

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary

24. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water.

The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

25. Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2023).

26. Notwithstanding the details presented within submitted Drawing Number 15774 - DB3 -B01 - ZZ - DR - A - 90004 Revision C, before the development is commenced details of the areas to be provided for accessible parking provision shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for accessible parking provision

27. Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

28. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority.

Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- o parking and turning for vehicles of site personnel, operatives and visitors.
- o loading and unloading of plant and materials.
- o piling techniques (if applicable).
- o storage of plant and materials.
- o provision and use of wheel washing facilities.
- o site working and delivery times.
- o provision of boundary hoarding and lighting.
- o details of proposed means of dust suppression.
- o details of measures to prevent mud from vehicles leaving the site during construction.
- o haul routes for construction traffic on the highway network.
- o details of deliveries times to the site during construction phase.
- o layout of facilities above to be included on a plan.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

29. No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, to ensure that damage to the highway as a result of the development is repaired at the developer's cost and satisfactory access is maintained for the safety of the public.

30. Prior to first occupation, details of the travel arrangements to and from the site for employees and customers in the form of an Interim Travel Plan shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority.

This Interim Travel Plan must contain the following:

- o Baseline travel data based upon the information provided in the submitted Transport Statement, with suitable measures, objectives, targets and commitments identified to reduce the vehicular trips made by employees and customers, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
- o Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
- o A commitment to monitor the vehicular trips generated by the employees and customers and submit a revised ("Full") Travel Plan no later than six months after occupation.
- o A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum period of five years using the same methodology as the first monitoring undertaken.
- o A suitable marketing strategy to ensure that all employees and customers on the site are engaged in the Travel Plan process.
- o A Travel Plan budget that covers the full implementation of the Travel Plan (for a minimum period of five years from the approval of the Full Travel Plan).
- o A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area.

The approved Interim Travel Plan and Full Travel Plan shall be implemented in full accordance with the details presented within the Interim Travel Plan and Full Travel Plans.

Reason: In the interest of sustainable development as set out in the NPPF, and policies DM21 and DM22 of the Core Strategy and Policies DPD 2022.

32. Prior to development above slab level of the hereby approved development, and notwithstanding the submitted drawings, the following details shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be implemented in accordance with the agreed details and any agreed works shall be carried out in their entirety before the development becomes operational: -

- i. boundary treatments (including gaps to promote ecological movement),
- ii. biodiversity enhancements,
- iii. wayfinding sign details,
- iv. litter/recycle bin details,
- v. public art,
- vi. bollards,
- vii. planters/benches
- viii. external lighting

Reason - The condition is necessary to ensure the functional layout of the development is satisfactory, and the visual amenity of the area is safeguarded.

GRANT OUTLINE PLANNING PERMISSION

Ipswich Borough Council, as local planning authority, hereby **GRANT** Outline Planning Permission for:

Hybrid planning application comprising: Outline planning permission (all matters reserved except for access) for highway works (including provision of a new pedestrian route from Portman Road); creation of a public realm, landscaped areas and associated infrastructure works. Full planning permission for a new Aquatics Centre, associated access, car parking, and associated landscaping and public realm.

at: Redevelopment Site Portman Road Ipswich Suffolk

in accordance with your application reference: IP/24/00359/OUTFL received 20.05.2024.

By virtue of Section 92 sub-section (2) of the Town and Country Planning Act 1990 as amended this permission is granted subject to the following conditions: -

(a) That in the case of any reserved matter, application for approval must be made not later than the expiration of **five** years beginning with the date of this permission

AND

(b) That the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last of such matters to be approved.

This permission is also subject to the following condition(s): -

1. Approval of the details of the appearance; landscaping; layout; and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of the reserved matters shall be submitted in writing to the Local Planning Authority and the development shall be carried out as approved.

Reason - For the avoidance of doubt and in the interests of proper planning.

2. No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of soft and hard landscaping for the pocket park, including maintenance and management over a 10 year period, and boundary treatment details.

Reason - To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design and to enhance the visual amenity of the development and the surrounding area.

3. All hard landscaping, planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure the provision, establishment and maintenance of a reasonable standard

of landscaping in accordance with the approved design and to enhance the visual amenity of the development and the surrounding area.

INFORMATIVES

1. PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either before you commence the development or before you occupy the development. ****This is of critical importance***. If you do not comply with the condition precedent you may invalidate this planning permission. ****Please pay particular attention to these requirements****.
2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Ipswich Borough Council on email: building.control@ipswich.gov.uk or on telephone number: 01473 432951.
4. In the interests of protecting the residential amenity of the surrounding area it is recommended that the hours of construction for the hereby approved development should be limited to the following times:- 07.45-18.00 Monday to Friday, 08.00-13.00 Saturdays and no working on Sundays or Bank Holidays.
5. Many species of plant and animal in England, and their habitats, are protected by law. You are breaking the law if you capture, kill, disturb or injure a European protected species (on purpose or by not taking enough care); damage or destroy a breeding or resting place (even accidentally); obstruct access to their resting or sheltering places (on purpose or by not taking enough care); possess, sell, control or transport live or dead individuals, or parts of them. For further information and guidance you are advised to speak to Natural England at www.gov.uk or by telephone on 0300 060 6000.
6. This permission is subject to a related agreement under Section 106 of the Town and Country Planning Act, 1990.
7. There is a planning fee payable for applications in writing to discharge planning permission conditions. Forms for applications to discharge conditions are available from the Planning Portal website.
8. The Council recommends the installation of an appropriate sprinkler system within the development.
9. Suffolk Constabulary recommendations- see comments provided on Council's website www.ipswich.gov.uk
10. Suffolk Fire and Water recommendations- see comments provided on Council's website www.ipswich.gov.uk
11. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is

that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Ipswich Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

12. A street name plate may be lawfully attached to a building, boundary wall, fence or on posts within or adjacent to this site. It is an offence under Section 19(2) of the Public Health Act 1925 to pull down any such street name plate. If you require to remove or replace a street name plate, permission must be sought from the Council's Integrated Transport Officer who can be contacted by telephone on: (01473) 432064 or by e-mail to: sheltersandsigns@ipswich.gov.uk and all works will be at the expense of the applicant.

13. Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information

please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

14. Note: Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

15. The results of Phase II investigation 7241,GI-2,GROUND,AH,TP,30-05-23,V1 suggest that remediation is necessary. Therefore, a Remediation Strategy must be submitted and agreed prior to works commencing.

a) The strategy shall take note of the recommendations in section 8.4 of the report.

b) The Remediation Strategy shall include:

- o Objectives of the remediation works.
- o Details of the remediation works to be carried out, to include:
 - o Description of ground conditions (soil and groundwater).
 - o Type, form and scale of contamination to be remediated.
 - o Remediation methodology.
 - o Site plans/drawings.
 - o Phasing of works and approximate timescales

- o Consents and licences e.g. (discharge consents, waste management licence, asbestos waste material removal licence etc.).
- o Site management measures to protection neighbours.
- o Details of how the works will be validated to ensure the remediation objectives have been met, to include:
 - o Sampling strategy.
 - o Use of on-site observations, visual/olfactory evidence.
 - o Chemical analysis.
 - o Proposed clean-up standards (i.e. contaminant concentration).

Summary of Development Plan policies and proposals relevant to this decision: -

1. Core Strategy and Policies DPD Review (2022)

Policy CS1: Sustainable Development
Policy CS2: The Location and Nature of Development
Policy CS3: IP-One Area Action Plan
Policy CS4: Protecting Our Assets
Policy CS5: Improving Accessibility
Policy CS14: Retail Development and Main Town Centre Uses
Policy CS16: Green Infrastructure, Sport and Recreation
Policy CS17 Delivering Infrastructure
Policy DM1: Sustainable Construction
Policy DM2: Decentralised Renewable or Low Carbon Energy
Policy DM3: Air Quality
Policy DM4: Development and Flood Risk
Policy DM5: Protection of Open Spaces, Sports and Recreation Facilities
Policy DM6: Provision of New Open Spaces, Sports and Recreation Facilities
Policy DM8: The Natural Environment
Policy DM9: Protection of Trees and Hedgerows
Policy DM12: Design and Character
Policy DM13: Built Heritage and Conservation
Policy DM14: Archaeology
Policy DM15: Tall Buildings
Policy DM18: Amenity
Policy DM21: Transport and Access in New Developments
Policy DM22: Car and Cycle Parking in New Development
Policy DM24: Protection and Provision of Community Facilities
Policy DM31: Town Centre Uses Outside the Central Shopping Area
Policy DM33: Protection of Employment Land

Site Allocations and Policies DPD Review (2022)

SP1 The Protection of Allocated Sites
SP17 Portman Quarter
SP23 Opportunity Area F River and Princes Street Corridor.
SP45 Old Cattlemarket, Portman Road (site allocation IP051)
SP34 Town Centre Car Parking in the IP-One Area

Other relevant Planning Guidance

Suffolk Guidance for Parking - Technical Guidance (2023)

Cycling Strategy SPD (2016)
Development and Flood Risk SPD (2022)
Development and Archaeology (SPD) (2018)
Ipswich Urban Character SPD - Valley Character Area
Low Emissions SPD (2021)
Public Open Space SPD (2017)
Space and Design Guidelines SPD (2015)
Ipswich Town Centre and Waterfront Public Realm SPD (2019)
BNG Interim Guidance (May 2023)
Burlington Road Conservation Area Appraisal and Management Plan

Dated:

Signed:

James Mann MRTPI
Head of Planning and Development
Grafton House
15-17 Russell Road
Ipswich IP1 2DE

SEE NOTES BELOW/OVERLEAF

N.B. This permission is not an approval under the Building Regulations; Approval under those regulations may also be required.

NOTES

1. If you are aggrieved by the decision of your Local Planning Authority to refuse permission or approval for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
2. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an Enforcement Notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
3. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within; 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
4. Notice of appeal relating to Advertising Consent must be served within 8 weeks of the date of this decision notice. Appeal notices, relating to refusal, for Householder and Minor Commercial applications must be served within 12 weeks. In all other cases, the notice of appeal must be served within 6 months. Definition of a Minor Commercial application can be found here:- <https://www.gov.uk/government/publications/planning-appeals-procedural-guide/procedural-guide-planning-appeals-england>
5. Appeals can be made online at www.gov.uk/planning-inspectorate Alternatively, a paper appeal form can be requested by calling the Planning Inspectorate on 0303 444 5000.
6. The Secretary of State can allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
7. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
8. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.

9. If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

10. In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park Authority for that Park, or in any other case the District Council (or County Council which is exercising the function of a District Council in relation to an area for which there is no District Council), London Borough Council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

In making this decision the Council has positively addressed the National Planning Policy Framework 2024.

DRAFT

Annex 2
Leasehold Plan

Hidayuki Nagahiro

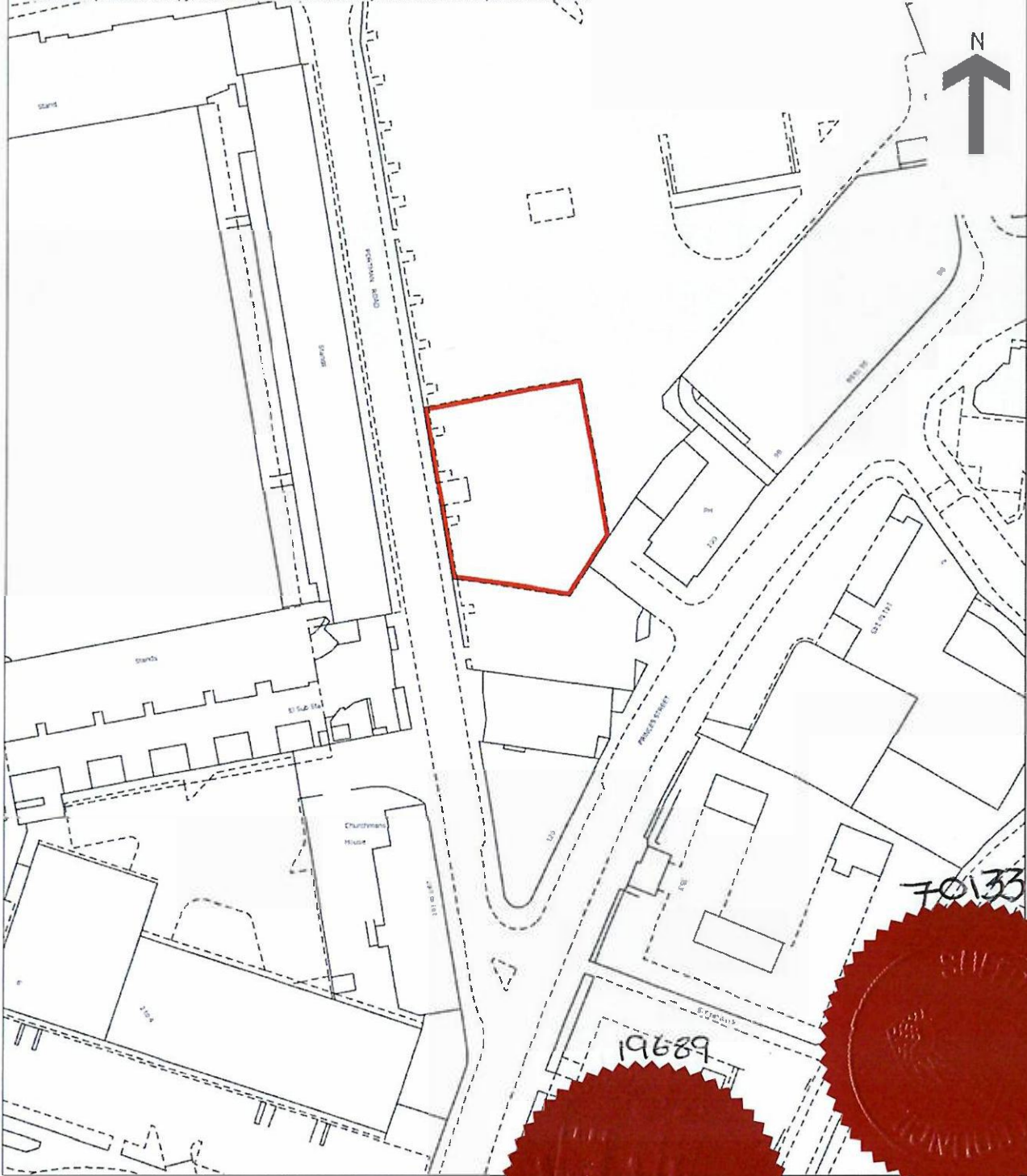
E818244/0001/1/2

HM Land Registry Official copy of title plan

Title number **SK339569**
Ordnance Survey map reference **TM1544SE**
Scale **1:125**
Administrative area **Suffolk : Ipswich**



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