeal Start date	27.09.2024
Supplementary Ecology material submitted	06.11.2024
Case Management Conference	19.11.2024
Inquiry dates (tbc)	21-24.01.25; 4-7.02.25, 11-14.02.25 and 18-18.02.25

Appendix I: IBC and ESC joint post-decision statement

From: Press Office <[REDACTED]>
Sent: Tuesday, June 4, 2024 4:07 PM
To: Press Office <[REDACTED]>
Subject: Joint press release - Ipswich Borough Council and East Suffolk District Council
Refuse Planning Permission for Humber Doucy Lane Development

Joint press release - Ipswich Borough Council and East Suffolk District Council Refuse Planning Permission for Humber Doucy Lane Development

Ipswich Borough Council (IBC) and East Suffolk District Council (ESDC) today issued the refusal of planning permission under delegated powers for the proposed development at Humber Doucy Lane (IBC Reference: 24/00172/OUTFL, East Suffolk District Council reference: DC/24/0771/OUT) for a mixed-use development for up to 660 homes.

After a comprehensive review and thorough consideration, both Councils concluded that, while this site holds strategic importance, the current proposal needs more consideration to meet the needs of the community. In issuing a refusal the councils are seeking to explore the opportunity to encourage a scheme to come forward that, amongst other things: is masterplan led, maximises the opportunities of landscape, ecology and open space, and demonstrably provides safe highways access and connectivity.

The decision follows a detailed assessment process involving extensive consultations with local residents and statutory stakeholders, and IBC's and ESDC's unwavering commitment to maintaining the highest design standards, achieving sustainable, balanced growth, and dedication to ensuring that all developments are well-prepared and rooted in extensive engagement with stakeholders, consultees, and communities.

A joint statement:

"The development of new housing, and especially affordable housing, is a top priority for Ipswich Borough Council and East Suffolk District Council, especially on sites allocated within our Local Plans. With the growing demand for housing, we are keen to see this strategic, allocated site developed. However, the proposals need to align with our strategic vision for sustainable and balanced growth.

Our decision to refuse planning permission for Humber Doucy Lane within the statutory 13 weeks determination period reflects our commitment to preserving the quality of life for our residents, protecting our environment, and ensuring that any new developments are in the best interests of our community as a whole."

We encourage developers to consider alternative proposals that align more closely with our strategic planning framework and community needs. Further pre-application engagement is highly encouraged to progress toward an acceptable and exemplary scheme."

This positive and forward-thinking approach by both Councils underscores the commitment to promotion developments that benefits all stakeholders and sets a benchmark for future projects.

ENDS

=====

Joint press release: Ipswich Borough Council and East Suffolk District Council

Issued by Ipswich Borough Council press office: p [REDACTED]

Appendix J - IBC decision notice

(saved as pdf)

Appendix K : ESC decision notice

(saved as pdf)

Appendix L - IBC delegated report

(saved as pdf)

Appendix M - ESC delegated report

(saved as pdf)

Appendix N – Section 106 Correspondence with Appellant

From: Kevin Coleman <[REDACTED]>
Sent: Monday, October 14, 2024 5:03 PM
To: Ben Woolnough <[REDACTED]>
[REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: RE: Planning Inspectorate APP/R3515/W/24/3350674: Land north-east of Humber Doucy Lane, IP4 3QA

By way of a quick update, I'm hoping to get you draft SoCGs on drainage and ecology next week (w/c 21/10), and a draft SoCG on highways the week after (w/c 28/10).

Also, would you like me to have first go at a Core Docs list? The lists of documents that you both submitted with your Questionnaires seemed like a good starting point in terms of assigning some Core Doc numbers.

Kevin

From: Ben Woolnough <Ben.Woolnough@eastsuffolk.gov.uk>
Sent: Monday, October 14, 2024 9:09 PM
To: Kevin Coleman <[REDACTED]> Rosalynn Claxton
<Rosalynn.Claxton@ipswich.gov.uk>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
<N[REDACTED]>

Subject: RE: Planning Inspectorate APP/R3515/W/24/3350674: Land north-east of Humber Doucy Lane, IP4 3QA

EXTERNAL EMAIL: Don't click any links, scan QR codes or open attachments unless you trust the sender and know the content is safe.

Hi Kevin,

Thanks for that update. We discussed in a joint meeting with SCC last week that we felt an initial 'general SoCG' would be best to focus on for now. After that and beyond SoC submission I propose that we have 'focussed SoCGs' including for Drainage and Highways which should be jointly agreed with all three Councils. Hopefully this could be discussed at the CMC.

What progress have you made on the s106? I don't think your clients should underestimate how complex this s106 could be given the two LPAs and County involvement, the remaining areas to address on infrastructure and the relationship of ESC being CIL charging and IBC not. I will say now that I am concerned about delays to ESC progressing other s106 agreements for more advanced applications if this is not presented early enough and I expect this Inspector will want to see a final draft for the start of the inquiry.

Happy for you to start on the Core Docs. You may remember the Drop Box approach we had for the Halesworth appeal Norwich Rd Appeal - Core Documents - Dropbox

I've set one up for this appeal if you want to start placing them there

<https://www.dropbox.com/scl/fo/edjpqzq3zip1dk1fomfhf/ADUI8nryosl7uxpQBZ-SqWQ?rlkey=qv4zfbf7nb157n9gr2i105sqw&st=l8ehlkp3&dl=0>

Kind regards

Ben

Ben Woolnough MRTPI

Head of Planning, Building Control and Coastal Management

East Suffolk Council

www.eastsuffolkmeansbusiness.co.uk

From: Kevin Coleman <[REDACTED]>
Sent: Wednesday, November 6, 2024 8:45 AM
To: Ben Woolnough <Ben.Woolnough@eastsuffolk.gov.uk>; Lisa Evans <Lisa.Evans@ipswich.gov.uk>
Cc: James Mann <[REDACTED]>

[REDACTED]
[REDACTED]
[REDACTED] <[uk](#)>

Subject: APP/X3540/W/24/3350673 - Land North-East Of Humber Doucy Lane Humber Doucy Lane Ipswich - Correspondence on Reasons for Refusal

Good morning Ben and Lisa, please find attached correspondence in respect of the above.

Regards

Kevin Coleman

[REDACTED]
[REDACTED]
[REDACTED]



From: Ben Woolnough <Ben.Woolnough@eastsoffolk.gov.uk>
Sent: Wednesday, November 6, 2024 8:58 AM
To: Kevin Coleman <[REDACTED]>; Lisa Evans <Lisa.Evans@ipswich.gov.uk>
Cc: James Mann [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] >
Subject: RE: APP/X3540/W/24/3350673 - Land North-East Of Humber Doucy Lane
Humber Doucy Lane Ipswich - Correspondence on Reasons for Refusal

Thanks Kevin

This new ecological information is rather unreasonably close to the deadline for our Statement of Case and does not give us time to consider the content ahead of our final call with our Counsel today. We may need to request a further extension of time to consider this and comment on it.

I note also your email on Monday re. commencing the drafting of the Section 106 agreement, to which we have replied with our lawyer contact details and we are eager to progress, having prompted you on 14th October for an update on the s106. However I remind you and your clients again that this is going to be a very complex s106 given the two LPA who need to be party to it and your clients have commenced the s106 process very late into the appeal with risks that this will impact how we progress over the next few months. It is unfortunate that your clients did not take the available time ahead of the appeal submission to progress this, as ESC and IBC had strongly encouraged.

Kind regards

Ben

Ben Woolnough MRTPI

Head of Planning, Building Control and Coastal Management

East Suffolk Council



Appendix O – Pre-Appeal Correspondence

From: Kevin Coleman <[REDACTED]>
Sent: Wednesday, July 24, 2024 3:59 PM
To: inquiryappeals@planninginspectorate.gov.uk; Ben Woolnough <Ben.Woolnough@eastsuffolk.gov.uk>; James Mann <james.mann@ipswich.gov.uk>
Cc: Rosalynn Claxton <rosalynn.claxton@ipswich.gov.uk>; Eleanor Attwood <[Eleanor.\[REDACTED\]](mailto:Eleanor.[REDACTED])>
Subject: Land at Humber Doucy Lane, Ipswich - Pre-Notification of intention to submit appeals by way of public inquiry for applications P/24/00172/OUTFL and DC/24/0771/OUT

Please find attached pre-notification forms in respect of the above applications.

For the benefit of PINS, these Appeals relate to the same site and the same development, but because the site falls across the boundary of East Suffolk and Ipswich, duplicate applications were submitted, one to each authority, hence two appeals.

Regards

Kevin Coleman



From: Ben Woolnough <Ben.Woolnough@eastsuffolk.gov.uk>
Sent: Wednesday, July 24, 2024 4:16 PM
To: Kevin Coleman <[REDACTED]>
inquiryappeals@planninginspectorate.gov.uk; James Mann <james.mann@ipswich.gov.uk>
Cc: [REDACTED]
[REDACTED]
[REDACTED];
Andrea McMillan <[Andrea.McMillan@\[REDACTED\]](mailto:Andrea.McMillan@[REDACTED])>
[REDACTED] Pre-Notification of intention to submit appeals by way of public inquiry for applications P/24/00172/OUTFL and DC/24/0771/OUT

Thanks Kevin for this and the heads up on the call earlier.

As discussed, recognising your clients' reluctance to pay a further planning application fee to proceed with the invited further collaboration and discussion to enable a decision locally, we recognise that they would prefer to pursue the appeal process. That may require a 12 day public inquiry involving two LPAs and potential rule 6 parties.

It will be important for East Suffolk (and James may confirm for IBC) that the proper appeal procedure guidance is followed in respect of the reluctance of PINS (and ESC) to accept amendments and significant additional information through the appeal process, which fails to properly engage communities in the planning process. With that in mind we have recommended that a process is allowed for with sufficient time in advance of appeal submission to enable some form of submission of a Statement of Common Ground between parties to understand how your clients intend to address each reason for refusal and the additional evidence which may

be necessary at a suitably early stage. I would also ask that you please ensure that ESC and IBC are directly involved in any engagement you may have or attempt to have with consultees relevant to reasons for refusal.

As you are aware, ESC actively seek a collaborative and communicative appeal process and I would welcome as much case management engagement as we can accommodate, especially to identify what can be dealt with through written representations at what might be necessary for testing evidence at inquiry.

I trust that your clients will also respect, as with the application process, that the cross boundary nature of this appeal brings considerable burdens on the two LPAs in respect of consultations and notification and there will be administrative challenges for us to address early in the appeal process. We will make that clear to PINS at an early stage to ensure that they recognise this and a suitable timetable is accommodated for this.

Once again, I emphasise that the decisions we made were with the potential prospect of appeal in mind, but with the ambition that your clients would also see the importance of proper engagement and the opportunity presented to work with us on a submission which could have the qualities to achieve approval.

Kind regards

Ben

Ben Woolnough MRTPI

Head of Planning, Building Control and Coastal Management

East Suffolk Council



From: Ben Woolnough <Ben.Woolnough@eastsuffolk.gov.uk>
Sent: Tuesday, August 27, 2024 10:42 PM
To: Kevin Coleman [REDACTED]
Cc: James Mann <james.mann@ipswich.gov.uk>; Rosalynn Claxton

[REDACTED]
[REDACTED] >

Subject: FW: 3350673 (DC/24/0771/OUT) & 3350674 (IP/24/00172/OUTFL) - Land north-east of Humber Doucy Lane, Humber Doucy Lane, Ipswich

Hi Kevin

James and I are preparing our response to the inquiry procedure request from PINS, though we have a very short turnaround on that. Unfortunately James also had to request the attached from PINS as it does not appear that you sent this to us.

We will also cover this in our reply but please can I record my disappointment from ESC's perspective at what I believe is an inaccurate statement you've made to PINS below:

"The original intention to lodge the Appeals at the end of the 10-day notice period was delayed both in order to complete the necessary paperwork, and in order to convene a meeting with the Local Planning Authorities to explore alternatives to Appeal. That meeting was duly held on 12th August, during which the Appellants briefly explained their response to each of the reasons for refusal. The Local Planning Authorities indicated their intention to defend each reason for refusal, and so it was concluded that no other practical option existed to reconcile matters other than through the Appeal process."

You will be aware that we did discuss the alternatives and both LPAs actively encouraged the alternative to the appeal being the resubmission of an application (declined as an option previously due to the resubmission fee). We also told you that we were open to utilising the full period until your deadline for an appeal submission (before its submission) to better understand differences between parties, to commence the suggested procedural SoCG and the information which the Councils might expect to see to overcome reasons for refusal - particularly those based upon the shortfalls of quality and content of submissions of the application, which we maintain may be difficult or unreasonable for you to address now under appeal procedures. The majority of points were met with a response from you that they are either non-issues to address or that your Statement of Case would address them.

You and your clients know how much we have encouraged and welcomed the need for a collaborative appeal process. You will also be aware that the meeting on 12th was our suggestion for both yours and our benefit, and that also followed the meeting James and I had with you on 24th July. ESC have a long established relationship with Hopkins Homes which is based on openness and honesty, I'm afraid your statement I've included above does not reflect that relationship, my recollection of the meeting or the intended appeal working relationship, and the time James and I have given your clients. I/we will be making the above clear to PINS, in particular to ensure that we are protected in the event that your clients seek to use it in any costs claim.

Kind regards

Ben

Ben Woolnough MRTPI

Head of Planning, Building Control and Coastal Management

East Suffolk Council



Appendix P - S106 Overview Requirements

- On-site Affordable Housing.
- Off-site contributions to additional school capacity – primary, secondary, sixth
- Form and SEND
- On-site provision of Early Years.
- Off-site health contribution.
- Off-site libraries contribution.
- Public Transport Contribution.
- Off-site highway mitigation.
- Travel Plan.
- Off-site Recreational Avoidance Mitigation contribution.
- On-site open space management arrangements.
- On-site drainage management arrangements.
- Monitoring fees.

Appendix Q – Suggested conditions

The following are the headlines for following conditions in relation to the Full Planning Permission and the Outline Planning Permission. The Local Planning Authorities caveat that this is a provisional list and reserve the right to amend/add/remove as the appeal progresses.

Full Planning Permission for the means of vehicle, cycle and pedestrian access to and from the site.

Summary list of conditions

1. Timeframe for commencement
2. Compliance with approved plans
3. Pre-commencement- accesses
4. Pre-commencement- construction programme for accesses
5. Pre-commencement- walking and cycling infrastructure connecting the east and west parcels
6. Pre-commencement- Arboricultural Method Statement
7. Pre-commencement- Construction and Environmental Management Plan
8. Pre-commencement- Archaeological Investigation
9. Pre-commencement- Construction Surface Water Management Plan
10. Pre-commencement- Surface Water Drainage Strategy
11. Pre-commencement- Management and Maintenance of Surface Water Drainage
12. Ecology
13. Visibility Splays
14. Security fencing
15. Soft landscaping
16. Unexpected Contamination
17. Archaeological Post Investigation
18. Surface Water Drainage Verification Report

Outline Planning Permission (all matters reserved) for a mixed use development for up to 660 dwellings (Use Class C3), up to 400 sqm (net) of non-residential floorspace falling within Use Class E and/or Use Class F2(b), an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works.

Summary of conditions:

1. Time Frame for commencement
2. Approval of Reserved Matters
3. Limits for Development
4. Restriction on number of dwellings
5. Phasing Strategy
6. Overarching Design Code
7. Site Wide Foul and Surface Water Drainage Strategy

8. Site Wide Ecology Strategy Compliance with Building Regulations M4(2)
9. Reserved Matters - Foul and Surface Water Drainage
10. Reserved Matters – Air Quality Mitigation
11. Reserved Matters- Noise and Vibration Mitigation
12. Prior to commencement- Archaeological Investigation
13. Prior to commencement- Arboricultural Method Statement
14. Prior to commencement- Construction and Environmental Management Plan
15. Prior to commencement- Fire Hydrants
16. Prior to commencement- Site Waste Management Plan
17. Prior to commencement- Construction Surface Water Management Plan
18. Habitat Regulation Assessment
19. Walking and cycling infrastructure and junction improvements
20. Landscape and Ecological Management Plan
21. Carriageways and footways
22. Resident's Welcome Packs
23. Archaeological Post Investigation
24. Servicing, Operational Times and Delivery Management Plan
25. Replacement planting
26. Ventilation, air handling and fume extraction
27. Unexpected Contamination
28. Public Art
29. Travel Plans for non-residential uses
30. Sustainable Drainage System Verification Report
31. BNG
32. Details/Conditions – Mixed Use area