

Portfolio Holder



Forest Heath
District Council

Title of Report:	Newmarket Neighbourhood Plan: Second Pre Submission Consultation	
Report No:	CAB/FH/19/001	
Report to / Date of Decision:	Portfolio Holder Decision	14 February 2019
Portfolio holder:	Councillor Lance Stanbury FHDC Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forestheath.gov.uk	
Lead officers:	Marie Smith Service Manager (Strategic Planning) Tel: 01638 719260 Email: marie.smith@westsuffolk.gov.uk	Boyd Nicholas Principal Planner Tel: 01638 719248 Email: boyd.nicholas@westsuffolk.gov.uk
Purpose of report:	To inform Members about the second Pre Submission Consultation Draft Newmarket Neighbourhood Plan and Forest Heath District Council's draft response to the consultation. The content of the Pre Submission Consultation Draft Newmarket Neighbourhood Plan is also available via the following link: http://www.newmarketneighbourhoodplan.co.uk/	
Recommendation:	It is <u>RECOMMENDED</u> that the following be approved by the FHDC Portfolio Holder for Planning and Growth: (1) The response to the Pre Submission Consultation Draft Newmarket Neighbourhood Plan, as attached at Appendix A Report No: CAB/FH/19/001, be endorsed to form the basis of a submission to Newmarket Town Council, by the consultation deadline of 17 February 2019. The approval of the final wording to be	

	delegated to the Service Manager (Strategic Planning), in consultation with the FHDC Portfolio Holder for Planning and Growth.		
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 7 January to 17 February 2019. 		
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 type="checkbox"/> No <input checked="" type="checkbox"/>	
<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"/>	
<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 checked="" 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.	Low	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>	Pre Submission Consultation Draft Newmarket Neighbourhood Plan. See: http://www.newmarketneighbourhoodplan.co.uk/
Documents attached:	Appendix A Proposed Local Planning Authority response to consultation.

1. Key issues and reasons for recommendation(s)

1.1 Newmarket Pre Submission Neighbourhood Plan.

1.1.1 On 7 January 2019, Forest Heath District Council (FHDC) received notification that Newmarket Town Council (NTC) have commenced a six week consultation on their Second 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 the close of consultation on the 17 February 2019.

1.1.2 The Newmarket Neighbourhood plan (Second 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 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 A to this report

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 FHDC gave feedback on an earlier draft of the plan in the Summer of 2018 and have made many of the amendments suggested at that time. However, there are still concerns over the wording of some policies, mapping and if some of the policies and proposals are based on robust evidence that would stand the test of Examination that are set out in Appendix A.

1.2.3 The NNP does not make any housing or employment allocations, but does allocate an environmental improvement area based on St Marys Square, a shared community sports facility on GLPF and the former St Felix School site, local green spaces, and a coach park.

1.2.4 Other policies include the protection of key views, safeguarding the community hospital, maintaining a market, mitigating the impact of traffic from development, a policy which sets out criteria for any future redevelopment of the Guineas shopping centre and attractive entrances to the town. Support is given to facilities for the horse racing industry, new and growing businesses, a town museum, archive, arts centre and TiC, special educational needs facility, cinema, biodiversity measures, and a lorry park.

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 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 to commence the formal six week Regulation 16 consultation on the Submission Plan. The documents timeline has a projected September 2019 date for the Referendum.