

**Independent Examination Forest Heath District Council
Site Allocations Local Plan**

Matter 2 – Basis for the Plan

**Response on behalf of :-
Jockey Club Farming Co Ltd**

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Matter 2 – Basis for the Plan

Issues

Question 2.2 – are the locations identified for development the most appropriate locations when considered against reasonable alternatives?

- 1.1 This is a fundamental matter in the Inspector's consideration of sites towards final allocation within the adopted plan. The NPPG states:
- “every Local Plan must be informed ... by a Sustainability Appraisal (SA) which plays an important role in demonstrating that the Local Plan reflects sustainability objectives and has considered reasonable alternatives.”*
- 1.2 One must never lose sight that the NPPF makes it clear that relevant policies for the supply of housing, and that would include allocating sufficient housing allocations in the plan, should not be considered up to date if the plan cannot demonstrate a 5 year supply of deliverable housing sites. This is very important where an authority has a borderline 5 year land supply.
- 1.3 It is encouraging that paragraph 6.1.2 of the SA to the SALP states that:
- “the conclusion has been reached that it is appropriate to keep deferred sites ‘in the mix’ ...could potentially be brought forward as there is the potential for constraints to be overcome.”*
- 1.4 Our representations 24911 and 24912 state that the plan in respect of the primary settlements and in particular Exning does not have sufficient flexibility to enable further consideration of appropriate housing sites and that Local Plan needs to be based on adequate, up to date and relevant evidence. On both counts we conclude the plan is not 'justified' in accordance with paragraph 182 of the NPPF as the plan has not adopted to the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- 1.5 Firstly, it is important to state that Exning is an appropriate location for development. The report of the Local Plan inspector into the FHDC Core Strategy (13 April 2010) states:
- “The supporting text to Policy CS1 explains that these villages are capable of absorbing only small scale allocations because they possess limited services. Nevertheless, they are places which could relieve development pressures on the more constrained towns. This is most notably the case at Exning which the Infrastructure and Environmental Capacity Appraisal indicates has most potential for further growth. This should not be ignored because it provides additional flexibility for the CS which I consider should be incorporated into the spatial strategy. (IC/16)”*
- 1.6 It is clear that the Inspector was directing FHDC towards considering Exning as an appropriate settlement for housing allocations. To this end our site was included within the SALP Preferred Options document which stated:

<p>“One alternative site was identified as being potentially suitable for allocation in Exning: E/03 – Land at rear of Lacey’s Lane.</p>	<p>Although this is a relatively unconstrained site (in environmental terms) it has been omitted on the basis that there is considered to be a more suitable and sustainable option (without an existing permission) given this particular site’s proximity to the A/14 (noise & air quality issues), the loss of existing allotments (community use) congested roads in the locality and potential issues in terms of securing an appropriate access.”</p>
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- 1.7 We subsequently dealt with the outstanding issues contained within the above reference by submitting qualified reports on each of the outstanding issues (noise, air quality and transport assessments, master plan vision study) with our representations to the Deposit Plan (see our supporting statements to objections 24911 and 24912). We can state that our objections have responded to any concerns relating to the delivery of site E/03 as a potential housing allocation as required and as necessary in terms of considering a ‘reasonable alternative’; and which can be considered to be deliverable. In particular, it is worth noting that FHDC has been informed on numerous occasions that this allocation would not result in an overall loss of allotments, and if desirable, the area for allotments could be increased.
- 1.8 The SA to the SALP is telling in its positive support for Exning as an appropriate location for development including at paragraph 10.4.3 “There are notable primary school capacity issues at Lakenheath, Beck Row and West Row, and Kentford is notable for not having a primary school’ (notably Exning is excluded). Paragraph 10.15.10 ‘sites at most of the main settlements are primary villages (all other than Newmarket and Exning) fall within the buffer of 7.5km around the Breckland SPA. Paragraph 10.19.4 ‘the approach to growth at the primary villages is notable, given the lack of local facilities and relatively poor public transport connectivity. Exning and Kentford are better connected than the other two primary villages... although Kentford is notable for not having a primary school.’
- 1.9 It is relevant to note that FHDC’s draft IDP to 2031 on page 55 states that the nearest health facilities to Exning are in Newmarket. Our representations to the plan seek to provide land for a new health centre to service Exning.
- 1.10 Table 8.1 of the SA of the SALP sets out the ‘omitted sites’, which are the sites given particular focus and attention, including our site E/03. Table C of the SA to the SALP sets out the site option appraisal findings and which identifies site E/03 in yellow which is a site *“which could offer some level of benefit to counteract or offset any negative impacts associated with sustainability.”*
- 1.11 It is worth noting on page 90 of the SA to the SALP that the SA prescribes a red (grade 1 or 2) agricultural land classified for site E/03. This is not correct. Our representation to the Issues and Options consultation confirmed that the ALC for site for E/03 is grade 3 and should have been prescribed as amber with our allocation offering assistance with developing a health facility this would change the traffic light (column 6) from amber to green.
- 1.12 In summary, our objections to the Deposit Plan 24911 and 24912 contain the up to date evidence needed by the LPA/Inspector to be able to come to a considered view that site E/03 is a deliverable site and which is an appropriate location when considered against reasonable alternatives, offering considerable benefit of 150 dwellings, public open space, health centre,

replacement and new allotments. This proposed allocation which could be delivered within the first 5 years of the plan should be given serious consideration as a reasonable alternative/ addition to the plan if the soundness of the plan is called into question in terms of the necessity for reasonable alternative/additional sites to make the plan sound. Site SA12 (b) is available, achievable and deliverable.

Changes Required to the SALP to make the Plan Sound.

- 1.13 We have set out below appropriate policy wording (for ease of reference) for a housing allocation as an alternative to site SA12(a) or an addition to SA12(a) which can be accommodated in highway, noise and air quality terms (see supporting statements attached to representations 24911 and 24912).

“Add new site SA12(b) Location - Land off Heath Lane, Exning Area (Hectares) - 11.26 Indicative Capacity - 150 dwellings. Our suggested rewording for Policy SA12 is:

The sites are identified on the Policies Map (site identified in Appendix A)

SA12 (b) The following specific requirements should be met:

A) The amount of land available for development, access arrangements, design, open space and landscaping will be informed by a Development Brief (to include replacement and new allotments, public open space and land for a new community health centre to serve Exning) for the whole 11.26ha site. Applications for planning permission will only be determined once the Development Brief has been adopted by the local planning authority. Any application for planning permission should be in accordance with the approved Development Brief;

B) Strategic landscaping and open space must be provided to address the individual site requirements and location;

C) Adequate access should be provided to the satisfaction of the Highways Authority. Sustainable travel provision including facilities for pedestrians and cyclists should be made with links to existing networks.”

APPENDIX A

POLICIES MAP

Proposal Site SA12 (b) - Proposed 150 dwellings, and Associated Development, Land off Heath Lane, Exning



