**Overall Housing Provision and Distribution**

**Proposed Submission Core Strategy Single Issue Review (SIR)**

**and**

**Proposed Submission Site Allocations Local Plan (SALP)**

**January 2017**

**Guidance notes and frequently asked questions**

This information will help you to make comments on the final ‘submission versions’ of the Forest Heath Core Strategy Single Issue Review (CS SIR) and the Site Allocations Local Plan (SALP) documents. The term ‘Local Plan’ or ‘Plan’ refers to the Forest Heath documents and accompanying evidence which will provide statutory planning policy for the borough.

The ‘submission version’ of a Local Plan is the council’s final draft of the document.

**The consultation on these submission documents will take place from 10 January – 21 February 2017.**

The consultation asks specific questions required by the Planning Inspectorate (the body which checks that we prepare Local Plans correctly). These questions are:

- is the plan legally compliant?
- is the plan sound?

At this final consultation stage you can only submit comments on the Plan in relation to its legal compliance or soundness. These guidance notes explain these questions and terms and provide information that will help you submit your response to the Plan.

**Is the Local Plan submission version legally compliant?**

Forest Heath District Council believe the Local Plan documents comply with the law. To be legally compliant the documents must be:

**1. prepared in accordance with the Local Development Scheme (LDS)**

The CS SIR and SALP Local Plan documents are in our programme of work for the preparation of planning policy documents, or ‘Local Development Scheme’ (LDS), and the key stages have been followed. The Plan must be in the current LDS to have been published for consultation.
2. prepared in compliance with the Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) sets out how the council will involve the community in preparing and revising planning documents and in considering planning applications. The process of engaging with the community in preparing the Local Plan documents should comply with West Suffolk councils’ SCI.

The CS SIR and SALP documents should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. On publication, we must publish the documents as set out in the regulations, and make them available at our principal offices and on our website.

3. subject to a Sustainability Appraisal

Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental and economic factors. When we publish a Local Plan we are required to provide a Sustainability Appraisal report.

4. prepared with regard to the Sustainable Community Strategy for its area

The Sustainable Community Strategy for our area is produced by the Suffolk Strategic Partnership. The council is required to take account of any spatial (land use) elements set out in the Sustainable Community Strategy for the area. The document can be seen at www.westsuffolk.gov.uk/fhlocalplan

However, it should be noted that the requirement for a local authority to produce a sustainable community strategy was repealed on 26 May 2015 by the Deregulation Act 2015.

Is the Local Plan submission version Plan Sound?

To be ‘sound’ a Local Plan should be:

- positively prepared;
- justified;
- effective; and
- consistent with national policy.

These terms are explained in paragraph 182 of the National Planning Policy Framework (March 2012) and are set out below.

1. Positively prepared

The Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and is consistent with achieving sustainable development.
Our interpretation of this is:

- does the overall strategy in the Plan meet the infrastructure and development needs of the area?
- has the Plan considered the requirements of other districts; for example, for housing and employment, and taken account of these where appropriate? We are now legally required to do this under the 2012 Planning Regulations and the National Planning Policy Framework.

2. Justified

The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Our interpretation of this is:

- are the choices made in the Plan backed up by facts?
- are any alternatives to the Plan realistic and have they been assessed in a Sustainability Appraisal?

3. Effective

The Plan should be deliverable over its lifetime and based on effective joint working on cross-boundary strategic priorities.

Our interpretation of this is:

- is there evidence of infrastructure delivery planning?
- are there any regulatory or national barriers to delivery?
- is the strategy in the Plan compatible with neighbouring authorities’ strategies?
- can minor changes be made to respond to the outcome of the monitoring process or changes in response to problems such as a lack of funding?
- can any targets be clearly linked to the Authority Monitoring Report which all authorities must produce each year?

4. Consistent with national policy

The Plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

Our interpretation of this is:

- national policy – the National Planning Policy Framework (NPPF) which must be followed in the production of a Local Plan;
- the development plan document should have regard to these policies and where a departure is made, local evidence is needed to justify why.
Responding to the consultation documents

The consultation starts on 10 January and finish on 21 February 2017.

To reduce costs and to make it more efficient please, whenever possible, respond using the council’s online public consultation system at http://westsuffolk.jdi-consult.net/localplan/

Alternatively you can post your comments using a consultation form which will be available at council receptions or on request by writing to: Strategic Planning Team, Forest Heath District Council, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU or by calling 01284 757368.

Make clear why you feel the Plan does or does not meet the legal compliance check or the four tests of soundness.

If you don’t like a policy and want the Planning Inspector to change or delete it you should object on ‘soundness’ reasons, stating why you object, what you would change about the document to overcome your objection and refer to the evidence you have to support your objection.

The Planning Inspector will expect you to be clear, to the point, and back up your points with evidence to justify your comments.

You can attach additional supporting information, but it would be helpful to the Planning Inspector if you can summarise your comments on the form if you are submitting additional information.

After this consultation is finished you will only be able to make further submissions if the Planning Inspector asks for them.

Next steps

Once the consultation period on the submission versions of the Forest Heath Local Plan documents has closed, we will provide the Planning Inspectorate with all of the responses received during the consultation and a summary of the main issues raised.

This process is referred to as ‘submitting a plan for examination’ and is likely to take place in March 2017. The council will appoint an officer who will be the first point of contact for questions about the public examination.

An independent inspector will be appointed by the Secretary of State to examine the Plan and the comments made against it.

The inspector will consider most issues from the written comments people have made, but in some complex cases comments may need to be presented in person at the public examination. Both kinds of comments will be given equal importance.

Following the examination the inspector will consider the comments and look at the document alongside the ‘legal and conformity requirements’ and ‘tests of
soundness requirements’. The inspector will decide if the document is ‘sound’. If the inspector finds the Plan ‘unsound’ the council will have to prepare the Plan again.

Once we have received the inspector’s report the council will decide whether to adopt the document.

On adoption of the Local Plan, the council will produce an Adoption Statement which will be advertised in the local press. The adopted document, Sustainability Appraisal and Adoption Statement will then be made available for inspection at the council offices and on our website.

**Q: Why is the council consulting on two separate ‘submission’ documents?**

The two documents do two different jobs so it is important to make them available for comment separately. The Overall Housing Provision and Distribution document is a Single Issue Review (SIR) of one policy (CS7) in the Forest Heath Core Strategy that was the subject of a legal challenge. So the council has developed a new policy to replace Policy CS7. This document contains a high-level, general policy that covers the whole district and sets out the number of houses we need to plan for up to 2031, and how this total number of new houses will be spread out around the district.

The other document is the Site Allocations Local Plan (SALP). This shows which sites have been allocated in the district to make up the overall housing need identified in the SIR. The SALP also includes sites for employment, mixed uses and retail. This document is more detailed than the SIR as the maps and information provided apply to individual sites and to each town or village separately.

**Q. Why do we need more homes?**

The population of Forest Heath is steadily growing, and the council has to plan for growth based on the best available information. Detailed research has been undertaken using the 2011 Census, forecasts and figures from Government bodies, and working with our neighbouring councils to look at the housing market in the area. Based on all of this, we know that we need to provide at least 6800 more homes in the years between 2011 and 2031. These homes will be for:

- people who already live here and want to stay here – including people getting older who may want smaller or specialist housing;
- the children of today who will want to live and work in the area;
- single people - more people are living on their own, either through choice or change of circumstances;
- people moving here for work or to set up businesses;
- people moving here to retire; and
- people attracted to the area because of the quality of life.

The two documents that we are currently consulting on:
• plan for a total number of new homes;
• set out how they will be distributed within the district; and
• shows the sites for development in each of the Market Towns, Key Service Centres and Primary Villages.

If the council does not identify and legally allocate land for housing – through proper research, consultation and taking other evidence into account – developers will be able to advance their own sites. Without a supply of land identified in our Local Plan, it would be difficult to refuse applications, even though people may think they are on completely inappropriate sites.

Q. How did the council decide how many homes we need?

Work undertaken with neighbouring councils to carry out a Strategic Housing Market Assessment (SHMA) tells us how many homes we need, in total, to meet both open market and affordable housing need in the plan period. This information is used alongside other data to set the total housing provision target of 6800 homes. Technical papers have been produced that set out the full background to deciding on an appropriate housing need which can be seen at www.westsuffolk.gov.uk/localplanevidence

Q. How did the council work out which towns and village should have high or low levels of growth? Why should villages that have already had a lot of growth have more development?

The starting point is Policy CS1 in the Forest Heath Core Strategy. CS1 sets out the settlement hierarchy with the Market Towns of Newmarket, Brandon and Mildenhall at the top of the hierarchy as they have the most services, shops and facilities. These are followed by the two Key Service Centres, Lakenheath and Red Lodge, that have good levels of services and facilities. The next level in the hierarchy are the Primary Villages. These are the larger villages with some day-to-day services and facilities. The Primary Villages are Beck Row, Exning, Kentford and West Row.

As well as looking at the level of services and facilities we have considered the land that is available for development in and around the settlements, and the environmental and policy constraints that affect whether the land can be developed. For example, Brandon is surrounded by land that is protected from development for environmental reasons.

Some villages have had growth in recent years either through planned development, e.g. Red Lodge (through the masterplan), or because the council does not have a five year supply of housing land (which allows housing development to go ahead in line with national policy - the National Planning Policy Framework – NPPF).

We have looked at each settlement individually, and have decided on levels of growth that most closely fit the combination of all these things, that is: the size of the settlement and level of services and facilities available, the land available for development, the constraints that may prevent development, and the recent planning history of growth.
Q Why has the council decided not to allocate RAF Mildenhall for housing/other uses in the SALP?

The United States Visiting Forces in Europe (USVF) have indicated their intention to withdraw from RAF Mildenhall by 2023. It is important to note that while the MoD has identified that part of the site should be released for housing, at the time of preparing the proposed submission SALP uncertainty remains over future of the site. The fact that the area for new housing has not been defined by the MoD, and the fact that the USAF will not have left the site until 2023 after which the land contamination issues will need to be identified and remedied, all mean that the Mildenhall airbase cannot yet be considered as available and deliverable for this Local Plan period. However, the council is committed to reviewing this issue as part of a West Suffolk Local Plan to be prepared from early 2018.

Q Where is the evidence to support the decisions made in these Local Plan documents?

Local Planning Authorities are required to ensure that the Local Plan is based on adequate, up to date, and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

Many different studies/evidence base documents have helped us identify the constraints and opportunities for growth in the district. These range from wildlife audits of individual sites to a review of employment land across the whole district. All of the evidence to support the Local Plan is available to view on the council’s website at www.westsuffolk.gov.uk/localplanevidence

Q. How will existing infrastructure and services cope and what new infrastructure and services will be provided to support the growth?

All new development will contribute to the delivery of appropriate infrastructure either directly or through a financial contribution. Policy CS 13 of the Forest Heath Core Strategy “Infrastructure and Developer Contributions” says:

“The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development. Suitable arrangements will be put in place to improve infrastructure, services, and community facilities, where necessary, to mitigate the impact of development.

New development will be required to demonstrate that it will not harm the District’s ability to improve the educational attainment, the accessibility to services, jobs, health and community safety, the biodiversity and well-being of Forest Heath communities.”

This policy indicates the type of infrastructure required, and also sets out how developers will be expected to contribute to the cost of new or improved infrastructure. The policy finishes by saying, “All development in the plan area will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities. The infrastructure will be provided in tandem with the development and where appropriate arrangements will be made for its subsequent maintenance.”
The Council is already working closely with the relevant agencies to ensure that the exact infrastructure requirements of specific sites can be understood. Infrastructure and service providers were consulted and involved in the early work on the documents, and helped to update the Infrastructure and Environmental Capacity Assessment (IECA) carried out by consultants in 2009. This work is set out in the draft Infrastructure Delivery Plan (IDP) which is available with the consultation documents for comment. The IDP will be updated and revised as the plans progresses through Examination.

Q. What will happen to planning applications that are submitted before these documents are finalised?

Planning applications will be considered using policies in the Core Strategy and the Joint Development Management Policies Document and saved policies from the 1995 local plan, and national planning policies in the NPPF.

As the SIR and SALP get further along the process the policies in them will carry more weight.

Q. What is a Sustainability Appraisal, and what does it do?

A Sustainability Appraisal Report (SA Report) incorporating the Strategic Environmental Assessment (SEA) accompanies the SIR and the SALP. The SA/SEA has been prepared to comply with the Planning and Compulsory Purchase Act 2004 and the requirements for Strategic Environmental Assessment (SEA) arising from the SEA (European) Directive. The SEA Directive requires that certain plans and programmes undergo an environmental assessment, due to the likelihood that they will have significant environmental effects once implemented.

The purpose of the Sustainability Appraisal (SA) is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of Local Plans. The SA process identifies and reports on the likely significant environmental effects of the policies and proposals in the plan. It also assesses whether the plan will achieve the objectives of sustainable development. In short the SA will help ensure that the SIR and SALP will make an effective contribution to sustainable development in the district.

The SA Report is available for comment with the SIR and SALP on the Council’s public consultation website at http://westsuffolk.jdi-consult.net/localplan/