

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

4 FEBRUARY 2015

DEV/FH/15/006

UPDATE REPORT ON DC/13/0408/OUT - HATCHFIELD FARM, FORDHAM ROAD, NEWMARKET

Summary and Reason for Recommendation(s) :

The purpose of this report is to update Members on the current situation regarding the Hatchfield Farm planning application in Newmarket.

Members resolved to approve this planning application at the Development Control Committee on 2 July 2014. The application was called in by the Secretary of State for Communities and Local Government by letter dated 11 July 2014.

A public local inquiry will commence on 14 April 2015 and will sit for approximately 12 days. Officers are in the process of making preparations for the public inquiry.

Since the application was taken to Committee in July 2014, there have been a number of changes which have potential policy implications. This report addresses these issues and asks Members to note the content of this report and reaffirm their resolutions to APPROVE this planning application, as at the Development Control Committee on 2 July 2014.

Recommendation(s) :

Members are recommended to:

- 1. Note the update with regard to the public inquiry situation;**
- 2. Note and agree the policy approach detailed in this report; and**
- 3. Reaffirm their resolutions to APPROVE planning application DC/13/0408/OUT, at the Development Control Committee on 2 July 2014.**

KEY ISSUES:

Procedural Update:

1. The outline planning application for residential development of land at Hatchfield Farm, Newmarket (up to 400 dwellings), including associated open space and two new accesses onto the A142 (Fordham Road) was considered at Development Control Committee on 2 July 2014.
2. At that meeting, Members resolved to approve the planning application, subject to the completion of a Section 106 agreement and conditions.
3. On 11 July 2014, the planning application was called in by the Secretary of State for Communities and Local Government. Accordingly, the application is referred to him instead of being dealt with by the local planning authority.
4. The 'call in' letter dated 11 July 2014 identifies the matters which the Secretary of State wishes to be informed about for the purposes of the consideration of the application:
 - Whether the proposals may have significant long term impacts on economic growth and meeting housing needs.
 - Whether it would have significant effects beyond the immediate locality.
5. The Secretary of State has decided to hold a public inquiry, with all arrangements for that inquiry made by the Planning Inspectorate. The local inquiry is programmed to open on Tuesday 14 April 2015.
6. A Pre Inquiry Meeting (PIM) was held on 01 December 2014 to discuss the arrangements to be made for the forthcoming inquiry. The Planning Inspector, Christina Downes, in her PIM note, identified the following main issues:
 - (1) Housing land supply and the contribution that the proposal would make to the market and affordable housing needs of the District.
 - (2) Whether the traffic generated by the proposed development can be accommodated on the network without severe residual highway impact.
 - (3) The effect on the horseracing industry in Newmarket.
 - (4) The effect of the proposed development on nearby sites of nature conservation importance and whether Habitats Regulation Assessment is necessary.
 - (5) Whether the proposal would be sustainable development taking account of the three dimensions in the National Planning Policy Framework.
7. Officers are currently in the process of making preparations for the public inquiry, including the assembly of the Appeal Team.

Policy Update:

National Policy Context and Forest Heath's Five-Year Housing Supply

8. The National Planning Policy Framework ('the Framework') requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five-years worth of housing against their housing requirements, with an additional buffer of 5%, to ensure choice and competition in the market for land.
9. At a meeting held in October 2014, the Council's Local Plan Working Group ratified the District's housing figures. These figures show that the Council can now demonstrate a five-year supply of deliverable housing sites. The supply was recorded at 5.1 years at March 2013 – including a 5% buffer as required by the Framework.
10. That the Council can now demonstrate a five-year supply of deliverable housing sites means that extant Development Plan policies which relate to the supply of housing are of relevance. This includes the 'settlement boundaries' illustrated on the Inset maps attached to the Local Plan (including the Inset Map for Newmarket) and Development Plan policies which seek to restrict housing developments in principle.
11. Officers consider that Development Plan policies relating to the settlement boundaries are out of date, by virtue of the age of the Local Plan (1995). Relevant policies contained in the Core Strategy carry more weight given its more recent date of adoption (2010).
12. Notwithstanding the content of the Development Plan and the weight that can be attributed to the documents that comprise it, the Framework remains a key material consideration. Paragraph 14 of the Framework places a presumption in favour of sustainable development and, where the development plan is absent, silent, or relevant policies are out-of-date, advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies on the Framework taken as a whole.

Emerging Development Plan Policy

13. Forest Heath District and St Edmundsbury Borough Council's have prepared a 'Joint Development Management Policies Document' which is currently at an advanced stage in its preparation. At the time of writing this report, the Inspector's Report to the Proposed Main Modifications were expected to have been received.
14. With regard to emerging plans, the Framework advises (at Annex 1) from the day of publication, decision-takers may give weight to relevant policies emerging plans (unless material indications indicate otherwise) according to:
 - The stage of preparation of the emerging plan (the more advanced

the preparation, the greater weight that may be given)

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given); and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework, the greater weight that may be given.
15. The Development Management Policies document has been published, has been the subject of public consultation formally submitted to the Planning Inspectorate and has been through examination. Accordingly, significant weight can now be attributed to this plan in the decision making process. Members are advised that the policies have been reviewed, but none are considered particularly determinative to the outcome of this planning application.

Planning Obligations

16. In November 2014, the Government amended its advice relating to contributions which Councils are able to secure from new housing developments via Section 106 of the 1990 Planning Act (as amended).
17. The changed government policy relates to small residential schemes (10 or less dwellings). It confirms that S106 contributions should not be sought from residential developments of 10-units or less, and which have a maximum combined gross floor-space of no more than 1,000sqm.
18. Members are advised that this is a major planning application, which proposes up to 400 residential dwellings, and is not affected by the policy change.

Conclusions:

19. Members will be updated regarding the call-in process at the Committee meeting. Members are requested to note and agree the process and policy situation as detailed in this report, and reaffirm their resolution to APPROVE this planning application.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY

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