

# 1 Introduction

- 1.1 The Local ~~Development Frameworks~~ Plans for Forest Heath and St. Edmundsbury are the policy backgrounds against which planning decisions - and other decisions dealing with physical and environmental change in each authority area - are judged. This Development Management Policies Development Plan Document (DPD) is one of the planning policy documents that will sit within both Council's Local ~~Development Framework~~ Plan. The policies within this document will be used in day-to-day planning decisions across both areas, in line with each adopted Core Strategy.
- 1.2 This ~~Development Plan Document~~ document will replace many of the policies within each Council's existing adopted Local Plan with locally-specific development management policies covering a wide range of topics, including housing, employment, transport and the preservation of the environment, which will add to and complement national planning policy.
- 1.3 The two authorities have worked collaboratively on a number of documents to date. Most of these joint projects have involved elements of the evidence base that supported both Core Strategies. Amongst the joint studies prepared were the Environmental and Infrastructure Capacity Appraisal (EICA), the Strategic Flood Risk Assessment and Water Cycle Study.
- 1.4 Given this history of close working the Authorities identified the preparation of this joint ~~Development Plan Document~~ document for Development Management Policies as being a potential shared document, with one suite of planning policies covering both administrative areas, along with a list where necessary of locally distinctive policies, for example in relation to the Forest Heath specific Horse Racing Industry matters.
- 1.5 The benefits of this approach arise from the commonality of issues between both authorities in respect of development management issues, as well as from the clear benefits that are expected to accrue from the professional peer review of each authority's approach by the other. The use of the same policies across two adjacent areas also leads to a consistency of approach and also makes the process simpler for applicants who might deal with both districts separately. This form of approach is also generally supported by central Government who have urged closer working between Authorities where possible.

## Background

- 1.6 The new Local ~~Development Frameworks~~ (LDF) Plan will eventually replace both the existing Forest Heath Local Plan (adopted in 1995) 'saved policies' as listed within the Forest Heath Core Strategy (May 2010) Appendix A, and as well as replacing the existing Replacement St.

Edmundsbury Borough Local Plan (June 2006) 'saved policies', which were saved in April 2009.

- 1.7 This document forms the second element ~~of the Framework~~ to be brought forward for public consultation following both Council's Core Strategies. The Forest Heath Core Strategy was adopted in May 2010, and then updated in April 2011 following a High Court Challenge. The St. Edmundsbury Borough Core Strategy was adopted in December 2010.
- 1.8 The Core Strategies are the principal documents that provide the overall strategic vision, in the case of Forest Heath to 2026 whilst looking ahead to 2031 for residential growth, and, in the case of St. Edmundsbury, looking forward to 2031. Given that both Core Strategies are now adopted this Development Management Policies ~~DPD~~ document has to be in conformity with them.
- 1.9 This stage represents the ~~first~~ second formal consultation on this new combined plan, following the consultation from January – March 2012, although Forest Heath District Council did consult in 2004 on 'Issues and Options' for this plan and in 2006 on Preferred Options (which at that stage included both the Core Strategy and the Development Policies). St. Edmundsbury have also previously undertaken consultation in respect of the Development Management Preferred Options ~~DPD~~ document between August and October 2009. This document therefore seeks to take account of those previous consultations and gives an insight into how the revised policy wording reflects previous responses.

### **Purpose of the Document**

- 1.10 This document represents an important stage in the preparation of the Development Management Policies ~~DPD~~. Both Councils have considered the wording of the draft policies (as previously developed), and have identified the most sustainable way forward, which best meet the needs of both local areas and the strategic policies of the Core Strategies. Having consulted at that stage this further version of the document seeks to respond to the responses received, as well as to wider changes in the planning system, for example the publication of the National Planning Policy Framework in March 2012. This package of policies is now put forward as both Council's preferred options, with an opportunity for public consultation, in order to confirm the evidence, or alternatively to provide a basis for any revisions.
- 1.11 The significant stages in the preparation of this Development Management Policies document can be summarised as follows:
- Forest Heath - Evidence gathering, development and appraisal of options in consultation with a variety of stakeholders – completed 2005;
  - Forest Heath - Public participation on the preferred options (with Core Strategy) – initial stage September 2006;
  - St Edmundsbury – Consulted in respect of the Issues and Options (with Core Strategy) between November 2008 and January 2009;

- St. Edmundsbury - Consulted in respect of the Development Management Preferred Options DPD between August and October 2009;
- St Edmundsbury – Consulted in respect of the Development Management Submission Document Submission DPD between April and June 2010.
- [Joint Preferred Options consultation between January and March 2012.](#)

1.12 This document is a list of policies against which, (amongst other material considerations), planning applications will ultimately be determined. The current policy at the local level is contained in the saved policies of both authority's adopted Local Plan and the proposals in this document will replace each adopted Local Plan's saved policies, including some elements of the ~~Proposals~~ [Policies](#) Maps.

### **How to use the Document**

1.13 The main part of this document is divided into chapters, each of which deals with a different topic. ~~Each section summarises the background to the policy, including any Core Strategy policies that apply.~~ 1.14 The proposed policy is given (boxed, and in bold lettering) preceded by a brief discussion on the evidence behind the policy. ~~It is the policy and evidence which is the main focus on which the two Authorities wish to receive comments.~~

### **How to have your say**

~~1.15~~ [1.14](#) ~~The Preferred Options do not represent the two Council's final view on the contents of the Development Management Policies Document. Before that position is reached, we would like as many people as possible to take advantage of this consultation and send us their comments on this document.~~ Details of how to comment can be found within the accompanying covering letter.

## 2 Context

### Policy Context

- 2.1 The Development Management Policies Document is brought forward by Forest Heath District Council and St Edmundsbury Borough Council in the context of other policy inputs. The Council has to take account of the national policy of central Government as well as the local context.
- 2.2 ~~At the time of the preparation of this draft, consultation has taken place on the Government's National Planning Policy Framework (NPPF). The Government's National Planning Policy Framework (NPPF) was published in March 2012.~~ Regard has therefore been had to this document and the **emerging** policies within it including the objective of achieving sustainable development. **Policy DM1 is therefore intended as an overarching policy that seeks to enshrine at a local level both Council's commitment to the presumption in favour of sustainable development,** ~~in that they represent the Government's 'direction of travel' in policy terms. Regard has also been had to the NPPF's commitment to cancel Planning Policy Guidance Notes and Planning Policy Statements when the NPPF is formally adopted.~~

### **Policy DM1**

#### **Presumption in Favour of Sustainable Development**

**When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Councils will grant permission unless material considerations indicate otherwise – taking into account whether:**

- **Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**

- Specific policies in that Framework indicate that development should be restricted.

Note: This policy has been published by the Planning Inspectorate and is required to be included in all Local Plans.

### **Habitat Regulations Assessment**

- 2.3 In accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 a Habitats Regulation Assessment (HRA) screening has been carried out to determine whether this Development Management DPD is likely, either alone or in combination with other plans and projects, to have a significant effect upon the international sites identified. The results of the HRA screening show that there are no likely significant effects on the international sites.
- 2.4 If a proposed development could have a likely significant effect on an international site, further consideration and assessment will need to be made for these proposals at the development management stage or as part of lower tier development plan documents. This will require a thorough ecological assessment of the potential effects upon the relevant international site(s) so as to allow the Competent Authority (in this case Forest Heath District Council or St Edmundsbury Borough Council depending on the location of the development site) the ability to determine whether the development is likely to result in adverse impacts on the integrity of the site(s).
- 2.5 Any development that cannot demonstrate that it would not have an adverse effect upon the integrity of a European site, or that impacts can be adequately mitigated, will be refused (and in the case of lower tier development plan documents, these site allocations will not be taken forward in the final plans). This is in accordance with the precautionary principle enshrined within the Habitats Regulations. Where the Authority is satisfied that, there being no alternative solutions, the development must be carried out for imperative reasons of over-riding public interest, permission may be granted notwithstanding a negative assessment of the implications for the European site. In such situations the Authority will notify the Secretary of State and determine the application accordingly, and ensure that any necessary compensation measures are secured

### **Core Strategy**

- 2.6 The Development Control Policies DPD must conform to the policies of the Core Strategy, which for Forest Heath was adopted in May 2010, updated April 2011, whilst for St Edmundsbury the date of adoption was December 2010.
- 2.7 Each Core Strategy contains a statement of the overall Spatial Strategy for Forest Heath District and St Edmundsbury Borough, and broad objectives for each main subject that is covered.

## **Community Strategy**

2.8 The Community Strategy for both Forest Heath District and St Edmundsbury Borough is the West Suffolk Community Strategy which provides a broad approach that also covers the west of Babergh District. Both Authorities will continue to work closely with the West Suffolk ~~Local~~ **Strategie** Partnership, (WS**LSP**).

## 3 Sustainable Growth, Development and Design Principles

### Creating Places – Development Principles and Local Distinctiveness

3.1 Good design is important for all development types in all locations. The NPPF makes it clear in paragraph 56 that ‘good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’.

New development should achieve a high quality design that enhances the unique characteristics of an area and ensures a better quality of life for people within that area.

3.2 The relationship of new buildings with existing development and their integration into the surrounding area is important in achieving a coherent and interesting character and determines acceptable scale and appearance. However, design is not only a visual concern; it covers a wide range of functional aspects and is essential in achieving sustainable development. A well designed public realm can contribute to the vitality of an area by creating a sense of place where people want to live and work.

3.3 Retaining the local character and distinctiveness of the built environment, such as respecting the Norman grid pattern and views of the Cathedral in Bury St. Edmunds, or the unique equine interests within and around Newmarket, which contribute so significantly to its character, will be an important prerequisite for all new development proposals.

### **Policy 1 DM2**

#### **Creating Places - Development Principles and Local Distinctiveness**

**Proposals for all development, (including changes of use, shopfronts, and the display of advertisements), should, as appropriate:**

**a) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building;**

**b) maintain or create a sense of place and /or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded;**

**c) preserve or enhance the setting of, or views into and out of, a Conservation Area;**

d) produce a landscape/townscape character appraisal prior to or as part of any concept statement and/or master plan;

e) not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement;

f) provide, in line with national and detailed local policies (including policies in this DPD), open space, recreation, play and leisure facilities as appropriate;

g) incorporate sustainable design and construction measures and energy efficiency measures as required by Policies **6 DM7** and **7 DM8** of this DPD;

h) not affect adversely:

i) the distinctive historic character and architectural or archaeological value of the area and/or building;

ii) the urban form, including significant street patterns, individual or groups of buildings and open spaces;

iii) important landscape characteristics and prominent topographical features;

iv) sites, habitats, species and features of ecological interest;

v) the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and / or

vi) residential amenity.

i) not site sensitive development where its users would be significantly and adversely affected by noise, smell, vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented;

⇒ j) produce designs and layouts which are safe and take account of crime prevention, community safety and public health;

k) produce designs that respect the character, scale, density and massing of the locality;

⇒ l) produce designs that provide access for all, and that encourage the use of sustainable forms of transport through the provision of

pedestrian and cycle links, including access to shops and community facilities; and

**k) m)** produce designs, in accordance with standards, that maintain or enhance the safety of the highway network; and

**l) n)** incorporate appropriate refuse and recycling facilities, compost bins, water butts and litter and dog waste bins.

## Masterplans

3.4 Masterplans are an essential tool in developing proposals for development with the local communities. Masterplans are detailed and holistic “blueprints” for the development of a site, prepared by the developer **but agreed by the Local Planning Authority**, based on a full understanding of the constraints that affect the site, and setting out the provision of physical and social infrastructure and amenities, and the progressive implementation and integration of the development with the social and physical fabric of the locality. Masterplans will be required for proposed development within many of the larger sites allocated in the respective Site Allocations DPDs.

3.5A Concept Statement is the high-level vision **prepared by the Local Planning Authority** of the kind of place that a new development should create. It will set out how the policies and objectives **of DPDs within this document** will apply to a specific site in order to deliver the best possible economic, social and environmental benefits. Concept statements are not detailed documents, but provide more information for developers and the community than can be contained **within DPD** policies or maps. Concept Statements will be prepared where necessary for many of the larger sites allocated in the **Area Action Local** Plans and the Site Allocations DPDs.

## Policy 2 **DM3**

### Masterplans

Masterplans will be required for proposals on land allocated in **Area Action Local** Plans and the Sites Allocations DPD, where a Concept Statement has been prepared, and any sites which by virtue of size, location or proposed mix of uses is determined by the Local Planning Authority to require a masterplanning approach. Masterplans will be based upon a Concept Statement or content of an **Area Action Local** Plan prepared by the Local Planning Authority.

Proposals for development of sites subject to Masterplans will be permitted only where proposals accord with Policy 1 **DM2** and with any relevant design guidance, Concept Statements, and Development Briefs approved by the Local Planning Authority or other adopted Supplementary Planning Documents.

Where appropriate, the masterplan will set out: -

a) the exact site boundaries for the whole development and individual phases, including any growth proposed beyond the plan period;

b) defined neighbourhoods and development parcels for which separate development briefs will be prepared, including plans to show in detail how the design principles will be implemented;

c) major landscaping, green infrastructure and open space proposals to assimilate new development into the landscape, provide sufficient recreational greenspace and create new habitats;

d) a comprehensive biodiversity plan, including species and habitat protection, mitigation, compensation and new habitat creation measures for sustainability for the whole development site;

e) how the development will seek to protect the historic environment;

e) f) design principles and measures to be taken to minimise climate change risks (such as extreme temperatures, flash flooding, ground heave etc) in the location, orientation, construction and provision of buildings, infrastructure and services, including details of any blue corridors (areas designated for the channelling of overland flows of water away from property and key infrastructure);

f) g) proposed shopping centres/areas;

g) h) provision of public art;

h) i) the range and mix of housing types and the level of affordable housing provision in line with adopted policy;

i) j) density of housing/mix of uses for each neighbourhood;

j) k) location and design principles of employment sites;

k) l) location and design principles of social infrastructure sites;

l) m) pedestrian and cycle links, including access to all workplaces, shops, and community facilities, as well as providing access to the surrounding countryside and open space;

m) n) public transport links and a Travel Plan designed to maximise the use of bus and cycles and limit dependence on the private car. Developer funding will be required and the scale/proportion of this and delivery/funding implementation timetable will need to be set out in the masterplan to ensure revenue funding is secured to enable bus services to run from the first occupation of the site and for the medium to long term;

- n) o)** the basic road network, and links to the existing highway network;
- e) p)** provision for domestic waste disposal storage and collection, a composting unit and water butt per dwelling, commercial waste and recycling facilities (as appropriate) on non-residential developments, and litter and dog waste bins on areas of amenity/open space;
- p) q)** measures to reduce energy demand, maximising energy efficiency and secure on-site renewable, decentralised or low carbon energy generation to cut carbon dioxide emissions;
- e) r)** resource efficiency and waste reduction measures including, if appropriate, a site resource and waste management plan/implementation timetable;
- r) s)** phasing and funding release for any other social and physical infrastructure and implementation timetable, including phases beyond the plan period; and
- s) t)** how the development will protect the amenity of nearby areas from noise, smell, vibration, overlooking, overshadowing, light or other pollution, or volume of vehicular activity generated.

## **Development Briefs**

3.6 A Development Brief provides a detailed framework for development of a site where a full master-planning approach is not required. Public consultation on Development Briefs should follow the relevant Statement of Community Involvement. This policy does not apply to those specific sites where a masterplan is required.

## **Policy 3 DM4**

### **Development Briefs**

Proposals for development schemes identified by the Local Planning Authority as being of a size, location or proposed mix of uses and/or of significant local interest, will normally be required to be the subject of a Development Brief which shall have been through the agreed process of consultation and approved prior to the submission of a planning application. Development Briefs should accord with the Core Strategy, Infrastructure Delivery Plan, and other policies in this DPD, relevant design guidance, Supplementary Planning Guidance/Documents or DPDs, and other development guidance current at the time the scheme is being prepared, and where appropriate should identify:

- a)** the mix of housing and affordable housing provision for a site, (or details of unit size and mix for employment sites), and the density of housing across the site;

b) the mix of uses to be provided on a site, including the potential for areas to have multiple uses;

c) the social and physical infrastructure needed to serve the development including open space and play/recreation provision;

d) major landscaping and structural planting necessary so the development can be absorbed into the landscape and local biodiversity;

e) details of the manner in which any existing and proposed wildlife, landscape or historic features will be incorporated and where possible enhanced within development proposals;

f) provision for safe and attractive footpaths and cycle linkages to be kept, or created, to link the new development into nearby areas. (In particular, links should be created to district centres, including access to all workplaces, shops, and community facilities, and give access where achievable to the surrounding countryside);

g) details of vehicular movement, parking and public transport linkages;

h) details of phasing, funding release stages and delivery of social and physical infrastructure;

i) details of materials, design features and specific design guidelines, (such as height, layout, density, mix of uses, etc), for buildings and other townscape features in order to achieve local distinctiveness;

j) details of sustainable design and construction measures and energy efficiency measures to be incorporated;

k) details of the manner in which buildings and infrastructure, including blue corridors (areas designated for the channelling of overland flows of water away from property and key infrastructure, will be designed to address climate change risks, (such as extreme temperatures, flash flooding, ground heave etc); and

l) measures to promote sustainable living patterns, including reducing the need to travel set out in a Travel Plan.

*Note: Developers should contact the Local Planning Authority at an early stage of the development process to ascertain the requirements for a development brief.*

## **Development in the Countryside**

3.7 The area outside defined development boundaries is classified as the countryside. The countryside is a principal element of the rural character of Western Suffolk and is enjoyed by both residents and visitors. The quality and character of the countryside should be protected and where possible

enhanced and planning therefore has an important role in supporting and facilitating development and land use which enables those who earn a living from, and those who help maintain and manage, the countryside, to continue to do so.

3.8 The Government's **emerging** NPPF advises in paragraph 109 that ~~'the planning system should aim to conserve and enhance the natural and local environment'~~. 'the planning system should contribute to and enhance the natural and local environment'. It is therefore important to manage development in the countryside but it is also recognised that some new development will help to support the rural economy, meet local housing needs and provide for particular uses such as renewable energy, community facilities, recreation and leisure.

## **Policy 4 DM5**

### **Development in the Countryside**

Areas designated as countryside will be protected from **inappropriate unsustainable** development. Any new sustainable development that recognises the intrinsic character and beauty of the countryside will **only** be permitted where:

- a) there is a justification for the development to be located in the countryside, including a demonstration of the sustainability of the proposal;
- b) it will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a);
- c) there will be no significant detrimental impact on the historic environment, visual amenity of the landscape or nature conservation and biodiversity interests; and
- d) there will be no significant adverse impact on the local road network.

~~Except where permitted by other policies within this DPD, a **A** new or extended building will **only normally** be permitted, in accordance with other policies within this DPD, where it is for:~~

- e) purposes directly related to agriculture or forestry;
- f) affordable housing for local needs in accordance with other policy;
- g) development relating to the horse racing industry in accordance with other policy;

h) essential small scale facilities for outdoor sport or recreation or other uses of land which preserve the openness, appearance and character of the countryside;

i) a dwelling for a key worker essential to the operation of agriculture, forestry or a commercial equine-related business in accordance with the requirements of Policy ~~26~~ [DM27](#); ~~or~~

[j\) small scale residential development of a small undeveloped plot, in accordance with policy DM28 of the DPD; or](#)

~~j) k)~~ the replacement of an existing dwelling on a one for one basis where it can be demonstrated that:

i) the proposed replacement dwelling respects the scale and floor area of the existing dwelling, and,

ii) the curtilage of the development is only greater than the curtilage of the existing dwelling where it can be justified with reference to Policy ~~25~~ [DM26](#).

## Flooding and Sustainable Drainage

3.9 The NPPF makes it clear [in paragraph 94](#) that ~~'the Government's objective is that planning should fully support the transition to a low carbon economy in a changing climate, taking full account of flood risk and coastal change'~~ 'local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand consideration'.

The impacts of climate change will increasingly affect the layout of sites and developers will have to consider the increased risk of flooding, heat gain, subsidence and the greater importance of outdoor spaces.

3.10 More severe storms during the winter period are predicted for the East of England and this means that drainage systems will be put under more strain due to the effects of increased run-off from new developments and increased risk of flash flooding, particularly in urban areas. Water resources must be more efficiently captured to make sure they do not flow straight back into rivers and drains.

3.11 Urban areas will become more adversely affected by the urban heat island effect in the future and the provision of outdoor spaces is an important adaptation method. Outdoor spaces should be permeable so as not to increase surface run-off and should provide pleasant, shaded spaces for people as demand to be outside throughout the year will be likely to increase. Surface water run-off systems should not be buried, unless there is no alternative. Overland systems will be considered preferable to piped systems for ease of maintenance and increasing public awareness of the impact of water.

**3.12 Meanwhile, the East of England is the driest region in the country receiving only two thirds of the average UK annual rainfall. Many of the region's surface and ground waters are under severe pressure. Climate change will add to the pressure, altering both the pattern and the amount of rainfall.**

~~3.12~~ **3.13** The potential for climate change to affect infrastructure is a risk in the future with the ~~possible~~ **possibility** of increased flooding causing damage to electrical mains, substations and gas pipelines.

## **Policy 5 DM6**

### **Flooding and Sustainable Drainage**

Proposals for all new development will be required to submit schemes appropriate to the scale of the proposal, detailing how the proposed development will address the following, both within buildings and open spaces:

Flooding, ~~rainwater harvesting, greywater recycling,~~ **water recycling (e.g. rainwater harvesting and greywater recycling),** and run-off and water management such as Sustainable Urban Drainage Systems (SUDS) or other natural drainage system.

### **Sustainable Design and Construction**

~~3.13~~ **3.14** **In order to support the move to a low carbon future,** all new development will be required to demonstrate how it minimises energy and resource consumption **during construction, throughout operation and, where relevant, removal,** and **also** how it is located and designed to withstand the longer term impacts of climate change. Proposals that promote sustainable building forms and construction will be encouraged and developers ~~should~~ **are required to** meet the standards ~~contained within the Code for Sustainable Homes~~ **under the Code for Sustainable Homes and BREEAM, as set out in Policy DM7.**

~~3.14~~ **3.15** In 2004, more than a quarter of the UK's carbon dioxide emissions came from the energy we use to heat, light and run our homes, (CLG, 2006). It is therefore important to ensure that homes are built in a way that reduces energy consumption and emissions and substantial efforts will need to be made to reduce energy consumption and to increase energy produced from naturally occurring renewable sources.

~~3.15~~ **3.16** The Code for Sustainable Homes is intended as a single national standard to guide industry in the design and construction of sustainable homes. The Code measures the sustainability of a new home against nine categories of sustainable design, rating the 'whole home' as a complete package. These categories are energy/CO2, water, materials, surface water run-off, waste, pollution, health and well-being, management and

ecology. The Code uses a one to six star rating system to communicate the overall sustainability performance of a new home. It suggests ways in which energy efficiency can be achieved and such measures should be incorporated in all new dwellings. The Code sets minimum standards for energy and water use at each level and replaces the EcoHomes scheme, developed by the Building Research Establishment, (BRE).

~~3.16~~ **3.17** The use of locally sourced sustainable materials will reduce the need to travel and therefore reduce CO2 emissions. It will also contribute to the local distinctiveness of the area and the use of local skills and techniques should be encouraged. As well as the environmental benefits of using locally sustainable materials it will also contribute to the local economy.

## **Policy 6 DM7**

### **Sustainable Design and Construction**

~~All proposals for new development including the re-use or conversion of existing buildings will be expected to maximise energy efficiency through the use of design, layout, orientation, materials, insulation, and construction techniques.~~

All proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad principles of sustainable design and construction.

All proposals for new residential development will be required to meet the following full Code for Sustainable Homes standards or an equivalent standard where appropriate These requirements will not come into effect until successive updates to Part L of the Building Regulations become mandatory:

- at least Code level 3 is currently required.
- at least Code level 4 will be required for all new homes once updates to Part L come into effect, (currently scheduled for 2013).

All new non-residential developments over 1000 square metres will be required to achieve the BREEAM “Very Good” standard or equivalent until 2013 when developments will be required to meet BREEAM “Excellent” standard or equivalent. New non-residential developments below this threshold will also be encouraged to meet this standard.

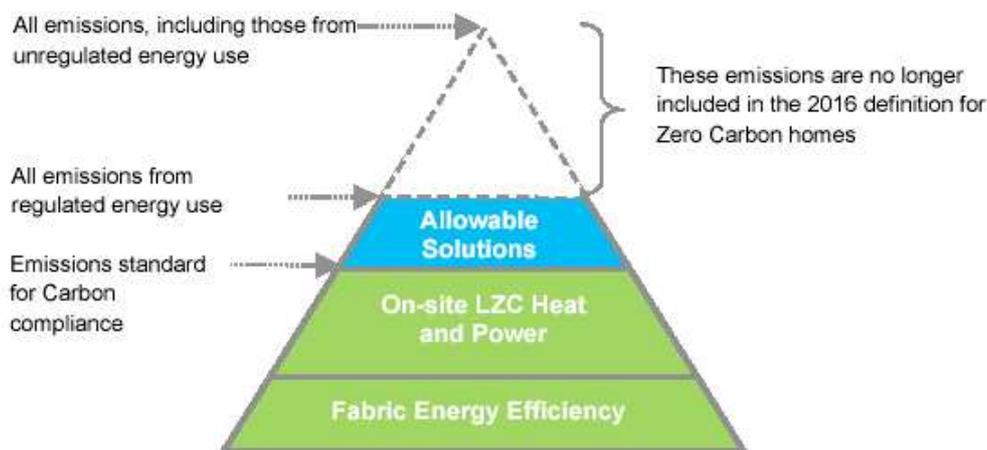
The submission of ~~interim~~ Code for Sustainable Homes ~~certificates~~ or ~~design stage BREEAM certificates~~ BREEAM pre-assessment reports (as appropriate), will be required to demonstrate compliance. Conditions will be attached to planning permissions requiring submission of final Code certificates and post-construction BREEAM certificates (as

appropriate), and such conditions will not be discharged until compliance has been satisfactorily demonstrated.

Opportunities for the delivery of new development which surpasses the requirements outlined above will be identified for specific sites in Area Action Plans, or Concept Statements, and shall subsequently be incorporated into Masterplans or Development Briefs as appropriate.

## Improving Energy Efficiency and Reducing Carbon Dioxide Emissions

**3.18** Cutting greenhouse gas emissions as a way of mitigating further climate change is the responsibility of all of us, and should be an integral part of the design process of any development. The Government is promoting the cutting of greenhouse gas emissions as part of the design process for new development, with a target that all new homes will be zero carbon from 2016. One way of approaching this is to follow the Government's preferred Energy Hierarchy:



**Figure 1: The Energy Hierarchy Pyramid from Zero Carbon Hub (2011) Allowable Solutions for Tomorrow's New Homes.**

**3.19** The lower portion of the hierarchy is called Carbon Compliance which refers to CO<sub>2</sub> reduction measures deployed on site in order to bring the dwelling's CO<sub>2</sub> emissions below certain regulatory maxima. This should be achieved through the following measures in order of preference:

- Energy efficiency: This is the base of the Energy Hierarchy pyramid and in the Government's words "This approach prioritises measures which are likely to be cost effective in the longer-term and will generate wider benefits to the economy as a whole, for example reducing the overall energy requirements to be met from relatively costly renewable energy."

- [On-site low and zero carbon energy \(and connected heat\): This is the next level in the hierarchy and includes renewable energy microgeneration \(e.g. solar PV panels, ground source heating\) or connection to a decentralised heat \(or heat and power\) network.](#)

**3.20** The Government's Renewable Energy Strategy, (Department of Energy and Climate Change [DECC] 2009), outlines the UK's path to meeting targets set in the EU Renewable Energy Directive (2009). The strategy sets a target of 15% of energy from renewable resources by 2020. This is likely to mean that a contribution of around 50% will be required from renewable electricity to meet this, (7.5% of all energy), or viewed another way, 30% of all electricity needs will need to be met from renewable sources.

**3.21** Whilst the Authorities support the 10% target for new development proposals sourcing energy from decentralised and renewable or low-carbon sources set out in Policy ENG1 of the East of England Plan, it seems likely that on the large strategic housing sites economies of scale can be achieved that would mean the 10% target should be exceeded. Further work will be carried out, and if appropriate a higher target set in policies within **Area Action Local** Plans etc.

**3.22** The means of generating renewable energy can be from a number of different sources such as photo-voltaic energy, solar-thermal water heating, [wind, anaerobic digestion](#), energy crops and biomass, but this does not include energy from domestic or industrial waste. Where the incorporation of renewable energy equipment would make the development unviable it will not be expected. It will be for any applicant or developer to demonstrate the impracticability of incorporating renewable energy generation. Additional cost will not, on its own, amount to impracticability.

**3.23** The Authorities will expect developers to explore innovative ways of cutting CO2 emissions and/or, as appropriate, meeting the target for producing a proportion of the energy requirements of the development from renewable resources.

## **Policy 7 [DM8](#)**

### **Improving Energy Efficiency [and Reducing Carbon Dioxide Emissions](#)**

[All proposals for new development including the re-use or conversion of existing buildings will be expected to maximise energy efficiency through the use of design, layout, orientation, materials, insulation, and construction techniques and, where feasible and viable, improve on the standards set in the version of the Building Regulations Part L current at the time of submission.](#)

All new developments of 10 or more dwellings, or in excess of 1000 sq. m. in the case of other development, shall achieve a 10% reduction in residual CO2 emissions in all buildings after compliance with the current / prevailing version of Building Regulations Part L (until such time as zero carbon standards are required under Part L) compliance has been demonstrated, unless it can be demonstrated to the satisfaction of the Local Planning Authority that this level is not viable. This should be achieved by following the 'carbon compliance' elements of the Energy Hierarchy, i.e. a combination of energy efficient measures, directly connected heat (heat source not necessarily on site) and incorporation of on-site low carbon and renewable technologies. This can be achieved through 'carbon compliance', i.e. a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, and directly connected heat (not necessarily on-site).

~~Planning approval will be dependent on the provision of design stage and as-built Building Control Compliance documentation clearly showing the Target Emission Rate (TER) and Dwelling Emission Rate (DER) / Building Emission Rate (BER).~~

Planning approval will be dependent on the provision of an energy statement informed by preliminary calculations under the Standard Assessment Procedure and National Calculation Method or such methodologies as replace these, unless it can be demonstrated to the satisfaction of the Local Planning Authority that a more appropriate methodology should be used.

Conditions will be attached to planning permissions requiring submission of as-built Building Control Compliance documentation showing the Target Emission Rate (TER) and Dwelling Emission Rate (DER) / Building Emission Rate (BER), or such other metrics as replace these.

There may be opportunities for the delivery of new development which surpasses the requirement outlined above and the Local Planning Authority will identify such sites through Area Action Plans and Concept Statements, and which shall subsequently be incorporated into Masterplans or Development Briefs.

*Note: Information, advice and supporting guidance will be provided by guidance leaflets on the planning pages of the councils' websites.*

## Low and Zero Carbon Energy Generation

~~3.17~~ **3.24** The NPPF supports the move to a low-carbon economy, and recognises that even small-scale projects can provide a valuable contribution to cutting greenhouse gas emissions.

~~3.18~~ **3.25** The NPPF states in paragraph 97 that 'to help increase the use and supply of renewable and low-carbon energy, Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low-carbon sources'. Renewable energy policies that reduce carbon emissions and secure a safe, clean source of energy are part of this strategy for tackling climate change. The scale and type of renewable energy sources varies greatly, and technology is developing quickly in this area and, subject to criteria set out in other policies in this DPD, the Authorities will consider favourably proposals for the research and development and manufacture of these technologies, and proposals for the generation of renewable energy.

~~3.19~~ **3.26** The Ministry of Defence, (MOD), have advised that the current design of wind turbines that are located within radar line of sight significantly affect both air defence and air traffic control radar. In establishing the criteria for proposals for wind turbines, (and other forms of renewable energy), the Authorities will give particular consideration to the acceptability of the location and scale of the proposed development in relation to MOD operational requirements.

## **Policy 8 DM9**

### **Low and Zero Carbon Energy Generation**

All proposals for generation or recovery of low carbon or renewable energy, such as wind turbines, biomass, and combined heat and power, will be encouraged subject to the following criteria:

a) proposals will be required to demonstrate the new carbon saving benefit that they will create, taking into account both carbon dioxide savings from renewable energy generation and any additional carbon dioxide generation that results from the proposal.

~~a)~~ b) proposals will be required to include a landscape and visual assessment which should, where appropriate:

i) Show the impact of the proposal in the landscape or townscape. All development should be designed and sited to minimise intrusion and visual impact;

ii) Include mitigation measures to address the visual impact of the scheme;

iii) Include an appraisal of the impact, on the environment of the proposal either in isolation or cumulatively with any other similar developments;

b) c) where appropriate the proposal includes provision for mitigation and compensation measures, such as habitat enhancement or relocation.

All proposals will need to demonstrate to the satisfaction of the Local Planning Authority that due regard has been given to the following:

e) d) the impact of off-site and on-site power generation infrastructure including achieving underground connections to the electricity grid system; and

d) e) in respect of proposals for wind turbines, current standards relating to noise emission, shadow flicker and other negative effects such as interference to television transmission and air traffic control systems and the effects on public health; and

e) f) soil quality is not affected adversely by either construction or the operation or decommissioning of the development.

In the case of proposals in nature conservation sites, or within or visible from Conservation Areas or other heritage assets, the developer or operator must be able to demonstrate to the satisfaction of the Local Planning Authority that:

g) there is no suitable alternative location outside the designated area that would enable development to be sited and designed with the least harm; and;

h) the proposal represents the highest standards of siting and design appropriate to the location.

## **Infrastructure Services and Telecommunications Development**

3.20 3.27 Modern telecommunications have grown rapidly in recent years with mobile phones now forming an integral part of everyday life. The siting and design of telecommunications infrastructure are often a particular concern for people within the area. However, improvements to telecommunications networks can help to promote sustainable communities and lead to economic benefits. This policy is designed to facilitate the growth and improvement of the telecommunications network whilst keeping the environmental impact to a minimum.

3.21 3.28 The Government's policy on communications infrastructure is set out within the NPPF. ~~The Government~~ Paragraph 42 recognises that 'advanced, high quality communications infrastructure is essential for economic growth' and that the 'objective for the planning system is to facilitate the growth of new and existing telecommunication systems in order to ensure that people have a wide choice of providers and services, and equitable access to the latest technology'.

**3.22 3.29** Some telecommunications development benefits from permitted development rights under Part 24 of the General Permitted Development Order 1995, (as amended). Where the development is subject to the prior approval procedure, prior approval will be required by the Local Planning Authority where there is considered to be a significant impact in terms of the siting and appearance of the development.

## **Policy 9 DM10**

### **Infrastructure Services and Telecommunications Development**

All power generation (except low and zero carbon generation, which is addressed in Policy DM9) and supply and telecommunications development should be designed and sited to minimise intrusion and visual impact.

Permission for all telecommunication developments will normally be granted **only** where:

a) a full justification has been made to satisfy the local planning authority that there is a need for the proposed development; and

b) in the case of telecommunication equipment sufficient evidence has been provided to indicate that appropriate consultation with nearby schools and colleges has taken place before an application has been submitted; and

c) in the case of ground based masts, apparatus can not be located on an existing mast, site, suitable building or other existing structure where this best minimises impacts; and

d) there will be no significant detrimental effect upon biodiversity interests in accordance with Policies DM11, DM12 and DM13;

All proposals should include a landscape and visual assessment which should, where appropriate:

- i) show the impact of the proposal in the landscape or townscape;
- ii) include mitigation measures to address the visual impact of the scheme;
- iii) include an appraisal of the impact on the environment of the proposal, either in isolation or cumulatively with any other similar and / or nearby power or telecommunications related developments;

Permission for infrastructure for the connection or supply of power to the National Grid, and for telecommunications developments will be granted only where:

d) in the case of proposals in nature conservation sites, or within or visible from Conservation Areas [or other heritage assets](#), the developer or operator can demonstrate to the satisfaction of the Local Planning Authority that there is:

i) no suitable alternative location outside the designated area that would enable development to be sited and designed with the least ~~visual~~ harm; and

ii) the proposal represents the highest standards of siting and design appropriate to the location; and

iii) with regard to full planning permission, if the local planning authority feel that a power supply or connection to the National Grid or a telecommunications development should be made available for sharing the applicant will be obliged to supply evidence ~~that~~ [demonstrating if](#) this is possible and, [if so](#), such may be subject to a planning obligation.

Should the need for any power or telecommunication equipment and/or mast and other apparatus cease, developers and operators will be required to remove any redundant equipment and apparatus from the site.

# **4 The Natural and Historic Environment**

## **Natural Environment**

### **Protecting and Enhancing Biodiversity and Geodiversity**

4.1 The Authorities consider that it is possible, with sensitive planning and development, to conserve and enhance biodiversity and protect geodiversity. Nature conservation sites, both statutory and non-statutory, together with other countryside features which provide wildlife corridors and links, form an essential network which is necessary to ensure the continuation of the range and diversity of flora and fauna and the survival of important species. Development proposals should seek to conserve or enhance the biodiversity and geological interests of the area and in particular ensure that protected species and habitats including those set out in UK and local Biodiversity Action Plans (BAPs) will be protected and, where possible, enhanced. The Councils will achieve this through the use of conditions and planning obligations.

4.2 Where there is a possibility that development will affect biodiversity, the level of impact needs to be determined and a suitably detailed survey of species and/or habitat will be required before a planning application is considered. The scope of such survey will be determined using the Suffolk biodiversity validation checklist, local requirements and Natural England standing advice. Where the benefit of development is considered to outweigh the risk to biodiversity, provision will be required for mitigation, and if necessary, compensatory measures, so that disruption to the biodiversity network is minimised and there is no net loss of features. The authorities will promote habitat creation and the requirement to ensure enhanced management. Encouragement will also be given to measures which improve public access to natural habitats where appropriate.

### **European Sites**

4.3 Within the two districts there are a number of internationally, nationally and locally important sites that will be protected. Internationally and nationally important sites include Ramsar sites, Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSIs), Geological SSSI's and National Nature Reserves.

4.4 In the UK, SPAs and SACs are collectively known as European Sites. In both St Edmundsbury and Forest Heath, parts of the Brecks are designated as a Special Protection Area and Special Area of Conservation. The EU Habitats Directive requires that an Appropriate Assessment (AA) is undertaken where a plan or project is likely to have a significant effect on a European Site. This enables a judgement to be made on whether there will be an adverse effect on the integrity of the site. In accordance with the mitigation/avoidance measures identified in the authorities Core Strategies, development which falls within the SPA buffers will require a project level HRA to determine whether the

development will have an impact on the integrity of the SPA. Where it cannot be concluded that development is not likely to have an adverse effect on the integrity of the SPA, the development will not be permitted unless the tests of Regulation 61 on the Conservation of Habitats and Species Regulations 2010 are met.

### **National, County and Local Sites**

4.5 There are also other areas of biodiversity or geodiversity interest of National, County and local importance in both the countryside and built up areas which merit protection. The biodiversity or geodiversity value of these areas will be taken into account when considering development proposals that would affect them. These sites include SSSI's, Geological SSSI's, National and Local Nature Reserves, County Wildlife Sites, Local Wildlife Sites, Regionally Important Geological/Geomorphological Sites (RIGS) and other sites of local nature conservation importance, including ancient and semi-natural woodland and veteran trees. The Suffolk Biological Records Centre is recognised as a valuable source of information and data on the Authority areas.

## **Policy ~~10~~ DM11**

### **Impact of Development on Sites of Biodiversity and Geodiversity Importance**

**When considering development proposals which may have an adverse impact on nature conservation sites or interests, the local planning authority will have regard to the expert nature conservation advice provided by Natural England, the Suffolk Wildlife Trust and other specialist sources and the following criteria:**

**a) the ecological or geological value and objectives for which the site was classified or designated;**

**b the integrity of the site in terms of its wildlife value, its diversity and relationship with other ecological resources;**

**c) the cumulative impact of the proposal and other developments on the wildlife or geological value of the site;**

**d) the presence of protected species, habitat areas and wildlife corridors, or geological features, and proposed measures to safeguard and enhance them;**

**e) the opportunity to create new habitat areas and to improve the conservation status of locally vulnerable species;**

**f) guidance set down within Biodiversity Action Plans (BAP), habitat management plans and other relevant sources; and**

**g) the extent to which the imposition of conditions or planning obligation:**

**i) would mitigate the effects of the development and/or protect the geological or nature conservation value of the locality;**

**ii) ensure replacement habitat or features; and/or**

**iii) ensure that resources are made available for the future enhancement and management of the replacement habitat or feature to enable it to attain the quality and attributes that have been lost.**

**Development which would have an adverse impact on areas of international nature conservation or geological importance, as indicated on the Proposals Map, will not be permitted unless there are imperative reasons of overriding national public interest and that there is no alternative solution.**

**Development which would have an adverse impact on national, county and locally designated sites will not be permitted unless the need for the development clearly outweighs the importance of the nature conservation or geological value of the site.**

**In considering development proposals which may give rise to serious or irreversible environmental damage to important biodiversity or geodiversity interests, the local planning authority will apply the precautionary principle.**

***Note: With respect to criterion g) the provision of replacement habitat or features is viewed as a last resort, rather than a regular development tool. Where compensation has been established as an acceptable approach, it will be necessary to provide replacement areas of at least equivalent value to the lost habitats. The local planning authority will normally expect new habitats to be in place to a satisfactory standard before the original habitats are lost.***

## **Protected Species**

4.6 The presence of protected species (including BAP species) such as bats, barn owls and great crested newts is a material consideration when considering a development proposal. The Local Planning Authority will seek to ensure that development will not harm the conservation status of such protected species and will seek expert nature conservation advice before granting planning permission.

**Policy ~~11~~ DM12**

## Protected Species

Development which would have an adverse impact on species protected by the Conservation of Habitats and Species Regulations (2010), the Wildlife and Countryside Act (1981), the Protection of Badgers Act (1992), and listed in the Suffolk Biodiversity Action Plan, or subsequent legislation, will not be permitted unless there is no alternative and the Local Planning Authority is satisfied that suitable measures have been taken to:

- a) facilitate the survival of the protected species;
- b) reduce disturbance to a minimum; and
- c) provide adequate alternative habitats to sustain at least the current levels of population.

Where appropriate, the local planning authority will use planning conditions and/or planning obligations to achieve appropriate mitigation and/or compensatory measures and to ensure that any potential harm is kept to a minimum.

*Note: Developers should take into account separate legislation, Acts, regulations, case law, planning guidance and any subsequent replacement Supplementary Planning Documents and laws preventing interference with protected species, and should be aware of the need to undertake relevant assessments, studies and surveys as required prior to the submission of a planning application.*

## **Protection, Mitigation, and Enhancement, Management and Monitoring of Biodiversity**

4.7 The impact of growth and development on biodiversity is measurable and often visible. Climate change is more gradual but is also having an effect on the habitat of birds and animals and their natural habitats over time, and together with the requirements of other policies in this DPD, climate change measures in new development should include measures to protect and enhance the biodiversity of the Districts.

4.8 The Councils will work with relevant agencies and bodies to continue to commit resources and effort to the management and monitoring of designated biodiversity sites, with particular regard given to visitor pressure and urban effects.

## **Policy 12 DM13**

**Protection, Mitigation, and Enhancement, Management and Monitoring of Biodiversity**

In addition to, or as part of the requirements of other policies in this DPD, measures should be included, as necessary and where appropriate, in the design for all developments ~~of more than 10 dwellings or 1,000m<sup>2</sup> of non-residential floorspace~~ for the protection, ~~mitigation or enhancement of biodiversity, e.g. landscaping designed to include habitat creation, wildlife links, and buildings may also contribute where suitable (e.g. green roofs, bird/bat roosts etc.)~~. of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development. For example, such enhancement could include habitat creation, wildlife links and building design which creates wildlife habitat (e.g. green roofs, bird and / or bat boxes).

All new development (excluding minor household applications) will be required to make appropriate contributions through CIL (or S106 agreements prior to 2014), towards management and/or monitoring visitor pressure and urban effects on key biodiversity sites.

~~Smaller developments will be expected to contribute to enhancing biodiversity, for example through provision of bird/bat boxes where appropriate and incorporation of native species in planting schemes.~~

## Landscape Features

~~4.8~~ 4.9 The character of the countryside is established principally by its landscape. The west of Suffolk has a diverse landscape, due both to geological influences and the long term impact of man's response to this through the use of land.

~~4.9~~ 4.10 The Policy sets out the Authorities' aims to preserve each area's landscape features. Hedgerows, trees and other natural features are essential components of the landscape, enhancing visual amenity, the quality of the environment and providing habitat for a range of wildlife. This includes not only the physical retention of such features, but also their protection from impacts such as light spillage.

~~4.10~~ 4.11 Where new development is proposed the preference will always be to incorporate existing natural features into the development. Where the development will fulfil important objectives and the loss of such features is unavoidable replacement provision of the same or greater value will be required.

## Policy ~~13~~ DM14

### Landscape Features

Development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.

Areas of particular landscape sensitivity, including Special Landscape Areas (as defined on the proposal maps) have been identified. These areas have, by reason of their landform, historic landscape importance and/or condition, a very limited capacity to absorb change without a significant material effect on their character and/or condition. However, individual proposals within or adjacent to these areas will be assessed based on their specific landscape and visual impact.

All proposals for development should be informed by, and be sympathetic to, the character of the landscape. Landscape Character Types are identified in the Suffolk Landscape Character Assessment. However, the 'Type' boundaries are only indicative, being mapped for the whole county at a scale of 1:50,000. Therefore, the character of the site and setting of a proposal should be individually assessed.

All development proposals should demonstrate that their location, scale, design and materials will protect, and where possible enhance the character of the landscape. Gaps between settlements and their settings and the nocturnal character of the landscape, must be maintained.

Developers/applicants will be required to submit, where appropriate, landscaping schemes with applications for planning permission and for the approval of reserved matters.

Where ~~the any~~ harm ~~of any development is not considered to~~ will not significantly and demonstrably outweigh the benefit of the proposal, development will be permitted subject to other planning considerations.

~~However, in these cases provisions should be made for compensatory and landscape mitigation measures,~~ it is essential that commensurate provision must be made for landscape mitigation and compensation measures, so that harm to the locally distinctive character is minimised and there is no net loss of characteristic features.

Where this is not possible development will not normally be permitted.

## Safeguarding from Hazards

~~4.11~~ 4.12 The Health and Safety Executive and the Authorities have responsibility for ensuring that adequate safeguarding is provided to protect members of the public from hazardous substances, contaminated land and other dangerous areas.

~~4.12~~ 4.13 National policy is set out within the NPPF, and requires planning decisions to ensure that new development is appropriate for its location, having regards to the effects of pollution, and taking account the potential sensitivity of the area or proposed development to adverse effects from pollution.

~~4.13~~ **4.14** The Authorities will follow the precautionary approach, and will require developers to submit appropriate site investigations and studies together with proposals for mitigation measures and implementation schedules. Advice will be sought where appropriate about any planning application that might affect a known hazard or might create a new hazard. The aim is to provide a safe and healthy environment for those who live and work in Forest Heath and St. Edmundsbury.

## **Policy ~~14~~ DM15**

### **Safeguarding from Hazards**

**Development will not be permitted where there is an unacceptable risk:**

- a) due to siting on known or suspected unstable land; or
- b) ~~due to siting on contaminated land which is unsuitable for the use proposed;~~ due to siting on land which is known to be or potentially affected by contamination or where the land may have a particular sensitive end use.
- c) due to the storage or use of hazardous substances.

~~Proposals for development on or adjacent to contaminated land, or involving the storage and/or use of hazardous substances, will be required to submit a full assessment of the risk levels, appropriate site investigations and other relevant studies, and remediation proposals and implementation schedule prior to or as part of any planning application.~~ Proposals for development on or adjacent to land which is known to be or potentially affected by contamination; or land which may have a particular sensitive end use; or involving the storage and / or use of hazardous substances, will be required to submit an appropriate assessment of the risk levels, site investigations and other relevant studies, and remediation proposals and implementation schedule prior to or as part of any planning application.

In appropriate cases, the local planning authority may impose planning conditions or through a legal obligation secure remedial works and/or monitoring processes.

### **Listed Buildings**

~~4.14~~ **4.15** Buildings are listed in recognition of their special architectural or historic interest and any works which affect the character of a listed building require Listed Building Consent.

~~4.15~~ **4.16** Within the Authorities' areas there are more than 3500 Listed Buildings and structures. One of the principal aims of listing is to prevent alterations that are detrimental to the special character of the building,

including its interior. Listed buildings are a finite, non-renewable resource, which in many cases are highly fragile and vulnerable to damage and destruction, as once historic fabric is removed or altered it is lost forever. It is therefore important that they are protected through the planning system. The setting of a listed building is also important and proposals that detract from the setting will be resisted. The ~~District Council~~ [Authorities](#) will not grant consent for the demolition of a listed building other than in the most exceptional circumstances and applicants will need to demonstrate that every effort has been made to keep the building.

~~4.16~~ [4.17](#) It is a statutory requirement for local planning authorities to have special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest which it possesses.

## **Policy ~~15~~ [DM16](#)**

### **Listed Buildings**

**Proposals to alter, extend or change the use of a listed building, or development affecting its setting, will only be permitted where they would:**

- a) contribute to the preservation of the building;**
- b) not be detrimental to the buildings' character or any architectural or historic features that contribute towards its special interest;**
- c) be of an appropriate scale, form, height, massing, and design which respects the existing building and its setting;**
- d) use appropriate materials and methods of construction which respect the character of the building;**
- e) have regard to the historic internal layout and other internal features of importance;**
- f) not harm the setting of the listed building, including inward and outward views;**
- g) respect the character or appearance of a park, garden or yard of historic or design interest, particularly where the grounds have been laid out to complement the design or function of the building. A curtilage and / or setting which is appropriate to the listed building, and which maintains its relationship with its surroundings should be retained; and**
- h) have regard to the present and future economic viability or function of the listed building.**

Proposals to demolish all or part of a listed building will only be permitted in very exceptional circumstances. Applicants must demonstrate that all reasonable efforts have been made to sustain existing uses or find viable new ones, and that they have addressed the considerations set out in national legislation and guidance. Where appropriate, the recording of the building to a specified standard will be required prior to the commencement of demolition.

## Buildings of Local Architectural or Historic Local Heritage Assets and Buildings Protected by an Article 4 Direction

4.18 'Local heritage lists play an essential role in building and reinforcing a sense of local identity and distinctiveness in the historic environment. They provide a unique opportunity for communities, in partnership with local authorities, to identify heritage assets that they wish to protect at the local level' (Good Practice Guide for Local Heritage Listing – English Heritage, 2012).

~~4.17~~ 4.19 Some buildings make an important contribution to the character and appearance of the towns, villages or a specific area within the two districts, but are not considered to be of sufficient quality in a national context to be listed. These are known as Local Heritage Assets. In order to deter the demolition or unsympathetic alteration of such locally important buildings, and given the role that they play in reinforcing a sense of local identity and distinctiveness in the historic environment, the Local Planning Authorities hold a list of Local Heritage Assets (known as 'Buildings of Local Architectural or Historic Significance' in St Edmundsbury and 'Buildings of Local Interest' in Forest Heath) which will be the subject of review. The importance of such buildings can be due to their location, their appearance, their significance as part of a wider group, or their role in the social or economic development of the settlement or area in which they are located.

~~4.18~~ 4.20 Current legislation gives general permission for specified minor development and uses of land, including limited alterations and extensions affecting property in residential use (referred to as "permitted development"). Although permitted development is more restricted in Conservation Areas, in cases where buildings have qualities likely to be prejudiced by unsympathetic or uncoordinated change, and the appearance of the Conservation Area might be adversely affected, the Local Planning Authority has the power to withdraw some specific permitted development rights entirely. This is through serving a Direction under Article 4 of the General Permitted Development Order. The effect of this, known as an Article 4 Direction, is to require owners and occupiers to make individual applications for these specified forms of development so that the Local Planning Authority has full control over them, including the right to refuse permission. Currently over 1500 properties in six Conservation Areas in St. Edmundsbury have Article 4 Directions imposed on them to protect the character and visual qualities of the local area from unsympathetic changes. The local planning authorities periodically review

Conservation Areas and as part of such reviews will consider imposing Article 4 Directions where the character of the local area would be diminished by unsympathetic “permitted development”.

## **Policy ~~16~~ DM17**

### **~~Buildings of Local Architectural or Historic~~ Local Heritage Assets and Buildings Protected by an Article 4 Direction**

Proposals for the demolition, extension or alteration of buildings identified as being ~~of local architectural or historic interest / significance~~ Local Heritage Assets, or protected by an Article 4 direction or subsequent legislation, will only be supported where they:

- a) do not have a significantly detrimental effect upon ~~the effect on~~ the historic fabric, design, materials, elevational treatment and ornamentation of the original building;
- b) ~~the~~ will not entail an unacceptable level ~~extent~~ of loss, damage or covering of original features; and
- ~~b) c)~~ will not have a significantly adverse impact upon the setting, plot layout and boundary features; ~~and~~ or
- d) the contribution made by any new development on the site to its surroundings, particularly with regard to the character and appearance of the wider area, outweighs any harm to, or arising from the loss of, the building.

See Appendix for a list of ~~Buildings of Local Architectural or Historic Significance.~~ Local Heritage Assets

## **Conservation Areas**

~~4.19~~ 4.21 A Conservation Area is ‘an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’, (Listed Building and Conservation Areas Act, 1990). The special character and appearance of a Conservation Area can be derived from many different aspects including the scale, style and materials of the buildings, the historic street pattern, street frontages and building lines, boundary structures, street furniture, trees and open spaces.

## **Policy ~~17~~ DM18**

### **Conservation Areas**

Proposals for development within, adjacent to or visible from a Conservation Area must:

a) preserve or enhance the character **and** **or** appearance of the Conservation Area or its setting, and views into, through, and out of the area;

b) be of an appropriate scale, form, height, massing, alignment and detailed design which respect the area's character and its setting;

c) retain important natural features such as open spaces, plot divisions, boundary treatments, and trees and hedges, which contribute to the special character of the area.

d) retain important traditional features that contribute to the area's character such as original doors, windows, shop fronts and flint or clunch walls;

e) include fenestration which respects its setting;

f) use materials and building techniques which complement or harmonise with the character of the area; and

g) where a Conservation Area Appraisal and Management Plan is adopted, the proposal must demonstrate how the key characteristics of the character area have been addressed.

New shop fronts, fascias, awnings, canopies, advertisements and other alterations to commercial premises must be of a high standard of design which respects the character of the Conservation Area and the building to which they relate. Standardised shop fronts, unsympathetic 'House' signs, projecting box signs, internally illuminated signs and externally lit signs will not normally be granted consent. Where it can be demonstrated that a premises relies principally on trading after dark externally illuminated signs sympathetic to the character of the building and the surrounding area may be permissible.

Proposals to demolish buildings or structures that make a positive contribution to the special architectural or historic interest of a Conservation Area will only be permitted in very exceptional circumstances. Applicants must demonstrate that they have addressed the considerations set out in national legislation and guidance for such proposals. In particular it should be demonstrated that:

i) the building or structure is structurally unsound and beyond reasonable repair, or the proper repair of the building would result in the loss of the qualities which give it architectural or historic interest; and / or

ii) all possible measures to sustain an existing use or find an alternative use have been explored and failed, and redevelopment would bring substantial public benefits, and in both cases

iii) planning permission has been granted for the redevelopment of the site and a contract for the carrying out of the works has been made.

Development proposals will not be permitted where this would harm the architectural or historic value of a locally listed building, or a previously unidentified heritage asset or their setting. The local planning authority will, as far as is possible, resist any proposals for the demolition of any building or structure of local interest, or previously unidentified heritage asset, unless they comply with criteria i, ii and iii of this Policy.

## New Uses for Historic Buildings

~~4.20~~ **4.22** Many heritage assets have lost their original use and have been adapted over time to new uses. It is particularly the case with buildings that their survival will frequently depend upon finding a viable new use. Keeping heritage assets in use avoids the consumption of building materials and energy and the generation of waste from the construction of replacement buildings.

~~4.21~~ **4.23** The Authorities will encourage new uses and/or modification/adaptation schemes for heritage assets that are in accordance with other Policies contained within the appropriate ~~LDF~~ **Local Plans** and **which** are designed to reduce carbon emissions and secure sustainable development. However, local evidence has shown that conversion schemes can have a detrimental impact on the historic fabric and character of such buildings. The alterations necessary to continue the use of a building must be balanced against ~~the~~ **any** impact on the historic fabric and character of the building and the Authorities will ensure that new uses or works respect the existing features of the building.

~~4.22~~ **4.24** New uses must adapt to the building, not the other way around. This is particularly the case with historic barns. The best alternative or new use for a listed barn will be one that involves the least amount of intervention and preserves as much of the fabric and character of the building as possible. Commercial and community uses are often good uses for barns. Residential use of a listed barn will rarely be the best solution and, **as such**, will usually be resisted.

## Policy ~~18~~ **DM19**

### New Uses for Historic Buildings

Permission for the adaptation of a historic building to sustain a new use will be permitted only where the proposal will protect the special architectural or historic interest of the building, and would not have a detrimental impact on:

a) the character, appearance and setting of the building or significant elements of the buildings historic fabric.

b) the scale, height, massing, alignment, style and materials of the building;

c) the form, function and manner of construction of the building;

New use that would bring substantial community benefits, environmental enhancement or include alterations which help to mitigate climate change will be weighed against, and should aim to minimise, any potential harm to the significance of the historic building or its setting.

### **Development Affecting Parks and Gardens of Special Interest or Design Interest**

~~4.23~~ [4.25](#) English Heritage has compiled a Register of Parks and Gardens of Special Historic Interest. The historic interest can derive from a combination of the layout, the planting and the views into and out of the garden. The Authorities will ensure that any new development is not harmful to the character of any historic park or garden or to its setting. In addition to those currently on the 'Gardens of Historic Interest' Register, there are many others of local interest. The Authorities will also seek to protect these when considering proposals.

### **Policy ~~19~~ [DM20](#)**

#### **Development Affecting Parks and Gardens of Special Historic or Design Interest**

Proposals for development which affect the character, setting, or views into and/or out of parks and gardens of special historic or design interest and their settings must not have a detrimental impact upon:

a) the overall design and layout;

b) features, both built and natural, which form an integral part of the design and layout; and

c) views into, through, or out of the park or garden, particularly those which are an integral part of the design.

### **Archaeology**

~~4.24~~ [4.26](#) Archaeological remains are the evidence of the past development of our civilisation and are irreplaceable. Today's archaeological landscape is the product of human activity over thousands of years. It includes places of

worship, defence installations, settlements and burial grounds, farms and fields and sites of manufacture. These remains vary enormously in their state of preservation and in extent of their appeal to the public.

~~4.25~~ **4.27** West Suffolk is one of the outstanding areas in Britain for its wealth of archaeological features of all periods. There are a wide variety of different sites of archaeological importance and interest which may require protection from development. The area currently contains over 100 Scheduled Ancient Monuments as well as many other archaeological sites which are important for their education, research and tourist value. These are recorded in the Suffolk ~~HER~~ **Historic Environment Record**, which is a database recording all known archaeological remains within the county. However, the known sites are considered to be only a small proportion of the total archaeological remains, due to the lack of systematic investigation across the West Suffolk area. **A full inventory of all known heritage assets is maintained by Suffolk County Council's Archaeological Service. Policy 20 applies to all archaeological sites and areas of high archaeological potential.**

## **Policy ~~20~~ DM21**

### **Archaeology**

**Development will not be acceptable if it would have a material adverse effect on Scheduled Ancient Monuments or other sites of archaeological importance, or their settings.**

On sites of archaeological **importance interest**, or of potential archaeological importance, provided there is no overriding case against development, planning permission will be granted subject to satisfactory prior arrangements being agreed.

**This will include one or a combination of the following:**

- a) an appropriate desk based assessment **and** / or field evaluation of the archaeological interest or ~~potential—interest~~ **significance** prior to determination.
- b) the preservation of archaeological remains *in situ*;
- c) the recording of the heritage asset by archaeological investigation before development commences (preservation by record).

### **Enabling Development**

~~4.26~~ **4.28** In very exceptional circumstances, the Authorities may grant permission for development, which would otherwise not normally be acceptable, in order to secure the proper repair of a listed building or other historic asset. This is known as 'enabling development'.

~~4.27~~ **4.29** English Heritage published guidance in 2008 entitled 'Enabling Development and the Conservation of Significant Places'. This gives detailed guidance on the process of securing enabling development and stresses that it should only be carried out as a last resort.

## **Policy ~~21~~ DM22**

### **Enabling Development**

**Enabling development that would secure the future of a listed building or other heritage asset, but would contravene other policies or objectives elsewhere in this Plan or other Development Plan Documents, will not be permitted unless all the following criteria can be met:**

- a) it will not materially harm the special archaeological, architectural, historic, artistic, traditional or landscape interest of the heritage asset or its setting;**
- b) it will secure the long term future of the heritage asset through a full and properly implemented scheme of repair, and, where applicable its continued use for a sympathetic purpose;**
- c) it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimises harm to other public interests;**
- d) the public benefit of securing the future of the heritage asset through enabling development decisively and demonstrably outweighs the disbenefits of overriding other planning policies or objectives;**
- e) it avoids detrimental fragmentation of the heritage asset;**
- f) sufficient subsidy is not available from any other source; and**
- g) it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid.**

## 5 Housing and Homes

5.1 The proposed settlement hierarchy and growth strategy for the individual Authorities is set out within their respective Core Strategy DPDs. The focus for major new development will be the larger towns **and** Key Service Centres ~~and Local Service Centres/Primary Villages~~.

5.2 A common objective for both Authorities is to deliver housing in a sustainable way, including specialist housing and affordable housing to meet the needs of the whole community, by providing an adequate and continuous supply of land for housing whilst seeking to maximise the amount of land with the least environmental or amenity value that is used. To achieve sustainable residential development that respects and, where appropriate, enhances the visual qualities and character of the built and natural environment, proposals for new development for new housing, (both Affordable Housing and market housing), residential conversions, rural exception housing, extensions or alterations to dwellings, or for Gypsy and Traveller accommodation, should comply with the policies in the relevant Core Strategy and with the other policies contained within this DPD.

### ~~Building for Life~~ Residential Design

~~5.3 'Good quality housing design can improve social wellbeing and quality of life by reducing crime, improving public health, easing transport problems and increasing property values. Building for Life promotes design excellence and celebrates best practice in the house building industry'. Commission for Architecture and the Built Environment, (CABE), 2008.~~

~~5.4 'Building for Life' promotes designs with a distinctive character, designed specifically for the place in which they are located, and which respect or 'exploit' existing buildings, landscape or topography. All developments of twenty or more dwellings should aim, as a minimum, to meet the 'Building for Life' Silver Standard. Developments of between five and nineteen dwellings will be expected to demonstrate how they have used the 'Building for Life' standard, including producing evidence matching the criteria, (in addition to any statutory requirements e.g. Design & Access Statement).~~

5.3 'Good quality housing design can improve social wellbeing and quality of life by reducing crime, improving public health, easing transport problems and increasing property values' Commission for Architecture and the Built Environment, (CABE), 2008.

5.4 The NPPF makes it clear in paragraph 56 that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings'.

5.5 The detail within this policy should be read as well as, and in conjunction with, other policies in this DPD.

## **Policy 22**

### **Building for Life**

~~All developments comprising or including twenty or more dwellings will be required to meet the Building for Life Silver Standard as a minimum unless satisfactory evidence is provided to demonstrate that there are significant constraints to meeting the standard.~~

~~Development of between five and nineteen dwellings will still be expected to meet the Silver Standard, but greater recognition will be given by the Local Planning Authority to the constraints in meeting that standard arising from the smaller scale of the development, upon receipt of satisfactory evidence to demonstrate such.~~

## **Policy DM23**

### **Residential Design**

All residential development proposals should maintain or create a sense of place and / or character by:

- a) employing designs that are specific to the scheme, and which respond intelligently and appropriately to a clear brief articulated in a Design and Access Statement.
- b) basing design on an analysis of existing buildings, landscape or topography, and fully exploiting the opportunities that these present.
- c) utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness.
- d) creating or contributing to a coherent and legible place that is structured and articulated so that it is visually interesting and welcoming.
- e) creating and supporting continuity of built form and enclosure of spaces.

Residential development should be laid out to optimise amenity with streets and parking facilitating this primary objective. Therefore, in addition to the criteria above, development should:

- f) avoid the dominance of highways and parking, and the rigid application of engineering geometry to meet highways design standards.

- g) take opportunities for parking to support the street scene.
- h) consider the needs of pedestrians and cyclists before car users.
- i) integrate comfortably with surrounding street networks.
- j) seek to create a safe and welcoming environment.

New dwellings should also be of a high architectural quality, meaning that:

- k) they are fit for purpose and function well, providing adequate space, light and privacy.
- l) they are adaptable in terms of lifetime changes and use.
- m) they are well built and physically durable.
- n) they are the product of coherent and appropriate design principles.

## Special Housing Needs

~~5-5~~ **5.6** The relatively high and growing elderly population in the areas make it likely that the need for specialist accommodation, such as nursing homes and communal housing for elderly people, will continue and increase as a specific housing need that will need to be met during the plan period. It may be that space and/or other medical standards or requirements will mean that some very specialised care homes cannot find suitable sites or buildings within the Towns, Key Services Centres, Local Service Centres/Primary Villages. In these cases developers will need to provide evidence of why other sequentially preferable buildings and sites are, or have been found to be, unsuitable and must also demonstrate the need for the facility in the particular locality.

~~5-6~~ **5.7** The changing emphasis towards community rather than hospital care has also increased the need for individual accommodation for people who require support and/or supervision to live in, or be rehabilitated into, the community. It is important that flats for elderly people, sheltered housing, group/shared community care accommodation and nursing homes have access to adequate amenity space, and are provided in sustainable locations accessible on foot or by public transport so that residents can access services and facilities, and in accessible locations for employees/care workers.

## **Policy ~~23~~ DM24**

### Special Housing Needs

Proposals for new or extensions to existing accommodation for elderly ~~people, sheltered housing, community/shared homes, nursing homes or similar specialist accommodation~~ and / or vulnerable people will be ~~acceptable~~ supported on sites appropriate for residential development ~~within the towns, Key Service Centres and Local Service~~

**Centres/Primary Villages**, provided that such schemes meet the following criteria:

a) the proposed development is designed to meet the specific needs of residents including requirements for disabled persons where appropriate; and

b) includes appropriate amenity space for residents of an acceptable quantity and quality; and

c) ~~the location of the development is well served by community shopping and services and public transport facilities~~ the location of the development is well served by public transport, community and retail facilities; and

d) the proposed development does not create an over concentration of similar accommodation in any one street or area.

Proposals for extensions to existing specialist accommodation outside ~~Key Service Centres and Local Service Centres/Primary Villages~~ areas otherwise suitable for residential development will be **acceptable supported** providing a need can be clearly demonstrated and the proposals meet criteria a), b), c) and d) above.

## **Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage**

~~5.7~~ 5.8 It is common ~~practise~~ practice for people to alter and extend their homes, and to provide outbuildings and other structures within the curtilage. Within the towns and villages home extensions can usually be accommodated subject to design and the potential effects on the quality of life of neighbours. Additional care is required when extending homes in the countryside.

~~5.8~~ 5.9 Self-contained annexes are normally required for a relative that is either elderly or has other special needs. In the countryside or in other situations where a separate dwelling would normally be unacceptable careful consideration will need to be given to any proposed annexe to ensure that its size and design is suitable for the dwelling and its surroundings. An extension to an existing dwelling or the conversion of an outbuilding will be more appropriate than a new building and will normally have less visual impact within the landscape. An annexe must be capable of being integrated into the use of the main dwelling once the need for it has ceased and shall not be used as a separate dwelling.

~~5.9~~ 5.10 Where proposals involve historic buildings particular consideration will need to be given to the character and appearance of the building and its setting and will also therefore need to be assessed against other ~~Development~~ Policies.

## **Policy 24 DM25**

### **Alterations or Extensions to Dwellings, including self contained Annexes and Development within the Curtilage**

Within those towns and villages with settlement boundaries planning permission for alterations or extensions to existing dwellings, self contained annexes, and ancillary development within the curtilage of dwellings will be permitted, provided that the proposals:

- a) respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area;
- b) will not result in over-development of the dwelling curtilage; and
- c) will not adversely affect the residential amenity of occupants of nearby properties.

In addition to criteria a, b and c, proposals for the alteration or extension of an existing dwelling in the countryside outside of towns and villages with settlement boundaries will also be required to demonstrate that:

- i) it is subordinate in scale and proportion to the *original* dwelling; and
- ii) it would not create or be capable of becoming a separate dwelling.

Proposals for self contained residential annexes in the countryside will be permitted only where:

- d) the design and siting of the annexe is such that it is capable of being reasonably integrated into the use of the original dwelling once the need for it has ceased;
- e) the size of the annexe is the minimum necessary to meet the purpose;
- f) the annexe is not capable of being used as a separate dwelling; and.
- g) the size, scale, location and design relates satisfactorily to the existing dwelling and its curtilage, and to the wider surrounding area

The occupation of the annexe will be controlled by planning condition or legal agreement to ensure that it is tied to the main dwelling and cannot be used as a separate dwelling.

### **Extensions to Domestic Gardens within the Countryside**

~~5.10~~ **5.11** Planning permission is required to extend the garden of a dwelling on to land which is used for another purpose. In the countryside proposals to extend gardens have to be considered in the context of a wider range of planning issues. The Councils are committed to maintaining the character and appearance of the countryside and safeguarding it from unsuitable development. By enlarging residential curtilages, changing plot boundaries and introducing domestic uses to land which was previously agricultural or some other rural use, garden extensions can have a significant visual impact. In many cases, such extensions gradually lead to urban characteristics (for example, sheds, garages, hardstandings, etc.) being introduced to areas whose open and attractive landscape qualities may be highly valued.

~~5.11~~ **5.12** The Councils recognise the interest of some rural householders in having larger gardens. Where these can be provided in such a way that the landscape and appearance of the area would not be harmed, a garden extension may be acceptable. Nevertheless, the Councils guiding principles remains the need to protect the rural environment and any such extensions, where they can be justified under this policy, will ordinarily be subject to a removal of 'permitted development' rights to ensure some continued further protection from physical encroachment.

## **Policy ~~25~~ DM26**

### **Extensions to Domestic Gardens within the Countryside**

**Extensions to domestic gardens within the countryside will not normally be permitted. Small, unobtrusive extensions of residential curtilages into the surrounding countryside, which will not adversely affect the character and rural amenities of the site and wider countryside may be approved where the following criteria are met –**

- a) the development will not involve the loss of the best and most versatile agricultural land;**
- b) the proposal will not involve the loss of an important hedgerow or other important landscape feature;**
- c) there will be no significant detrimental effect upon biodiversity interests; and**
- d) that provision is made for suitable landscaping to ensure boundary treatment is of an appropriate rural character and appearance.**

### **Agricultural and Essential Workers Dwellings**

~~5.12~~ **5.13** This policy provides guidance on how and in what circumstances provision of agricultural and essential workers dwellings will be permitted. There are cases where the demands of farming, forestry, or other rural based enterprises, such as commercial equine related businesses, make it essential

for one or more persons engaged in this work to live at or very close to the site of their work. An exception can therefore be made where it is proven to be necessary for such housing in the countryside in order to sustain the effective operation of a viable rural business.

~~5.13~~ **5.14** Proposals for temporary accommodation in association with new rural businesses / enterprises will also be assessed for their viability and sustainability. However, it will be borne in mind that the income sought to sustain certain self-sufficient and environmentally low impact life-styles will be considerably less than is sought through mainstream agriculture to maintain more conventional lifestyles.

## **Policy 26 DM27**

### **Agricultural and Essential Workers Dwellings**

**New dwellings in the countryside, related to and located in the immediate vicinity of a rural enterprise, will only be permitted where:**

**a) evidence has been submitted to the satisfaction of the local planning authority that there is an existing agricultural, forestry or other commercial equine business-related functional need for a full time worker in that location; and,**

**b) there are no suitable alternative dwellings available, or which could be made available, in the locality to serve the identified functional need; and,**

**c) it can be demonstrated that the enterprise is, or will be in the case of new businesses, a viable business with secure future prospects; and,**

**d) the size and nature of the proposed dwelling is commensurate with the needs of the enterprise concerned; and,**

**e) the development is not intrusive in the countryside, is designed to have a satisfactory impact upon the character and appearance of the area, and is acceptable when considered against other planning requirements.**

**In addition~~a~~ to the above requirements, if a new dwelling is essential to support a new agricultural or forestry or other commercial equine business-related enterprise it will normally, for the first three years, be provided temporarily by a caravan, a wooden structure which can easily be dismantled, or other temporary accommodation. Successive extensions to any temporary permission will not normally be granted beyond three years, and any subsequent proposals to provide permanent accommodation at any site will be considered using the criteria above.**

Planning permission will be subject to an appropriate occupancy condition, which will only be waived or varied where it can be demonstrated that there is no long term need for such a dwelling associated with the enterprise and which demonstrates that it has been offered for sale and to let to other relevant interests, for a period of at least 12 months, at a price to reflect the occupancy condition.

## Housing in the Countryside

5.15 The NPPF states in paragraph 55 that 'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities'. Accordingly, to support this aim, and in addition to Policy DM27, it is acknowledged that there may be opportunities for limited further residential development within small yet cohesive settlements which have not been classified as Villages and which do not have a housing Settlement Boundary, but which support the existing services and facilities in other Service Centres. Limited infill development may be permitted in these locations provided that it is in character with the surrounding area and does not have an adverse impact on the natural and historic environment.

## Policy DM28

### Housing in the Countryside

Proposals for new dwellings may be permitted in the countryside subject to satisfying the following criteria;

a) the development is within a closely knit 'cluster' of 10 or more existing dwellings adjacent to or fronting an existing highway.

b) the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.

Permission will not be granted where a visually important gap is an essential feature of the rural scene, or where development would have an adverse impact on the environment or highway safety.

Note: A small undeveloped plot is one which could be filled by one detached or a pair of semi-detached dwellings where the plot sizes and spacing between dwellings is similar to adjacent properties and thereby respects the rural character and street scene of the locality.

**Residential use of Redundant Rural Buildings in the Countryside**

~~5.14~~ **5.16** Traditional rural buildings are a fragile and diminishing resource. The landscape and the use of the land usually provide the context for the building. They are often attractive buildings constructed from local materials respecting and being secondary to their surroundings. Unfettered alterations and extensions to these buildings could have an adverse and detrimental impact on the rural landscapes within the area and the wildlife that inhabits them.

~~5.15~~ **5.17** Policies elsewhere in this DPD set out the Authorities' support for appropriate and well-detailed proposals for the re-use of rural buildings in the countryside for employment proposals, tourism accommodation, recreation uses, community uses and affordable housing. In accordance with the NPPF, where there are special circumstances, and where evidence is submitted demonstrating that none of these uses can reasonably be accommodated, and where the proposal meets the criteria of other policies in this DPD, then the re-use of a redundant rural building for market housing may be appropriate.

**5.18 However, paragraph 28 of the NPPF also makes it very clear, in seeking to build a strong and competitive economy, that planning policies should 'support economic growth in rural areas in order to create jobs and prosperity' and should 'support the sustainable growth and expansion of all types of business and enterprise in rural areas'. This is considered to be a very significant factor, and one which suggests firmly that the priority should be given to economic re-use, in recognising the importance of economic growth in rural areas, and in recognising that 'special circumstances' must be demonstrated before consideration is given to any residential re-use.**

~~5.16~~ **5.19** Accordingly, proposals for conversion to market housing must include appropriate evidence of the efforts which the applicant has made to secure the preferred alternative re-uses over at least a 12-month period. Marketing of the building must be realistic, and a period longer than 12 months may be appropriate in certain circumstances, for example where a trust or charity requires time to raise money and/or complete legal processes to acquire a historic building for preservation or community use.

~~5.17~~ **5.20** Where the conversion to market housing is a subordinate part of a scheme for any of the preferred uses including employment, tourist accommodation, recreational uses, community facilities, affordable housing and key worker housing, a condition will be imposed requiring the works necessary for the establishment of the enterprise to be undertaken before the dwelling is occupied. In appropriate cases, the Councils will seek to tie occupation of the dwelling to the operation of the main use, by means of a condition or a planning obligation, in order to prevent it being let or sold separately.

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| <b>Policy <del>27</del> <u>DM29</u></b> |
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## Residential use of Redundant **Rural** Buildings in the Countryside

Proposals for the conversion of redundant or disused barns or other buildings in the countryside into dwellings will **only** be permitted where there are special circumstances. Satisfactory evidence will **also** need to be submitted to demonstrate that, where relevant and in addition to other policies in the Plan:

a) alternative uses for employment/economic development, tourist accommodation, recreation and community facilities, in accordance with Policy DM33, have been fully explored to the satisfaction of the local planning authority and can be discounted;

~~b) the building is of architectural or historic merit, or makes an important historical and visual contribution to the landscape;~~

e) b) the building is structurally sound and capable of conversion without the need for extension, significant alteration or reconstruction;

e) c) the proposal is a high quality design and the method of conversion retains the character and historic interest of the building. In the case of barns the single open volume should be retained with minimal change to the external appearance;

~~e) the creation of a residential curtilage and associated domestic paraphernalia would not have a harmful effect on the character of the site or setting of the building, group of buildings or the surrounding area;~~

d) the proposal would lead to an enhancement to the immediate setting of the building, and the creation of a residential curtilage and any associated domestic paraphernalia would not have a harmful effect on the character of the site or setting of the building, any wider group of buildings, or the surrounding area.

Not all buildings in the countryside will be suitable for conversion or adaptation to new uses, perhaps due to their unsuitable or unsustainable location or due to the condition or appearance of the structure. Some existing rural buildings are often badly designed and sited or poorly constructed, having been erected before planning controls existed or by using agricultural permitted development rights, or they may be relatively modern agricultural buildings that are of an inappropriate scale and materials to be re-used as dwellings. If converted to an alternative use, and without any significant and appropriate enhancement of the structure, such buildings would be permanently retained as intrusive features in the landscape, in obvious conflict with the aim of conserving and enhancing the rural environment.

## 6 Sustainable Economic and Tourism Development

### Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

- 6.1 The Vision and Spatial Objectives for the development of the economy are set out within the respective Core Strategy DPDs, as well as the aspirations of central Government being set out in [paragraph 18 of the NPPF](#), which advises that 'the Government is committed to securing **sustainable** economic growth [in order to create jobs and prosperity](#)'.
- 6.2 The Government recognises that there is an urgent need to restructure the economy, to build on the country's inherent strengths, and to meet the challenges of global competition and of a low carbon future. In order to achieve this the NPPF advises that policies should be flexible enough to accommodate requirements not anticipated in the plan and to allow a rapid response to changes in economic circumstances. This should include policies which seek to avoid the long term protection of employment land or floorspace, and instead applications for alternative uses of designated land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses. Nonetheless, the loss of employment land, whether in existing employment use or proposed in the Site Allocations DPDs, could affect the respective **LDF's Local Plans'** ability to achieve its employment objectives, and to meet the job creation targets contained within the Core Strategy DPDs. ~~and~~ **Carefully** managed control is therefore necessary within the context of this policy.

### **Policy 28** [DM30](#)

#### Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Any [non-employment](#) use proposed on sites and premises used and / or designated on the ~~proposals~~ [policies](#) maps for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the Local Planning Authority is satisfied that:

- a) there is a sufficient supply of alternative and suitable employment land available to meet District and local employment job growth requirements; [or](#)
- b) evidence can be provided that genuine attempts have been made to sell / let the site in its current use, and that no suitable and viable

alternative employment uses can be found or are likely to be found in the foreseeable future; [or](#)

c) the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; [or](#)

d) an alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs; [or](#)

e) it is for an employment related support facility such as employment training / education, workplace crèche or industrial estate café; [or](#)

[f\) an alternative use or mix of uses would provide other sustainability benefits that would outweigh the loss of an employment site.](#)

Where appropriate any approval will be subject to a legal agreement requiring a contribution to improve employment prospects in the District to mitigate the loss of employment sites.

## Farm Diversification

6.3 Agriculture and related industries have long played an important part in the local economy in the area. However, farm businesses are under increasing pressure to respond to economic changes and trends within the farming industry. Farm diversification can help to sustain existing farm businesses to ensure long-term viability and provide rural employment opportunities. Diversification covers many different types of development including farm shops, leisure and recreation, tourism related development, sporting activities, equestrian uses and farm based food processing or packaging with associated storage. Such activities should respect the character of their rural location and protect or enhance the area's countryside. Existing buildings should be re-used, where possible, to provide any accommodation needed in association with alternative uses.

6.4 Farm diversification is not a new phenomenon and farm businesses increasingly need to find ways to offset the long-term trend of falling prices for agricultural goods and reduced farm incomes. Farming has long played a key role in tourism and many other aspects of the rural economy and is promoted within the NPPF as a means to help maintain a prosperous rural economy.

6.5 The scale and character of the diversified activities will need to be sensitive to the character of their setting and [must](#) protect or enhance it. Existing buildings should be re-used where possible and ~~the~~ [any](#) opportunity should be taken to seek environmental improvements and to improve the appearance of the holding as a whole through appropriate diversification schemes.

6.6 The Authorities are keen to ensure that agricultural businesses can be sustainable, efficient and competitive. Therefore the Authorities will encourage well-conceived proposals relating to the diversification of farm businesses where it is required for the efficient operation of an existing farm enterprise, promotes economic activity, maintains or enhances the environment, and is in accordance with all other policies in the Core Strategies and this DPD.

## **Policy 29 DM31**

### **Farm Diversification**

**Proposals for farm diversification will be permitted providing they meet the following criteria:**

**a) the proposal is a subsidiary component of the farm enterprise and contributes to the continuing viability of the farm as a whole, retaining existing or providing new employment opportunities and services for the local community;**

**b) the scale and nature of the proposal must be appropriate within its rural location and where it is likely to create significant vehicular movements to and from the site it should be well located in relation to sustainable settlements;**

**c) the proposal should re-use or adapt any existing farm buildings which are suitable and where appropriate include the removal of any redundant buildings which are derelict or offer no opportunity for beneficial use;**

**d) if a new building can be justified it should be sited in or adjacent to an existing group of buildings, be compatible in scale, design, siting and materials, must relate satisfactorily to the surrounding landscape and character, and must avoid where possible the loss of the best and most versatile agricultural land;**

**e) there would be no significant detriment to the amenity of nearby residents, the surrounding landscape, biodiversity or geodiversity, and no unacceptable effect on water quality or flooding on any watercourse in the vicinity of the site;**

**f) the proposal should have regard to the local road network and the associated traffic movement should not compromise highway safety or the free flow of traffic; and**

**g) where a retail use is proposed it must be directly related to the farm unit.**

**Proposals for retail development in the countryside, not related to a farm enterprise, will not be permitted and should be directed to more sustainable settlements identified within the Core Strategy.**

## **Business and Domestic Equine Related Activities**

6.7 The keeping and riding of horses for recreation purposes is an increasingly popular form of leisure pastime which can generate income for the local rural economy. Similarly, commercial horse-related developments including riding schools, livery stables, stud farms, thoroughbred training yards, manèges and other equestrian enterprises can also make a significant contribution to the rural economy and are particularly important around Newmarket. The Authorities recognise the need to make provision for such development, whilst at the same time having a commitment to protecting the environment and the amenities of neighbouring properties. The Authorities are also concerned to avoid the proliferation of unnecessary building in the open countryside.

6.8 Domestic or commercial equine-related development generally requires a location in the rural areas as it may depend on the use of the surrounding land. The conversion of agricultural buildings for such uses will in general be considered favourably. All equestrian development, whether domestic or commercial, should be of an appropriate scale and design and careful attention should be given to siting and landscaping details to ensure that proposals do not detract from the locality's character and appearance. In assessing a proposal, the respective Authority will consider the environmental impact, access, parking and traffic implications and the likely future development requirements of the activity.

6.9 Proposals for new equine-related businesses on land holdings that do not include appropriate accommodation on site for stock management and welfare will be required to provide evidence of site selection, and demonstrate why the site is considered suitable and how animal welfare and supervision will be carried out.

6.10 Applications for dwellings for certain key personnel associated with commercial equine establishments may be considered in the same manner as applications for dwellings for key agricultural personnel in accordance with other policies contained within this DPD.

## **Policy 30 DM32**

### **Business and Domestic Equine Related Activities**

**Proposals for equestrian development, whether domestic or commercial, will be permitted providing they meet the following criteria:**

a) the size, scale, design and siting of new development ([including lighting and means of enclosure](#)) does not have a significant adverse effect on the character and appearance of the locality;

b) proposals do not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a) or it can be demonstrated to the satisfaction of the local planning authority that there are no suitable alternative sites on lower grade land;

c) proposals should re-use existing buildings where appropriate and any new buildings should be located in or adjacent to an existing group of buildings and have minimal visual impact within the landscape;

d) there is no significant detriment to residential amenity in terms of noise, odour, light pollution or other related forms of disturbance;

e) there is appropriate parking and access and the associated traffic movement should not compromise highway safety;

f) sufficient land is available for grazing and exercise where necessary;

g) proposals include a satisfactory scheme for the disposal of waste;

h) where a new equine-related use is proposed and there is no dwelling available on the holding, proposals must demonstrate the site selection procedure and arrangements for animal supervision and welfare; and

i) there would be no significant detriment to biodiversity, geo-diversity or the surrounding landscape character.

Encouragement will be given to off road riding facilities such as headlands or bridleways within farm units.

## Re-use ~~of~~ [or](#) Replacement of Buildings in the Countryside

6.11 The NPPF establishes [in paragraph 28](#) that 'planning policies should support sustainable economic growth in rural areas [in order to create jobs and prosperity](#) by taking a positive approach to [sustainable](#) new development'. Examples of proposals for the re-use and adaptation of buildings in the countryside that may be acceptable in principle are as follows: i) Uses related to agriculture, ii) Employment, including offices, iii) Community use, iv) Recreation, v) Tourist accommodation, vii) Essential rural worker's accommodation. The residential re-use of existing buildings will be considered with reference to Policy ~~27~~ [DM29](#) of this DPD.

6.12 The sensitive conversion of permanent and structurally sound buildings to appropriate uses will generally be acceptable providing there is no adverse impact on the landscape. The conversion of Listed Buildings must also comply with relevant policies that specifically relate to them.

6.13 Not all buildings in the countryside are suitable for conversion or adaptation to new uses as they may be badly constructed with poor design or sited in an inappropriate location. Modern agricultural buildings that are of an inappropriate scale, design and materials may not be suitable for conversion or replacement.

6.14 Some buildings contain protected species such as bats and barn owls. Surveys of a proportionate nature should be undertaken prior to applications being made to ascertain the presence of such species and whether appropriate mitigation can be carried out.

6.15 The re-use of isolated buildings, or those remote from rural settlements or with a poor standard of access, will be resisted unless they can be justified in terms of the sustainable development objectives of the Core Strategies and the NPPF. The Councils will be particularly supportive of the re-use of existing buildings that are adjacent or closely related to the market towns, key service centres and sustainable villages identified within the respective Core Strategy documents.

6.16 The replacement of suitably located, existing buildings in the rural areas for employment purposes, (defined for the purposes of policies in this document as uses within Classes B1 and, where appropriate, B2 general industrial, and limited small scale or ancillary storage, where it can be demonstrated that such uses would not create significant levels of traffic, particularly lorries, on rural roads), will be supported where this would result in a more acceptable and sustainable development than might be achieved through conversion. For example, the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape. Where no such improvement is made, then proposals for the replacement of the building in question will be resisted. Proposals will be judged on their own merits to determine whether or not the building for replacement is suitably located, taking into account the nature of the proposed economic re-use, the level of activity associated with the proposed use and its potential impact on the character and appearance of the countryside.

## **Policy 31 DM33**

### **Re-Use or Replacement of Buildings in the Countryside**

**The re-use, conversion and alteration or extension of rural buildings in the countryside for the following uses will be considered favourably where proposals comply with other policies in the Core Strategy and in this DPD:**

- i) employment (defined for the purposes of this policy as uses within Classes B1 and, where appropriate, B2 general industrial, and limited small scale or ancillary storage), where it can be**

demonstrated that such uses would not create significant levels of traffic, particularly lorries, on rural roads;

ii) tourist accommodation;

iii) recreational uses including riding stables, livery, and sports pavilions;

iv) community facilities;

v) residential use, where justified, in accordance with Policy DM29.

In addition to other policies in the Plan, proposals for the re-use, conversion and alteration or extension of **rural** buildings must also satisfy the following criteria:

a) the building is structurally sound and capable of conversion without the need for significant extension or alteration or reconstruction;

b) any proposed alterations to the building, its proposed use, its associated operational area, the provision of any services, and / or any amenity space or outbuildings, would not harm its appearance **as a rural building** or adversely affect the **rural** setting of the building in the rural locality;

c) the nature and intensity of the proposed use would be compatible with its rural location. Proposals for employment uses will be required to provide a sustainability assessment (which may include a Travel Plan designed to maximise the opportunities to reduce the need to travel by private car);

d) proposals which would be likely to create a significant number of jobs should be well located in relation to towns and villages or be **readily reasonably** accessible by public transport;

e) in the case of tourist accommodation there is no creation or installation of private curtilages and domestic paraphernalia which would have a harmful effect on the character of the site or the surrounding area; **and**

f) it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area; and

g) any extension must be subservient in scale, footprint and design to the host building.

Furthermore, in exceptional circumstances and notwithstanding criterion a) above, it may be appropriate to permit the replacement of a building where;

h) the replacement building will result in a more acceptable and sustainable development than might be achieved through conversion;

i) the replacement building would restore the visual, architectural or historical coherence of a group of buildings where this would otherwise be lost.

Buildings which are remote, or have become so derelict, have been abandoned or are otherwise incapable of adaptation or re-use will not be considered favourably for replacement.

## Tourism Development

6.17 Tourism is becoming an increasingly important element of the economy nationally and within the region. The Government's tourism strategy as articulated within paragraph 28 of the NPPF, supports the development of 'sustainable rural tourism and leisure developments that benefit ~~rural~~ businesses in rural areas, communities and visitors, and which respect the character of the countryside'. ~~and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features~~. In supporting tourism and leisure developments in the countryside a balance needs to be attained to ensure that such development minimises impact on the character of the built and natural environment and the quality of life of its residents.

## Policy **32** DM34

### Tourism Development

Planning applications for new tourism facilities, including overnight visitor accommodation, (hotels, bed & breakfast, self catering, holiday lodges, static and touring caravans and tenting fields), or improvements and extension to existing facilities, will normally be permitted in appropriate locations provided that:

~~a) The need for the development can be justified,~~

~~b) a) the proposals are connected to and associated with existing facilities or located at a site that relates well to the main urban areas and defined settlements in the area and can be made readily accessible to adequate public transport, cycling and walking links for the benefit of non-car users.~~

~~c) b) it would not adversely effect the character, appearance or amenities of the area and the design is of a standard acceptable to the Local Planning Authority.~~

~~d) c) vehicle access and on-site vehicle parking would be provided to an appropriate standard.~~

The larger urban areas, (Market Towns & Key Service Centres), will be the focus for larger scale tourism activities and overnight accommodation in accordance with the requirement to concentrate development at the most sustainable locations.

In rural areas any tourism activity/proposal must, in addition to criteria a), b), & c) ~~& d)~~ above, seek to support the existing local community services and facilities, and:

~~e)~~ d) have no significant adverse impact on nature conservation ~~interests~~, biodiversity or geodiversity interests, ~~and~~ or upon the character or appearance of the landscape and countryside,

~~f)~~ e) be ~~small~~ of an appropriate scale for their context and/or comprise the conversion of suitable existing rural buildings or limited extension to existing visitor accommodation.

The occupation of any new tourist accommodation will be restricted via condition or legal agreement to ensure a tourist use solely and not permanent residential occupation.

# 7 Retail, Community Facilities and Leisure

## Town Centre Boundaries

7.1 Shopping and leisure play a vital role in achieving sustainability, forming a hierarchy which helps reduce the need for residents to travel to meet everyday needs.

7.2 The town centres act as sub-regional centres providing a focus for shopping, leisure, business and cultural activities for the towns themselves and the surrounding smaller settlements, as well as the needs of residents outside the authority area. One of the key plan making tasks set out within the NPPF is for Local Planning Authorities to 'define the extent of town centres and primary shopping areas...and set policies that make clear which uses will be permitted in such locations'. There is a clear mandate therefore from national policy for the Authorities to prepare policies which manage and guide the mix of uses within the town centres. ~~Local centres in these urban areas play an important role in providing for day-to-day requirements which supplement those provided in the town centres. They are particularly important in providing accessible local services for those who are unable to get to the town centres.~~

~~7.3 Key Service Centres are the larger villages and have an important role in serving local communities for day-to-day needs. They also play an important community function, supporting those who have difficulty travelling further afield, and forming a 'hub' to village life. Some, are also important visitor destinations. The Authorities will, wherever possible, support the retention and provision of shops and facilities of an appropriate scale to their location.~~

7.4 **7.3** The town centres **also** serve as more than just a destination for shopping trips. They contain a rich **and** diverse number of uses which together give the centres their own local distinctiveness. Such diverse uses include restaurants, bars and pubs, cinemas, theatres, concert halls, museums and other heritage, cultural and tourist destinations, and hotels. The authorities wish to maintain and improve the vitality of the town and local centres and will encourage a mix of uses which satisfy this aim.

7.4 In taking steps to achieve this it is recognised that the management of centres must be balanced by seeking economic growth through pro-actively planning to meet the development needs of business. To this end the NPPF states that 'policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances'.

7.5 It is important therefore that any policies that seek to direct development within the town centres offer sufficient flexibility. It is for

this reason that Policy DM35 promotes, and seeks to carefully manage, Primary Shopping Areas which, by definition, are where ‘retail development is concentrated’, with a more market-driven approach taken to the acceptability of other appropriate uses within the town centres but outside of the Primary Shopping Areas.

7.6 Although it is recognised that some non-A1 uses can promote high levels of footfall, several consecutive non-A1 uses can also lead to the creation of lengths of space which can discourage pedestrian footfall towards retail uses. It is for this reason that a restriction on the extent of non-A1 frontage is proposed within the Primary Shopping Areas.

**7.5** 7.7 The use of upper floors can provide accommodation for people who want to live in a town centre but not necessarily at ground floor level. Furthermore, the occupation of upper floors can significantly improve the vitality of a town centre through increasing diversity. The beginning of this century has seen a ‘lifestyle’ preference for some people to live a more urban lifestyle in converted town centre buildings and new purpose-built flats. Offices are an alternative use for upper floors of town centre premises. Converting upper floors above shops to self-contained units for business or residential uses can be problematic, especially in listed buildings, but there are a number of successful examples where vacant space above shops has been brought back into residential use through partnership working with housing associations.

**7.6** 7.8 It is recognised that town centres cannot accommodate all shopping needs, especially those which serve local neighbourhoods or which require large floorspace. Retail warehouses can add significantly to the amount of shopping floorspace in a town centre. The presence of large supermarkets has also changed the shopping habits of many people. The need to maintain the vitality and viability of the town centres will be the primary consideration for the authority.

**7.7** 7.9 Proposals for main town centre uses ~~that are not in a centre~~ for sites elsewhere will need to demonstrate that there will be a minimal impact, both economically and environmentally, on existing town centres. There will also need to be a clear indication that a sequential approach has been taken to identifying the site, starting from the primary shopping area of the town centre. In order to ensure that the nature of any approved developments does not subsequently alter unacceptably the type of goods sold in these stores they will be controlled by planning conditions.

**7.8** 7.10 The town centres will be assessed as part of the monitoring process for the preparation of plans, which may result in the Shopping Centre and Primary Shopping Area designations being changed. Work undertaken as part of each Council’s latest retail study work will also examine what level and extent of A1 uses should be maintained within each Primary Shopping Area in order to maintain the balance of retail vitality and viability.

## **Policy ~~33~~ DM35**

### **Proposals within the Town Centre Boundaries**

Within the town centres, as defined on the **proposals policies** maps, support will be given, subject to compliance with other policies, to proposals for the following:

- i) shopping (Use Class A1);**
- ii) financial and professional services (A2);**
- iii) food and drink (A3, A4, A5);**
- iv) leisure, culture and recreation;**
- v) business (B1) commercial uses;**
- vi) health facilities and other community uses;**
- vii) visitor accommodation; and**
- viii) residential, A2 or B1 uses on upper floors.**

**A balance between retail and non-retail commercial uses will be maintained to secure the vitality and viability of the Primary Shopping Areas, albeit with a predominance of shopping uses maintained. The change of use of ground floor A1 units within a Primary Shopping Area, to other appropriate town centre uses, will therefore only be permitted if the balance of retail vitality and viability is not likely to be harmed and all of the following criteria are met:**

- a) the proposal will not result in three or more non-A1 units in adjoining premises within the Primary Shopping Area;**
- b) the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and the street scene and its setting in terms of its materials, form and proportions;**
- c) the proposal will not remove existing or potential beneficial use of upper floors; and**
- d) the proposal will not adversely affect the amenity of the surrounding area by virtue of noise, litter, congestion on pavements, or disturbance arising from late night opening.**

### **Protection of Local Centres**

~~7.9~~ **7.11** Market towns fulfil much more than just a retailing function for their hinterlands, including their wider traditional role as rural “capitals”. The principles of the sustainable hierarchy of settlements recognise the important role that the Market Towns and Key Service Centres have in providing a wide range of facilities for their areas.

~~7.10~~ **7.12** In addition to Primary Shopping Areas the authorities will protect local centres in order to provide an adequate mix of facilities to meet day-to-day needs. Proposals for the loss of shops anywhere (Use Class A1) will generally be resisted unless it can be shown that suitable alternative provision is available which will meet the day to day needs of people in the local area, or that the premises have been realistically, and unsuccessfully, marketed for a period of at least 12 months. The authorities will continue to support and encourage the maintenance, improvement and attractiveness of local centres by encouraging new shopping development.

## **Policy 34 DM36**

### **Protection of Local Centres**

**In local centres the loss or change of use of shops or services will not be permitted unless it can be demonstrated that the use is no longer viable or that the change of use will not have a detrimental impact on the vitality and viability of the centre.**

**Proposals for new or extended shops or services within local centres will be supported provided that ~~the proposal does not result in the loss or change of use of an existing, viable, facility and that~~ there is no adverse effect on residential amenity or environmental quality, and subject to compliance with other Policies within this DPD.**

### **Public Realm Improvements**

~~7.11~~ **7.13** The environment of a town centre can affect the choice of destination for both economic investment and shopping or leisure trips. When considering proposals for new development, redevelopment or new shop fronts, the authorities have an important role to play in ensuring that good overall design is achieved.

~~7.12~~ **7.14** Streets, both in town centres and outwards towards surrounding areas, are important public spaces that should be designed to suit people of all ages and degrees of mobility. Safe and people-friendly streets will encourage more walking, cycling, recreation and local shopping. The Councils wish to continue to improve the street environment or “public realm”, and plans for the towns will identify the type of improvements required, and outline schemes and priorities, along with the areas most in need. To achieve this, all major proposals for development (or redevelopment) in the towns will be required to contribute toward these improvements. Some of the ways in which improvements to the public

realm can be achieved is through the provision of, or contributions towards, the following:

- Quality pavements and well-coordinated street furniture;
- Improvements to footpaths and cycle routes;
- Street trees and other soft landscaping;
- Clear and minimal signage;
- Traffic management schemes;
- Shared spaces and home zones;
- Cycle paths; Crime deterrence and safety measures, including lighting and CCTV; and
- Public art

## **Policy ~~35~~ DM37**

### **Public Realm Improvements**

**Proposals for new major development or redevelopment in the towns will, where justified, be required to provide or contribute towards public realm improvements appropriate to the scale of the proposal. Proposals in the Primary Shopping Areas should also provide active street frontages to create attractive and safe street environments.**

***Note: Necessary improvements to the public realm will be identified and schemes and priorities outlined ~~in Area Action Plans~~ for the towns. Where appropriate the local planning authority will secure public realm improvements through the use of conditions and/or planning obligations.***

### **Shop Fronts and Advertisements**

~~7.13~~ **7.15** Shopfronts, advertisements, sunblinds, canopies, hoardings and poster panels can all have a significant impact on the environment of a centre, especially where they are located in or visible from a Conservation Area. It is important to ensure that these make a positive contribution to the building on which they are located and to the surrounding area. The quality and details of shop design are of significance in improving the attractiveness and maintaining the prosperity of shopping centres within the authorities' areas. Particular care will be necessary in the main shopping areas which contain listed buildings and are located either partly or wholly within Conservation Areas. In all shopping centres the authorities will require well designed shop fronts which will enhance the area and add to its local distinctiveness. All too often the attractiveness of a shopping street can be undermined by unsympathetic designs and a clutter of garish signs. Applicants will be expected to have close regard to the content of 'Shopfronts and Advertisements in Historic Towns' published by the English Historic Towns Forum in 1991, and any subsequent advice, guidance and best practise publications available.

## **Policy 36 DM38**

### **Shop Fronts and Advertisements**

**Proposals to alter an existing shop front or create a new shop front, including the installation of external security measures, advertisements or canopies, or advertisements proposed in any other location, must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located, and must not adversely affect amenity and / or public safety.**

**Advertisements unrelated to the site on which they are displayed will not normally be permitted.**

### **Street Trading and Street Cafes**

**7.14 7.16** Increasing the area available for pedestrians in shopping centres has led to an increased demand for on-street trading and street cafés. These uses can add considerably to the vitality and viability of a centre, but at the same time can increase clutter and obstruct the flow of pedestrians and other users of the centres. Most uses will require a street trading licence from the authority and permission from the Highway Authority, and local byelaws exist which restrict trading in certain streets. The regulatory procedure will be the primary means of restricting the hours and days of street trading and specifying the operator of that use.

## **Policy 37 DM39**

### **Street Trading and Street Cafes**

**Proposals for street trading and street cafés in defined Primary Shopping Areas will be permitted unless there would be ~~an~~ a significantly adverse impact on amenity and / or the movement and safety of pedestrians, prams, wheelchairs, emergency and other vehicles would be obstructed.**

### **Ancillary Retail Uses**

**7.15 7.17** There is a growing demand for retail uses to be attached to existing non-retail businesses, for example petrol filling stations, farms, industrial premises, horticultural centres and craft workshops. The authorities recognise the need for businesses to diversify in this way, providing that the sale of such goods remains related and subsidiary to the main activity. Planning permission is not always required for ancillary retail sales but may be necessary, particularly if a new building or extension is proposed.

## **Policy 38 DM40**

### **Ancillary Retail Uses**

**Proposals for extensions and/or change of use to provide ancillary retail sales facilities attached to petrol filling stations or garages; farms; market gardening and horticultural centres; manufacturers (Classes B1 and B2); craft workshops; and similar establishments will, in addition to the policies and proposals elsewhere in this DPD, be considered against the following criteria:**

- a) the sale of goods should be small in scale in relation to the primary use or activity; and**
- b) in the case of manufacturers (Classes B1 and B2) and craft workshops, the sale of goods should relate to products manufactured on site.**

### **Community Facilities and Services**

~~7.16~~ **7.18** Community facilities and services in villages, small settlements and suburban areas (outside town centre boundaries) contribute to the quality of community life and play an important role in reducing the need to travel. Such facilities and services may include shops, post offices, pubs, primary schools, healthcare facilities, community centres, allotments, village halls, indoor sport facilities, petrol filling stations and public transport. In communities where access to alternative facilities and services is limited the retention of these particular facilities and services is therefore essential to the livelihood of communities and to help reduce rural isolation and social exclusion where possible.

~~7.17~~ **7.19** Where a local need has been identified the authorities will require developers of residential schemes to enhance existing community buildings, provide new facilities, or provide land and a financial contribution towards the cost of these developments. In specific developments the authorities will identify sites for new community facilities. The requirement to provide community buildings, land and/or a financial contribution will be detailed in Section 106 agreements. In some instances it will take time to provide community buildings and the authorities will ensure that sites allocated for community uses are not developed for other purposes.

~~7.18 The change of use or re-development of existing community facilities will be resisted and the provision of new community facilities and services will be encouraged.~~

## **Policy 39 DM41**

### **Community Facilities and Services**

The provision and enhancement of community facilities and services will be supported where they contribute to the quality of community life and the maintenance of sustainable communities.

Proposals that will result in the loss of valued facilities or services which support a local community will only be permitted where:

a) it can be demonstrated that the current use is not economically viable nor likely to become viable. Where appropriate, supporting financial evidence should be provided including any efforts to advertise the premises for sale for a minimum of 12 months; and

b) it can be demonstrated that there is no local demand for the use and that the building/site is not needed for any alternative social, community or leisure use; ~~and~~ or

~~c) there is no evidence of significant support from the community for the retention of the use; or~~

~~d) c)~~ alternative facilities and services are available or replacement provision is made, of at least equivalent standard, in a location that is accessible to the community it serves with good access by public transport or by cycling or walking.

Where a local need has been identified the local planning authority will require developers of residential schemes to enhance existing community buildings, provide new facilities or provide land and a financial contribution towards the cost of these developments.

## Open Space, Sport and Recreation Facilities

~~7.19~~ 7.20 Open spaces near residential areas can add significantly to quality of life. They not only help people to take part in outdoor pursuits, they also contribute to the quality of the environment. More formal parks can also serve a much wider catchment area and form major tourist attractions.

~~7.20~~ 7.21 Within new residential development in the main towns and villages, developers will be expected to provide appropriate public open space as formal recreation areas, informal open space and play areas. New public open space will be required as an integral part of strategic development. There are also a number of settlements that do not have enough playing fields. The authorities will encourage new facilities where there are no overriding detrimental effects on agricultural land, residential amenity and conservation interests.

~~7.21~~ 7.22 Casual play areas in residential neighbourhoods are an essential part of the amenity of an area. Adequate play space will be needed in new residential areas and care will be necessary in the design and location of play areas in order to cut disturbance to nearby residents.

**7.22 7.23** In office, retail and other commercial and mixed development schemes there may also be the opportunity for creating new public open space or providing particular sports and recreation facilities as set out in other relevant planning documents. When applying the approved standards of open space provision to residential and commercial development, the Authorities will assess the level of existing open space and recreation provision and the need and nature of the demand generated in the context of relevant planning documents.

**7.23 7.24** Provision of Green Infrastructure and open space, sport and recreation facilities forms an important part of planning policy. Both Authorities have undertaken studies to quantify and set out plans to ensure that people have access to good quality green spaces close to where they live. Green infrastructure in its list of infrastructure types, are needed to be incorporated into development. Open spaces, sport and recreation underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives. Emphasising the importance of green infrastructure creation, protection and enhancement, ensures an improved and healthy environment that is available for present and future communities. It is therefore important that effective green infrastructure and open space, sport and recreation policies are established to protect, enhance and expand these facilities within the authorities' areas.

## **Policy 40 DM42**

### **Open Space, Sport and Recreation Facilities**

**Proposals for the provision, enhancement and / or expansion of amenity, sport or recreation open space or facilities will be supported subject to compliance with other Policies in the DPD.**

**Development which will result in the loss of existing amenity, sport or recreation open space or facilities will not be allowed unless:**

**a) it can be demonstrated that the space or facility is surplus to requirement against the local planning authority's standards for the particular location, and the proposed loss will not result in a likely shortfall during the plan period; or**

**b) ~~suitable mitigation can be identified and made available.~~ replacement for the space or facilities lost is made available, of at least equivalent quantity and quality, and in a suitable location to meet the needs of users of the existing space or facility.**

**Any replacement provision should take account of the needs of the settlement where the development is taking place and the current**

standards of open space and sports facility provision adopted by the local planning authority.

Developers of new housing will be required to provide open space including play areas, formal sport/recreation areas and amenity areas and where appropriate, indoor sports facilities in accordance with adopted local planning authority standards of provision. Where appropriate and justified, the Local Planning Authority will seek the provision of recreational open space and sports and recreation facilities as part of office, retail and other commercial and mixed development schemes. In addition to on-site and off-site contributions, a contribution may be required for the maintenance of the facility in accordance with adopted local planning authority Guidelines.

Clubhouses, pavilions, car parking and ancillary facilities must be of a high standard of design and internal layout, and be in accordance with other policies in this DPD. The location of such facilities must be well related and sensitive to the topography, character and uses of the surrounding area, particularly when located in or close to residential areas. Proposals which give rise to intrusive floodlighting will not be permitted.

## Leisure Facilities

~~7.24~~ 7.25 This policy gives support to the provision of leisure facilities within the authorities' boundaries. However it is accepted that large facilities may attract large numbers of people and therefore should be directed to the main settlements across the areas.

~~7.25~~ 7.26 Development proposals which are likely to attract large numbers of people will be expected to be accompanied by a supporting statement which justifies the sustainability of the proposed location. This approach is supported by national and strategic guidance and seeks to ensure that new large facilities can be accessed by a variety of modes of transport and offer increased opportunities for linked trips, increasing their overall sustainability.

## Policy ~~41~~ DM43

### Leisure Facilities

Planning applications for new leisure facilities or improvements and extensions to existing facilities, will normally be permitted provided that:

a) the proposals are connected to and associated with existing facilities or located at a site that relates well to, (where achievable within or on the edge of), a defined Settlement ~~in the District~~ and can be made readily accessible to adequate public transport, cycling and walking links for the benefit of non-car users.

b) there would be no unacceptable impacts on the character, appearance or amenities of the area and the design is of a standard acceptable to the local planning authority.

c) vehicle access and on-site vehicle parking would be provided to an appropriate standard.

Where it can be demonstrated that there is a justifiable need for the leisure activity to be located within the open countryside and away from any defined settlement the preference will be for the re-use of appropriately located and suitably constructed existing buildings. New buildings and/or infrastructure required to service a particular leisure activity will only be permitted where:

d) there are no other appropriate and existing buildings in the locality that can feasibly be converted for the required purpose(s),

e) it will not have a significant adverse impact on nature conservation **interests**, biodiversity or geodiversity interests, **and or upon** the character or appearance of the landscape and countryside, and

f) the commercial benefits in terms of creating sustainable employment outweigh the loss of open countryside.

## Rights of Way

~~7.26~~ 7.27 There is a large, but in some cases fragmented, network of public rights of way across the authority areas, providing important opportunities for access to the countryside for walkers, cyclists and horse riders, as well as links within and between the towns and villages and surrounding countryside ~~and~~ providing opportunities for healthy exercise. It is vital that this network is protected, managed and where possible enhanced.

~~7.27~~ 7.28 Suffolk Rights of Way Improvement Plan was ~~published in 2006~~ updated in 2011 and forms part of the Local Transport Plan ~~(2006-11)~~ (2011 – 2031). This includes a range of aims and actions to provide a more accessible and better managed network. Studies undertaken by the authorities have also identified a number of missing links in the ~~pedestrian~~ rights of way network, whose provision would significantly enhance the network.

~~7.28~~ 7.29 Proposals for development should aim to have a positive effect on the rights of way network. The Green Infrastructure policy specifically requires developers to provide for and maintain good access to sites and areas of green infrastructure interest. This policy seeks to reinforce and ensure that any negative impacts are adequately mitigated by alternative provision. Development should also contribute to proposals to provide for the missing links in the network, based on relevant studies the authorities have produced.

## **Policy 42 DM44**

### **Rights of Way**

**Development which would adversely affect the character of, or result in the loss of existing or proposed rights of way, will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use. This will apply to rights of way for pedestrian, cyclist, or horse rider use.**

**Improvements to such rights of way will be sought in association with new development to enable new or improved links to be created within the settlement, between settlements, and/or providing access to the countryside or green infrastructure sites as appropriate and to achieve the objectives of the Suffolk Rights of Way Improvement Plan.**

# 8 Transport

## Transport Assessments and Travel Plans

- 8.1 The need for a Transport Assessment is outlined in the NPPF. This advises that a Transport Assessment or Transport Statement should be prepared and submitted alongside all developments that generate significant amounts of movement, as determined by local criteria.
- 8.2 The coverage and detail of the Transport Assessment should reflect the scale of development and the extent of the transport implications of the proposal. For small schemes, the Transport Assessment should simply outline the transport aspects of the application. For major proposals, the assessment should illustrate accessibility to the site by all modes and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. Where appropriate, a travel plan should be included.
- 8.3 A travel plan can be a key tool in resolving the transport issues highlighted by the transport assessment. The travel plan should include both the physical and management measures necessary to address the transport impacts arising from the new development, as it will become a key management tool integrating all the different elements. It should be developed as the last part of the transport assessment process but is separate from it.

### **Policy 43** [DM45](#)

#### **Transport Assessments and Travel Plans**

**For major development, and/or where a proposal is likely to have significant transport implications, the Council requires the applicant to submit the following documents alongside their planning applications:**

- a) a Transport Assessment\* appropriate to the scale of development and the likely extent of transport implications.**
- b) a Travel Plan that identifies the physical and management measures necessary to address the transport implications arising from development.**

**Where a transport assessment and / or travel plan does not demonstrate that the travel impacts arising from the development will be satisfactorily mitigated or that adequate measures are in place to promote the use of more sustainable modes of transport, then planning permission will not be granted. The developer will be expected to**

provide the necessary funding to deliver any travel plan agreed in writing with the local planning authority.

Developers may also be required to make a financial contribution, [appropriate to the scale of the development](#), towards the delivery of improvements to the existing transport infrastructure that negates the impact of cumulative development in a given area and / or improves access to and use of more substantial transport modes.

*\*Indicative thresholds for application of transport assessment/ transports statements are contained at - Appendix B, DCLG Guidance March 2007, Guidance on Transport Assessment.*

## Parking Standards

8.4 The availability of parking at a destination can significantly affect the choice of travel mode. The Suffolk Parking Standards adopted as Planning Guidance by all Suffolk local authorities have been used by the authorities for some time. This is likely to be reviewed and updated in the near future to shift the focus to destination parking and be more flexible particularly with residential parking in rural areas or areas of poor access to public transport. Until this time the quantity and quality of parking in planning applications will continue to be assessed using these Parking Standards or any subsequent successor Supplementary Planning Document.

8.5 This change in focus on parking policy towards destination parking enables residential parking standards to be more flexible, particularly in rural areas and areas with poor access to public transport. The level of demand for parking will differ from site to site and from urban to rural locations.

## Policy **44** [DM46](#)

### Parking Standards

~~In order to reduce over-reliance on the car and to promote more sustainable forms of transport, all proposals for development, including changes of use, will be required to provide appropriately designed car and cycle parking, plus provision for delivery and service vehicles, in accordance with the adopted standards current at the time of the application.~~

The Authority will seek to reduce over-reliance on the car and to promote more sustainable forms of transport. All proposals for redevelopment, including changes of use, will be required to provide appropriately designed and sited car and cycle parking, plus make provision for emergency, delivery and service vehicles, in accordance with the adopted standards current at the time of the application.

In the town centres and other locations with good accessibility to facilities and services, and / or well served by public transport, a reduced level of car parking will generally be sought in all new development proposals. ~~Proposals for residential development will be expected to cater for anticipated levels of residential and visitor demand.~~ Proposals for new mixed-use sites will be expected to minimise the provision of car parking ~~by design~~ where achievable, for example by providing shared use parking, and/or car pooling as part a Travel Plan.

Exceptions may be made to parking standards for economic development proposals in rural areas where satisfactory evidence and justification is included along with a transport assessment and Travel Plan.

# 9 Forest Heath Specific Policies – Horse Racing

## Development Relating to the Horse Racing Industry

9.1 Newmarket is recognised as the international home of horse racing. This arises from the unique assembly of horse racing interests within the town that cover all aspects of the horse racing industry. The town is [the historic](#) headquarters of the Jockey Club and is the location of the Tattersall's Sales Paddocks and a wide variety of closely related specialist bloodstock services, including veterinary health and research units, commercial and financial services and specialist suppliers.

9.2 This presence of training yards, studs, [two](#) racecourses, ~~exercise areas~~ [training grounds](#) and sales facilities and other organisations for trainers and breeders gives Newmarket its unique status.

9.3 Training yards are enclosed areas containing stable boxes to accommodate racehorses undergoing training and frequently, but not necessarily, are associated with paddocks and other buildings such as a trainer's house, ancillary accommodation for stable lads and other staff and ancillary buildings for storage and other ancillary uses required for the operation of the yard.

9.4 Horse racing plays a significant role in Forest Heath in terms of its economic, social and cultural influence and will therefore be safeguarded. Newmarket's training yards and related facilities contribute to the local heritage of the town and this is reflected in the character and appearance of the Conservation Area. There are also a number of historic training yards that contribute to the character of Exning. These training yards and facilities will be protected and preserved. However, these policies must remain responsive to the changing needs, ~~flexibility and cyclical volume~~ of the horse racing industry, including recognition of the range of supporting activities that now locally contribute to the holistic success of Newmarket as the International Home of Horseracing.

**9.5 Development related to the horse racing industry does, however, have implications for Newmarket, notably in terms of traffic impacts. The local planning authority and local highway authority will both work with the horse racing industry to promote the safety of horses, riders, pedestrians and all other road users.**

**9.5 9.6** This policy aims to safeguard the horse racing industry and enhance the unique character that it has created in Newmarket and its surrounding landscape. Any proposed development that will adversely affect the horse racing industry will not be permitted.

**Policy 45 [DM47](#)**

## Development Relating to the Horse Racing Industry

Development relating to the horse racing industry will be permitted provided that:

- a) there is satisfactory evidence of the need for and scale of the development;
- b) it is in keeping with the character and appearance of the distinctive townscape of Newmarket and Exning and the rural character of surrounding areas;
- c) access proposals (including for the movement of horses for training) and the impact of all other movements are acceptable to the local highway authority; and
- d) the occupation of any residential accommodation is restricted by condition or legal agreement to those directly employed in the day to day operation and management at the horse racing establishment.

## Development Affecting the Horse Racing Industry

**9.6 9.7** The association of Newmarket and its surrounding area with sport and horse racing stretches back nearly 400 years. Throughout this time the needs and requirements of the industry have been constantly evolving, with cycles of growth and stagnation leading to the overall consolidation of Newmarket as the headquarters of horse racing.

**9.7 9.8** It is very important to remember this historical perspective when considering proposals for any development which has the potential to impact adversely on the operation of the horse racing industry generally, with the longer term protection of the industry being of significant importance.

## Policy **46** DM48

### Development Affecting the Horse Racing Industry

~~Any development, including other development proposals within and around Newmarket, which would adversely affect the operational use of an existing site within the horse racing industry, or the horse racing industry as a whole, will not be permitted.~~

Any development within or around Newmarket which is likely to have a material adverse impact on the operational use of an existing site within the horse racing industry, or which would threaten the long term viability of the horse racing industry as a whole, will not be permitted.

## **Redevelopment of Existing Sites relating to the Horse Racing Industry**

**9.8 9.9** Given the historical association of Newmarket and its surrounding area with horse racing it is crucial that irreversible decisions are not made that threaten the town's long-term heritage. It is not considered that current vacancy, even for considerable periods of time, is necessarily a reflection that these premises are no longer required, or indeed that they cannot play an important role in the horse racing industry in the future.

**9.9 9.10** Demand for site subdivision has been identified as an increasing threat in respect of the historic training yards, given that their associated houses are often desirable in terms of their location, style and size. Changes of ownership also have the potential to give rise to conflict and nuisance, as the operation of a yard separate from the occupation of a related dwelling may cause noise and disturbance to new occupiers or place unwelcome pressure on those operating the training yard.

**9.10 9.11** However, the horse racing industry consists of a number of related facilities and uses in addition to the training yards. The change of use of a vacant training yard, stud or other industry-related use, including land and buildings, may in exceptional circumstances, be acceptable in accordance with the following policy.

### **Policy 47 DM49**

#### **Re-development of Existing Sites Relating to the Horse Racing Industry**

The change of use of land and buildings, including associated residential accommodation, presently or previously relating to racehorse training yards, stud farms, the racecourses, horse **exercise areas** training grounds or other horse racing industry related uses, and including the sub-division of the yard or site from its associated residential accommodation, will not be permitted, except in exceptional circumstances:

In exceptional circumstances, alternative uses directly related to the horse racing industry may be accepted and any proposal will need to demonstrate, to the satisfaction of the local planning authority, its specific benefit to the horse racing industry.

In approving any such proposal the local planning authority would need to be satisfied that there is a greater need for any particular racing related use, rather than continuing in its present use.

Any approval granted in exceptional circumstances would also be subject to the proposal positively enhancing the character and appearance of the unique heritage of Newmarket.

## Securing the Restoration of Horse Racing related Assets

~~9.11~~ **9.12** Newmarket retains its international importance as the centre of the horse racing industry. It is the only place in the country offering racing, training, stud farming, and sales facilities all in one location. The town has a unique character and appearance with historic training yards still operating within or on the edge of the town centre.

~~9.12~~ **9.13** Long established planning policies have sought to safeguard Newmarket's unique heritage, its landscape setting, and the economic importance of the horse racing industry.

~~9.13~~ **9.14** The Authority recognises the importance of the integrity of the town's training yards in terms of their physical and functional links and has sought to resist proposals for their change of use. However, some of the town's training yards and horse related premises are subject to pressure for commercial and, in particular, residential development, and some of them experience problems of conflicting movements of horses and traffic, particularly where there is no direct access from the premises to the specially provided horse walks.

~~9.14~~ **9.15** ~~National Planning Statements recognise~~ **The NPPF recognises** that often new **and viable** uses may be the key to the preservation of a building or area, especially where this would enable a historic building or area to be given a new lease of life. Whilst being mindful of this the Authority also recognises that one of the keys to the success of the horse racing industry in Newmarket is the number and diversity in size and tenure of training establishments. By creating flexibility in the existing policy framework it is felt that such diversity could still be retained and prevent significant adverse implications for the industry and the town's heritage, whilst creating the ability to respond positively to the inevitable cyclical nature and flux of the horse racing industry over time.

~~9.15~~ **9.16** This Policy seeks to respond to this guidance, whilst protecting the underlined importance of the unique character.

~~9.16~~ **9.17** The English Heritage 'Thematic Survey of Racehorse Training Stables and Stud Farms in or near Newmarket' (2003) underlined the importance of the unique character of Newmarket and its historical links to the horse racing industry, with a number of the older stables being listed buildings in their own right. This Policy is designed to support the long term retention of these buildings of special architectural or historic interest, and to facilitate the restoration and return to racing use of historic yards.

~~9.17~~ **9.18** The special character of the Conservation Area in Newmarket derives from the overlay of racehorse training, breeding and racing activities upon a traditional market town with a medieval layout. Paddocks contribute significantly to the unique quality of the townscape and any proposals for enabling development will need to demonstrate that the

benefit of restoring the historic building significantly outweighs the loss of paddock land to the townscape of the surrounding area.

## **Policy 48 DM50**

### **Securing the Restoration of Horse Racing Related Historic Assets**

The release of land for 'enabling' development to secure the restoration and return to racing use of a historic yard, will not be permitted unless all the following criteria can be met:

a) the development is located within (or adjacent to) a settlement boundary;

b) the historic asset is identified as a Listed Building at risk within the up to date 'Suffolk Local Planning Authorities Historic Buildings at Risk Register', English Heritage - Heritage at Risk Register or an adopted Conservation Area Appraisal;

c) if the land in question is paddock land, the enabling development will need to demonstrate that the benefit of restoring the listed building significantly outweighs the loss of paddock land;

~~d) That it will secure a historic yard's restoration and return to racing use, with an appropriate and enforceable legal mechanism; and~~

d) that it will secure the re-establishment of a historic racing yard with an appropriate and enforceable legal mechanism; and'

e) that it satisfies, where appropriate, all the criteria set out in Policy **21 DM22** - 'Enabling Development'. Where there is evidence that a listed building has been wilfully neglected to capitalise on this policy, since 2010, enabling development to restore a historic site will not be permitted. The Council will use its listed building enforcement powers to ensure the condition and fabric of existing historic yards are not neglected.

## **Horse Walks**

~~9.18~~ **9.19** Newmarket has a unique number of horse walks and horse crossings that provide a safe passage for horses. The horse walks provide segregated cross-town links between the ~~gallops~~ stable yards and training grounds to the east and west of the town. There is a clear conflict between racehorses and vehicular traffic and there is public concern regarding the danger that this presents. It is important to ensure the protection of the existing horse walks as well as improvements to them and the provision of new facilities to ensure safety for horses and general road users within the town.

## **Policy 49 DM51**

### **Horse Walks**

**The District Council will encourage the protection and improvement of existing horse walks in Newmarket and Exning. It will support the extension or the provision of new facilities by traffic management proposals, parking restrictions, signing, reserving the land for the purpose as part of new development proposals or by direct provision by horse racing interests or by developers through a legal agreement under section 106 of the Planning Act.**

# 10 St. Edmundsbury Specific Policy – Rural Housing Exception Sites

10.1 In the rural areas, the provision of affordable housing can be more challenging as the development strategy restricts housing development in the smaller villages and countryside. Granting planning permission on an exceptional basis for affordable housing on land next to the Housing Settlement Boundary of villages is one way in which to provide affordable housing which will continue to meet local needs. Affordable housing should, where possible, be located in sustainable locations close to the services and facilities that will meet the day-to-day needs of its future occupiers. Where a rural exception site is proposed for development the Authority, in consultation with local residents, will determine whether it will meet an identified local need (the need of the parish and neighbouring rural parishes) and whether the site is most suitable to meet that local need.

## **Policy 50 DM52**

### **Rural Housing Exception Sites**

**As an exception to the provision made in the Core Strategy for general housing demand, the local planning authority will permit rural affordable housing schemes adjoining but outside a Housing Settlement Boundary or built up area provided that:**

**i. a) the development will meet or assist in meeting a proven and specific need for affordable housing in the locality which could not otherwise be met;**

**ii. b) the development is on the edge of a Key Service Centre, Local Service Centre, or Infill Village and is well related to existing community services and facilities and sympathetic to the form and character of the settlement;**

**iii. c) the site is the most suitable to meet the identified need and, in particular, the need could not be met on any site which would better meet criterion **(ii) b)**;**

**d) the development will not negatively impact on biodiversity, geodiversity or the surrounding landscape character. Any unavoidable harm to the natural environment will be adequately mitigated; and**

**iv. e) secure arrangements are made to ensure that initial and subsequent occupation of the dwellings can be restricted to those having an identified local need for affordable housing through the use of appropriate safeguards, including conditions or legal obligations.**