

## BABERGH DISTRICT COUNCIL

<b>From:</b> Development Management Officer – Growth and Sustainable Planning	<b>Report Number:</b> <b>PL/17/13</b>
<b>To:</b> Planning Committee	<b>Date of Meeting:</b> 30 August 2017

### RESPONSE OF BABERGH DISTRICT COUNCIL TO THE CROSS BOUNDARY PLANNING APPLICATION IN RESPECT OF LAND AT FORMER MANGANESE BRONZE SITE (also known as ELTON PARK WORKS) FOLLOWING DEVOLUTION OF DECISION-TAKING POWERS TO IPSWICH BOROUGH COUNCIL

#### 1. Purpose of Report

- 1.1 To agree response to Ipswich Borough Council (IBC) following devolution of powers of Land at the former Manganese Bronze site (Elton Park), Sproughton.

#### 2. Recommendation

- 2.1 That Babergh District Council write to Ipswich Borough Council raising no objection to the application, subject to consideration of the comments outlined below, the agreement of a Section 106 and CIL contributions.
- 2.2 Notwithstanding the five year housing position of Babergh District Council, any new housing needs to be properly integrated with the wider area and future development of the Sugar Beet Site to ensure appropriate infrastructure provision is maximised.

#### 3. Financial Implications

- 3.1 There are no financial implications arising directly from this report.

#### 4. Risk Management

- 4.1 There are no significant risks arising directly from this report.

#### 5. Equality and Diversity Impact

- 5.1 There are no Equality and Diversity implications arising directly from this report.

#### 6. Key Information

- 6.1 On 7 August 2017, Babergh District Council resolved to devolve powers for the determination of a planning application seeking Outline planning permission for the erection of 128 dwellings including the provision of a 60-bed care home at the Former Manganese Bronze Site (also known as Elton Park, Hadleigh Road, Ipswich) to Ipswich Borough Council.
- 6.2 The proposals also included the demolition of existing buildings and associated works to remediate the land on the Application site.
- 6.3 The land on the north-west side, and which forms part of the development area, is within the administrative area of Babergh District Council. However, the land to the east and south is within the administrative area of Ipswich Borough Council.

- 6.4 The significant majority of the application site is in Ipswich Borough. The 60-bed care home, 25 no. dwellings and areas of open space are the only elements of the development which are *indicated* to be within Babergh District Council's area. Given the limited area and lack of highway access it is unlikely that there would be any more development than that – the focus and density of development is in IBC land.
- 6.5 As BDC is the smaller area of the site, it has received none of the application fee which amounted to approximately £17,000. In addition, it is good planning practice to allow the majority authority to determine as it promotes cooperation between authorities, as envisioned by Localism, and avoids conflicts between what would otherwise be two planning permissions and two legal agreements; potentially two different decisions.
- 6.6 As such, work on any necessary planning obligation under section 106 of the 1990 Act will also be delegated to Ipswich Borough Council, subject to Babergh District Council's final approval.
- 6.7 With regards to viability, this has been accepted by the DV and confirms the scheme will provide *nil affordable housing* (in either Babergh or Ipswich) likely due the costs of land remediation. The Care Home element will be within Babergh, but this is not part of the affordable provision.
- 6.8 BDC will benefit from CIL contributions, the amount has not yet been confirmed due to the Outline nature of the scheme.
- 6.9 The proposed application has been the subject of a 21 day period of consultation with all consultees and interested parties being notified.

### **Consultations**

- 6.10 Those consultation responses received are summarised as follows:-
- 6.11 **Sproughton Parish Council** – Recommends approval, subject to conditions that there are traffic mitigation measures, a link between the site and the former sugar beet site to the north
- 6.12 **BDC Environmental Health Sustainability Issues** – Recommends conditions
- 6.13 **BDC Environmental Health Land Contamination** – The Phase 1 investigation states that further works are required, no recommendation until this is explored.
- 6.14 **BDC Environmental Health Other Issues** – Recommends conditions
- 6.15 **BDC Private Sector Housing** – No comment
- 6.16 **BDC Arboricultural Officer** – No objection subject to works being in accordance with protection measures outlined in the submitted arboricultural report and that additional information including a detailed method statement and tree protection plan for the final layout are included at reserved matters or by planning condition.
- 6.17 **SCC Highway Authority** - No objection, subject to the imposition of conditions and competition S106 planning obligations.
- 6.18 **SCC Planning & Infrastructure** – Seeks contribution towards education (primary, secondary & sixth form), pre-school provision & libraries.
- 6.19 **SCC Flood & Water Management** – Requires further information on drainage methods and SuDs adoption and maintenance.
- 6.20 **SCC Archaeological Services** – Requests further information.
- 6.21 **NHS England** – Seeks contribution towards additional primary healthcare provision.

6.22 **Anglian Water** – Recommends conditions.

6.23 **Place Services Ecology** – Recommends conditions.

### **Representations**

6.24 Four letters of representation have been received by BDC and their contents are summarised as follows:-

- Development will result in an increase in traffic; the current measures are not efficient to cope with the cumulative impact of developments around the Hadleigh Road route to/from Ipswich;
- A relief road 'river crossing' should be considered;
- Good use of a redundant brownfield site;
- Four-storey care home is not the 2-2 ½ storey care home described at public consultation;
- The care home will cause loss of light to properties on Elton Park and is not in-keeping with the surrounding buildings;
- Relocate the buildings in-site so that there is no overlooking, or dominance caused by the care home;
- Clear access needs to be provided at all times for any emergency vehicles which require access to the care home;
- Impact of development on nearby TPO's;
- Too many houses are proposed for the scale of the site;
- Schools and healthcare will be put under 'additional strain and stress;'
- Only one of the two accesses being utilised; both would have less impact.

### **Assessment**

6.25 Whilst IBC are ultimately the determining authority with regard to this development, it is appropriate to comment upon material considerations of relevance to Babergh District Council.

6.26 The proposed development is a cross boundary application between IBC and BDC. The majority of existing facilities and services are provided within the Borough of Ipswich, however as the minority of the site lies within Babergh District and is close proximity to the village of Sproughton, the following matters which relate to the proposed development are considered.

### Future Development and Comprehensive Development

6.27 The application is for Outline Planning Permission, therefore a number of matters of detail are to be submitted for consideration at a later stage. As such, it is the principle of development of the type proposed that is for consideration at this stage and, in its role as a consultee on this proposal, Babergh District Council must consider the extent to which the principle of this development is acceptable in terms of the development plan and other material considerations.

6.28 The application site currently comprises of a redundant employment site of approximately 4.31ha; approximately 1.29ha lies within Babergh District.

6.29 Policy EM24 of Babergh's Local Plan states that:

*Planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored. This may be undertaken in one of the two following ways:*

1. by an agreed and sustained marketing campaign, undertaken at a realistic asking price; or

2. where agreed in advance, the applicant can demonstrate that the land, site or premises are inherently unsuitable or not viable for all forms of employment related use.

It is noted that no evidence of a marketing scheme has been provided, however the site lies on the Ipswich fringe, where there are many alternative employment sites. The application site has residential dwellings to the east, south and west, therefore any use for the site, other than residential would potentially impact the amenity of the existing residents. The Ipswich Borough administrative area of the site has been allocated for residential dwellings under Policy SP2 of the Core Strategy Review 2015. As such, it is considered that alternative uses of the BDC element of this site would be undesirable for all but C2/C3 (residential) use.

- 6.30 The site is in a highly sustainable location, near to a range of primary and secondary services and facilities, employment opportunities and education. There are opportunities to walk and utilise the public transport network from the site; reducing the need to travel by car.
- 6.31 Whilst the location is in close proximity to the services provided in Ipswich Borough, the proposal is compliant with Babergh Core Strategy Policies CS1, CS2 and CS15.
- 6.32 There are a number of Tree Preservation Orders which run along the western boundary of the proposed site, within Babergh Districts administrative area. The River Gipping runs to the north of site; dividing the site from the Former Sugar Beet Factory. As such the area of open space to the north lies within Flood Zones 2 & 3.
- 6.33 The application site is adjacent to the Former Sugar Beet site to the north, which is on the urban edge of Ipswich immediately adjacent to Junction 54 of the A14 and is a sub-regionally important strategic employment site.
- 6.34 Babergh's Core Strategy Policy CS8 states that *"The former 'British Sugar' (sugar beet factory) site, is allocated for retention in employment related use(s). Proposals for redevelopment or re-use of the previously developed site (35.5 hectares) must be planned / approached on a comprehensive basis, with regard to the future of the entire site. Co-ordination of development could be achieved through a Masterplan and / or development brief / concept statement."*
- 6.35 No application has currently been made for the former Sugar Beet Site; however consultation responses have confirmed that a link between the application site and the Sugar Beet Site is desirable to ensure cohesion between this development and any proposals that may come forward for the Sugar Beet site.

#### Affordable Housing and Housing Need

- 6.36 It is noted that the scheme does not deliver affordable housing in either district, as stated above. This is due to the substantial remediation costs associated with redevelopment of this site, and this position has been subject to review by the District Valuer.

#### Education

- 6.37 As no new education provision is to be provided within the development, it is necessary for financial contributions to be made towards the education provision in Babergh District. It is assumed that Suffolk County Council will require the necessary mitigation to be implemented and it would be expected that Ipswich Borough Council would secure these requirements as part of their determination of this application.

## Highways

- 6.38 Residents of existing neighboring dwellings have expressed concern regarding existing highway safety and the additional impact of additional residential dwellings. Alterations or improvements to the access of the site and Hadleigh Road which ease the flow of traffic are welcomed.
- 6.39 The Local Highway Authority's response states that there is no objection on highway safety grounds, subject to the imposition of conditions and the completion of S106 planning obligations. It would be expected that Ipswich Borough Council would secure these requirements as part of their determination of this application.

## Conclusion

- 6.40 The proposal represents a sustainable development in accordance with the National Planning Policy Framework and in the absence of a five-year land supply of deliverable housing land in Babergh District, a presumption in favour of sustainable development should apply.
- 6.41 From the information provided, Babergh District Council consider it reasonable to recommend that Ipswich Borough Council secure future applications (reserved matters) under the submitted layout, which would promote certainty and is built on sound urban design principles.
- 6.42 The proposal focuses on local facilities and amenities available in Sroughton and Ipswich, including schools and education, shops and retail, employment, recreation, and medical facilities. If further pressure is to be put on these facilities that has not been planned for, the necessary financial contributions are requested via Ipswich Borough Council.
- 6.43 Any planning obligation under section 106 of the 1990 Act will also be subject to Babergh District Council's final approval. It is noted that the development site lies within the high value zone for BDC CIL Charging and would be subject to CIL at a rate of £115m<sup>2</sup> (subject to indexation). The CIL Liability is calculated on approval of details submitted under Reserve Matters. The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended).
- 6.44 CIL would only be chargeable on development that falls within its administrative area
- 6.45 Any further applications relative to this matter, including any reserved matters applications, would be the subject of a further report to Council.
- 6.46 Final conditions will be for Ipswich Borough Council to determine; where relevant it is requested that the conditions suggested by the consultees above are implemented.
- 6.47 Therefore in light of consideration given to various matters within this report, it is recommended that the response on behalf of Babergh District Council include the following points:
- That Babergh District Council write to Ipswich Borough Council raising no objection to the application, subject to consideration of the comments outlined below, the agreement of a Section 106 and CIL contributions.
  - Notwithstanding the five year housing position of Babergh District Council, any new housing needs to be properly integrated with the wider area and future development of the Sugar Beet Site to ensure appropriate infrastructure provision is maximised.

**7. Appendices**

7.1 Location Plan (showing County Boundary) ref: 8434/01A

7.2 Indicative Layout Plan ref: 8434/03A

**8. Background Papers**

8.1 Relevant papers of Planning File B/17/00037/OUT

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