

Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils

West Suffolk
working together

Title of Report:	Newmarket Neighbourhood Plan: Pre-Submission Consultation	
Report No:	CAB/JT/18/017	
Report to and date:	Joint Executive (Cabinet) Committee	24 July 2018
Portfolio holder:	Cllr Lance Stanbury FHDC Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forestheath.gov.uk	
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Purpose of report:	To inform Members about the Pre Submission Consultation Draft Newmarket Neighbourhood Plan and to seek approval of a response to the consultation.	
Recommendation:	It is <u>RECOMMENDED</u> that: (1) Members note the content of the Pre-Submission Consultation Draft Newmarket Neighbourhood Plan as attached at Appendix A to Report No: CAB/JT/18/017; and (2) The Planning Policy response to the Pre-Submission Consultation Draft Newmarket Neighbourhood Plan, as attached at Appendix B and Corporate Response at Appendix C to Report No: CAB/JT/18/017, be endorsed to form the basis of a submission to Newmarket Town Council. <i>Continued over....</i>	

	The approval of the final wording to be delegated to Assistant Director of Planning and Growth and the Service Manager (Strategic Planning).	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<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>		
Consultation:	<ul style="list-style-type: none"> The Pre-Submission Neighbourhood Plan is on consultation from 25 June to 10 August 2018. 	
Alternative option(s):	<ul style="list-style-type: none"> None. It is a statutory duty for the LPA to provide advice or assistance to the body producing a neighbourhood plan. 	
Implications:		
<i>Are there any financial implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> Proposals concerning the use of Palace House Coach House could have a loss of revenue in terms of commercial rent for the authority. (See policy NKT5).
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> No major implications
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<ul style="list-style-type: none">
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> If 'made' (adopted) the Newmarket Neighbourhood Plan will become part of the statutory development plan and be a material consideration when determining planning applications in Newmarket.
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> None known. It is not clear if the Pre-Submission Plan has been assessed for compliance with Human rights Legislation by NTC.

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)
A neighbourhood Plan that does not meet the statutory basic conditions is unlikely to be successful at examination.	Medium	The LPA's response assesses the neighbourhood plan against the basic conditions and suggests amendment where appropriate. Compliance will be tested at Examination.	Low
Ward(s) affected:		All Saints, Severals and St Mary's	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>			
Documents attached:		<p>Appendix A: Pre-Submission Consultation Newmarket Neighbourhood Plan (V29 22 June 2018).</p> <p>Appendix B: Proposed Local Planning Authority response to consultation.</p> <p>Appendix C: Proposed Corporate Department response to consultation.</p> <p>Appendix D: Public Open Space survey 2017 -18.</p> <p>Appendix E: FHDC Play Areas in Newmarket.</p>	

1. Key issues and reasons for recommendation(s)

1.1 Newmarket Pre-Submission Neighbourhood Plan

1.1.1 On 25 June 2018, Forest Heath District Council (FHDC) received notification that Newmarket Town Council (NTC) have commenced a six week consultation on their Pre-Submission version Neighbourhood Plan. FHDC as the District Council and Local Planning Authority should provide feedback on the content of the Pre-Submission Plan by 10 August 2018.

1.1.2 The Newmarket Neighbourhood Plan (pre-submission version) contains land use policies and allocations which will carry weight in the planning decision making process when the Neighbourhood Plan (NNP) is 'made' (adopted), and also a number of community actions, which express the NTC aspirations that go beyond what planning policy can achieve. Planning Policy have compiled a detailed response to the Pre-Submission NNP which is set out in Appendix B attached to this report and have coordinated and compiled responses from other West Suffolk departments which are set out in Appendix C.

1.2 Basic Conditions

1.2.1 To be successful when examined, a neighbourhood plan must meet a set of basic conditions. Assessment against these conditions has formed the basis of the planning policy comments. In summary they are that it must:

- Have regard to national policies and advice;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan; and
- Not breach, and be otherwise compatible with, European Union and European Convention on Human Rights obligations.

1.2.2 NTC have made significant progress in refining the NNP since officers gave feedback on an earlier draft of the plan in early May / June. However there are still concerns over policy content, wording, mapping and if some of the policies and proposals are based on robust evidence that would stand the test of Examination.

2. Next steps

2.1 In order for a Plan to become part of the Forest Heath (or West Suffolk after April 2019) development plan, it will need to progress through the Pre-Submission, Submission, Examination and Referendum stages. NTC will need to consider responses to this Pre-Submission consultation, make any amendments they consider appropriate, and submit the revised "Submission" Neighbourhood Plan to Forest Heath DC to commence the formal six week Regulation 16 consultation on the Submission Plan.