

Cabinet



Forest Heath
District Council

Title of Report:	Recommendations of the Local Plan Working Group: 18 February 2016	
Report No:	CAB/FH/16/012	
Report to and date:	Cabinet	1 March 2016
Portfolio holder:	James Waters Portfolio Holder for Planning and Growth Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
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Lead officer:	Marie Smith Strategic Planning Manager Tel: 01638 719260 Email: marie.smith@westsuffolk.gov.uk	
Purpose of report:	On 18 February 2016, the Local Plan Working Group considered the following substantive item of business: (1) Site Allocations Preferred Options – (Regulation 18) Consultation Document	
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <p>(1) Progress on the Site Allocations Local Plan (SALP) be endorsed.</p> <p>(2) The Site Allocations Preferred Options document, as set out in Working Papers 1 and 2 to Report No LOP/FH/16/006 and accompanying Strategic Environmental Assessment (SEA)/Sustainability Appraisal (SA), together with supporting documents, be approved for consultation, subject to the following amendment:</p> <p>(i) <u>Newmarket – Site N1(b): Land at Black Bear Lane and Rowley Drive Junction (formerly N/11)</u> Paragraph 7.18 and Site (b) of Policy</p>	

	<p>N1: Housing in Newmarket, of the SALP document, be amended to include further references to the retention of a horse racing related use on that site.</p> <p>(2) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document, provided that it does not materially affect the substance or meaning.</p>		
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>		
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:	See Report LOP/FH/16/006		
Alternative option(s):	See Report LOP/FH/16/006		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		See Report LOP/FH/16/006	
Are there any staffing implications? <i>If yes, please give details</i>		See Report LOP/FH/16/006	
Are there any ICT implications? <i>If yes, please give details</i>		See Report LOP/FH/16/006	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		See Report LOP/FH/16/006	
Are there any equality implications? <i>If yes, please give details</i>		See Report LOP/FH/16/006	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
See Report LOP/FH/16/006			
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		<p>Local Plan Working Group: 18 February 2016</p> <ul style="list-style-type: none"> • Report No LOP/FH/16/006; Working Paper 1; Working Paper 2 	
Documents attached:		None	

Key issues and reasons for recommendation(s)

1. **Site Allocations Preferred Options – (Regulation 18) Consultation Document (Report No: LOP/FH/16/006)**
- 1.1. The Forest Heath Core Strategy was adopted in May 2010. Following a successful High Court Challenge in May 2011, parts of Policy CS7 detailing how the overall housing need would be distributed between the settlements over a 20 year period (to 2031) were quashed (removed from the Strategy). Consequential amendments were also made to policies CS1 (Spatial Strategy) and CS13 (Infrastructure and Developer Contributions).
- 1.2 Since then, the Council has been revisiting the quashed parts of the Core Strategy (known as the Single Issue Review) to determine the overall housing numbers and distribution, as well as developing a Site Allocations Local Plan (SALP) to identify which sites should be developed, in order to achieve the vision and objectives of the Core Strategy and meet the outcomes of the Single Issue Review.
- 1.3 Consultation took place between August and October 2015 on an Issues and Options (Regulation 18) Site Allocations Local Plan. The purpose of the document was to stimulate debate on the most appropriate way to distribute housing need throughout the district, as well as considering sites for employment, community and leisure uses.
- 1.4 The consultation responses received during the 2015 consultation, and officer responses to them, were considered at the Local Plan Working Group meeting on 15 February 2016. All of the responses are available to view online at the Council's public consultation website at <http://westsuffolk.jdi-consult.net/localplan/>. The consultation responses, and other evidence, have been used to develop the council's preferred site options and the next SALP document for consultation.
- 1.5 Working Paper 1 to Report No LOP/FH/16/006 is the Site Allocations Local Plan Preferred Options document. It supersedes and updates the 2015 consultation document and sets out the Council's preferred sites for housing, employment and other uses to 2031.
- 1.6 The document asks questions and invites comments from both the public and statutory stakeholders. The Council is still evidence gathering at this stage and is not making a final decision on sites, but is giving an indication of its preferred strategy.
- 1.7 A Sustainability Appraisal (SA) is a tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are required for all local development documents. Strategic Environmental Assessment (SEA) is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

- 1.8 Consultants have been appointed to undertake the full SA and SEA work in relation to the next consultation draft of the SALP document. A full report setting out the findings of the SA and SEA and the proposed SALP Regulation 18 consultation will accompany the document for consultation in April 2016.
- 1.9 The Council are planning for long term growth to give certainty in how and where settlements will grow within the District. This will ensure that service providers can plan and deliver the necessary infrastructure to enable the planned growth to happen when it is required. This would include such facilities as roads, sewers and water infrastructure.
- 1.10 A draft Infrastructure Delivery Plan (IDP) accompanied the 2015 SALP consultation document. Since then, further work with infrastructure providers has taken place which has helped inform the selection of preferred sites in the SALP document.
- 1.11 A revised IDP will accompany the 2016 SALP Preferred Options document to further set out the infrastructure requirements to support development. Comments can also be made on this next iteration of the draft IDP.
- 1.12 The Policies Map (formerly known as the Proposals Map) illustrates particular land uses throughout the district including areas for protection, such as Special Protection Areas and conservation areas, as well as employment and residential activities. It also identifies key sites for development. The Policies Map encompasses all Local Plan documents and so far relates to policies in the Core Strategy (2010) and the Joint Development Management Policies document (2015).
- 1.13 A draft updated Policies Map has been produced for consultation alongside the 2016 SALP document to identify the preferred sites. This allows the preferred sites to be viewed alongside other already adopted policies and constraints to assist when making consultation comments.
- 1.14 Following approval by Cabinet on 1 March 2016 of the final SALP document, the design and printing of the documents will take several weeks and, therefore, the consultation is planned to be held from 4 April 2016 until 8 June 2016.
- 1.15 Comments received during this next consultation will be considered and brought back to the Local Plan Working Group, before being fed into the final consultation for the Site Allocations Local Plan in late Summer/Autumn 2016. Submission of the documents for independent examination will follow in December 2016.
- 1.16 The change in consultation date for the next consultation has meant an update to the Local Development Scheme (timetable for plan preparation) is required, which will be published on the Council's website prior to the start of the next consultation in April 2016.

Comments from the Local Plan Working Group

1.17 The Working Group considered the Site Allocations Local Plan (SALP) in detail and made the following substantive comments:

(a) Brandon – Site B1(a): Land at Fengate Drove (formerly B/01)

1.17.1 Reference was made to potential severe contamination issues pertaining to this site which may affect the ability to develop the site. Officers stated that they had not received indications that this site was going to stall, but confirmed that they would liaise with Development Management to ascertain if any contamination issues had been identified.

(b) Newmarket – Site N1(b): Land at Black Bear Lane and Rowley Drive Junction

1.17.2 Some Members expressed strong concerns regarding residential development being proposed for this site. This site had previously been overturned, at appeal, for residential development. It was considered that if this site was allocated for residential development, then this would seriously undermine the Council's Horse Racing Policies and may set a precedent for the allocating of residential development on other similar paddock land within the Town. Therefore, it was proposed that the allocation of residential development on this site should be re-considered.

1.17.3 Officers explained that this site had been allocated for mixed use, which did not currently contain capacity for residential development. As this was a stalled site, it was considered that the best way to advance any development, was to undertake a specific design brief for that site to address the issues of bringing the listed buildings 'at risk' on that site back into use. This could include a reasonable amount of enabling development, connected with equine use. A feasibility study would be undertaken to determine the best use for this site, with the minimum amount of development required to also be able to bring the current buildings on that site back into use.

1.17.4 Officers explained that Policy DM49 (Re-Development of Existing Sites Relating to the Horse Racing Industry) of the Joint Development Management Policies Document 2015, allowed change of use for buildings related to the horse racing industry and also allowed the allocation of sites in the SALP to come out of horseracing use.

1.17.5 Officers also reassured Members that the Council's Horse Racing Policies remained robust in relation to the

development of land related to horse racing use and that any development unrelated to that use would continue to be recommended for refusal. However, there were exceptions if sites had been allocated within the SALP and then which would become outside of the generic policies.

- 1.17.6 However, taking these concerns into account, Officers proposed that in relation to paragraph 7.18 and Site (b) of Policy N1: Housing in Newmarket, that the SALP document be amended to include further references to the retention of a horse racing related use on that site.

(c) Newmarket – Site N1(a): Land at Brickfield Stud, Exning Road

- 1.17.7 Following on from the discussion in (b) above, similar concerns were also raised in relation to this site, particularly as it was paddock land associated with a stud. Members also proposed that this particular site should not be allocated for residential development.

- 1.17.8 Officers explained that this site was the least constrained site within horse racing use, given the shortage of available sites within Newmarket which could be identified for development. This site was separated from the majority of the Stud by Exning Road and by keeping the development to the south of the Stud buildings and east of Exning Road, the impact on the important green gap between Exning and Newmarket and loss of land in equine use was minimised.

(d) West Row

- 1.17.9 Reference was made to the land which had been identified within the SALP for a new school and explained that this needed to be provided as soon as was possible, as the current Primary School was working at its capacity and there were also significant problems in that area with cars parking on the road and causing congestion problems with through traffic.

- 1.17.10 Reference was also made to the water supply within the village, particularly in relation to the three inch water main which ran through the village and stated that this main did not have the capacity to cope with the additional development proposed and would need to be upgraded.

- 1.17.11 Officers confirmed that in relation to the issues raised in 1.17.9 and 1.17.10 above, these had been noted and would be addressed within the Infrastructure Delivery Plan (IDP), to ensure that these were delivered at the appropriate time.

(e) Infrastructure Provision

1.17.12 In relation to the provision of infrastructure generally within the District (eg education provision; capacity of waste water systems), Members stated that it was vitally important to ensure that the relevant partners were capable of delivering these important infrastructure requirements at the appropriate time. Officers confirmed that the Council would continue to work with the infrastructure providers and with its partners in preparing its IDP to support the delivery of the SALP, to ensure that the required infrastructure was provided.