

## **6. Note on CD: D59 - Committee Report DC/16/0465/FUL, to explain the Council's interpretation of the site's use and allocation (SA17(b) St Leger site, Newmarket)**

### **Introduction**

- 6.1 During the Hearing session on Matter 3, Employment, it was brought to the Council's attention that their evidence conflicted with reference to the status of site SA17(b) (the St Leger site in Newmarket) and the 1995 Forest Heath Local Plan in the planning officer's report DC/16/0465/FUL to the Development Control Committee in January 2017 (CD: D59). This note demonstrates that the committee report was inaccurate.

### **Committee Report DC/16/0465/FUL (CD: D59)**

- 6.2 The planning officer's report to Forest Heath's Development Control Committee on 4 January 2017 (CD: D59) stated that the St Leger site was vacant and at the time did not benefit from planning permission. These facts are correct. However, paragraph 11 of this report erroneously refers to the site as being allocated under a saved policy in the 1995 Local Plan (CD: B61).
- 6.3 The 1995 Forest Heath Local Plan Proposals Map, Inset Map 3: Newmarket (CD: B62), includes the St Leger site within a large Employment Area. Policy 5.1 protects those areas defined for General Employment on the Proposals Map. A table of Saved Policies from the 1995 Local Plan (updated February 2015) is attached which shows that Policy 5.1 was not a saved policy.
- 6.4 The only saved policy from the 1995 Local Plan relevant to Newmarket and employment land is Policy 5.4 New Allocations for Industrial and Commercial Development (the northern portion of the George Lambton Playing Field).

### **Planning History**

- 6.5 Since adoption of the 2010 Core Strategy, two applications have been submitted on the St Leger site:
- |                |  |
|----------------|--|
| DC/14/2218/FUL | B2/B8 warehouse and distribution centre. Planning permission refused November 2015. Appeal dismissed September 2016. |
| DC/16/0465/FUL | Single storey B2/B8 industrial units and associated external works. Planning permission granted January 2017         |
- 6.6 This clearly demonstrates that the site has not benefitted from planning permission for employment use until January 2017.

## SALP – post hearing issues for clarification

- 6.7 An aerial photograph of the area from 1999 (CD: D61) and a map indicating the extent of the Caravans International site from the OS base map 1969-82 (CD: D60), have been submitted as further evidence that the site has not been used for employment purposes and was not part of the extensive 'Caravan Works' site.
- 6.8 Both the aerial photograph and, to a lesser extent Map 15. Newmarket in the Proposal Map book show the location of the St Leger site immediately west of a large retail area (Studlands Retail Park), and south of a residential area (Studlands Park).

### **Review of employment land**

- 6.9 Paragraphs 160 and 161 of the NPPF advise local authorities to use their evidence base to assess the existing and future supply of land available. Specifically it advises that reviews of land available for economic development should include "*a reappraisal of the suitability of previously allocated land.*"
- 6.10 Forest Heath commissioned an Employment Land Review (ELR) (CD:21) to provide an up to date evidence base relating to current and future requirements for B Use Class employment space/employment land within the district over the plan period to 2031. Section 6 of the ELR is a review of Forest Heath's Employment Sites Portfolio.
- 6.11 Paragraph 6.11 notes that the St Leger site is to adjacent Newmarket Business Park indicating that:
- "this is an appropriate location for new employment development (for example as part of an extension of the existing Business Park), and the strong road links would facilitate logistics uses in particular ...."*

### **Conclusions**

- 6.12 The available evidence demonstrates that SALP site SA17(b), the St Leger site, has never been used for employment purposes and is vacant. The site has not benefitted from planning permission for employment use until January 2017.
- 6.13 In addition, it is considered that the location of the site makes it vulnerable to proposals for non-B Use class development.
- 6.14 The site has been re-assessed and is considered suitable and deliverable as a B Use Class employment site.

### **Proposed modification**

- 6.15 The council is content with the B2/B8 uses permitted under reference DC/16/0465/FUL, and proposes a Main Modification (MM25) to add B2 and in front of B8 in Policy SA17.

SALP – post hearing issues for clarification

Forest Heath District Council  
 Forest Heath Local Plan 1995 Saved Policies – updated February 2015

<b><u>The District Strategy and Settlement Policy</u></b>	<b><u>Housing</u></b>	<b><u>Employment and Tourism</u></b>	<b><u>Transport</u></b>	<b><u>Recreation and Leisure</u></b>	<b><u>Community and Utility Services</u></b>	<b><u>Red Lodge</u></b>	<b><u>Implementation of Red Lodge</u></b>
<b>Housing for the Military Air Bases</b>	<b>New Residential Allocations</b>	<b>New Allocations for Industrial and Commercial Development</b>	<b>Roads Primary Route Network</b>	<b>Outdoor Playing Space</b>	<b>Health and Welfare and Other Community Facilities</b>	<b>Background</b>	
3.6	4.4	5.4 Newmarket	6.2 Mildenhall (To be read with CS12 Strategic Transport Improvements)	10.4 Newmarket	11.5 Newmarket Hospital	13.1	14.1
	4.6	5.6 Lakenheath	6.5 Newmarket (To be read with CS12 Strategic Transport Improvements)			<b>The Planning Framework</b>	
	4.7	<b>Visitor Attractions (Horse Racing)</b>				13.2	
	4.8	5.14 (partially replaced by DM34 and DM47)				13.3	
	4.9					13.4	
	4.10					13.5	
	4.12					<b>Guidance for the preparation of the Master Plan</b>	
						13.6	