



Extraordinary Cabinet 16 September 2014

Recommendation from the Sustainable Development Working Party: 8 September 2014:

- (i) **Bury St Edmunds Vision 2031: Planning Inspector's Report and Adoption**
- (ii) **Haverhill Vision 2031: Planning Inspector's Report and Adoption; and**
- (iii) **Rural Vision 2031: Planning Inspector's Report and Adoption**

1. Summary and reasons for recommendations

- 1.1 On 8 September 2014 the Sustainable Development Working Party considered as substantive items the following documents:
 - (a) Bury St Edmunds Vision 2031 as modified (Report F108);
 - (b) Haverhill Vision 2031 as modified (Report F109); and
 - (c) Rural Vision 2031 as modified (Report F110).
- 1.2 In 2011 the Council commenced the preparation of the Bury St Edmunds, Haverhill and Rural Vision 2031 Local Plan documents. In October 2013, following extensive consultation, the Council agreed to submit the documents to the Government for independent examination by a Planning Inspector.
- 1.3 The Planning Inspector's report (**Appendix A to Report F108**) into the examination was received on 14 July 2014. The report concludes that the Vision 2031 documents provide an appropriate basis for the allocation of sites for development in the towns and rural areas until 2031 and related matters, provided that a number of modifications are made to it.
- 1.4 The main modifications appended to the Inspector's report satisfy the requirements of the 2004 Planning and Compulsory Purchase Act and meet the criteria for soundness in the National Planning Policy Framework.
- 1.5 The Working Party noted the Planning Inspector's Report.

2. Recommendations

2.1 In respect of Bury St Edmunds Vision 2031 (Report F108), Cabinet is asked to **RECOMMEND** to full Council that the following documents be adopted:

- (a) Bury St Edmunds Vision 2031 (Appendix B to Report F108);
- (b) Vision 2031 Policies Map (Borough Map, Policies Map Book and Bury St Edmunds Inset Maps 1 and 2) (Appendix C to Report F108), subject to the adjustment of inset map boundaries 47 – Stanton and 48 – Stanton Shepherd’s Grove on the Borough Map, to reflect the areas shown on the respective inset maps; and subject to the removal of text ‘BV16’ on allocation BV14d (British Sugar) and amendment of the map key to read ‘British Sugar – Areas North of Compiegne Way (BV16);
- (c) Habitat Regulations Screening Assessment for Bury St Edmunds Vision 2031 (Appendix D to Report F108); and
- (d) Sustainability Appraisal for Bury St Edmunds Vision 2031, (Appendix E to Report F108)

2.2 In respect of Haverhill Vision 2031 (Report F109), Cabinet is asked to **RECOMMEND** to full Council that the following documents be adopted:

- (a) Haverhill Vision 2031 (Appendix B to Report F109);
- (b) Vision 2031 Policies Map (Borough Map, Policies Map Book and Haverhill Inset Maps 3 and 4) (Appendix C to Report F109), subject to the adjustment of inset map boundaries 47 – Stanton and 48 – Stanton Shepherd’s Grove on the Borough Map, to reflect the areas shown on the respective inset maps; and subject to the removal of text ‘BV16’ on allocation BV14d (British Sugar) and amendment of the map key to read ‘British Sugar – Areas North of Compiegne Way (BV16);
- (c) Habitat Regulations Screening Assessment for Haverhill Vision 2031 (Appendix D to Report F109); and
- (d) Sustainability Appraisal for Haverhill Vision 2031 (Appendix E to Report F109)

2.3 In respect of Rural Vision 2031 (Report F110), Cabinet is asked to **RECOMMEND** to full Council that the following documents be adopted:

- (a) Rural Vision 2031 (Appendix B to Report F110) subject to the amendment of the foreword on page three so the last sentence of the second paragraph reads ‘As well as Rural Vision 2031....’;
- (b) Vision 2031 Policies Map (Borough Map, Policies Map Book - Appendix C to Report F110), subject to the adjustment of inset map boundaries 47 – Stanton and 48 – Stanton Shepherd’s Grove on the Borough Map, to reflect the areas shown on the respective inset maps; and subject to the removal of text ‘BV16’ on allocation BV14d (British Sugar) and amendment of the map key to read ‘British Sugar – Areas North of Compiegne Way (BV16);
- (c) Habitat Regulations Screening Assessment for Rural Vision 2031 (Appendix D to Report F110); and
- (d) Sustainability Appraisal for Rural Vision 2031 (Appendix E to Report F110)

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3. Strategic priorities

3.1 The recommendations meet the following, as contained within the West Suffolk Strategic Plan:

- (a) Priority 1: Increased opportunities for economic growth
- (b) Priority 2: Resilient families and communities that are healthy and active
- (c) Priority 3: Homes for our communities

4. Key issues

4.1 Reports F108, F109 and F110 outlined the background to the formulation of the Vision 2031 documents, the consultation which had taken place on them and the subsequent independent examination of the Local Plan which had culminated in the issue of the Inspector's Report.

4.2 The Inspector's Report

The Inspector's role was to consider whether the Vision 2031 documents comply with relevant legislation and are sound. The National Planning Policy Framework [NPPF] makes it clear that in order to be found sound a Plan must be:

- (a) **positively prepared** – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- (b) **justified** – the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence;
- (c) **effective** – deliverable over its period and based on effective joint working; and
- (d) **consistent with national policy** – able to achieve sustainable development in accordance with the NPPF's policies.

4.3 The Planning Inspector's report concludes that Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031 provide an appropriate basis for the allocation of sites for development in the towns and rural areas until 2031 and related matters, provided that a number of modifications are made to it. The main modifications are attached to the Inspector's report as Appendices 1,2 and 3. The Borough Council specifically requested that the Inspector recommend any modifications necessary to enable the three Vision 2031 documents to be found sound and consequently adopted as a statutory Local Plan.

4.4 The examination process requires that the Inspector's report and the main modifications are binding upon the Council if it decides to adopt the Vision 2031 documents. All of the main modifications suggested relate to matters discussed at the examination hearings. The purposes of the recommended modifications are summarised on page 4 of the Inspector's report and are as follows:

(i) **Bury St Edmunds Vision 2031**

- (a) for the main development sites in Bury St Edmunds and Haverhill, clarification of the role of designated buffer land and the relationship between the adopted concept statements and the Vision 2031 documents, and other minor changes to assist with deliverability;
- (b) clarification of the requirement for and timing of a masterplan or development brief on a number of the allocated sites;
- (c) amending the policies for Ram Meadow, part of the British Sugar land, the Leg of Mutton Field and Rougham Airfield in Bury St Edmunds, to ensure that they are properly justified and effective;
- (d) clarification of the policies that apply to out-of-centre retail proposals so that they effectively protect the vitality and viability of Bury St Edmunds and Haverhill town centres;
- (e) deletion of policies on district heating networks which are unsound and legally non-compliant; and
- (f) other minor modifications necessary to ensure that all the policies are positively-prepared, justified, effective and consistent with national policy.

Additionally, in his report the Inspector stated at paragraph 110 (Policy BV17 Out-of-Centre Retail Proposals) the Council may need to make additional modifications to the document to reflect the change to the policy. Section 23(3)(b) of the Planning and Compulsory Act 2004 allows such additional modifications to be made to the plan before adoption. This additional modification has been made at paragraph 6.27 of the Bury St Edmunds Vision 2031 document. It should also be noted that minor factual changes have been made to main modification MMB25, the insertion of a new appendix to list the Replacement of saved St Edmundsbury Local Plan (2016) Policies. These factual changes update the policy numbering in the table and do not materially affect the policies, and as such fall into the category of additional modifications.

(ii) **Haverhill Vision 2031**

- (a) for the main development sites in Bury St Edmunds and Haverhill, clarification of the role of designated buffer land and the relationship between the adopted concept statements and the Vision 2031 documents, and other minor changes to assist with deliverability;
- (b) clarification of the requirement for and timing of a masterplan or development brief on a number of the allocated sites;
- (c) providing a robust mechanism to secure the provision of the Haverhill Relief Road;
- (d) clarification of the policies that apply to out-of-centre retail proposals so that they effectively protect the vitality and viability of Bury St Edmunds and Haverhill town centres;

- (e) deletion of policies on district heating networks which are unsound and legally non-compliant; and
- (f) other minor modifications necessary to ensure that all the policies are positively-prepared, justified, effective and consistent with national policy.

Additionally, in his report the Inspector stated at paragraph 169 (Policy HV11 Out-of-Centre Retail Proposals) the Council may need to make additional modifications to the document to reflect the change to the policy. Section 23(3)(b) of the Planning and Compulsory Act 2004 allows such additional modifications to be made to the plan before adoption. This additional modification has been made at paragraph 6.12 of the Haverhill Vision 2031 document. It should also be noted that minor factual changes have been made to main modification MMH15, the insertion of a new appendix to list the Replacement of saved St Edmundsbury Local Plan (2016) Policies. These factual changes update the policy numbering in the table and do not materially affect the policies, and as such fall into the category of additional modifications.

(iii) **Rural Vision 2031**

- (a) clarification of the requirement for and timing of a masterplan or development brief on a number of the allocated sites;
- (b) enabling an element of higher-value land uses at the Shepherd's Grove employment site to come forward if this is demonstrated to be necessary to make development there viable;
- (c) amendments to the development proposals for Barrow, Ixworth, Hopton and Wickhambrook to ensure that they are justified and effective;
- (d) clarification of the role of the phasing provisions in the rural development policies; and
- (e) other minor modifications necessary to ensure that all the policies are positively-prepared, justified, effective and consistent with national policy.

Additionally, in his report the Inspector stated at paragraph 190 (RV4 (j) Employment allocation at Shepherd's Grove, Stanton/Hepworth), that the Council may need to make additional modifications to the document to reflect the changes to the policy. These changes have been made to paragraphs 10.8 to 10.11 and 24.12. Section 23(3)(b) of the Planning and Compulsory Act 2004 allows such additional modifications to be made to the plan before adoption. It should also be noted that minor factual changes have been made to main modification MMR22, the insertion of a new appendix to list the Replacement of saved St Edmundsbury Local Plan (2016) Policies. These factual changes update the policy numbering in the table and do not materially affect the policies, and as such fall into the category of additional modifications.

4.5 Final Vision 2031 documents

The main modifications required by the Planning Inspector and the additional modifications suggested by Council officers, have been made to the Vision 2031 documents using ~~strikethrough~~ to indicate deletion and underline to indicate new text. The documents are attached as **Appendix B to Report F108** for Bury St Edmunds Vision 2031, **to Report F109** for Haverhill Vision 2031 and **to Report F110** for Rural Vision 2031. If the Council is minded to adopt the Vision 2031 documents, it is these versions that will be adopted and become part of the Local Plan to be used in the determination of planning applications. The Borough Council cannot pick elements of the main modifications and discard others. For the document to be sound the Inspector requires that all the main modifications must be incorporated, if the Council is to adopt the Vision 2031 documents. Modifying a main modification or a policy that has not been changed through examination, would either go against the Inspector's requirements or result in a policy that has not been the subject of examination.

4.6 Policies Map

Regulations require that a Policies Map is published as a separate document upon the adoption of a Local Plan document. The Policies Map has been updated to reflect the modifications. The Borough Map and Complete Policies Map Book is identical for all three Vision documents and is referred to in **Reports F108, F109 and F110 as Appendix C** and due to its size is available online at:

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Complete%20Policies%20Map%20Book%20-%20compressed%20version%20-%20web.pdf

4.7 Habitat Regulations Assessment (Screening) and Sustainability Appraisal

As a result of the modifications, the Habitat Regulations (Screening) Assessment (HRA) and the Sustainability Appraisal (SA) documents have been updated. The HRA considered the impacts of policies in the Vision 2031 documents on sites of nature conservation interest and importance. The HRA reports conclude that there will be no likely significant effects arising from the other policies included in the Plan. The HRA reports are **Appendices D to Reports F108, F109 and F110** and due to their size are available online at:

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20D%20to%20Bury%20Report%20-%20Bury%20Vision%20HRA%20screening%20report%20August%202014.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20D%20to%20Haverhill%20Report%20-%20Haverhill%20Vision%20HRA%20screening%20report%20August%202014.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20D%20to%20Rural%20Report%20-%20Rural%20Vision%20HRA%20screening%20August%202014.pdf

The conclusions of the Sustainability Appraisal report are that the main modifications result in non-significant changes to the effects that had been identified or strengthen the significance of the positive effects that had been identified. These are positive outcomes from a sustainability perspective. The Sustainability Appraisal reports are **Appendices E to Reports F108, F109 and F110** and due to their size are available online at:

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20E%20Bury%20Vision%20Main%20Modifications%20SA%20note%20&%20SA%20Report%20%20v5.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20E%20Haverhill%20Vision%20Main%20Modifications%20SA%20Note%20&%20SA%20Report%20v5.pdf

5. Other options considered

5.1 There are two options to the Council now that the Inspector's report has been received:

- (a) adopt the Vision 2031 documents as amended by the main modifications suggested by the Inspector; or
- (b) not adopt the Vision 2031 documents.

5.2 The implications for following one of the above options are assessed below:

(a) Adopt the Vision 2031 documents, as amended by the main modifications suggested by the Inspector

By choosing to adopt the Vision 2031 documents, the Council would be putting in place a long term vision for the respective areas. It would place the Authority in a very strong position to manage development in the Borough and guide the provision of future infrastructure requirements.

(b) Not adopt the Vision 2031 documents

There are a number of implications if the Council chooses to not adopt the Vision 2031 documents. The Council has used extensive resources to develop Vision 2031, the evidence base which supports it and to provide for an independent examination into the documents. Should the Council decide not to adopt the Vision 2031 documents, the Council will in effect be directing the Authority to start the process again for preparing site allocation Local Plan documents for the respective areas. This could result in legal action against the Council and speculative planning applications due to a lack of up to date policy guidance.

The National Planning Policy Framework (NPPF) requires all authorities to identify and maintain a rolling five-year supply of deliverable land for housing. The current Replacement Local Plan provides a policy framework until 2016 and therefore without updated site allocation documents the Council will, as above, open themselves to the possibility of speculative planning applications.

6. Community, diversity and equality sustainability and other impacts

6.1 See Reports F108, F109 and F110.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 See Reports F108, F109 and F110.

8. Financial and resource implications *(including asset management implications)*

8.1 See Reports F108, F109 and F110.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

9.1 See Reports F108, F109 and F110.

10. Legal and policy implications

10.1 See Reports F108, F109 and F110.

11. Wards affected

- (i) Bury St Edmunds Vision 2031 – All wards within the town. In addition the Rougham, Great Barton, Fornham All Saints, Barrow, Horringer and Whelnetham wards.
- (ii) Haverhill Vision 2031 – All wards within the town. In addition the Kedington and Withersfield wards.
- (iii) Rural Vision 2031 – All wards within the rural areas.

12. Background papers

12.1 Paper E113: 18 September 2013, Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031, Submission.

12.2 Paper E346: 7 May 2014, Vision 2031: Planning Inspector's Recommended Main Modifications

13. Documents attached to Reports F108, F109 and F110

13.1 Appendix A – Inspector's Report on the Examination into Bury St Edmunds vision 2031, Haverhill Vision 2031 and Rural Vision 2031

Appendices B – Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031 tracked changes document

Appendix C – Vision 2031 Policies Map (Borough Map, Policies Map Book)
Attached to Report F108 only and also available online at:

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Complete%20Policies%20Map%20Book%20-%20compressed%20version%20-%20web.pdf

Appendices D – Habitat Regulations Screening Assessment for Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031
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http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20D%20to%20Haverhill%20Report%20-%20Haverhill%20Vision%20HRA%20screening%20report%20August%202014.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20D%20to%20Rural%20Report%20-%20Rural%20Vision%20HRA%20screening%20August%202014.pdf

Appendices E – Sustainability Appraisal for Bury St Edmunds Vision 2031,
Haverhill Vision 2031 and Rural Vision 2031
Available online only at:

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20E%20Bury%20Vision%20Main%20Modifications%20SA%20note%20&%20SA%20Report%20%20v5.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20E%20Haverhill%20Vision%20Main%20Modifications%20SA%20Note%20&%20SA%20Report%20v5.pdf

http://www.stedmundsbury.gov.uk/council_and_democracy/your_council/documents/reports/Appendix%20E%20Rural%20Vision%20Main%20Modifications%20SA%20Note%20&%20SA%20Report%20v5.pdf

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