

## **Report to West Suffolk District Council**

by

**Rosalyn Kirby BA (Hons) DipTP MRTI**

and

**William Fieldhouse BA (Hons) MA MRTPI**

Inspectors appointed by the Secretary of State

Date: 1 July 2025

---

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the West Suffolk Local Plan**

The Plan was submitted for examination on 24 May 2024

The examination hearings were held between 5 November 2024 and 11 December 2024

File Ref: PINS/F3545/429/1

## Contents

Abbreviations used in this report.....	4
Non-Technical Summary.....	5
Introduction .....	6
Context of the Plan.....	7
Public Sector Equality Duty.....	8
Assessment of Duty to Co-operate.....	8
Assessment of Other Aspects of Legal Compliance .....	10
Assessment of Soundness.....	13
Issue 1 – Housing and employment land requirements.....	13
Issue 2 – Spatial strategy .....	17
Issue 3 – Site selection methodology .....	22
Issue 4 – Viability .....	23
Issue 5 – Transport impacts .....	25
Issue 6 – Housing allocations.....	26
Issue 7 – Housing land supply .....	48
Issue 8 – Housing development management policies .....	53
Issue 9 – Traveller accommodation.....	58
Issue 10 – Economic development policies, allocations and land supply.....	60
Issue 11 – Horse racing industry and equestrian development.....	66
Issue 12 – Climate change, health and design policies.....	69
Issue 13 – Natural environment, landscape and biodiversity policies .....	76
Issue 14 – Historic environment policies .....	79
Issue 15 – Community facilities allocations and policies .....	81
Issue 16 – Other policies.....	86
Overall Conclusion and Recommendation .....	88

Schedule of Main Modifications.....	Appendix
-------------------------------------	----------

## Abbreviations used in this report

2004 Act	The Planning & Compulsory Purchase Act 2004 (as amended)
2012 Regulations	The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
BNG	Biodiversity Net Gain
Building Regulations	The Building Regulations 2010 (as amended)
ELR	West Suffolk Employment Land Review Study (November 2021)
ELR Update	The Employment Land Review Update (September 2024)
Habitats Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HRA	Habitats Regulations Assessment
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SAC	Special Area of Conservation
SANG	Sustainable Alternative Natural Greenspace
SPA	Special Protection Area
sqm	square metres
SSSI	Site of Special Scientific Interest
The Council	West Suffolk Council
The Plan	The West Suffolk Local Plan Submission Draft January 2024

## Evidence and Examination Documents

All of the Council's supporting evidence submitted with the Plan along with documents that we issued, requested or accepted during the examination were published on the examination website. Each document has its own individual reference number such as A1, B1a, D7, IN4, etc. Where appropriate, we refer to documents by their reference numbers in this report.

## Non-Technical Summary

This report concludes that the West Suffolk Local Plan provides an appropriate basis for the planning of the District, provided that a number of main modifications are made to it. West Suffolk Council has specifically requested that we recommend any main modifications necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The main modifications were subject to public consultation over a six-week period in March and April 2025. In some cases we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment, and all the representations made in response to consultation on them.

The main modifications can be summarised as follows:

- Amend the plan period from 2023-2040 to 2024-2041.
- Amend policy SP9 and key diagram to clarify the spatial strategy.
- Update the minimum housing requirement from 806 to 765 homes per year to reflect latest local housing need calculated using the standard method.
- Update the total housing land supply (14,875 homes) to take account of the latest information for the modified plan period 2024-2041 (from 15,486 homes 2023-2040).
- Update the employment land requirement to 86 hectares for the modified plan period 2024-2041 (from 63 hectares 2023-2040).
- Update the total employment land supply (90 hectares) to take account of the latest information for the modified plan period 2024-2041 (from 86 hectares for 2023-2040).
- Delete the restriction on large scale logistics development over 9,000 sqm.
- Amendment to policy SP15 to ensure it is effective in securing the provision of transport and other infrastructure improvements needed to support development.
- Amend the requirements relating to site allocations to ensure that they are justified, effective and consistent with national policy.
- Amend various policies to reflect the findings of the Habitats Regulations Assessment.
- Various amendments to ensure the Plan provides an effective strategic framework for neighbourhood plans.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains our assessment of the West Suffolk Local Plan (the Plan) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (NPPF) published in September 2023 (paragraph 35) makes it clear that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy<sup>1</sup>.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The West Suffolk Local Plan Submission Draft, submitted in May 2024, is the basis for our examination<sup>2</sup>. It is the same document as was published for consultation under regulation 19 in January 2024.

## Main modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we recommend any main modifications necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. Our report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal and habitats regulations assessment of them. The main modification schedule was subject to public consultation for six weeks in March and April 2025. We have taken account of the consultation responses in coming to our conclusions in this report and in this light we have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes, sustainability appraisal or habitats regulations assessment that has been undertaken. Where necessary we have highlighted these amendments in the report.

---

<sup>1</sup> The transitional arrangements in the versions of NPPF published in December 2023 and December 2024 mean that we examined the Plan in the context of NPPF published in September 2023.

<sup>2</sup> A1.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the West Suffolk Submission Draft Policies Maps<sup>3</sup>.
6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, a number of the published main modifications to the policies and site maps in the Plan require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the main modifications as “West Suffolk Local Plan Policies Map Modifications 2025”.
7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan’s policies, the Council will need to update the adopted policies map to include all the changes proposed in West Suffolk Submission Draft Policies Maps and the further changes published alongside the main modifications.

## Context of the Plan

8. West Suffolk is located between Mid Suffolk and Babergh districts to the east; Cambridgeshire to the west; Norfolk to the north; and Essex to the south. It is a predominantly rural district with six historic towns, including Bury St Edmunds and Newmarket, and numerous villages and hamlets. The A14 crosses the district from east to west, and the A11 from north to south. There are railway stations in Bury St Edmunds, Newmarket, Lakenheath and Brandon.
9. The district has a population of around 180,000 people, and the number of households increased by nearly 11% between 2011 and 2021. There is a diverse economy, including businesses in the tourism, food and drink, life sciences and advanced manufacturing sectors and two major United States Air Force bases. Newmarket is the “home of horse racing” with more racehorses, trainers, stable staff, stud farms and racing organisations in and around the town than anywhere else in the world.

---

<sup>3</sup> A5.

10. The district's diverse and locally distinct landscapes include the Fens and Brecks in the north, chalklands to the west around Newmarket, and gently undulating clayland landscapes in the central and southern areas. The historic towns and villages include around 50 conservation areas and over 3,500 listed buildings. There are several areas in and adjacent to the district that are designated for their international, national or local environmental significance including the extensive Breckland Special Area of Conservation (SAC) and Special Protection Area (SPA); Rex Graham SAC; Devils Dyke SAC; and Waveney and Little Ouse Valley SAC.
11. When adopted, the Plan will replace all of the previously adopted development plan documents. It will then form part of the statutory development plan for the district along with made neighbourhood plans and the Suffolk Minerals and Waste Local Plan adopted in 2020.

## **Public Sector Equality Duty**

12. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the particular accommodation needs of travellers, the elderly and those with disabilities; the provision of community facilities and social infrastructure; and the creation of safe, accessible and well-designed places. We consider relevant soundness issues later in this report.

## **Assessment of Duty to Co-operate**

13. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation – the duty to cooperate.
14. The Council's Duty to Cooperate Statement and statements of common ground<sup>4</sup> provide information about engagement with neighbouring and other relevant local planning authorities and prescribed bodies on strategic matters<sup>5</sup> during the preparation of the Plan. These documents demonstrate that all neighbouring authorities and other prescribed bodies consider that the duty to cooperate has been complied with.

---

<sup>4</sup> A8 and A9.

<sup>5</sup> A "strategic matter" is (a) sustainable development or use of land that has or would have a significant impact in at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and (b) sustainable development or use of land in a two-tier area if the development or use is a county matter or would have a significant impact on a county matter [section 33A(4) of the 2004 Act].



15. The main strategic matters addressed during the preparation of the Plan were:

- Strategic pattern and scale of growth, including housing and employment land needs.
- Road and rail implications of cross-boundary routes and projects.
- International, national and locally important conservation sites.
- Water supply and quality.
- Energy supply and capacity.
- Education and primary health care.
- Police and emergency services.
- Tourism, leisure and culture facilities.
- Horse racing industry.
- RAF Mildenhall and RAF Lakenheath.

16. The main methods of engagement used by the Council included inception meetings in 2021; consulting all relevant local planning authorities and prescribed bodies at each stage of the Plan and during the preparation of evidence; bespoke meetings and workshops on particular issues; and preparing position statements at key stages.

17. Whilst a number of strategic matters remained unresolved at the time the Plan was submitted for examination, including in relation to the strategic road network and habitats regulations assessment, that was a consequence of representations made at regulation 19 stage rather than a failure on the part of the Council to try to address them earlier in liaison with the relevant bodies during the preparation of the Plan. In so far as those unresolved issues relate to soundness, we deal with them under the relevant main issues.

18. Demand for large scale strategic logistics development in the wider sub region was considered during the employment land review carried out in 2021 and 2022 and the update to this in 2024. That involved consultation with other relevant local planning authorities who also had opportunities to discuss the matter at various liaison meetings during the preparation of the Plan. Whilst, for reasons set out later in this report, we do not consider the restriction on storage and distribution uses over 9,000 sqm floorspace to be justified, all of the relevant authorities are content that the Council effectively engaged with them in relation to that strategic matter and we agree that was the case.

19. We are, therefore, satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis with relevant authorities and bodies in the preparation of the Plan and that the duty to co-operate has been met.

## **Assessment of Other Aspects of Legal Compliance**

### **Local development scheme**

20. The Plan has been prepared in accordance with the Council's Local Development Scheme updated in June 2023<sup>6</sup>.

### **Public consultation**

21. Consultation on the Plan and the main modifications was carried out in compliance with the Council's Statement of Community Involvement<sup>7</sup>.

### **Sustainability appraisal**

22. The Council carried out a sustainability appraisal throughout the preparation of the Plan. A report and non-technical summary were published alongside the Plan in January 2024<sup>8</sup>. The appraisal was updated to assess the main modifications.
23. The appraisal considered "reasonable alternatives" that took account of the objectives and geographical scope of the Plan and the stage reached<sup>9</sup>. In 2020, all site and broad distribution options were considered, and in 2022 six growth scenarios were appraised to inform the preferred option. Those scenarios included different amounts and distributions of development in the district as a whole and at different settlements. Further scenarios were then considered during the preparation of the submitted plan. Reasonable alternatives were not identified in relation to most development management policies, but where there were sufficiently distinct policy options, including in relation to biodiversity net gain, energy efficiency and affordable housing, different options were appraised.
24. Clearly, different approaches could have been taken to identifying reasonable alternatives, including in relation to the relationship between the amount of development and school capacity; consistency between settlements at the same level in the hierarchy; or the approach to large scale logistics development. It is also true that different judgements about the effects of different options could have been reached. However, this does not mean that the approach taken was not justified or consistent with national policy. Indeed, we are satisfied that it was based on a thorough and systematic approach over

---

<sup>6</sup> A12.

<sup>7</sup> A13.

<sup>8</sup> B1a to B1g and A2 and A3.

<sup>9</sup> SEA Regulation 12(2).

a number of years informed by relevant, proportionate evidence, and that the reports published at different stages are clear and adequate.

25. We are therefore satisfied that the sustainability appraisal is consistent with national policy and complies with the relevant legal requirements.

### **Habitats regulations assessment**

26. A habitats regulations assessment of the submitted Plan, including an appropriate assessment, was undertaken in line with the Conservation of Habitats and Species Regulations 2017 (as amended)<sup>10</sup>. The need for an appropriate assessment was due to the potential for development proposed in the Plan to affect the Breckland SPA and SAC, Rex Graham SAC, Devils Dyke SAC, Fenland SAC, Chippenham Fen Ramsar Site, Wicken Fen Ramsar Site, and Waveney and Little Ouse Valley Fen SAC. The assessment was updated during the examination to further consider air quality, water quality and recreational pressure following advice from Natural England<sup>11</sup> and again to consider the main modifications.
27. The assessment finds that the Plan, either alone or in combination with other relevant projects and plans, would result in likely significant effects on some of the protected habitats sites in and close to the district without mitigation. These effects include those associated with recreational use and disturbance to birds, mechanical/abrasive damage and nutrient enrichment, disturbance or loss of functionally linked land, particularly in respect of stone curlew and the Breckland SPA, hydrological changes and atmospheric pollution.
28. The assessment concludes that with the mitigation included in the Plan, and the implementation of a Recreational Disturbance Avoidance and Mitigation Supplementary Planning Document (or equivalent) which the Council is committed to, there will be no adverse effect on the integrity of any habitats sites, either alone or in combination with other plans or projects. Such mitigation measures included in the Plan are buffer zones between the Breckland SPA and new residential development as set out in policy SP7 (the evidence for which we consider under main issue 13) and measures set out in policy SP8 relating to the recreational effects of development. The site specific policies for relevant allocations also contain criteria requiring a project level appropriate assessment to be undertaken. Many of the site allocations also require that the development must mitigate for its recreational effects on protected sites.
29. The data used in the assessment in respect of stone curlews is somewhat dated, however it is the most up-to-date survey information available which informs the assessment for the Plan and the suggested mitigation. The PPG

---

<sup>10</sup> A4.

<sup>11</sup> September 2024 AECOM – Core document D12

advises that the assessment must contain “complete, precise and definitive findings and conclusions to ensure that there is no reasonable scientific doubt as to the effects of the proposed plan or project”. But it also recognises an assessment needs to be proportionate and sufficient to support the task of the competent authority in determining whether the plan or project will adversely affect the integrity of the site. We agree with Natural England that the evidence is proportionate and adequate for the purposes of assessing the Plan particularly as the effects on the protected sites will be assessed in more detail as part of planning applications for relevant proposals when required.

30. Accordingly, we find that the Plan is legally compliant with respect to the Habitats Regulations.

### **Strategic priorities**

31. The development plan, taken as a whole, includes policies to address the Council's strategic priorities for the development and use of land in the district<sup>12</sup> relating to climate change; the local economy; homes; rural areas; the built and natural environment; communities, wellbeing and culture; and connectivity and accessibility<sup>13</sup>.

### **Climate change**

32. Section 19(1A) of the 2004 Act requires development plan documents (taken as a whole) to include policies designed to secure that the development and use of land in the planning authority's area contributes to the mitigation of, and adaptation to, climate change. The Plan contains such policies, including strategic policies SP1 (climate change, environment emergency and sustainable development), SP3 (design), SP4 (green infrastructure), SP6 (biodiversity) and SP9 (spatial strategy) along with numerous development management policies.

### **Superseded policies**

33. Regulation 8 parts (4) & (5) require that the policies in a local plan must be consistent with the adopted development plan unless the plan being examined contains a policy that is intended to supersede another policy in the adopted development plan and the plan states that fact and identifies the superseded policy.
34. Paragraph 1.7 states that when the Plan is adopted it will replace all existing development plan documents (except for neighbourhood plans that have been made). Appendix A lists all the existing adopted plans and policies. Main

---

<sup>12</sup> Section 19(1B) of the 2004 Act.

<sup>13</sup> Plan sections 2 and 3.

modifications are required to Appendix A to ensure that the relevant policies in the Plan which supersede each policy in the adopted plans are specified [MM132].

### **Other legal requirements**

35. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

## **Assessment of Soundness**

### **Main Issues**

36. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified 16 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Are the housing and employment land requirements identified in the Plan positively prepared, justified and consistent with national policy?**

#### **Plan period**

37. The Plan covers the period 1 April 2023 to 31 March 2040. However, the Plan is not expected to be adopted until 2025/2026 meaning that its strategic policies would not look ahead over a minimum 15 year period from adoption as expected by national planning policy<sup>14</sup>.
38. Plans should be based on up to date evidence<sup>15</sup>. The housing requirement in the Plan is based on local housing need calculated using the standard method and 2023 data, whereas the employment land requirement is based on sectoral forecasts from August 2020 and past rates of development in the period 2009 to 2019<sup>16</sup>. More recent housing affordability data relevant to the standard method was published shortly before the Plan was submitted for examination, and comprehensive housing land supply information relating to 1 April 2024 was published in September 2024. The employment land need and supply evidence was also updated in September 2024, based on the latest available information.

---

<sup>14</sup> NPPF 22.

<sup>15</sup> NPPF 31 and PPG ID-2a-008.

<sup>16</sup> B71a section 6.2 (paragraphs are not numbered).

39. The Plan is based on a wide range of evidence, much of which is not sensitive to changes that take place over a year or so. Some of it needed to be updated during the examination, including the sustainability appraisal and habitats regulations assessment, whereas other documents such as the infrastructure delivery plan will be updated periodically as a matter of course. The Council's assessment of the need for affordable housing shows a level of need which will not be met through the application of policies in the Plan; this is a matter that we return to below. For that reason, updating that assessment of affordable housing need to take account of more recent detailed information would be highly unlikely to make any material difference to our assessment of the Plan.
40. In order to reflect the latest, up to date evidence relating to housing and employment land requirements and supply, and ensure that strategic policies look forward 15 years from adoption, we therefore conclude that the Plan needs to be modified to cover the period 1 April 2024 to 31 March 2041. This will ensure that the Plan is justified, effective and consistent with national policy. We turn now to consider the Plan's housing and employment land requirements, in the context of that conclusion about the plan period.

### **Housing requirement**

41. As stated earlier, we are examining the Plan in the context of NPPF published in September 2023 and the relevant associated planning policy guidance including that relating to calculating local housing need. Revised NPPF was published in December 2024 along with a new standard method for calculating local housing need. Whilst this is not directly relevant to the soundness of the Plan due to the transitional arrangements, it does provide context for our consideration of this issue. That is because the revised standard method indicates a level of local housing need that is significantly greater than assumed in the Plan, and the transitional arrangements mean that the Council will be expected to update the Plan at the earliest opportunity following adoption. In other words, whilst this Plan, as modified to be consistent with current national policy, will look ahead to 2041, its housing requirement and supply are likely to be updated many years before that.
42. Policy SP10 refers to provision being made for at least 13,702 new homes (net) to meet West Suffolk's local housing need between 1 April 2023 and 31 March 2040. Paragraph 4.4.7 refers to an annual requirement of 806 homes per year. That figure was calculated using the relevant standard method which the NPPF expects to be used to determine the minimum number of homes needed unless exceptional circumstances justify an alternative approach.
43. National planning policy guidance advises that local housing need should be kept under review and revised where appropriate during the preparation of the Plan (but can then be relied on for two years following submission for examination). Local housing need calculated using the standard method based

on the relevant data at the time the Plan was submitted for examination was 765 homes per year from 1 April 2024 which represents a total of 13,005 over the period 2024 to 2041.

44. As we have concluded that the plan period needs to be modified to 2024 to 2041, it is necessary to use the local housing need figure (765) that relates to 1 April 2024 as the minimum starting point for the consideration of what the Plan's housing requirement should be. To continue to use the higher figure relating to 2023 would be inconsistent with national policy, and not represent an approach based on the standard method for the relevant modified plan period. However, that does not mean that the Plan should not include a housing requirement higher than standard method local housing need; we turn to consideration of that now.
45. National policy is clear that local housing need provides a minimum starting point in determining the number of homes needed in an area, and advises that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates, including where there are deliverable growth strategies, strategic infrastructure improvements that are likely to drive an increase in the homes needed, or unmet need from neighbouring authorities. None of those circumstances are directly applicable to West Suffolk.
46. Whilst there is some evidence to indicate that the size of the projected working age population may not align with that suggested by employment forecasts, the relationship between those projections is complex, the forecasts are likely to change over time, and there is no requirement in national planning policy to depart from the standard method for that reason. No neighbouring authorities, including in Cambridgeshire, have identified unmet housing need or consider that more homes are needed in West Suffolk to support economic growth in the wider sub region.
47. The number of homes built each year in the district between 2011 and 2024 has varied considerably, from 466 to 1,003. Whilst completions have tended to be higher in recent years, the annual average over that 13 year period is around 700 per year. Previous levels of housing delivery have not, therefore, been significantly greater than the outcome of the standard method.
48. National planning guidance advises that an increase in the total housing figures included in a local plan may need to be considered where it could help deliver the required number of affordable homes. That is relevant in this case as there is no doubt that the requirements in the Plan for the provision of affordable housing as part of market-led schemes will not deliver sufficient affordable homes to meet identified needs in full. The Council considered various growth scenarios up to 18% above the standard method through the sustainability

appraisal which identified various environmental and other issues associated with those scenarios. The appraisal also identifies benefits associated with the Plan including a supply of land that significantly exceeds the minimum amount needed to accommodate local housing need, including in terms of providing more affordable homes. We are satisfied, therefore, that adequate consideration was given to whether the “total housing figures” (requirement and supply) should be increased for that reason. We return to the issue of the extent to which the housing land supply exceeds the minimum housing requirement, and the implications for affordable housing, later in this report.

49. We therefore conclude that the inclusion of a minimum housing requirement based on local housing need is a justified approach consistent with national planning policy. However, to reflect the modified plan period, policy SP10 and associated reasoned justification need to be modified to refer to provision being made for at least 13,005 new homes (net) to meet West Suffolk’s local housing need between 1 April 2024 and 31 March 2041 (765 per year) [MM30].

### **Employment land requirement**

50. The reasoned justification to policy SP12 refers to a forecast demand for 63 hectares of employment land between 2023 and 2040. This is based on the West Suffolk Employment Land Review Study (November 2021) (ELR) and Addendum (May 2022)<sup>17</sup>. That analysis looked at demand for floorspace and land derived from forecasts of employment change by sector, which were then sensitivity checked, and took account of market signals and the wider functional economic market area.
51. National policy expects evidence to be up to date, and guidance advises that evidence documents, especially those relating to development needs and land availability that date from two or more years before the submission date, may be at risk of having been overtaken by events, particularly as they may rely on data that is even older<sup>18</sup>.
52. The Employment Land Review Update (September 2024) (ELR Update)<sup>19</sup> took account of the latest econometric forecasts and take-up data and considered the need for strategic distribution uses taking account of sub-regional demand. This ELR Update did not revisit all sections of the 2021 ELR and the 2022 Addendum, so all three documents need to be read alongside each other.
53. The ELR Update aligns with the modified plan period 2024-2041 and identifies a demand for a total of 86 hectares of employment land between those dates. This comprises a total local demand for 51 hectares of employment land for

---

<sup>17</sup> B71a and B71b.

<sup>18</sup> Procedure Guide for Local Plan Examinations paragraph 1.12.

<sup>19</sup> D13.



office (7 hectares), industrial (13 hectares) and warehouse (31 hectares) uses. In addition, the past take up scenario identified a need for 35 hectares of land for sub-regional strategic distribution uses based on development in recent years at the West Suffolk Business Park. Whilst it is clear that demand for strategic logistics development in West Suffolk and the wider functional economic market area, particularly along the A14 corridor is strong, we consider that the assessment taken in the ELR Update is proportionate and adequate until an approach has been agreed amongst the relevant authorities in the wider area.

54. Taking a sub regional approach in the longer term is consistent with national guidance<sup>20</sup> which sets out that where a need for such facilities may exist, strategic policy-making authorities should collaborate with other authorities, infrastructure providers and other interests to identify the scale of need across the relevant market areas. It also advises that consideration will then need to be given to the most appropriate locations for meeting these identified needs. It is clear that no neighbouring authorities, including in Cambridgeshire, have identified unmet economic need or consider that more employment space is needed in West Suffolk to support economic growth in the wider sub region.
55. The assessment of need is based on a sufficiently long period to take adequate account of different market conditions and other changes in circumstances including the impact of the pandemic. We are satisfied that the ELR and updates, which included consultation with landowners, estate agents, public bodies and other stakeholders, take sufficient account of market factors and provides an up-to date, proportionate and adequate assessment of employment need in the district. Policy SP12 and the reasoned justification therefore need to be modified to refer to the latest assessment of need for industrial, warehouse and office floorspace over the revised period 2024 to 2041 (86 hectares in total) [MM43].

## Conclusion

56. Subject to the modifications described above, the Plan's housing and employment land requirements are positively prepared, justified and consistent with national policy.

## Issue 2 – Is the Plan's spatial strategy appropriate, taking into account reasonable alternatives, and will it be effective in contributing to the achievement of sustainable development?

57. The Plan's spatial strategy seeks to protect and enhance the natural, built and historic environment, and directs new homes and employment development to

---

<sup>20</sup>Paragraph: 031 Reference ID: 2a-031-20190722

the most sustainable locations where people can readily access jobs, services and facilities. The strategy, which is based on a defined settlement hierarchy, is set out in policy SP9, but also expressed through other policies including LP17 (settlement boundaries) and LP18 (development in the countryside) as well as the distribution of development proposed in the Plan. The spatial strategy was chosen following consideration of reasonable alternatives through the sustainability appraisal including a focus on new settlements, a focus on the towns and key service centres, greater dispersal to local service centres, and greater dispersal to Type A villages.

## **Settlement hierarchy and settlement boundaries**

58. The settlement hierarchy comprises 5 towns, 7 key service centres, 12 local service centres, 16 type A villages and 27 type B villages. It is based on an audit of services and facilities in all settlements<sup>21</sup>, and takes account of representations from relevant parish councils and other consultees. Essentially, the hierarchy is based on the extent to which day to day needs can be met in each settlement, but also factors in population size and opportunities to access higher order settlements by public transport, walking and cycling.
59. The approach taken involved a degree of judgement, rather than following a rigid, formulaic approach, as this allowed for consideration to be given to the spatial and functional relationship between places, the specific nature and role of the facilities in any particular place, and the fact that they can change over time. This has resulted in some instances of apparent inconsistencies with some villages with the same number and type of services being categorised differently. There are also some services and facilities that have reduced or been lost since the audit was carried out in 2021, for example the closure of early years provision in Freckenham (type A village). There are also, however, instances of services and facilities that have been or are being improved, for example in Icklingham (type B village) and in Kennett (in East Cambridgeshire) close to Kentford (type A village). Such changes will no doubt continue to occur, and we assume will be taken into account by the Council when the Plan is reviewed. None of these factors indicate to us that the approach taken by the Council was not appropriate or adequate.
60. It is of course also the case that different criteria could have been used (for example whether a settlement had a place of worship, or a primary school and/or job opportunities nearby but outside the boundary), and that different judgements could have been made resulting in some variations to the hierarchy. Bury St Edmunds, by far the largest town with the greatest range and number of services and facilities, could have been categorised in a top tier of its own. However, there is no national policy or other good reason why that is necessary. Overall, we are satisfied that the hierarchy identified in the Plan is appropriate,

---

<sup>21</sup> Sustainable Settlements Study B27a (2022) and B27b (2020).

based on proportionate and adequate evidence having taken account of reasonable alternatives identified during the two iterations of the study in 2020 and 2022. It is a sound basis for ensuring that the Plan's spatial strategy contributes towards the achievement of sustainable development.

61. The boundaries of all settlements in the hierarchy are defined on the Policies Map and are based on a consistent methodology that took the existing boundaries in the Council's existing adopted plans as the starting point with amendments to take account of physical changes on the ground and allocations in the Plan and neighbourhood plans<sup>22</sup>. Essentially, the boundaries define the main physical built up area of each settlement, with certain peripheral land uses such as particular types of community facility, existing employment uses, large gardens, woodland and other greenspaces being excluded. We are satisfied that the approach was appropriate and consistent, and that (other than in a limited number of instances) it has resulted in a logical and identifiable boundary around each settlement that forms a justified and effective basis for applying relevant policies in the Plan. The exclusion of the numerous buildings and associated grounds and woodland on the edge of Kentford, used by the Animal Health Trust, from the settlement boundary is consistent with the methodology, notwithstanding the fact that the lawful use may fall within Class E.
62. There are, however, a limited number of changes that need to be made to the detailed settlement boundaries on the Policies Map to accurately reflect the extent of planning applications and allocations, including at Bury St Edmunds (AP6), Wickhambrook (AP53) and Cavendish (to exclude a site that was an allocation in a previous plan that is not carried forward). This will ensure that relevant policies can be effectively applied in a justified manner.

### **Distribution of homes proposed in the Plan**

63. The allocations proposed in the Plan along with commitments are expected to result in over 10,000 new homes being located at the 5 towns, around 2,000 at the key service centres, around 800 in the local service centres, and around 120 in the type A villages. This overall distribution between different levels of the hierarchy is clearly consistent with the aim of the spatial strategy which is to direct the provision of new homes to the more sustainable settlements.
64. The fact that the number of new homes at settlements within the same tier of the hierarchy varies significantly is largely the consequence of the availability of suitable sites having regard to infrastructure constraints and environmental capacity. This is illustrated most markedly by the fact that only 50 new homes are allocated at Brandon, one of the 5 towns, due to its proximity to the Breckland SPA and SAC and the impacts that an increased population would have on the integrity of those sites as identified through the habitats regulations

---

<sup>22</sup> West Suffolk Settlement Boundary Review 2023 [B32.]

assessment. Decisions about whether or not to allocate new sites at particular settlements also took account of existing commitments and past rates of development; those are reasonable and relevant considerations.

65. Policy SP11 states that the minimum housing requirement for each designated neighbourhood area is set out in appendix G, and that the Plan includes allocations to meet those requirements meaning that there is no need for neighbourhood plans to include additional allocations although they may choose to do so to address local needs. This is consistent with national policy which expects housing requirements for designated neighbourhood areas to reflect the overall strategy for the pattern and scale of development and any relevant allocations, and for neighbourhood plans not to promote less development than set out in strategic policies<sup>23</sup>. However, to be clear and effective, appendix G needs to be modified to be consistent with policy SP11 **[MM137]**. Furthermore, the introduction to the Plan needs to be modified to clarify that all allocation policies are strategic (with consequential changes elsewhere), and policy SP11 needs to state that neighbourhood plans must be consistent with the site allocations **[MM1 and MM31]**. This will ensure that neighbourhood plans do not undermine the Plan's spatial strategy, as national policy expects<sup>24</sup>.

### **Policies SP9 (spatial strategy) and LP17 (housing settlement boundaries)**

66. For the reasons set out above, the Plan's spatial strategy, and its expression through the proposed distribution of new homes, is justified and consistent with national policy. However, policy SP9 needs to be modified to ensure that it is clearly written and unambiguous, and to remove elements that duplicate other policies or are actually reasoned justification rather than planning policy (including the table summarising the distribution of new homes based on the land supply identified in the Plan). Non-strategic policy LP17, which supports residential development within settlement boundaries, needs to be included as part of SP9 as it is an important part of the spatial strategy **[MM25 and MM28]**. For clarity and effectiveness, the settlement hierarchy needs to be moved to a separate, additional strategic policy with a clear statement that development proposals are expected to have regard to the position of the site within the hierarchy **[MM27]**.
67. The reasoned justification to policy SP9 needs to be modified to delete references to the scale of development, expressed in terms of an indicative maximum number of homes, considered appropriate at settlements in different levels of the hierarchy. This is because such statements could be interpreted as policy relevant to the determination of planning applications which would not be justified, effective or consistent with all of the allocations in the Plan. Other policies in the Plan relating to development within and outside settlement

---

<sup>23</sup> NPPF 29 and 66.

<sup>24</sup> NPPF 29.

boundaries provide an effective framework for considering planning applications on unallocated sites [MM25].

## **Development in the countryside**

68. Non-strategic policy LP18 needs to be modified to recategorise it as a strategic policy as it forms an important part of the spatial strategy. It also needs to be modified to remove elements that are covered in other policies (including residential development outside settlement boundaries) and clarify that it relates to economic development and essential utilities in the countryside [MM29]. This will ensure that it is effective, and that neighbourhood plans are in general conformity with it. We consider the other policies relating to specific types of development in the countryside under subsequent main issues.

## **Infrastructure**

69. Policy SP15 aims to ensure that necessary new or improved hard/physical, green/blue, and social/community infrastructure is delivered (on- and/or off-site) alongside development at the appropriate time, and that existing infrastructure is protected and enhanced for the future. This is consistent with national policy relating to the achievement of sustainable development and the expectation that a local plan's strategy makes sufficient provision for all types of infrastructure<sup>25</sup>. However, to be effective, policy SP15 and associated reasoned justification need to be modified to clarify the requirements relating to education and health facilities and transport infrastructure. With regard to the latter, the changes should ensure that the Plan is effective in mitigating the direct and cumulative impacts of development on the road network primarily through packages of measures to encourage modal shift and maximise the use of sustainable transport [MM58].

## **Key diagram**

70. The Plan's key diagram needs to be modified to clearly indicate the broad locations for development in relation to the settlement hierarchy and significant transport infrastructure. The "key constraints" need to be removed, as their indicative definition makes the diagram difficult to understand. These changes will ensure that the key diagram effectively illustrates the Plan's spatial strategy [MM26].

## **Conclusion**

71. The main modifications to the various components and expressions of the spatial strategy described above will ensure that the Plan is effective by

---

<sup>25</sup> NPPF 8 and 20.

providing a clear framework for preparing and determining planning applications and making neighbourhood plans. Subject to those modifications, therefore, the Plan's spatial strategy is appropriate, taking into account reasonable alternatives, and will be effective in contributing to the achievement of sustainable development in the district.

### **Issue 3 – Were the allocations in the Plan selected using an appropriate methodology based on proportionate, adequate, up-to-date evidence?**

72. Section 5 of the Plan sets out all of the sites allocated for housing, employment, mixed use and other types of development. In total, there are just over 60 allocations, the vast majority of which are for residential development, some also with economic development proposed on part of the site. Those allocations were selected from a total of nearly 300 sites suggested to the Council during the preparation of the Plan. The methodology used to select the allocations is described in detail in a Topic Paper published during the examination<sup>26</sup>.
73. A range of sources informed the selection of sites for allocation in the Plan including the Strategic Housing and Economic Land Availability Assessment<sup>27</sup> (undertaken in accordance with national guidance<sup>28</sup>); evidence studies (including opportunity and constraints studies, strategic flood risk assessment level 1 and 2<sup>29</sup>, landscape character assessment, heritage impact assessment, and wildlife audits); representations in response to issues and options and preferred options consultations; dialogue with infrastructure and service providers; and site visits<sup>30</sup>.
74. The allocations were selected in the context of the Plan's spatial strategy which we concluded under the previous main issue is sound. This meant that some suggested sites were considered to be unsuitably located by virtue of not adjoining one of the settlements above the type B villages in the hierarchy. Other sites were considered unsuitable on the basis of flood risk or other environmental constraints, with judgements being informed by the various sources of information referred to above.
75. All potentially suitable allocations were subject to sustainability appraisal carried out at the issues and options stage in 2020 and preferred options stage in 2022 as they were considered to be reasonable alternatives. The Omission Sites Report 2024<sup>31</sup> lists all of the sites considered during the preparation of the Plan

---

<sup>26</sup> Site Selection Topic Paper September 2024 [D11].

<sup>27</sup> B25.

<sup>28</sup> PPG ID:3.

<sup>29</sup> Development on all of the allocations can be accommodated outside areas at risk of flooding.

<sup>30</sup> Plan paragraph 1.53 and D11.

<sup>31</sup> B31.

and summarises the reasons why each is not allocated. That makes clear that some omission sites are suitable and available but were not allocated as they are not required to meet the identified need for housing and economic development.

76. It is of course the case that different allocations could have been chosen if a different selection methodology had been used, including taking a more flexible approach to sites that did not adjoin but were reasonably well related to settlements. Similarly, different allocations could have been selected if greater weight had been given to previously developed land, including that with existing E class uses that could be converted to residential; or to land being promoted for development that could help to deliver additional capacity at a particular school. A more refined approach could also have been taken to consideration of whether part of a proposed site was suitable even if other parts were at risk of flooding or unsuitable for other reasons.
77. However, the fact that alternative methods could have been used, and / or different judgements made, does not mean that the Council's approach was not reasonable. We are satisfied that the methodology used was appropriate and justified as it was consistently applied with judgements made on the basis of proportionate, relevant evidence in the context of a sound spatial strategy. Furthermore, for the reasons set out under the previous main issue it has resulted in a distribution of development proposed in the Plan that is consistent with the spatial strategy and national policy. We consider later in this report whether each of the allocations is justified and whether the Plan identifies a sufficient quantity and mix of sites to ensure that the identified need for development can be met in the plan period.

## Conclusion

78. We are therefore satisfied that the allocations in the Plan were selected using an appropriate methodology based on proportionate, adequate, up-to-date evidence.

## **Issue 4 – Is the Plan informed by a proportionate and adequate assessment of viability consistent with national policy and does the evidence demonstrate that the total cumulative cost of all relevant policies will not undermine the deliverability of development?**

79. A viability assessment was carried out between 2021 and 2024 to inform the preparation of the Plan<sup>32</sup>. The assessment adopted a residual land value approach, making informed assumptions about development costs (including the cumulative cost of meeting all national standards and policy requirements in

---

<sup>32</sup> Viability Evidence and Assessment, Dixon Searle Partnership [B9a to B9g].

the Plan), sales values, benchmark land values and developer profits. The development typologies reflect the types of development proposed in the Plan, and a number of specific allocation proposals were tested. Different scenarios were assessed, sensitivity tests undertaken, and consultation carried out with representatives from the development industry, site promoters and affordable housing providers.

80. Some representors have provided their own evidence suggesting that costs associated with construction, section 106 contributions, biodiversity net gain, finance, and professional fees could be higher; sales values could be lower; developer profits should be higher; and benchmark land values should be higher. However, some of the higher costs suggested fall within the range of scenarios tested, and all of the assumptions made in the assessment are based on relevant national or locally specific data and analysis. Overall, we are satisfied that the assessment was carried out in accordance with national planning guidance<sup>33</sup> and the assumptions made were reasonable based on relevant, up to date, adequate evidence.
81. The viability assessment did not specifically consider large scale logistics development. As the submitted Plan includes a policy seeking to prevent storage and distribution uses comprising more than 9,000 sqm of floorspace that is understandable. Whilst we have modified the Plan to remove that restriction as set out under Issue 10, such developments are not specifically proposed nor are they necessary to achieve the Plan's objectives. We do not, therefore, consider any further viability evidence is needed in that regard. Furthermore, given the strong market demand that we were told exists for such types of development in the wider region we assume that if a planning application were to be put forward it would be on the basis that the proposal is viable.
82. The viability assessment indicates that the total cumulative cost of all relevant policies, including the requirements for affordable housing, will not undermine the viability of the development that the Plan assumes will take place during the plan period.

## Conclusion

83. We therefore conclude that the Plan is informed by a proportionate and adequate assessment of viability consistent with national policy which demonstrates that the total cumulative cost of all relevant policies will not undermine the deliverability of development.

---

<sup>33</sup> PPG ID:10.



**Issue 5 – Is the Plan informed by proportionate and adequate evidence about transport impacts, and does the evidence demonstrate that the development proposed will not have an unacceptable impact on highway safety and that the residual cumulative impacts on the road network will not be severe?**

84. The West Suffolk Local Plan Transport Mitigation Report 2023 and Addendum 2024<sup>34</sup> and further evidence provided during the examination<sup>35</sup> indicate that the development proposed in the Plan, along with other committed and planned development, can be satisfactorily accommodated in the highway network subject to a suite of sustainable mitigation measures aimed at achieving modal shift and reducing car use and, if necessary, the implementation of a number of road improvements, including to certain junctions on the strategic road network (A11 and A14).
85. The Council and Suffolk County Council (the local highway authority) are both satisfied the evidence referred to above is proportionate and adequate, and that the mitigation measures identified are achievable, affordable and will be effective. However, whilst National Highways are also satisfied with the evidence and mitigation measures in most respects, they consider that further detailed modelling is required to fully understand the interactions between A14 junctions 43 and 44 and the local road network in Bury St Edmunds.
86. The specific additional modelling would relate to the relatively short sections of road between junction 43 and the Compiegne Way / Northgate Street roundabout, and between junction 44 and the A134 roundabout to the south and Bedingfield Way / Sainsbury's roundabout to the north. The purpose of that modelling would be to determine whether queues from those roundabouts on the local road network would extend through to the A14 junctions with potential implications for safety and congestion on the A14 main carriageway.
87. Given the specific and limited nature of the additional modelling that is required we are satisfied that it could be reasonably carried out in transport assessments accompanying any relevant planning application relating to the allocations in Bury St Edmunds. If those assessments did indicate that the developments could lead to queues through to the A14 junctions, there would be implications for the detailed mitigation measures that would need to be provided. If site specific measures and sustainable transport measures were not in themselves shown to be sufficient, further mitigations would be required. These have been identified and include road marking changes, signalisation and limited widening at the two A14 junctions, and additional signals on the nearby local road network. The effect of those measures would be to hold back traffic from, and

---

<sup>34</sup> B82 December 2023 and B83 January 2024.

<sup>35</sup> D29 Technical Note 1 (PJA October 2024), D43 Impacts on the SRN Capacity Assessments (PJA 4 November 2024) and D47 Technical Note 2 (PJ 29 November 2024).

prioritise flows on, the A14 slip roads and roundabouts thereby providing sufficient capacity at those junctions. In the longer term, the Council and local highway authority have identified the potential for upgrading and integrating the signals across Bury St Edmunds to manage traffic in the town and further reduce impacts on the A14.

88. The expected costs of the potential mitigation measures that may be required are consistent with the assumptions made in the viability assessment and would be unlikely to prevent or significantly delay the development proposed in the Plan.
89. The distributor road to the west of Bury St Edmunds proposed as part of policy AP4, which for reasons set out later in this report we conclude is justified, was taken into account in the transport evidence referred to above.
90. Overall, therefore, we are satisfied that the Plan is supported by adequate and proportionate evidence of the transport impacts, that effective mitigation measures have been identified, and that there is a reasonable prospect that these could be provided when required to facilitate the development proposed in the Plan. Subject to the modifications to relevant policies that we recommend elsewhere in this report, the Plan will be effective in ensuring that the necessary transport mitigations will be provided.

## **Conclusion**

91. We therefore conclude that the Plan is informed by proportionate and adequate evidence about transport impacts which demonstrates that the development proposed, in combination with other committed and planned development, will not have an unacceptable impact on highway safety and that the residual cumulative impacts on the road network will not be severe.

## **Issue 6 – Are the housing and mixed use allocations that include residential development justified and will the relevant policies be effective in achieving sustainable development on the sites?**

### **Introduction**

92. Section 5 of the Plan sets out all of the sites allocated for housing, employment, mixed use and other types of development. The allocations are categorised by the relevant settlements in the hierarchy i.e. towns, key service centres, local service centres and type A villages. No sites are allocated for residential development in the type B villages or countryside.

93. Each allocation is subject to a specific policy that contains a map of the site and sets out the type and amount of development proposed along with a number of requirements to be met. The allocations are all defined on the Policies Map.
94. We have already concluded that the Plan's spatial strategy is sound, and that the methodology used to select the allocations and the viability assessment were appropriate in that context. For the reasons set out later in this report, we conclude that the allocations, along with the other elements of the housing land supply identified in the Plan, will provide a sufficient quantity and mix of sites to ensure that housing needs can be met over the plan period.
95. In general terms, therefore, each of the housing and mixed use allocations that propose residential development is justified. However, main modifications are required to the site allocation policies to ensure that they are consistent with national policy and effective in achieving sustainable development. Where relevant, we set these out in relation to individual sites below. In addition, there are several changes required that are common to all or many of the allocations which we deal with first.

## **General issues with allocation policies**

### **Strategic and non-strategic allocations**

96. The introduction to section 5 of the Plan states that the site allocations are identified as strategic or non-strategic, the former being important in addressing the Council's strategic priorities for the area. However, as all of the allocations are required to ensure that the district's housing needs can be met, neighbourhood plans will need to be consistent with, and not undermine any of them. The Plan therefore needs to be modified to delete references to allocation policies being either strategic or non-strategic and to refer to the allocations collectively in strategic policies SP10 (housing needs) and SP11 (neighbourhood plans) **[MM1, MM30, MM31, MM65 and MM66]**.

### **Number of dwellings proposed**

97. The allocation policies refer to the number of dwellings proposed in various different ways which causes ambiguity, and the references in some for "up to" a number of homes are not justified or consistent with national policy which expects development to make efficient use of land. Each allocation policy should therefore be modified to refer to "around" a number of homes. Furthermore, the introduction to section 5 of the Plan needs to be modified to explain that the purpose of stating an approximate number of homes on each allocation is to give an indication of the scale of development expected but that the actual number will be determined through the planning application process in the context of the relevant policy requirements in the Plan and the objective of making efficient use of land **[MM65]**.

### Consistency with the Plan's thematic policies and national policy

98. Some of the requirements in the allocation policies summarise a requirement set out in more detail in a thematic SP or LP policy in the Plan causing ambiguity and internal inconsistency. There are also some parts of the allocation policies that add no site-specific detail to requirements that are covered by SP or LP policies that would apply to all development. There are others where site-specific detail needs to be added in the interests of clarity, or changes need to be made to ensure consistency with national policy. To address these soundness issues the following changes are required where relevant to the allocation policy:

- Delete references to providing “adequate access” and transport assessments where no site-specific detail is made, and refer to “safe and suitable access for all users” where there are site-specific requirements.
- Add cross reference to, and delete summary of, relevant SP or LP policies where it needs to be made clear that they are specifically relevant to an allocation due to its location or characteristics, for example SP7 (project level habitats regulations assessment), LP50 (listed buildings), LP51 (non designated heritage assets), LP53 (conservation areas), LP55 (archaeological evaluation), and LP57 (sustainable travel connections).
- Add reference to the Breckland SPA and SAC or other relevant protected site in the requirements relating to recreational disturbance and policy SP8 where relevant due to the location of the allocation.
- Add a requirement to ensure the Glen Chalk SSSI and Horringer Court Caves SSSI are protected where relevant due to the location of the allocation.
- Add a requirement for the development to take account of infrastructure including sewers and water mains where present on site.
- Change the references to custom and self build plots from being “required” to “encouraged” to be consistent with policy LP25.

99. These changes are included, where relevant, in the modifications to the allocation policies to ensure that they are effective and/or consistent with national policy [MM67 to MM130]. Whether additional police infrastructure is essential to facilitate development on any of the allocations can be considered at the planning application stage in the context of policy SP15 meaning that it is unnecessary to modify the allocation policies to include such a requirement. We deal now with each allocation to consider any site specific soundness issues.

## **Allocations in Towns**

100. The sites proposed for residential development in the five towns (Brandon, Bury St Edmunds, Haverhill, Mildenhall and Newmarket) identified in the settlement hierarchy are collectively expected to accommodate a total of over 10,000 homes or around 70% of the total supply in the district. Additional new homes are expected to be provided on windfall sites in the towns. This reflects the spatial strategy set out in policy SP9.

### **Brandon**

#### **AP1 Warren Close, Brandon**

101. Brandon is a town with a population of around 9,000 people, described in the Plan as a sustainable higher tier settlement where development in the region of around 50 homes per year would normally be permitted. However, the proximity of the Breckland SPA / SAC and associated buffers mean that only one site is allocated: AP1 Warren Close which is a previously developed site in the town with capacity for around 20 homes. No changes are required to the policy other than to the parts relating to access, sustainable travel connections, the Breckland SPA / SAC, and archaeology for the reasons set out above [MM67]. There is a realistic prospect that the development will be completed by March 2031.

### **Bury St Edmunds**

102. Bury St Edmunds is the largest town in West Suffolk with a population of around 42,000 people, a good range of services and facilities, and significant heritage assets. It has good transport connections due to its proximity to the A14 and rail and bus services. Six sites are allocated for residential development which collectively are expected to accommodate around 4,045 new homes during the plan period.

#### **AP3 Land North of Rougham Tower Avenue, Bury St Edmunds**

103. This site comprises the remaining part of an airfield on the eastern edge of Bury St Edmunds and is allocated for around 500 homes and 20 hectares of employment land. We consider parts of policy AP3 relating to employment development under main issue 8.
104. There are listed buildings on the site and policy AP3 requires their protection with an appropriate buffer provided to preserve their setting. The masterplan requirements include the provision of blue and green infrastructure and formal and informal space to accommodate the recreational needs of the community.

Retail uses on the site are unlikely to prejudice the viability of the nearby local centre of Lark Grange.

105. In addition to the general changes relating to sustainable travel connections, custom and self build plots, habitats regulations assessment, project level appropriate assessment, heritage assets and archaeology, policy AP3 needs to be modified to clarify the route of the proposed cycle and footpath link and require an assessment of the impact on the Glen Chalk Caves SSSI and Horringer Court Caves SSSI. These changes [MM69] will ensure that policy AP3 is justified and effective.
106. Subject to the modifications we are satisfied that there is a reasonable prospect that the number of dwellings anticipated can be delivered during the plan period with the needs of older persons being addressed, whilst protecting heritage assets.

#### **AP4 West Bury St Edmunds**

107. Policy AP4 proposes the development of around 600 homes on a 54 hectare site along with a distributor road linking Westley Road to Newmarket Road. The distributor road will serve the development, help mitigate the transport impacts and serve a wider purpose in providing a route from Haverhill to the A14 for HGVs and other traffic, thereby avoiding Westley village and Bury St Edmunds town centre, and reducing the number of vehicles using junction 43 and 44 of the A14.
108. Whilst there are different ownerships across the site, and agreement has not been reached in terms of the delivery of the distributor road, this does not indicate that the site and its requirements cannot be delivered during the plan period. The exact point of connection to the highway network will be determined through a masterplan as will the trigger point for its delivery, which is likely to be determined by up-to-date transport modelling at the time of any planning application; this needs to be added to the policy.
109. Given the above, a distributor road on this site, would in our view be a benefit to both the village of Westley, and to parts of Bury St Edmunds, including the Newmarket Road/Westley Road junction which is also identified as having capacity issues.
110. Although national planning policy supports opportunities to promote walking and cycling, we consider that the requirement for a footway and cycleway underpass is overly prescriptive and is not reasonable or justified to achieve a safe and suitable access for all users. The policy therefore needs to be modified to include a more general requirement for walking and cycling infrastructure, the details of which can be determined through the masterplan process.

111. In addition to the above, general changes relating to sustainable travel connections, custom and self build plots, habitats regulations assessment, project level appropriate assessment, heritage assets and archaeology are necessary. Policy AP4 also needs to be modified to ensure the protection of the Glen Chalk Caves SSSI and Horringer Court Caves SSSI; clarify the location of sustainable travel connections; remove the locational criteria of the burial site to allow flexibility; and specify the presence of water infrastructure to ensure suitable living conditions for future residents. These changes set out above [MM70] will ensure that the policy is justified and effective.
112. It is not necessary to modify the policy to require the provision of a community hub on the allocation, given the sustainable transport links and proximity of the shops and facilities in Ridley Road.
113. Subject to the modifications the allocation will provide a mix of housing during the plan period with the needs of older persons being addressed. The provision of the distributor road is justified and the modification proposed will allow for it to be delivered within an agreed timescale.
114. Subject to the requirements of the policy being met we are satisfied that the number of dwellings anticipated can be delivered during the plan period.

#### **AP5 North-east Bury St Edmunds**

115. This site is allocated for around 1,375 homes. Changes to the policy are necessary, including reference to the numbers of dwellings, SPA and SAC, and sustainable travel connections as set out above, and to ensure that nearby SSSIs are recognised and that the effects of development are assessed. [MM71].
116. Subject to the requirements of the policy being met we are satisfied that the number of dwellings anticipated can be delivered during the plan period and that the site can be developed without unnecessary delay.

#### **AP6 South-east Bury St Edmunds**

117. Development has commenced on this allocation for around 1,250 homes with the first homes occupied in the first quarter of 2025, and the remainder of the dwellings expected to be completed before the end of the plan period. There are two developers involved, implementing the reserved matters permissions as a southern and northern neighbourhood.
118. In recognition of the planning history of the site, the reasoned justification needs to be modified to accurately reflect the above matters as does the Bury St Edmunds settlement constraints map and allocations map.

119. The requirement for proposals to make a positive contribution to reducing the potential for flooding both in the area and downstream in the Lark Valley is not consistent with national planning policy. To achieve this, the requirement relating to flood risk needs to be modified to refer to the proposal not increasing flood risk off site. To ensure that nearby SSSIs are protected modification of the policy is necessary.
120. Other general modifications to policy AP6 are also required as set out above relating to the number of homes, SPA and SAC and project level habitats assessment, and sustainable travel connections **[MM72]**.
121. Subject to the requirements of the policy being met we are satisfied that the number of dwellings anticipated can be delivered during the plan period and that the site can be developed without unnecessary delay.

#### **AP7 North of Mount Road, Bury St Edmunds**

122. To ensure that the policy is effective and justified a modification to the policy is required recognising the correct size of the site (8.04 hectares). It is anticipated that the development of around 120 homes will be complete by 2034.
123. This site is on the opposite side of Mount Road to allocation AP3. The requirement for a 25 metre landscape buffer between the railway line to the north would be similar to that on the adjoining residential site to the west and would provide ecological and recreational benefits. This requirement is therefore justified. Sustainable travel connections between the respective sites would also be provided and are justified.
124. To ensure that nearby SSSIs are protected modification to the policy is necessary. In addition, general modifications relating to custom and self-build plots, sustainable travel connections, nearby habitat sites, project level habitats assessment and archaeology are required **[MM73]**.
125. Subject to the requirements of the policy being met we are satisfied that the number of dwellings anticipated can be delivered during the plan period with the first 30 new homes being completed by March 2031.

#### **AP8 Former railway sidings, Bury St Edmunds**

126. This is a brownfield site which has been delisted as railway sidings so it is available for new housing. Around 200 homes are proposed, which could be increased subject to other development criteria being achieved. Pre application discussions are likely to commence in 2025. At present there are three access



options to serve the development and the most suitable option will form part of these discussions.

127. This is a sustainable location adjoining the railway and close to the station, bus routes and town centre. It is a site where the reliance on a private car would not be great given the proximity to sustainable transport modes. Parking standards are referred to in Policy LP60 and to avoid duplication reference to them should be removed from this policy for effectiveness. General modifications are also required as set out above relating to access, custom and self-build plots, sustainable travel, SPA and SACs, project level appropriate assessments, heritage and archaeology **[MM74]**.
128. Previous masterplans have been produced for this site, but before the specific requirements of policy AP8 had been finalised. Accordingly, and to be consistent with other site allocations, the submission of a masterplan which focusses on the requirements of the policy is a reasonable tool to provide certainty over the details of the development. Whilst the site has not been developed to date, this does not indicate that it will not be in the future. There is a reasonable prospect that the first 50 homes will be built by March 2038, with the remaining 150 completed in the plan period.

## **Haverhill**

129. Haverhill, with a population of around 27,000 people, is the second largest town in West Suffolk located at the south west edge of the district close to Essex and Cambridgeshire. Three sites are allocated for a total of around 3,560 homes in the plan period.

### **AP13 North West Haverhill**

130. This site is allocated for 980 homes and is under construction, with around 70 homes having been completed annually over the last few years. There is a realistic prospect that this rate of development will continue meaning that its contribution of around 300 homes to the five year supply following adoption is justified. In addition to the general changes described above relating to the number of homes and sustainable travel connections, the requirement for a project level habitats regulations assessment needs to be deleted as it is not justified or necessary **[MM79]**.

### **AP14 North East Haverhill**

131. This 175 hectare site is allocated for 2,500 homes. Development started in 2023, with around 50 homes per year having been completed since then on phase 1. The landowner intends to sell the land for phase 2 to another

housebuilder in 2025. An average of around 180 homes per year are then assumed to be built on the whole site from 2026/2027, with the development being completed by 2041. Whilst there is a reasonable prospect of 2,500 homes being built in the plan period, we consider the contribution of 900 homes to the five year supply following adoption to be optimistic given that a developer has not yet been identified for phase 2 and the lower completion rates that have been achieved so far on this site and on AP13 North West Haverhill. A contribution of around 500 homes between 2026 and 2031 would be more realistic; we take that into account in our overall assessment of the housing land supply under the following main issue.

132. In addition to the general changes to policy AP14 described above relating to the number of homes and sustainable travel connections, the requirement for a project level habitats regulations assessment needs to be deleted as it is not justified or necessary given the site's location [MM80].

#### **AP15 Former Wisdom toothbrush factory, Colne Valley Road, Haverhill**

133. This is a 3.4 hectare previously developed site within the town allocated for 80 homes and 0.77 ha of employment land. It is being promoted by the landowner, and an indicative masterplan has been prepared. There is a realistic prospect of 30 homes being built by 2031, and of the development being completed in the plan period. In addition to the general changes relating to access, sustainable travel connections, and archaeology, a number of other changes are required to policy AP15. The allocation boundary on the site map needs to be altered to accurately reflect the land ownership; the requirement referring to a non-designated heritage asset needs to clarify which building on the site it relates to; and the requirement for a project level habitats regulations assessment needs to be deleted as it is not necessary or justified. Finally, the reference to "strategic logistics" needs to be deleted to reflect the main modification to policy SP12 [MM81]. These modifications ensure that policy AP15 is justified and effective.

### **Mildenhall**

134. Mildenhall is a market town with a population of around 8,500 people located close to the A11, an RAF base, and the Breckland SPA. Two sites are allocated for a total of around 1,350 homes.

#### **AP16 West of Mildenhall / south of West Row Road, Mildenhall**

135. The majority of this 81 hectare greenfield site on the western edge of Mildenhall is owned by Suffolk County Council with the remainder of the land being in three different ownerships. It is allocated for 1,300 homes and 5 hectares of employment uses. A masterplan was adopted in 2022 and an outline

application made in 2024. Development is assumed to start in 2026/2027 with 50 homes being completed that year and the following, and 100 homes per year thereafter. Given the considerable amount of work needed before development can start, assuming 400 homes will be completed in the five years following adoption seems optimistic; a more realistic assumption would be 200. We take that into account in our overall assessment of the housing land supply under the following main issue.

136. In addition to the general changes relating to the number of homes, sustainable travel connections, custom and self build plots, habitats regulations assessment, heritage assets and archaeology, policy AP16 needs to be modified to delete the restriction on strategic logistics to be consistent with the modification to policy SP12 [MM82]. Subject to those changes, the policy is justified, including the requirements for sustainable travel connections to the town centre, Fiveways Roundabout, RAF Mildenhall and countryside as they are all likely to be significant local destinations for future residents on the site.

#### **AP17 College Heath Road, Mildenhall**

137. This is a brownfield site of around 2 hectares allocated for 53 homes. Part of the site occupied by a former police station is in single ownership and has planning permission. The whole site has been cleared ready for development to commence. We are satisfied that there is a reasonable prospect of the development being completed by 2031. No changes are required to policy AP17 other than the general ones described earlier relating to access, sustainable travel connections, transport assessment, habitats regulations assessment, and archaeology [MM83].

#### **Newmarket**

138. Newmarket has a population of nearly 17,000 people and is a market town and the centre for the British horse racing industry. Four sites are allocated for a total of around 990 homes during the plan period.
139. The amount of development proposed in the town, along with constraints at existing schools, means that a new primary school with early years provision is expected to be needed. Whilst there are a number of options, a preferred site has yet to be chosen. This has implications for the policy requirements for two of the housing allocations (AP19 and AP20), as well as for policy AP23 relating to one of the existing schools in the town which we deal with later in this report.

### **AP19 Hatchfield Farm, Fordham Road, Newmarket**

140. Allocation AP19 comprises 26 hectares of land on the north east edge of Newmarket proposed for 400 homes and 5 hectares of employment uses. Planning permission has been granted, and the main access and spine road constructed. The first 50 homes are expected to be completed in 2025/6 with the development completed by 2031. The site is being promoted by a development company, and the parts of the site with permission for residential development are owned by a housebuilder. We are satisfied that there is a realistic prospect that 400 homes will be built by 2031.
141. In addition to the general changes relating to the number of homes, sustainable travel connections and habitats regulations assessment, policy AP19 needs to be modified to clarify that the requirement for land to be provided for a primary school is subject to confirmation in accordance with policy AP23. This is because there are two other potential locations for a new school still under consideration by Suffolk County Council. The application of policy AP23 will allow for all relevant considerations, including the impact of school-related traffic on the horse racing industry, to be taken into account by the Council when determining the most appropriate location for the school. We have amended the wording of the main modification published for consultation to add reference to early years setting to ensure consistency with policies AP20 and AP23. Finally, the restriction on strategic logistics needs to be deleted to be consistent with the modification to policy SP12 [MM85].
142. The draft Plan published for consultation under regulation 18 included an extension to allocation AP19 that is not included in the submitted Plan. However, for the reasons set out elsewhere in this report, the Plan identifies a sufficient and justified land supply (including allocation AP20 – see below) to ensure that the need for new homes can be met. There is, therefore, no need for us to consider the merits of that omission site.

### **AP20 Pinewood Stud, Newmarket**

143. Allocation AP20 comprises 20 hectares at Pinewood Stud on the north west edge of Newmarket proposed for around 415 homes and the creation of a new country park on adjoining land to the west. This proposal was first included in the version of the Plan published under regulation 19, instead of an extension to allocation AP19 Hatchfield Farm that had been included in earlier versions of the Plan. This was because it was considered by the Council to deliver greater public benefits by providing new homes on the opposite side of town to AP19 and a new country park. We agree in principle that was a reasonable judgement to make and, in any case, it is our role to consider the soundness of the Plan as submitted, including allocation AP20, rather than omission sites or any previous version of the Plan.

144. The development would result in the loss of horse racing industry land. However, the Council and representatives for the horse racing industry<sup>36</sup> agree, based on expert analysis<sup>37</sup>, that the proposal would, overall, have no adverse impact on the industry. The 20 hectares allocated for residential development is low quality grazing land meaning it is of limited value in its current use. It is a considerable distance from the gallops, meaning that it would not be a priority location for the establishment of a new training yard. The area proposed as a country park is mainly woodland and grassland but not used by the industry, and its development as attractive, accessible public open space would be likely to take some recreational pressure off the gallops and heathland around the town. Access would be provided to Exning Road whilst use of Hamilton Road, which is a private road serving numerous training yards, could be controlled if necessary. The site's location means that the development would be unlikely to lead to significant increases in traffic affecting the horse walks and crossings on Fordham Road or elsewhere in the town.
145. We are satisfied, therefore, that the proposal would be unlikely to have an adverse impact on the horse racing industry. On the other hand, there would be significant public benefits by providing over 400 new homes in the north west of the town along with a new country park. Taking a plan-led approach to identifying land for new homes in the town that has a neutral impact on the horse racing industry is appropriate and consistent with national policy. Furthermore, it is not inconsistent with policy LP48 which seeks to prevent all development that would lead to the loss of horse racing industry land unless it is allocated as a proposal in the development plan.
146. In addition to the general changes relating to access, sustainable travel connections, transport assessment, custom and self build homes, the Breckland SPA / SAC, and archaeology, further amendments are needed to policy AP20. The requirement for a project level habitats regulations assessment needs to refer to a water quality assessment due to potential downstream impacts on protected sites. An additional requirement needs to be added to refer to the provision of land for a primary school and early years setting, subject to confirmation in accordance with policy AP23. This is because the allocation is one of several potentially suitable locations for the new school required in the town. Finally, the site map needs to be amended to accurately reflect the land ownership. Subject to those modifications [MM86], policy AP20 is justified and will be effective in contributing to sustainable development.
147. We are satisfied that, despite the need for a masterplan to be adopted before planning permission is granted, there is a realistic prospect of 100 homes being completed on the site by April 2031 and the remainder within the plan period.

---

<sup>36</sup> Horse Racing Industry Memorandum of Cooperation Group [Appendix A to the Horse Racing Industry's regulation 19 representation].

<sup>37</sup> Keylock's report [submitted with The Jockey Club's regulation 19 representation].

### **AP21 High Street / Black Bear Lane / Rowley Drive, Newmarket**

148. Allocation AP21 relates to a site of around 3.5 hectares fronting High Street identified as an important open space in the Newmarket Conservation Area. It includes a number of historic buildings, some of which are grade II listed, and horse racing industry stables and paddock. Policy AP21 reflects the planning permission that was granted for 123 homes on appeal in 2023. It includes requirements to protect and enhance the character and appearance of the existing historic buildings and conservation area and retain a horse racing use on the site. No changes are needed to the policy other than the general ones described earlier relating to the number of homes, access, sustainable travel connections, mitigating recreational effects on protected sites, and archaeology [MM87].

149. We are satisfied that there is a realistic prospect that 80 homes will be built on the site by March 2031 and that the development will be completed in the plan period.

### **AP22 Former St Felix Middle School, Newmarket**

150. Allocation AP22 is the 4.5 hectare site of a former school which is proposed for the development of around 50 homes. No changes are needed to the policy other than the general ones described earlier relating to access, sustainable travel connections, mitigating recreational effects on protected sites, and archaeology [MM88]. The site is owned by the County Council, a developer has been identified, and a planning application was submitted in 2024. We are satisfied that there is a realistic prospect that 50 homes will be completed by March 2031.

## **Allocations in key service centres**

151. The sites proposed for residential development in the seven key service centres identified in the settlement hierarchy are collectively expected to accommodate a total of around 2,100 homes in the plan period which represents around 14% of the total supply in the district. Additional new homes are expected to be provided on windfall sites in the key service centres. This reflects the spatial strategy set out in policy SP9.

## **Barrow**

152. Barrow is a key service centre with a population of around 1,800 people. Two sites are allocated for a total of 165 homes. This amount of development is expected to mean that the existing primary school will need to be expanded. The draft Barrow Neighbourhood Plan proposes further residential development

in the village which would generate a need for more school places. For the reasons set out later in this report, we are satisfied that policy AP26, which reserves one hectare of land adjoining the school for its expansion, will be effective in ensuring that additional school capacity can be provided when it is needed. This is so despite the fact that there are, at this stage, uncertainties about how many additional places will be needed. There is, therefore, no need to modify the Plan to allocate more residential development in Barrow in the hope that this would provide greater certainty about school expansion.

#### **AP24 Land off Bury Road, Barrow**

153. Policy AP24 allocates a 10 hectare site off Bury Road for around 150 homes. For the reasons set out earlier, the requirements relating to access, sustainable travel connections, transport assessment, custom and self-build homes, mitigating recreational effects on protected sites, project level habitats regulations assessment, heritage assets, and archaeology need to be modified. The requirement for a contribution to deliver a car free route to Bury St Edmunds needs to be deleted as it is not justified. Subject to these modifications [MM90], policy AP24 will be effective in achieving sustainable development on site. The requirements for strategic landscaping along the eastern boundary and retention of the existing woodland and hedgerows will prevent the visual and physical coalescence of Barrow and Burthorpe.
154. The site is owned by a housebuilder, a significant amount of site assessment work has been carried out and we are therefore satisfied that there is a realistic prospect of 150 homes being built by March 2031.

#### **AP25 Land off Denham Lane, Barrow**

155. This is a site of 0.7 hectares allocated for around 15 homes. For the reasons set out earlier, the requirements relating to access, sustainable travel connections, mitigating recreational effects on protected sites, and archaeology need to be modified. The requirement relating to the nearby Anglian Water facility needs to be clarified by referring to the provision of a 15 metre exclusion area between the sewer pumping station and residential curtilages to ensure it is effective in preventing odour pollution to future residents [MM91].
156. Subject to those modifications, policy AP25 will be effective in achieving sustainable development on the site. The limited scale of the development and the landscape requirements mean that the proposal should not lead to the coalescence of Barrow and Denham. The site is in single ownership, available, and of interest to developers meaning that there is realistic prospect of 15 homes being built by March 2031.

## Clare

157. Clare is a small historic town located in the south of the district with a population of around 2,000 people. Two sites are allocated which together are expected to accommodate around 113 new homes: AP27 north of Cavendish Road (53 homes), and AP28 south of Cavendish Road (60 homes). No changes are needed to either policy other than, where relevant to the site, the general ones described earlier relating to the number of homes, access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, heritage assets, archaeology, and sewerage infrastructure [MM92 and MM93]. AP27 is under development and AP28 is in single ownership, available, and with developer interest. There is therefore a realistic prospect that both developments will be completed by March 2031.

## Ixworth

158. Two sites are allocated for a total of 290 homes in Ixworth which is a key service centre with a population of around 2,200.

### **AP29 Land at Bardwell Road, Ixworth**

159. This is a 9.8 hectare site allocated for a mixed use development to include around 145 homes, up to 300 sqm gross of retail floorspace, car parking and community uses. The non residential uses are considered later in this report.
160. For the reasons set out earlier, the requirements relating to access, sustainable travel connections, custom and self build plots, heritage archaeology and mitigating the recreational effects of the development on protected sites need to be modified. The proximity of water mains and wastewater assets needs to be clarified to ensure acceptable living conditions for future residents. The requirement for a contribution specifically towards a bridge over the A143, whilst an aspiration of the submission Ixworth Neighbourhood Plan, has not been justified as part of this allocation and this requirement should be removed from the policy. If such a contribution is demonstrated to be necessary and justified it could be sought under policy AP29 part b and policy SP15, having regard to NPPF paragraphs 55 to 57 relating to planning obligations. Finally, the introductory text relating to this allocation needs to be deleted as it is superfluous and to avoid any potential inconsistency with the emerging Ixworth Neighbourhood Plan.
161. Subject to these modifications [MM94 and MM95], policy AP29 will be effective in achieving sustainable development on the site. There are no legal or technical matters which would prevent the delivery of new homes on this site. Whilst the site promoter indicates that the development could be completed in



2029, as there is not yet a developer identified we consider a more realistic assumption is that it will be completed in the plan period.

### **AP30 Land off Crown Lane and west of A143, Ixworth**

162. This is a 14 hectare site allocated for residential development of around 145 homes. Whilst the site promoter suggests that a higher number of homes could be accommodated, the Plan as modified would not prevent this and allows for the final capacity to be determined through the masterplan and planning application processes.
163. Whilst allocated in the former St Edmundsbury Rural Vision 2031 Local Plan as two sites with no progress being made towards development, the evidence indicates that the single allocation is of interest to a housebuilder with masterplan discussions having taken place in 2021 and an option to purchase in place.
164. For the reasons set out earlier, the requirements relating to access, custom and self build plots, sustainable travel connections, mitigating recreational effects on protected sites, and archaeology need to be modified. As part of the sustainable travel connections and given the proximity to the A143 and public rights of way in the countryside on the opposite side of it, consideration should be given to a foot/cycle bridge from the site across the bypass [MM96]. There is developer interest in the site and progress is being made towards the submission of a planning application. Subject to these modifications, we consider there is a realistic prospect that 50 new homes will be completed by March 2031 with the remainder completed by March 2033.

### **Kedington**

165. Kedington is a key service centre with a population of around 2,000 people located in the south of the district. One site is allocated for the development of 40 homes: AP31 Hall Road / Mill Road. No changes are required to the policy other than the general ones described earlier relating to the number of homes, access, sustainable travel connections, and mitigating recreational effects on protected sites [MM97]. The site has planning permission and there is a realistic prospect that the development will be completed by March 2031. There is no soundness reason why an additional allocation is required in the village to deliver the Plan's spatial strategy.

### **Lakenheath**

166. Lakenheath is a key service centre with a population of around 4,500 people and is located in the north west of the district close to the Breckland SPA and

SAC, a SSSI / local nature reserve, and an RAF base. Six sites are allocated which collectively are expected to accommodate around 800 new homes during the plan period.

### **AP32 Matthews Nursery, High Street, Lakenheath**

167. This is a 1.86 hectare site allocated for up to 28 homes and 1,000 sqm of commercial floorspace. For the reasons set out earlier, policy AP32 needs to be modified in relation to the number of dwellings, access, sustainable travel connections and mitigating recreational effects on protected sites [MM98]. There is a realistic prospect that the development will be completed by March 2031.

### **AP33 Eriswell Road, Lakenheath**

168. This is a site of around 5.5 hectares allocated for up to 140 homes. No changes are required to policy AP33 other than those described earlier relating to the number of dwellings, access, sustainable travel connections, mitigating recreational effects on protected sites, and a project level habitats regulations assessment [MM99]. Development is underway, and there is a realistic prospect of it being completed by March 2031.

### **AP34 Rabbithill Covert, Station Road, Lakenheath**

169. This is a 3.45 hectare site allocated for up to 81 homes. No changes are required to policy AP34 other than those described earlier relating to the number of dwellings, access, sustainable travel connections, mitigating recreational effects on protected sites, and a project level habitats regulations assessment [MM100]. Development is underway, and there is a realistic prospect of it being completed by March 2031.

### **AP35 North of Station Road, Lakenheath**

170. This is site of around 22 hectares allocated for up to 375 dwellings and a primary school. No changes are required to policy AP35 other than those described earlier relating to the number of dwellings, access, sustainable travel connections, mitigating recreational effects on protected sites, and a project level habitats regulations assessment [MM101]. The site has planning permission, is under the control of a housebuilder, and there is a realistic prospect of 225 homes being built by March 2031 and the development being completed in the plan period.

### **AP36 Briscoe Way, Lakenheath**

171. This is a 2.78 hectare site allocated for up to 67 homes. No changes are required to policy AP36 other than those described earlier relating to the number of dwellings, access, sustainable travel connections, and mitigating recreational effects on protected sites [MM102]. Development is underway, and there is a realistic prospect of it being completed by March 2031.

### **AP37 Burrow Drive / Briscoe Way, Lakenheath**

172. This is a site of around 9.5 hectares allocated for up to 100 homes. In addition to the changes described earlier relating to the number of dwellings, access, sustainable travel connections, transport assessment, custom and self build homes, mitigating recreational effects on protected sites, and archaeology, policy AP37 needs to be modified to ensure development is directed to the areas of the site at the lowest risk of flooding [MM103]. The requirement for a 30 metre wide landscape buffer between residential development and the river along the western and northern boundary is justified as it is consistent with the pattern of development nearby and will provide an area of sufficient size to create multi-functional green infrastructure. A housebuilder has an interest, and there is a reasonable prospect of the development being completed in the plan period.

## **Red Lodge**

173. Red Lodge has a population of around 6,400 people. It is located close to the A11 between Newmarket and Mildenhall, with the Breckland SPA / SAC not far to the east of the town. Two sites are allocated for a total of around 440 homes. We deal with policy AP40, which proposes a new secondary school in Red Lodge, later in this report.

### **AP38 Acorn Way, Red Lodge**

174. This is a site of around 27 hectares allocated for up to 300 homes and 8 hectares of employment uses (offices, research and development, industry, and storage and distribution). A masterplan was adopted, and an outline planning application made, in 2023.
175. Whilst the Council used an indicative maximum size of 200 dwellings for allocations in key service centres in the site selection process, this was not an absolute limit and there is no reason in principle why a larger scale development would be inconsistent with national policy or policies in the Plan. We have recommended earlier in this report that the references to the indicative maximum scheme sizes in the different tiers of the settlement hierarchy be

deleted from the Plan. We are satisfied that the development proposed on allocation AP38 is not disproportionate or inappropriate at Red Lodge which is the largest key service centre in the district in an accessible location close to the A11.

176. In addition to the changes described earlier relating to the number of dwellings, access, sustainable travel connections, transport assessment, custom and self build homes, mitigating recreational effects on protected sites, project level habitats regulations assessment and archaeology, policy AP38 needs to be modified to delete the restriction on strategic logistics to be consistent with our recommended modification to policy SP12. The site map and reference to the site area need to be modified to accurately reflect the land ownership and planning application. Subject to those changes[ **MM104**], policy AP38 should be effective in helping to achieve sustainable development on the site. There are no objections to the proposal from Anglian Water or the Environment Agency, and adequate foul drainage will need to be provided in accordance with policies LP5 and LP6 in the context of upgrades planned for the wider catchment area.

177. There is clear evidence to demonstrate that there is a realistic prospect of development starting in 2028/2029 with 150 homes being built by March 2031 and the scheme being completed in the plan period.

### **AP39 Warren Road, Red Lodge**

178. This is a 5.5 hectare site allocated for 141 dwellings. Development is underway, and is expected to be completed in 2027/2028. No changes are required to policy AP39 other than those described earlier relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, and archaeology [**MM105**].

## **Stanton**

179. Stanton is a key service centre with a population of around 2,100. One site is allocated for around 200 homes.

### **AP41 Land east of Bury Road, Stanton**

180. This is a 10.39 hectare site allocated for around 200 homes, although there is no reason why a greater number of homes could not be provided as long as the development complies with the Plan as a whole. The site is owned by a housebuilder who is committed to developing it. The West Suffolk Transport Mitigation Report (December 2023) and Addendum (January 2024)

demonstrates that the growth of Stanton can be accommodated within the highway network subject to mitigation measures, including a financial contribution to improvements at the A1088/A143 junction along with sustainable travel links.

181. In addition to the changes described earlier relating to the number of dwellings, access, sustainable travel connections, custom and self build homes, mitigating recreational effects on protected sites and archaeology, policy AP41 needs to be modified requiring that community facilities are provided in accordance with policy LP31 as opposed to setting out specific requirements. Reference to water infrastructure is also necessary to ensure that the site can be developed effectively [MM107].
182. Subject to these changes, policy AP41 should be effective in helping to achieve sustainable development on the site. There are no covenants or arrangements on the site which would limit or constrain development, and the developer anticipates that the site would be built out in one phase with 150 homes being completed by March 2029. There is a realistic prospect that the 200 homes will be completed by 31 March 2031.

### **Allocations in local service centres**

183. There are a total of nine allocations proposed for residential development in the twelve local service centres identified in the settlement hierarchy. Those allocations, along with commitments, are collectively expected to accommodate a total of around 830 homes in the plan period which represents around 5% of the total supply in the district. Additional new homes are expected to be provided on windfall sites in local service centres. This reflects the spatial strategy set out in policy SP9.

### **Barningham**

184. Barningham is a local service centre with a population of 860 and a range of local services and facilities. One site is allocated for 37 homes.

#### **AP43 Land south of Hopton Road, Barningham**

185. This is a 2.6 hectare site allocated for around 37 homes, owned by 2 separate landowners who are committed to developing the site. The exact number of dwellings will be determined as part of a planning application.
186. In addition to the changes described earlier relating to sustainable travel connections, mitigating recreational effects on protected sites and archaeology, policy AP43 needs to be modified to make correct reference to the location of

the site and deleting the requirement for the site to be accessed from Hopton Road, given that alternative access arrangements may be suitable and that this can be determined at the planning application stage [MM109]. Subject to those changes, policy AP43 should be effective in helping to achieve sustainable development on the site. We are satisfied that there is a realistic prospect that the 37 new homes will be completed by March 2030.

## **Beck Row**

187. Beck Row is a local service centre with a population of around 4,100 people located close to RAF Mildenhall in the north west of the district. Two sites are allocated for a total of 160 new homes during the plan period.

### **AP44 Lamble Close, Beck Row**

188. This is a 2.3 hectare site allocated for 60 homes. Development is underway and is expected to be completed in 2026. No changes are required to policy AP44 other than those described earlier relating to access, sustainable travel connections, and mitigating recreational effects on protected sites [MM110].

### **AP45 Rookery Drove, Beck Row**

189. This is a 5.3 hectare site allocated for 100 homes. In addition to the changes described earlier relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, and archaeology, policy AP45 needs to be modified to refer to the provision of a 15 metre exclusion area between the sewer pumping station and residential curtilages to ensure it is effective in preventing odour pollution to future residents [MM111]. The land is in single ownership, being promoted for development, and preparatory work has been carried out to inform a planning application to be submitted in 2025. There is a realistic prospect that the development will be completed by March 2031.

## **Hopton**

190. Hopton and Knettishall is a local service centre with a population of around 480. One site is allocated for a mixed use development providing up to 37 homes and community facilities. Planning permission has been granted and development has commenced. No changes are required to policy AP46 other than those described earlier relating to numbers of homes, access, sustainable travel connections, and mitigating recreational effects on protected sites [MM112]. There is a realistic prospect that the development will be completed by 31 March 2031.

## **Hundon**

191. Hundon is a local service centre with a population of around 700 people. One site is allocated for around 10 homes. No changes are required to policy AP47 other than those described earlier relating to access, sustainable travel connections, mitigating recreational effects on protected sites, a project level habitats regulations assessment, heritage assets and archaeology [MM113].

## **Moulton**

192. Moulton is a local service centre with a population of around 700 people. One site is allocated for around 30 homes. No changes are required to policy AP48 other than those described earlier relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, and archaeology [MM114].

## **Rougham**

193. Rougham is a local service centre with a population of around 1,300. One site is allocated for around 30 homes, 13 of which have outline planning permission. No changes are required to policy AP50 other than those described earlier relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, and archaeology [MM115]. A house builder owns the site and there is a realistic prospect that the 30 homes will be completed by March 2031.

## **West Row**

194. West Row is a local service centre with a population of around 1,300 people not far from Mildenhall and the RAF base in the north west of the district. One site is allocated for up to 161 homes. No changes are required to policy AP51 other than those described earlier relating to the number of homes, access, sustainable travel connections, mitigating recreational effects on protected sites, a project level habitats regulations assessment, and archaeology [MM116]. Development has started on part of the site, whilst the remainder, which is in different ownership, has planning permission. There is a realistic prospect that 91 homes will be built in the five years following adoption.

## **Wickhambrook**

195. Wickhambrook is a local service centre with a population of 550. One site for mixed use development is allocated including around 40 homes. In addition to

the changes described earlier relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, heritage assets and archaeology, policy AP53 needs to be modified so that the site map and area referred to accurately reflect the land ownership [MM117]. There is a realistic prospect that 20 homes will be built by March 2031 and the development completed in the plan period.

### **Allocations in Type A Villages**

196. The eleven allocations proposed for residential development in some of the sixteen type A villages identified in the settlement hierarchy are collectively expected to accommodate a total of around 120 new homes in the plan period which represents around 1% of the total supply in the district. Additional new homes are expected to be provided on windfall sites in those villages. This reflects the spatial strategy set out in policy SP9.

197. For the reasons set out earlier in this report, modifications are required to the parts of policies AP54 to AP64, where relevant to the site, relating to access, sustainable travel connections, transport assessment, mitigating recreational effects on protected sites, a project level habitats regulations assessment, the Glen Chalk Caves and Horringer Court Caves SSSIs, heritage assets, archaeology, and water and sewerage infrastructure [MM118 to MM128]. In addition, to be justified, policy AP61 needs to be modified to accurately refer to its location and delete the requirement relating to a wastewater treatment works [MM125]. It is not necessary to refer to the additional requirements relating to allocation AP61 included in the Freckenham Neighbourhood Plan as that will form part of the statutory development plan when made.

### **Conclusion**

198. Subject to the modifications that we describe above, the housing and mixed use allocations that include residential development are all justified and the relevant policies will be effective in achieving sustainable development on the sites.

## **Issue 7 – Does the Plan identify a sufficient amount and variety of suitable sites to ensure that the need for additional homes in the district can be met throughout the plan period?**

### **Introduction**

199. We have already considered all of the allocations in the Plan that are proposed for residential development. Based on our findings about those, and our assessment of the other sources of supply identified by the Council (non-allocated sites under construction and/or with planning permission, and



windfalls), we turn now to consider whether the Plan identifies a sufficient amount and variety of suitable sites to ensure that the need for additional homes in the district can be met in accordance with national policy.

200. We look first at whether there is an appropriate five year supply of deliverable sites, then consider the supply for the remainder of the modified plan period to 2041.

### **Five year period**

201. Whilst the NPPF published in September 2023 refers to plans identifying specific deliverable sites for years 1 to 5 of the plan period, associated planning guidance clarifies that strategic policies should identify a five year housing land supply from the intended date of adoption of the plan<sup>38</sup>. That is also the case in the current version of the NPPF published in December 2024, and consistent with the expectation in both versions of the NPPF that strategic policies look ahead over a minimum 15 year period from adoption.
202. The Council intends to adopt the Plan by September 2025; that seems reasonable at the time we write this report. The relevant five year period for assessing housing land supply therefore starts on 1 April 2026.

### **Five year housing land requirement**

203. We have already concluded that the Plan needs to be modified to include a minimum housing requirement of 765 homes per year. With an appropriate buffer of 5%, this means that the five year requirement is 4,016<sup>39</sup>. As the number of homes that will be completed between 2024 and 2026 is currently unknown, no reasonable adjustment can be made to that figure to take account of previous under or over supply. As the Council's trajectory anticipates completions in those two years cumulatively exceeding the requirement, making no adjustment represents a cautious approach.

### **Five year housing land supply**

204. The Council's most up to date, comprehensive housing trajectory identifies a supply of land sufficient to accommodate a total of 5,212 homes between 2026 and 2031<sup>40</sup>. In other words, around 1,200 homes (around 30%) more than the requirement for that period<sup>41</sup>.

---

<sup>38</sup> PPG ID: 68-004 (July 2019).

<sup>39</sup>  $765 \times 5 = 3,825$ .  $3,825 \times 5\% = 191.25$ .  $3,825 + 191.25 = 4,016.25$ .

<sup>40</sup> Housing land supply report, September 2024 [D10].

<sup>41</sup>  $5,212 - 4,016 = 1,196$ .  $1,196 = 29.8\%$  of 4,016.

205. The Council has previously made a number of annual five year land supply assessments as required by national policy, as did the two predecessor authorities before that. Subsequent analysis shows that actual housing completions in the relevant five year periods were significantly below the number of homes that could have been accommodated on the land identified by the Council - around 30% for virtually every period since 2017<sup>42</sup>. That could have been because up to 30% of the identified supply turned out not to have been “deliverable”. However, it could also have been the case that all of the supply was in fact “deliverable”, but some of it was not developed for a variety of reasons, including the preferences of the landowner or developer, potentially due to lack of demand for more new homes. If an authority identifies a generous supply of “deliverable” land, significantly in excess of what is required, it is more likely to result in some of it not being developed. It is relevant to note that the Council passed the most recent housing delivery test with completions around 30% above identified need. Furthermore, even if some of the identified supply was shown in retrospect to not have been “deliverable”, that does not necessarily mean that the Council’s judgement (that there was a realistic prospect of it being developed within five years) was unreasonable at the point in time it was made.
206. Thus, whilst we note the contextual statistical analysis comparing the Council’s previous five year supply assessments with subsequent completions, we find this to be of limited assistance in our consideration of this issue. In accordance with national policy, we have carefully scrutinised all of the sources of supply identified by the Council to come to our own conclusion as to whether there is a realistic prospect of the assumed number of homes being built between 2026 to 2031 based on the available evidence relating to availability, viability, planning status, progress on technical work and other relevant factors as set out in the NPPF and PPG. The most up to date evidence relates to 2024, whereas we have to make judgements about what may realistically happen between 2026 and 2031. Inevitably, therefore, there is a significant degree of uncertainty, meaning that a precautionary approach should be taken to ensure that the Plan is positively prepared.
207. The Plan’s housing trajectory includes a windfall allowance of 100 homes per year from 2029. Between 2016 and 2023, a total of 2,371 homes were built on windfall sites; that represents almost 340 per year on average<sup>43</sup>. The Plan’s policies support residential development on non-allocated sites within settlement boundaries, and in certain other locations in particular circumstances. Given the number of settlements in the district, there is no reason why a significant number of homes will not continue to be built on windfall sites. The allowance of 100 per year from 2029 can therefore be considered to be a reliable source of supply based on compelling evidence.

---

<sup>42</sup> Matter 5 statement by Pegasus on behalf of Lochailort Kentford Ltd.

<sup>43</sup> Strategic Housing and Economic Land Availability Assessment paragraph 3.5 and Appendix E (January 2024) [B25a].

Indeed, that evidence suggests that significantly more windfalls than 1,200 are likely to materialise over the plan period, and that the assumption of 200 between 2026 and 2031 is extremely cautious.

208. There is no clear evidence to indicate that 479 homes will not be completed on sites with detailed planning permission for ten or more homes or that a contribution of 24 should not be included from residential institutions. A lapse rate of 5% has been applied to the contribution assumed from sites with permission for fewer than ten homes resulting in a total of 238 between 2026 and 2031. Most of the sites are under development, and lapse rates in recent years have been below 5%<sup>44</sup>.
209. The trajectory assumes that a total of 2,645 homes will be built between 2026 and 2031 on sites that had outline or hybrid permission for ten or more homes on 1 April 2024, and that a further 1,626 homes will be built during that period on allocations that did not have planning permission on that date. Site specific trajectories for each, along with a summary of the evidence described in national planning guidance<sup>45</sup>, was published in September 2024<sup>46</sup>. Lead in times and build out rates are based on information provided by site promoters, but also on analysis of developments in West Suffolk in the past<sup>47</sup>. Allowances are made for the preparation and adoption of masterplans prior to the determination of planning applications where this is a requirement of the allocation policy. On many sites, the Council's assumptions are considerably more cautious than those provided by the site promoter.
210. We are therefore satisfied that there is clear evidence to demonstrate that there is a realistic prospect that the number of homes assumed on most of the allocations and other sites that did not have full planning permission on 1 April 2024 could be delivered between 2026 and 2031. For the reasons set out under main issue 6 above, we do consider that the number of homes assumed on AP14 NE Haverhill and AP16 West of Mildenhall are optimistic. A more cautious assumption for those sites could reduce the supply between 2026 and 2031 by around 600. However, we also consider that significantly more than 200 homes will be built on windfall sites between 2026 and 2031 – historic trends suggest there could be around 500 more than that.
211. Overall, therefore, we are satisfied that there is clear evidence to demonstrate that there is a realistic prospect of around 5,000 homes being delivered on the land supply identified in the Plan between 2026 and 2031. This compares to a requirement for 4,016 homes during that period. In other words, the Plan clearly

---

<sup>44</sup> D10 paragraphs 4.18 to 4.20.

<sup>45</sup> PPG ID: 68- 007-20190722.

<sup>46</sup> D10.

<sup>47</sup> West Suffolk Housing Delivery Report (Turley, March 2019) [B34] and D10 paragraphs 4.14 to 4.17.

identifies a supply of specific, deliverable sites for more than five years following the intended date of adoption as required by national policy.

### **Housing land supply for the remainder of the plan period**

212. Policy SP10 states that 15,486 homes have been identified in the Plan to meet the overall housing requirement for the period 2023 to 2040. However, the comprehensive, updated housing land supply information relating to 1 April 2024 identifies a supply for a total of 14,875 homes for the modified plan period 2024 to 2041.

213. The updated trajectory shows that a total of 1,344 homes are expected to be built between 2024 and 2026, all of which are on sites with permission, most under construction. We have already concluded that there is a realistic prospect that at least 5,000 homes will be built between 2026 and 2031, and that the windfall allowance of 100 per year is extremely cautious.

214. The trajectory shows the remaining 7,300 or so homes being delivered between 2031 and 2041 on sites already under construction and some of the new allocations in the Plan. For the reasons already set out, we are satisfied that there is a reasonable prospect of those homes being delivered at the time envisaged.

215. The total supply of 14,875 identified for the modified plan period 2024 to 2041 exceeds the modified requirement for a minimum of 13,005 homes by 1,870 or around 14%. There is no requirement in national policy for plans to include a buffer or flexibility allowance in the supply of land for the plan period, rather the relevant test is that plans should identify a sufficient supply and mix of sites, taking into account availability, suitability and viability.

216. The supply identified in the Plan includes land at all of the towns and key service centres, and the vast majority of the local service centres and type A villages in the settlement hierarchy. There are a total of around 50 allocations proposed for residential development, in addition to many sites under construction. The supply includes numerous small, medium and large sites, with capacity ranging from 10 to 2,500 homes. There is evidence to show that all of the supply is deliverable or developable as defined in national policy and guidance. Historic trends show that a significant number of homes are likely to be built on windfall sites in all types of settlement in the hierarchy, but also in type B villages and the countryside<sup>48</sup>. The Plan therefore should facilitate the provision of new homes on a wide range of sites in locations throughout the district.

217. The Plan therefore identifies a sufficient supply and mix of sites to allow the minimum housing requirement to be met over the plan period, and a supply of

---

<sup>48</sup> B23a Appendix E.

specific, deliverable sites for five years following the intended date of adoption. Land for around 5,000 homes that do not currently have permission will be allocated for residential development in an adopted plan meaning that planning applications can be progressed on those sites.

218. Current NPPF means that the Council will be expected to update the Plan at the earliest opportunity, which it is committed to doing. In the meantime, the Plan provides a robust and positive policy framework for residential development to meet currently identified needs for many years.

219. Main modifications are required to policy SP10 and reasoned justification to reflect the modified plan period and updated evidence of local housing need and housing land supply on 1 April 2024 as described above [MM30]. This will ensure that the Plan is justified, effective, positively prepared and consistent with national policy relating to housing land supply.

## **Conclusion**

220. We therefore conclude that, subject to our recommended main modifications, the Plan identifies a sufficient amount and variety of suitable sites to ensure that the need for additional homes in the district can be met throughout the plan period.

## **Issue 8 – Are the development management policies relevant to residential development justified and consistent with national policy?**

### **Introduction**

221. Policy SP10 sets out the Plan's strategic policy relating to housing needs, and policies LP20 to LP27 address particular types of housing need.

### **Housing needs (policy SP10)**

222. In addition to modifying policy SP10 to reflect the revised plan period and updated evidence of local housing need and housing land supply as described under the previous main issue, the parts of the policy and reasoned justification that repeat or summarise other policies in the plan need to be deleted to avoid ambiguity and inconsistency [MM30].

### **Affordable housing (policy LP20)**

223. National policy expects strategic policies to make provision for objectively assessed needs for housing other than in defined circumstances and sets out

various requirements and criteria relating specifically to affordable housing<sup>49</sup>. The Plan refers to a need for 505 affordable rented homes per year between 2023 and 2040. This is based on up to date evidence prepared having regard to national planning guidance<sup>50</sup>. For clarity and effectiveness, the identified need for affordable homes needs to be referred to in policy LP20. Furthermore, that policy needs to be recategorised as a strategic policy as it addresses one of the Council's strategic priorities for the district, sets out the scale of need for affordable homes, and neighbourhood plans would be expected to be in general conformity with it.

224. Policy LP20 sets out the following requirements for the provision of affordable homes in market-led development schemes comprising 10 or more homes or with an area of 0.5 hectares: 30% on brownfield sites and 40% on greenfield sites (other than when exceptional circumstances justify a variation on viability grounds). The application of these requirements is estimated to deliver nearly 4,000 affordable homes over the plan period. Whilst this would meet less than 50% of the identified need, the viability evidence indicates that those requirements are the maximum that can be achieved without undermining the deliverability of the Plan. However, that evidence also indicates that there are some types of development where the requirements may not be achievable, including those that need to fund strategic infrastructure, flatted developments on brownfield sites, and specialist schemes for older people. Policy LP20 needs to be modified to recognise this and require such proposals to include evidence to demonstrate that affordable housing provision is maximised. In addition, the part of policy LP20 relating to a review mechanism for schemes that do not meet the affordable housing requirements in full needs to be modified, including deletion of reference to "later phases". This will ensure appropriate flexibility and consistency with national guidance which does not limit the use of such mechanisms to phased developments but refers to the lifetime of the development and optimal public benefits through economic cycles<sup>51</sup>.

225. Whilst we are examining the Plan in the context of previous national policy, to be effective policy LP20 needs to be consistent with the current NPPF definition of affordable housing and development management policies relating to tenure mix. Policy LP20, and the reasoned justification therefore need to be modified to reflect the evidence that shows that most of the need is for affordable homes to rent, with references to First Homes and 10% affordable home ownership being deleted. That modification is also consistent with previous national policy which allows more affordable social rent, if 10% affordable home ownership would significantly prejudice the ability to meet the identified need of specific groups<sup>52</sup>.

---

<sup>49</sup> NPPF 11b, 62 to 65, 72, and 78.

<sup>50</sup> Housing Evidence Update Report (Lambert Smith Hampton, January 2024) [B29].

<sup>51</sup> PPG ID:10-009.

<sup>52</sup> Paragraph 65 of NPPF September 2023.

226. Subject to those modifications along with associated modifications to the reasoned justification **[MM32]**, policy LP20 is justified and consistent with national policy and will be effective in maximising the delivery of affordable housing through market-led developments.
227. The requirement in policy LP20 for affordable homes to be distributed across the development in small groups of no more than 15 units is justified and consistent with national policy as it will help promote healthy, mixed, balanced communities. There is no substantive evidence that such an approach would present significant management problems for affordable home providers.

### **Housing type and tenure (policy LP21)**

228. Policy LP21 requires developments to provide a specified range of housing tenures, types and sizes (expressed in terms of number of bedrooms) unless justified by evidence relating to the nature of the site; existing mix of properties; up-to-date evidence of need; and viability. This approach strikes an appropriate balance between clarity and flexibility and is justified by the housing need evidence and consistent with national policy which expects planning policies to reflect the size, type and tenure of housing needed for different groups in the community<sup>53</sup>. However, to be effective, the policy needs to be modified to clarify that it relates to major developments (10 or more homes), and to delete the reference to the Council “monitoring the mix of homes delivered and responding accordingly” as that is ambiguous and unjustified.
229. The requirements for all new homes to meet the nationally described space standards and to be built to the building regulations M4(2) accessible and adaptable standard is justified by evidence relating to need and viability, and consistent with national policy. The requirement for 13% of affordable homes to meet the M4(3) wheelchair user standard is based on housing register data and disabled facilities grant requests which is adequate and proportionate evidence. However, the requirement needs to be modified to refer to “around 13%” to avoid unjustified specificity. Furthermore, this requirement needs to be modified to provide flexibility to take account of site-specific factors as referred to in national guidance.
230. Finally, policy LP21 needs to be recategorised as a strategic policy as it addresses the Council’s strategic priorities for the district and neighbourhood plans would be expected to be in general conformity with its requirements.
231. Subject to those modifications along with associated modifications to the reasoned justification **[MM33]**, policy LP21 is justified and consistent with

---

<sup>53</sup> NPPF 62.

national policy and will be effective in helping to meet the housing needs of different groups in the community.

### **Rural exception sites (policy LP22)**

232. Policy LP22 allows rural affordable housing schemes adjoining but outside the settlement boundary of a key or local service centre or type A or type B village provided that a number of criteria are met. This is consistent with relevant national policy relating to rural exception sites and locating new homes in rural areas where they are accessible and enhance or maintain the vitality of rural communities<sup>54</sup>. However, to be consistent with current national policy, and therefore providing a clear and effective framework for determining planning applications, policy LP22 needs to be modified to also refer to community-led development exception sites [MM34].

### **Housing needs of specific groups (policy LP23)**

233. There is an identified need for around 2,200 units of housing with support; around 1,000 units of housing with care; and around 1,800 care bed spaces by 2040<sup>55</sup>. Policy LP23 supports the delivery of specialist housing and care accommodation for older and/or more vulnerable persons and people with disabilities and sets out various criteria that such proposals would be expected to meet. This is consistent with national policy which expects plans to provide for specialist housing for older people where a need exists, although it is up to the plan-making body to decide whether to allocate specific sites for such developments<sup>56</sup>. However, to be effective, policy LP23 needs to be modified to clarify the circumstances in which such developments would be supported within and outside settlement boundaries [MM35].

### **Custom and self-build housing (policy LP25)**

234. Policy LP25 supports proposals for custom or self-build housing within settlement boundaries and on sites allocated in neighbourhood plans and encourages all developments of 100 or more homes to provide at least 10% as custom and/or self-build plots. Policy LP26 allows custom and self-build homes in the countryside, provided that the criteria set out in that policy are met. These policies are consistent with national policy which expects local plans to reflect the housing needs of different groups in the community, including people wishing to commission or build their own home.

235. However, to be effective, policy LP25 needs to include reference to the identified need for around 30 plots per year and be recategorised as a strategic

---

<sup>54</sup> NPPF (September 2023) paragraphs 78, 79 and 110.

<sup>55</sup> Plan paragraph 4.4.76.

<sup>56</sup> PPG ID: 63-010 and 013-20190626.



policy as it addresses one of the Council's strategic priorities and neighbourhood plans would be expected to be in general conformity [MM37]. The practical difficulties that some developers may experience when providing custom and self-build plots as part of large developments can be considered on a site-specific basis as the policy encourages rather than requires provision. Paragraph 4.4.97 needs to be modified to be consistent with policy LP25 in that regard [MM37].

### **Housing in the countryside (policy LP26)**

236. Policy LP26 allows new homes in the countryside (outside housing settlement boundaries defined on the Policies Map) provided that a number of criteria are met. Those criteria require the development to represent infilling of a small undeveloped plot for a single or pair of dwellings in an otherwise continuous built-up frontage within a small cohesive group of seven or more existing dwellings that have sustainable travel links to settlements with a range of services and facilities. This is an appropriate approach in the context of the geography of the district which has a large number of rural settlements, including many smaller than those identified in the settlement hierarchy. It is consistent with national policy which recognises the intrinsic character and beauty of the countryside and expects new homes in rural areas to be located where they are accessible and will enhance or maintain the vitality of rural communities<sup>57</sup>. However, to be effective, policy LP26 needs to refer in part c to the settlement hierarchy defined in policy SP9, and by adding reference to replacement dwellings [MM36].

### **Agricultural and essential workers homes (policy LP27)**

237. Policy LP27 allows new homes in the countryside for agricultural and essential workers provided that a number of criteria are met. This is consistent with national policy which allows for isolated new homes in the countryside where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside<sup>58</sup>.

### **Residential use of redundant buildings in the countryside (policy LP28)**

238. Policy LP28 allows the conversion of redundant or disused barns or other buildings in the countryside into dwellings provided that a number of criteria are met. The requirement for marketing evidence is justified as it will ensure that buildings suitable and required to support the rural economy are not lost to higher value residential uses. The other criteria are reasonable and appropriate for a largely rural district as they provide a clear and consistent framework for considering the numerous planning applications that are received for such

---

<sup>57</sup> NPPF 78, 79, 110 and 174.

<sup>58</sup> NPPF 80a.

proposals which will ensure that only suitable buildings are converted to residential use.

### **Alterations and extensions to dwellings and residential annexes (policy LP29)**

239. Policy LP29 provides a detailed framework for considering the numerous planning applications that the Council receives for altering and extending homes, and building residential annexes, in the countryside. Modifications are required to clarify what is meant by “over development” and by annexes being functionally linked to the main dwelling [MM39]. Subject to that, the policy is justified and will be effective by striking an appropriate balance between safeguarding the character and appearance of the countryside and allowing residents to enlarge and improve their homes.

### **Extensions to domestic gardens in the countryside (policy LP30)**

240. Policy LP30 allows extensions to domestic gardens in the countryside in certain circumstances. A modification is required to ensure the policy is effective in protecting the character and appearance of the site and wider countryside [MM40].

## **Conclusion**

241. Subject to the main modifications described above, the development management policies relevant to residential development are justified and consistent with national policy and will be effective.

## **Issue 9 – Does the Plan identify the need for additional traveller accommodation based on robust up-to-date evidence and identify sufficient opportunities to ensure that those needs can be met over the plan period?**

### **National policy**

242. National policy expects strategic policies, as a minimum, to provide for objectively assessed needs to be met including the housing needs for different groups in the community<sup>59</sup>. Planning Policy for Traveller Sites (PPTS) published in December 2023<sup>60</sup> expects local planning authorities to use a

---

<sup>59</sup> NPPF 11b and 62.

<sup>60</sup> The PPTS was updated in December 2024. Given the latest revision was published towards the end of the examination, for pragmatic reasons and having regard to PPTS paragraph 30, we have not considered the implications of the definition of “gypsies and travellers” as revised in December 2024. This can be taken into account in a future review of the Plan.

robust evidence base to establish accommodation needs of travellers and local plans to identify specific deliverable sites for years 1 to 5, and specific, developable sites or broad locations for years 6 to 10 and where possible for years 11-15.

### **Need for additional traveller accommodation**

243. West Suffolk has an established Gypsy and Traveller community residing on 20 private sites varying in size from 1 pitch to 18 pitches. There is an identified need, based on robust up to date evidence, for a total of 39 pitches over the plan period due to household formation associated with the families on those existing sites and because a number of the sites are not permanently authorised<sup>61</sup>. The identified need takes into account travellers who have ceased to travel permanently. Sixteen of the pitches are expected to be needed by 2033.

244. There is no identified need for accommodation for other caravan dwellers, travelling showpeople, or boat dwellers.

### **Meeting the need for additional traveller accommodation**

245. Capacity has been identified within some of the existing sites for additional pitches, and the Council is satisfied that a number of other sites could be permanently authorised or satisfactorily extended onto adjoining land. In total, specific opportunities have been identified through those means for at least 37 additional pitches. Making provision in that way would ensure that needs could be met in appropriate locations for the existing families as they arise, including in the short term.

246. Policy LP24 allows for the creation of new sites provided that a number of criteria are met meaning that if unforeseen needs arise, for example due to families wanting to move to a new location or into the district from elsewhere, they could be provided in suitable locations.

247. We are satisfied, therefore, that the Plan identifies sufficient opportunities to ensure that the identified need for additional traveller accommodation can be met throughout the plan period. However, to be effective, policy LP24 needs to be modified to specify the identified need for 39 additional pitches and to state that the need will be met through the intensification of, or extension to, existing sites and through the regularisation of existing tolerated pitches. LP24 also needs to be recategorised as a strategic policy as it sets out the scale of development needed, addresses one of the Council's strategic priorities, and neighbourhood plans would be expected to be in general conformity with it.

---

<sup>61</sup> The Gypsy and Traveller Accommodation Assessment 2023 [B76].

Finally, the requirement relating to flood risk needs to be modified to be consistent with national policy and ensure that residents are safe [MM36]. The reasoned justification to policy LP24 needs to be modified accordingly, and to reflect the modification to policy SP10 described earlier in this report [MM36].

## Conclusion

248. Subject to the main modifications described above, the Plan identifies the need for additional traveller accommodation based on robust up-to-date evidence and identifies sufficient opportunities to ensure that those needs can be met over the plan period.

## **Issue 10 – Are the policies relating to economic development and town centres justified and consistent with national policy, and will they be effective in ensuring that identified development needs can be met in appropriate locations throughout the plan period?**

### **Strategic employment (policy SP12)**

249. In addition to modifying policy SP12 to reflect the revised plan period and updated evidence of employment need as described under main issue 1, the parts of the policy and reasoned justification that repeat or summarise other policies in the plan, including allocations, need to be deleted or amended to avoid ambiguity and inconsistency and thereby ensure effectiveness. Furthermore, to provide clarity and conciseness, the parts of policy SP12 relating to existing general employment areas and rural employment areas need to be moved to a separate strategic policy which we consider below.

250. We concluded under main issue 1 that there is significant demand for large scale strategic logistics development in the wider sub region, and an identified need for 35 hectares in West Suffolk. The restriction on such developments comprising more than 9,000 sqm is not therefore justified or consistent with national policy which recognises the critical role that such development plays in enabling an efficient, sustainable and effective supply of goods for consumers and businesses as well as contributing to local employment opportunities<sup>62</sup>. Policy SP12 therefore needs to be modified to allow large scale logistics development on suitable allocations and employment areas, provided that it is consistent with national policy and does not prevent more localised needs being met.

---

<sup>62</sup> PPG ID: 2a-03120190722.

251. Subject to the modifications [MM43], we are satisfied that policy SP12 is justified and clearly sets out the overall strategic approach to the provision of employment land over the Plan period.

### **General employment areas and rural employment areas**

252. To ensure that the established employment areas are clearly set out in the Plan, a new strategic policy and reasoned justification need to be included. This identifies the 26 general employment areas and 20 rural employment areas and defines the range of identified employment uses that are likely to be supported, along with criteria against which proposals will be assessed against. The new policy also clearly protects these areas for employment uses to address local and sub regional employment needs [MM44].

### **Safeguarding existing employment land and businesses**

253. Policy LP36 sets out more detailed development management criteria intended to protect and safeguard the defined general and rural employment areas, sites allocated for employment uses, and land and existing businesses which are not specifically identified in the Plan.
254. Clarification on marketing criteria is necessary to accord with the flexibility that the NPPF expects, and as the policy relates to all employment sites the reference to strategic sites in the last paragraph of the policy needs to be deleted [MM45].
255. Subject to these modifications we are satisfied that the policy is justified and will be effective in safeguarding employment uses to accommodate the employment needs of the District.

### **Sites allocated for employment development**

#### **AP3 North of Rougham Tower, Bury St Edmunds**

256. This 63 hectare mixed use allocation includes 20 hectares of employment land. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. The requirement relating to walking and cycling routes should be deleted as this matter is addressed in more detail in policy LP57. The provision of a landmark building upon the site should not be restricted to a certain area but rather be part of the design strategy for it and the policy should be modified to address this point [MM69].
257. Subject to the modifications we are satisfied that policy AP3 will be effective in delivering employment land within the Plan period.

### **AP12 Suffolk Business Park extension, Bury St Edmunds**

258. This is an allocation of 72 hectares as an extension to Suffolk Business Park. Much of this allocation has been developed, and by 1 April 2024 about 7.7 hectares of land remained available for employment purposes. Modification to the policy is required to provide more up to date figures of availability. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. Modification is also necessary giving support to start-up units and clarifying that general industrial uses will not be supported. A modification is also required deleting walking and cycling routes to avoid unnecessary duplication. To protect biodiversity in line with national policy, reference to Glen Chalk Caves and Horringer Court Caves SSSIs needs to be included within the policy. Reference to water mains upon the site also needs to be made to ensure that it can be effectively developed [MM78].

259. Subject to the modification, we are satisfied that there is a reasonable prospect that the remaining land upon this site allocation AP12 will be developed as employment land to meet the identified needs of the District.

### **AP15 Former Wisdom Toothbrush Factory, Haverhill**

260. This 3.4 hectare mixed use allocation includes 0.77 hectares proposed for employment uses. The site contains a large vacant factory building and an historic building currently used as an office. Modification to the policy and reasoned justification is necessary to clarify that the latter needs to be protected as a non designated heritage asset. Modifications relating to access, sustainable travel provision, heritage and archaeology are needed for the reasons set out earlier. As the site is located outside of the zone of influence of protected sites, no recreational mitigation is necessary and this part of the policy should be deleted. In line with policy SP12 as modified, the restriction on strategic logistics should be deleted, and the site plan needs to be modified to accurately reflect the ownership boundary [MM81].

261. Subject to the modification, we are satisfied that policy AP15 will be effective in delivering 0.77 hectares of employment land during the plan period.

### **AP16 West of Mildenhall**

262. This 81 hectare mixed use allocation includes 5 hectares proposed for employment uses. A masterplan was adopted in November 2022. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted [MM82]. Subject to that, we are satisfied that 5 hectares of employment land for a mix of employment uses will be developed on allocation AP16 during the plan period.

### **AP18 Mildenhall Academy and Dome Leisure Centre**

263. This 4 hectare site of the former academy and leisure centre is allocated to deliver a minimum of 3 hectares of employment development. The part of the site occupied by the leisure centre and playing fields, an Asset of Community Value, is not included in the 3 hectares proposed for development. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. [MM84]. Subject to that, we are satisfied that 3 hectares of employment land will be developed on allocation AP18 during the plan period.

### **AP19 Hatchfield Farm, Fordham Road, Newmarket**

264. This 26 hectare mixed use allocation includes 5 hectares of employment land for a mix of employment uses. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. [MM85]. Subject to that, we are satisfied that there is a reasonable prospect that 5 hectares of employment land will be developed on allocation AP19 during the Plan period.

### **AP32 Matthews Nursery, Lakenheath**

265. Policy AP32 proposes 1,000 sqm of employment floorspace on this 1.86 hectares mixed use allocation. Planning permission was granted in May 2023 for 28 homes and commercial use. To reflect this, the amount of commercial space at 900 square metres needs modifying [MM98]. We consider that there is a reasonable prospect that 900 sqm of employment floorspace will be developed on allocation AP32 during the Plan period.

### **AP38 North of Acorn Way, Red Lodge**

266. This 27.4 hectare mixed use allocation includes 8 hectares of employment land. The site map needs to be modified to reflect the masterplan for the site and the size of the allocation increased accordingly to 28 hectares. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. [MM104]. Subject to that, we are satisfied that a mix and scale of employment uses will be delivered of allocation AP38 during the Plan period.

### **AP42 Shepherds Grove, Stanton and Hepworth**

267. This is a 31 hectare site allocated for employment uses to the east of the village of Stanton. To be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. Highway safety will be a consideration as part of any future planning applications. The detailing in

respect of archaeology is not necessary however a modification requiring that an archaeological evaluation is undertaken in accordance with policy LP55 is necessary, as is a paragraph alerting developers to water infrastructure on the site to ensure that it can be effectively developed. To address the need for start-up units the policy should be positively worded in this respect and a modification to clarify this is therefore necessary [MM108]. Subject to those modifications, we are satisfied that allocation AP42 will be effective in delivering 31 hectares of mixed employment uses, whilst providing the necessary highway infrastructure to serve the site.

#### **AP58 Moseleys Farm, Fornham All Saints**

268. This 2.5 hectare mixed use allocation includes 0.43 hectares of employment land. The allocation supports a mix of employment uses but to be consistent with modified policy SP12, the restriction on storage and distribution uses needs to be deleted. Furthermore, the policy should be positively written to support start-up units and a modification in this regard is necessary [MM122]. Subject to that, there is a reasonable prospect that 0.43 hectares of employment land will be developed on allocation AP58 during the plan period.

#### **AP65 Park Farm, Fornham St Genevieve**

269. This 4.4 hectare site is located next to an existing designated rural employment area which caters for small to medium scale businesses and lies within a parkland setting. Planning permission has been granted for 360 sqm of employment uses on the north-west corner of the site. Modifications to the policy is required to delete the restriction on strategic logistics to be consistent with modified policy SP12, and to provide a positive approach towards start-up units. General modifications as set out earlier in this report relating to sustainable travel, archaeology and biodiversity are also necessary. Subject to those modifications [MM129], there is a reasonable prospect that 4.4 hectares of employment land will be developed on allocation AP65 during the plan period.

### **Employment land supply**

270. Policy SP12 refers to 86 hectares of employment land being provided in the district to 2040. The latest evidence referred to earlier indicates that the site allocations will accommodate 85 hectares of employment uses and the general and rural employment areas 5 hectares during the plan period. Policy SP12 needs to be modified to reflect this in order to be justified [MM43].

271. We are satisfied that the assessment of the employment land supply has been undertaken with a reasonable methodology consistent with the PPG. It has considered the locational and premises needs for business and seeks to



support new and innovative start-ups; ensure a supply of quality move-on space to meet demand and growing businesses and create an environment to attract new businesses which create the right mix of jobs to grow the economy.

272. The difference between the identified need for employment uses and the supply is modest, meaning there is little flexibility for meeting any unidentified needs as referred to in national policy. However, as stated earlier in this report the Council is committed to updating the Plan in the short term and this will provide an opportunity to review the employment land requirements and supply, including in relation to demand for strategic logistics development in the context of further consideration in the wider sub region. We are therefore satisfied that, subject to our modifications, the policies relating to site allocations and existing employment areas will be effective in meeting the need for development and supporting a range of existing and new employment uses of varying sizes.

## **Rural economy**

### **Economic development in the countryside (policy LP18)**

273. Policy LP18 is consistent with the aims of national policy to support a prosperous rural economy. The criteria against which proposals should be assessed is also consistent with national policy. To be effective, reference to sustainable economic growth in the countryside should be clarified and support should be given to utilities infrastructure that requires a countryside location. The approach to new or extended buildings is covered in more detail in other policies in the Plan so criteria a to f should be deleted to avoid repetition and/or inconsistency. Consequential changes are required to the reasoned justification [MM29].

### **Tourism development (policy LP39)**

274. Policy LP39 supports proposals for tourism development, including various types of overnight visitor accommodation, provided that a number of specified criteria are met. Having good transport connections is one such criteria which accords with the sustainable rural tourism development aims of national policy. To be effective and to conform with national planning policy a modification to criteria f. is necessary in respect of recognising the intrinsic character and beauty of the countryside [MM46].

## **Town centres and main town centre uses**

275. Policy SP9 states that a positive approach will be taken to the growth, management and enhancement of town centres and that the role and function of local centres will be protected.

276. Policies SP13, LP40 and LP41 set out a network and hierarchy of six town centres and 23 existing local centres, along with eight new local centres proposed on mixed use allocations in the Plan. Five of the six town centres have a primary shopping area defined within it. The boundaries to the existing town centres, primary shopping areas, and local centres are defined on the policies map. The boundaries of the eight proposed new local centres will be defined in a future update to the Plan.
277. Policies SP13, LP40, LP41, LP42 and LP45 set out various development management policies relating to the development of retail and other main town centre uses.
278. The main evidence for the retail and town centre policies in the Plan is the West Suffolk Retail and Main Town Centre Uses Study 2022. This found that there is no quantitative need to allocate sites for additional convenience or comparison shopping floorspace in the period to 2040. No modifications to policies SP13, LP40, LP41, LP42 and LP45 are necessary to make them effective or sound.

## **Conclusion**

279. We are satisfied that, subject to the main modifications described above, the policies relating to economic development and town centres are justified and consistent with national policy and will be effective in ensuring that identified development needs can be met in appropriate locations throughout the Plan period.

## **Issue 11 – Are the policies relating to the horse racing industry, and business and domestic equestrian development, justified and will they be effective?**

### **Horse racing industry**

280. One of the Council's strategic priorities is to support Newmarket as the international home of horse racing and global centre for thoroughbred training due to the significant economic role the industry plays, its social and cultural influence on the town, and the unique character of the built and natural environment that it has helped to create over centuries. This is appropriately reflected in the spatial strategy (policy SP9) and strategic approach to economic development (policy SP12).
281. Policies LP46 to LP49 set out development management policies relating to the horse racing industry and development affecting it. However, as those policies are critical to the delivery of one of the Plan's strategic objectives and the spatial strategy, and because neighbourhood plans would be expected to be in general

conformity with them, they need to be recategorised as strategic [MM48 to MM51].

282. Subject to that, policies LP46 to LP49 are in most respects justified and will provide an effective framework for supporting the industry whilst also allowing other development needs to be met in Newmarket as far as possible. This is in the context of the unique characteristics of the industry, including the huge number of daily horse movements across the town between stables and gallops, the vulnerability of animals and riders, the finite supply of suitable land and premises, and the pressure for other types of development in the town. However, a number of changes are required to the detailed wording of parts of policies LP46 to LP49 for the reasons set out below.

### **Horse racing industry development (policy LP46)**

283. Policy LP46 aims to support the sustainable growth, expansion and diversification of the horse racing industry in and around Newmarket by permitting a wide range of uses (from development within training yards to support services such as vets, saddlers and feed suppliers) provided a number of criteria are met. No modification is required to the wording of the policy.

### **Development affecting the horse racing industry (policy LP47)**

284. Policy LP47 aims to protect existing horse racing industry uses from adverse impacts caused by development (including noise, air quality, volume of traffic, and impact on horse movements, access and servicing arrangements) or which would threaten the viability of the horse racing industry as a whole. Development causing such harm would be allowed only in exceptional circumstances and where it is demonstrated that the benefits would significantly outweigh the harm to the industry. Such stringent tests are essential given the unique character of the industry and its strategic importance, and the need to avoid setting a total embargo on all development that could harm the industry. Policy LP47 needs to be modified to delete reference to “loss of paddocks or other open space” as the redevelopment of horse racing land is covered in detail by policy LP48, and to “long term” as any harm to viability should be prevented and it is unclear how a distinction could be made between long and short or medium term effects [MM49]. This will ensure the policy is justified and effective.

### **Change of use and development of horse racing industry sites (policy LP48)**

285. Policy LP48 aims to support changes of use to alternative horse racing industry uses which sustain the industry, and protect against the unplanned loss of sites and premises. This is essential because horse race industry sites are

irreplaceable and location-specific, and uniquely valuable and vulnerable to higher value uses. As demand for premises inevitably fluctuates over months, years and decades, and it is necessary to maintain a supply of different types and size of sites, their ad hoc loss must be avoided and redevelopment to other uses only considered through the development plan process. A more relaxed policy may lead to premises being left vacant to obtain higher value for other uses such as residential.

286. The unusually stringent approach of not granting planning permission in any circumstances for the change of use or redevelopment of training yards, stud farms, racecourses, horse training grounds and residential accommodation for industry workers to uses not directly related to the industry is therefore justified. However, policy LP48 needs to be modified to delete reference to “exceptional circumstances” in the first paragraph relating to changes from one horse racing use to another as the relevant test in such cases is whether the proposal would benefit the industry as a whole. The policy also needs to be modified to refer to paddocks in the list of uses to be protected, and to clarify that the stringent restriction applies to uses unrelated to the industry as well as not directly related [MM50].

287. Subject to that modification, the policy is justified and will be effective. It is not necessary for the Plan to define a geographical area within the district that policy LP48 applies to. Whilst the vast majority of horse racing industry uses are located in and around Newmarket there are some equestrian uses elsewhere which may need to be protected in the same way in the long term interests of the industry. If equestrian uses are not related to the Newmarket horse racing industry they would be subject to other policies in the Plan, including LP19, rather than LP48. It is not our role to decide if a particular equestrian site (in Red Lodge or elsewhere) is or is not related to the Newmarket horse racing industry; that judgement would need to be made at the planning application stage.

### **Safeguarding horse walks and crossings (policy LP49)**

288. Policy LP49 aims to support the retention, improvement and extension of the horse walk network in and around Newmarket. The network includes segregated walkways and defined areas for crossing roads and other public areas which are essential given the vast number of daily horse movements in the town and the need to manage those carefully with the movement of vehicular traffic and pedestrians. Policy LP49 needs to be modified to clarify that “traffic management proposals” are one of the potential means of extending or providing new horse movement facilities along with parking restrictions, signage, reserving land as part of development proposals, and direct provision of infrastructure such as light controlled signals [MM51]. Subject to this, the policy is justified and effective.

## **Business and domestic equestrian development**

289. Policy LP19 allows proposals for equestrian development, whether domestic or commercial, in the countryside provided that a number of criteria are met. The requirements are justified and provide an effective framework for considering the significant number of planning applications made for such development in the district.

## **Conclusion**

290. Subject to the main modifications set out above, the policies in the Plan relating to the horse racing industry, and business and domestic equestrian development, are justified and will be effective.

## **Issue 12 – Are the policies relating to climate change, health and wellbeing, and design justified, effective and consistent with national policy**

### **The climate and environment emergency and sustainable development (policy SP1)**

291. Policy SP1 aims to provide a framework to ensure an optimum and comprehensive approach to sustainable development that will contribute to the Council's goal of achieving net zero carbon emissions in the district by requiring that all types of development take account of the climate and environment emergency. In most respects, the approach is consistent with national policy which requires the planning system to support the transition to a low carbon future in a changing climate and expects appropriate measures to be taken to ensure the future resilience of communities and infrastructure to climate change impacts<sup>63</sup>. However, to require all types of development, including extensions and alterations, to meet all of the requirements of policy SP1 would not be appropriate or proportionate, and some of the matters would be controlled through the Building Regulations in any event.

292. A modification to the policy is therefore necessary to delete reference to "must" in the first sentence and replacing it with "should where possible" and at the end of the sentence inserting "as appropriate to the nature and scale of the proposal". Repetition within the measures to be taken should also be addressed. The explanation of the policy should also be modified in so far as it relates to the Suffolk Climate Emergency Plan for effectiveness [MM4].

---

<sup>63</sup> Para 153

## **Sustainable design and construction (policy LP1)**

293. National planning policy expects development to be planned for in ways that help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards<sup>64</sup>.

294. Policy LP1 aims to ensure that sustainable design and construction is considered at the earliest stage of development proposals and draws together the requirements contained within the Council's Sustainable Building Advice Note<sup>65</sup>. Like policy SP1, the policy requires all proposals for development to submit evidence to ensure this. Some of the requirements would not be appropriate or reasonable for certain types of development and again a modification to the policy is required to reflect this.

295. The Government's Future Homes Standard and Future Buildings Standard is expected to be implemented through a statutory instrument and new approved documents in 2025 and deliver an uplift in energy efficiency and ventilation standards and introduce a requirement to mitigate any overheating in residential buildings. Upon adoption it is expected that LPAs will not need to set local energy efficiency standards. However, in the interim and subject to the modifications below, we consider that the requirements of policy LP1 are justified.

296. Whilst some of the measures required by policy LP1 are likely to duplicate those set out within the Future Homes Standard and Future Buildings Standard, the timing of the adoption of the Plan and the adoption of these national standards are unlikely to be synchronised. The policy should be modified to reflect this, and to clarify that whilst measures that go beyond national standards will be supported, they are not required.

297. Moreover, whilst supporting the supply of renewable and low carbon energy, national policy does not expect photovoltaic panels to be installed on all roofs, or that renewable energy has to be generated on site. The provision of renewable energy may form part of the assessment of a building's energy efficiency and carbon emissions under the Building Regulations (Part L), as opposed to it being a specific requirement. The policy needs modifying to reflect this, so that it is not unduly prescriptive. Similarly, national policy does not require development to be constructed to a particular standard including that set out in the Building Research Establishment Environmental Assessment Method. The policy needs modifying to reflect this. In addition, the reasoned justification

---

<sup>64</sup> NPPF 154b.

<sup>65</sup> B37

needs to be modified to refer to the County Council as the lead flood authority and cross refer to policy relating to flood risk.

298. These changes [MM5] ensure that policy LP1 is justified, consistent with national policy and effective.

### **Energy and water efficiency in show homes (policy LP2)**

299. Policy LP2 aims to ensure that new home buyers are made aware of the range of ways in which homes can be made more energy and water efficient.

300. Although the use of a show home on residential development schemes for this purpose does not require planning permission, they are used by housebuilders to promote the development, being fitted out as such. They also identify optional extras that a prospective homeowner may purchase if they so wish.

301. This policy aims to “piggyback” on this by requiring environmentally sustainable alternatives to the standard fixtures and fittings to be included in show homes, such that a purchaser is alerted to these technologies and may buy these at an additional cost. In most respects we do not consider this to be unreasonable or onerous, although the specific requirement to advertise such technologies over at least 30 per cent of the floor and wall space has not been justified and a modification to the policy is required removing this aspect of the policy [MM6].

### **Electric vehicle charging points in new developments (policy LP3)**

302. Policy LP3 aims to ensure that electric vehicle charging is properly planned in new developments by expanding on the Building Regulations. It requires, amongst other matters, that visitor parking on major developments are provided with an appropriate proportion of charging points. A modification is required to delete the requirement for 25% of spaces to be provided as that is not justified, and to refer to proposals “having regard to” the Suffolk Guidance for Parking 2023 rather than provision being “in line” with that guidance. Furthermore, given that the guidance may well change over the plan period, we have amended the modification published for consultation to add reference to successor documents for clarity and to ensure that the policy is kept up to date. Paragraph 4.1.24 also needs to be modified to be effective [MM7].

### **Reducing waste and the circular economy (policy LP4)**

303. Policy LP4 aims to reduce embodied carbon, minimise waste, and maximise the reuse and recycling of building materials. The policy needs to be modified such that it relates to major development as opposed to all development, which would not be proportionate or justified. To be effective modification is also necessary

to establish that the requirements of policy LP4 should be appropriate to the nature and scale of the proposal, as each may not be applicable to certain types of development [MM8].

### **Flood risk and sustainable drainage (policy LP5)**

304. Policy LP5 aims to provide guidance on flood risk and sustainable drainage for developers. Modifications are necessary to categorise it as a strategic policy and to ensure consistency with national planning policy in terms of the sequential approach, sustainable drainage, and site-specific flood risk assessments. We have amended the modification published for consultation so that the policy also refers to the impacts of climate change in the second paragraph and to refer to “providing” betterment in the third paragraph. This is to ensure effectiveness and consistency with national policy.

305. The requirement for around 15% of the site being set aside for SUDs is reasonable provided that such features contribute to green infrastructure in accordance with policy SP4. The policy needs to be modified to reflect this. Modifications are also required such that regard is had to other guidance as opposed to the guidance being followed or that development is in accordance with it. The reasoned justification also needs to be modified in so far as it relates to the level 2 Strategic Flood Risk Assessment and its requirements. These changes [MM9] ensure that policy LP5 is justified, consistent with national policy and effective.

### **Water quality and resources (policy LP6)**

306. Policy LP6 aims to improve water quality and manage the use of water resources by ensuring all development proposals suitably manage and reuse surface and waste water. The West Suffolk area has been designated as seriously water stressed since 2013 and further development may add further pressure to the supply of potable water.

307. Whilst the Water Cycle Study (B43a) and Viability Assessment (B9a) support the water consumption requirement of policy LP6 at 100 litres per person per day, this does not accord with national planning guidance<sup>66</sup> which states that where there is a clear local need local plan policies can require new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. The policy needs to be modified to reflect this [MM10] so that it is justified and consistent with national policy.

---

<sup>66</sup> PPG Paragraph: 014 Reference ID: 56-014-20150327



### **Renewable and low carbon energy (policy LP7)**

308. Policy LP7 supports renewable and low carbon energy, setting out criteria against which proposals will be assessed. This accords with national planning policy which requires plans to provide a positive strategy for energy from renewable and low carbon energy that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).
309. However, a number of modifications to the policy are required setting out that the landscape and visual impact should be proportionate to the nature of the development; that preference is given to areas of poorer quality agricultural land in accordance with national planning policy; that the impact on neighbouring uses is acceptable; that biodiversity net gain is provided; that potential impacts on a number of factors is minimised; and that the cumulative impacts of the development are assessed. The explanation of the policy also needs to be modified setting out that anaerobic digestion and energy from waste development is a County matter. These changes [MM11] ensure that policy LP7 is justified and consistent with national policy.

### **Natural resources, pollution and hazards (policy LP8)**

310. Policy LP8 aims to ensure that development minimises emissions and other forms of pollution and does not lead to the deterioration of air or water quality. The policy does not need to be modified other than to include a reference to mitigation measures and a site-specific construction environment management plan. The reasoned justification needs to be modified to refer to the effects of air pollution and the Suffolk County Council Air Quality Strategy to ensure the policy is appropriately justified [MM12].

### **Health and wellbeing (policies SP2 and LP9)**

311. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and which enable and support healthy lifestyles. Policy SP2 is a strategic policy aimed at ensuring that health and wellbeing is at the heart of the design and delivery of all development. No modifications to that policy are required.
312. The PPG sets out that plan making bodies will need to discuss their emerging strategy for development at an early stage with a number of healthcare providers. A Statement of Common Ground dated May 2024 between West Suffolk Council and Suffolk, North East Essex Integrated Care Board, West Suffolk NHS Foundation Trust, Norfolk and Suffolk NHS Foundation Trust and East of England Ambulance Service NHS Trust establishes that proposals

across the district for 50 homes or more will be required to pay a financial contribution for primary health care.

313. Policy LP9 sets out detailed requirements aimed at ensuring development is designed to contribute to improving health and wellbeing. Whilst each allocation for major residential and non-residential development could include criteria on health and wellbeing, this would result in unnecessary duplication. Moreover, without determining the exact layout of development at the plan making stage, it is not possible to include features which would promote health and wellbeing. We consider that the policy is proportionate and justified, although the requirement for the submission of a health and wellbeing statement is considered to be overly prescriptive and the health and wellbeing needs of the community can be demonstrated by other means. Policy LP9 needs modification deleting this requirement.
314. Whilst access to outdoor space is an important factor in promoting healthy communities, there are likely to be circumstances where such space cannot be provided because of the site specifics and context. The policy needs to be modified to reflect this.
315. The PPG recognises that a health impact assessment (HIA) is a useful tool to use where there are expected to be significant impacts on health and wellbeing<sup>67</sup>. Policy LP2's requirement to submit an HIA accords with national planning guidance, but the policy needs to be modified clarifying that HIAs are only required where significant health impacts are likely to occur. For those sites including allocations where significant health impacts are unlikely to occur, a HIA will not be required. The Council has indicated that further guidance is being produced on HIA and that this should be available at the time that the Plan is adopted.
316. Subject to the modifications above [MM13] to policy LP9 we consider that the policy is justified and effective.

### **Design (policies SP3, LP10 and LP11)**

317. Policy SP3 is a strategic policy aimed at creating well designed and connected communities. It requires all development, including extensions and alterations to existing buildings, to demonstrate how the principles set out in parts (a) to (o) have been addressed (as appropriate to the scale and type of development proposed). To be effective and justified, modifications to policy SP3 are required to clarify the purpose of the listed principles and to remove overly prescriptive detail [MM14].

---

<sup>67</sup> PPG Paragraph: 005 Reference ID:53-005-20190722

318. Policies LP10 and LP11 set out procedural requirements relating to the preparation of masterplans and design codes with further information included in Appendices C and D.
319. Policy LP10 sets out detailed requirements in parts (a) to (o) aimed at ensuring that all development maintains or creates a sense of place and has regard to local context. An additional criterion is necessary relating to space standards and accessible home requirements to ensure quality design. To be effective, reference to part M4(2) or part M4(3) of the Building Regulations in criterion n should also be made so that it clear as to what this matter will be assessed against **[MM15]**.
320. Policy LP11 needs to be modified so that the correct appendix is referred to where the detailed requirements for masterplans is located. It is not necessary for a masterplan to be prepared in accordance with the statement of community involvement and this part of the policy should be deleted. The explanation of the policy should be modified to explain the masterplan protocol **[MM16]**. This protocol is guidance and dependent on the circumstances of each case it may be that not all of the criteria will need to be adhered to. This would be a matter for the developer to agree with the Council. We are satisfied that there is sufficient flexibility within the proposal to address the concerns raised. This will ensure policy LP11 is justified and effective.
321. Good design is a key aspect of sustainable development. The use of design codes is supported by national planning policy<sup>68</sup>. On larger scale developments, custom and self build schemes such a tool would be useful in ensuring that the resultant development is of a high quality and reflects local aspirations for the development of their area. The requirements of policy LP12 are necessary to ensure that the development to which they relate is of a good design. Modifications to the policy are required to establish the types of planning applications to which design codes relate and set out that they shall be complied with, including any district or area wide code that has been prepared. Reference to the correct appendix where the guidance is found needs changing as does clarification of how the code should be prepared. These changes **[MM17]** ensure that policy LP12 is justified and effective.

## Conclusion

322. Subject to the main modifications set out above, the policies relating to climate change, health and wellbeing, and design are justified, effective and consistent with national policy.

---

<sup>68</sup> NPPF section 12, PPG ID:26 (2019) and the National Design Guide.

### **Issue 13 – Are the policies relating to the natural environment, landscape and biodiversity justified, effective and consistent with national policy?**

#### **Green infrastructure, open space, sport, play and recreational facilities (policies SP4 and LP33 and Appendix H)**

323. Policy SP4 is a strategic policy intended to protect existing and deliver new green infrastructure and refers to priority areas which are identified in the reasoned justification including on a map. They include the River Lark corridor and Bury St Edmunds, which includes the Water Meadows within and adjoining the Abbey of St Edmund.

324. Policy SP4 requires proposals for 50 or more homes on greenfield sites to provide around 40% of the site as green infrastructure. This is in line with Natural England's Green Infrastructure Framework for England. It also requires other major developments to provide sufficient space for green infrastructure on-site. A wide range of uses comprise green infrastructure and this is made clear in the policy, including sustainable drainage systems, allotments, green and blue corridors and rain gardens. SANG also comprises green infrastructure and a modification to policy SP4 is required to clarify this [MM18].

325. The site capacity assessments for the allocations in the Plan assumed 40% green infrastructure being provided, as did the viability appraisals and the approach was found capable of supporting viable developments. Subject to the modification, policy SP4 is justified and will be effective in delivering green infrastructure which will have a wide range of benefits including environmental, supporting health and wellbeing, enhancing nature and making resilient and climate positive places.

326. Policy LP33 states that where it is necessary to the acceptability of the development, proposals will be required to provide accessible open space including play areas, formal sport and/or recreation areas, allotments, amenity areas and, where appropriate, indoor sports facilities or to provide land and a financial contribution towards the cost and maintenance of existing or new facilities. It also seeks to protect existing space and facilities unless certain criteria are met. Modifications are required setting out that playing fields can comprise recreation open space or facilities, and that the required standards are set out in appendix H of the Plan [MM41]. Subject to this, policy LP33 will be effective in the provision of, and retention of open space, sport, play and recreation facilities.

## **Landscapes (policies SP5 and LP14)**

327. Policy SP5 identifies 8 areas as locally valued landscapes and sets out criteria against which development proposals within or next to them will be assessed. No modifications to the policy are necessary.
328. Policy LP14 sets out various requirements for developments intended to protect and enhance the landscape. Although more detailed than the criteria set out in the NPPF, policy LP14 has consistent objectives, and would not unduly prevent development. There is no requirement to include a planning balance within the policy as this is covered by section 38(6) of the Planning and Compulsory Purchases Act 2004 and section 70(2) of the Town and Country Planning Act 1990. Given that this policy addresses a strategic priority, and neighbourhood plans would need to be in general conformity, a modification is required to change it to a strategic policy [MM20].

## **Biodiversity and geodiversity (policies SP6 to SP8 and LP14 to LP16)**

329. Policy SP6 sets out a number of requirements relating to development achieving biodiversity net gain (BNG) of at least 10%. Given that BNG is now mandatory, it is not necessary to refer to this matter within the policy although the explanation should be amended to refer to the requirement of the Environment Act 2021 for clarity. A modification is also required clarifying that locally defined ecological networks identified in the local nature recovery strategy will be the focus of registered off-site habitat and landscape scale biodiversity net gain. Given this modification, it is not necessary to refer to the emerging Local Nature Recovery Strategy, Green Infrastructure Study or any forthcoming Suffolk Guidance Policy. The explanation of the policy also needs to be modified to provide clarification to the policy requirements for effectiveness [MM21]. Subject to these modifications the policy is justified and will be effective in achieving biodiversity net gain.
330. Policy LP15 sets out requirements for developments to protect areas designated internationally, nationally or locally for their nature conservation value and other important biodiversity habitats and features. Given that this policy addresses a strategic priority, and neighbourhood plans would need to be in general conformity, a modification is required to change it to a strategic policy. A modification is also necessary referring to the water environment as protected or priority habitats, and to mitigation, compensation and enhancement to align with national policy. Enhancement measures should be informed by the relevant nature recovery priorities as opposed to aligning with them in order to be justified [MM22]. It is not necessary to modify the wording of this policy limiting it to only those developments that would impact such sites or features, because if development does not impact them, it will not be a relevant policy to assess development against. Subject to these modifications the policy is

justified and will be effective in conserving, restoring and enhancing protected sites, habitats and features.

331. Policy LP16 sets out requirements for development that would have an adverse impact on protected or priority species. Similar to policy LP15, modification is necessary requiring enhancement measures to be informed by the relevant nature recovery priorities, as opposed to align with, and for clarity “and” needs to be inserted at the end of criteria b so it is clear that the provision of enhancement measures to benefit the species is also a requirement, in addition to the criteria set out in b [MM23]. It is not necessary to refer to the relevant British Standard as this is covered under the last paragraph of the policy requiring that surveys and assessments are undertaken in accordance with national good practice guidelines. Subject to these modifications policy LP16 is justified and will be effective in protecting protected species.
332. Policy SP7 requires project level habitats regulations assessments for all development proposals that are likely to have a significant effect on a SPA or SAC and identifies a number of zones within which such assessments will be required in certain circumstances. The criteria in respect of the Breckland SPA/SAC, particularly relating to stone curlew buffers, is based on evidence set out in the Habitats Regulations Assessment which we considered earlier in this report.
333. The stone curlew buffers were introduced in 2009 (a primary and secondary 1,500m constraint zone) and were adopted by all the local authorities where the SPA boundary falls under their jurisdiction. These zones were introduced as a plan level mitigation measure in all the relevant Councils' core strategies to ensure that any growth to come forward would not lead to adverse effects on stone curlew.
334. Despite evidence submitted to the contrary<sup>69</sup>, it is clear that Natural England supports the 1,500m buffers, as well as the 400m buffer for woodlark and nightjar. It also recognises that these buffers may constrain residential growth<sup>70</sup>. However, the zones are not a blanket ban on development, but rather at a plan level they define the zone within which allocations would not be made because it could not be ascertained that adverse effects upon stone curlew would not occur. However, at a project level, an assessment can be undertaken and, in such circumstances, may be able to demonstrate that the development would not result in an adverse effect upon the integrity of the SPA taking account of latest evidence.
335. Given the above, we consider that the primary and secondary buffers are justified by the supporting HRA and will be effective in protecting the integrity of

---

<sup>69</sup> Sunnica Energy Farm scheme.

<sup>70</sup> Statement of Common Ground A9j

these protected sites. No modifications to policy SP7 are required to make it consistent with national policy or the Habitats Regulations.

336. Policy SP8 requires all development that would result in a net increase in dwellings and be likely to increase recreational pressure on any European or nationally designated site for nature conservation to demonstrate that adequate measures are put in place to avoid or mitigate potential adverse effects. A modification to the detailed wording of the first sentence is necessary for clarity, as is the insertion of “and” between criteria a and b relating to recreational mitigation measures. The explanation of the policy also needs to be modified to refer to the West Suffolk Recreational Disturbance Avoidance and Mitigation study for effectiveness [MM24]. Subject to these modifications policy SP8 is justified and will be effective in ensuring that the recreational effects of development on protected sites is avoided or suitably mitigated.

### **Trees, woodland and hedgerows (policy LP13)**

337. Policy LP13 aims to protect existing trees, woodland and hedgerows, integrate them into new development, and encourage new or replacement planting by setting out various requirements for development proposals. To comply with national policy and to ensure that ancient trees as well as veteran trees are accommodated in development proposals, reference needs to be made to them within the policy. A modification is also necessary clarifying that underground assets and potential long term conflict between trees and such infrastructure should be avoided. A modification is also required to the explanation of the policy establishing the reason as to why new tree and woodland planting may not be supported within the Brecks and clarifying where veteran or ancient trees should be recorded to ensure that they are protected in accordance with national policy [MM19].

### **Conclusion**

338. Subject to the above modifications, policies SP6 to SP8 and LP13 to LP16 are justified and will be effective in conserving and enhancing the natural environment, in accordance with national policy.

### **Issue 14 – Does the Plan set out a positive strategy for the conservation and enjoyment of the historic environment and contain policies that are justified, effective and consistent with national policy?**

339. Paragraph 190 of the NPPF requires plans to set out a positive strategy for the conservation and enjoyment of the historic environment. Policy SP14 aims to balance the need for development with the conservation, enhancement and

enjoyment of the historic environment recognising that heritage assets are best sustained in viable uses which are compatible with their significance; that social, economic, cultural and environmental benefits arise from the historic environment; and the positive contribution it makes to local character and distinctiveness. This policy is consistent with national planning policy and no modifications are necessary.

340. Policies LP50 to LP55 set out development management policies for different types of heritage assets, both designated and non-designated. Policy LP56 relates specifically to the townscape and setting of the Bury St Edmunds conservation area.
341. Site specific policies in the Plan, include, where relevant, requirements relating to the historic environment, whether that be related to setting of listed buildings, conservation areas or archaeology (some of which are subject to main modifications recommended elsewhere in this report).
342. Policy LP50 relates to listed buildings and includes a list of matters that proposals will be assessed against. Some of these matters are unlikely to be relevant to certain proposals and the policy should be modified to reflect this. Modification is also required to policy LP50 in respect of retrofitting listed buildings to ensure that it is consistent with the transition to a low carbon future objective of the NPPF. The explanation to policy LP50 should also be modified to provide clarity in respect of new uses for listed buildings for effectiveness **[MM52]**.
343. Policy LP51 relates to non-designated heritage assets and, similar to policy LP50, includes criteria against which proposals will be assessed against, some of which may not be relevant to all developments. Modification to the policy is required to address this matter and for clarity in respect of new uses within the explanation to the policy **[MM53]**.
344. Policy LP52 relates to new uses for historic buildings. As this matter is covered in modifications to other historic environment policies set out above, it is not necessary to duplicate this in a separate policy. Policy LP52 should therefore be deleted along with its introduction and explanation **[MM54]** in order to avoid unnecessary duplication and potential inconsistency.
345. Policy LP53 relates to conservation areas and sets out criteria against which proposals will be assessed. Similar to policies LP50 and LP51, not all of the criteria may be relevant and policy LP53 therefore needs modifying to reflect this. The criteria against which proposals will be assessed also needs to be modified to reflect the statutory test relating to character or appearance, and reference to setting should be made as opposed to “adjacent to or visible from” to be clear and consistent with national policy. Modification is also necessary in



respect of demolition in a conservation area to reflect NPPF paragraphs 200 and 204 [MM55].

346. In order to comply with national planning policy relating to the public benefits balance<sup>71</sup>, policy LP55 needs modifying [MM56].

347. Policy LP56 is a specific policy relating to the historic townscape and landscape of Bury St Edmunds, recognising its historic interest and significance and the role it plays in the tourism offer in the town and associated economic benefits. Policies LP50 to LP56 inclusive adequately cover the development and improvement to the Abbey of St Edmund and its environs. However, in recognition of the importance of the Abbey to the town and for effectiveness, the explanation to policy LP56 should be modified to support the preparation of a masterplan covering the development of, and improvement to, the Abbey of St Edmund area [MM57].

## Conclusion

348. Subject to these modifications, and those relating to relevant allocation policies described earlier, the Plan sets out a positive strategy for the conservation and enjoyment of the historic environment and contains policies that are justified, effective and consistent with national policy.

## Issue 15 – Are the Plan's development management and site specific policies relating to community facilities justified, effective and consistent with national policy?

349. The Plan includes both development management policies and site specific proposals relating to community facilities which are appropriately defined in the Glossary that we recommend be included as an Appendix to the Plan to ensure effectiveness [MM131]. In general, the approach is consistent with national policy which expects local plans to plan positively for the provision and use of community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship, and to guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day-to-day needs<sup>72</sup>. However, some of the policies need to be modified for the reasons set out below.

---

<sup>71</sup> NPPF paragraphs 201 and 202.

<sup>72</sup> NPPF 93.

### **Community facilities and services (policy LP31)**

350. Policy LP31 supports the provision of new and enhancement of existing community facilities, including through the use of planning conditions and obligations, and seeks to prevent the loss of existing facilities other than in defined circumstances. We are satisfied that the policy is consistent with national policy and can be effectively applied including proportionately in particular circumstances such as when redevelopment of one school site for residential use helps to fund improvements to another school.

### **Leisure and cultural facilities (policy LP32)**

351. Policy LP32 supports proposals for new or improved leisure and cultural facilities in suitable locations subject to a number of criteria being met. This is consistent with national policy and effective, and any balanced assessment of impacts on heritage assets can be made in relation to specific proposals in the context of all relevant policies. There is no need, therefore, to modify the policy.

### **Allotments (policy LP34)**

352. Policy LP34 seeks to protect existing allotments and states that developments may need to provide additional allotments having regard to a standard of 250 sqm (equivalent to one allotment) per 1,000 population. This provides a clear framework for determining when additional provision may need to be made by a developer and is consistent with national policy that promotes healthy and safe communities.

### **Local Green Space (policy LP35)**

353. Policy LP35 protects areas identified as Local Green Space in the Plan (or in neighbourhood plans) and paragraph 4.4.143 lists eight areas which are defined on the Policies Map. Each of those areas was selected following community consultation, and is justified by proportionate and adequate evidence relating to the specific considerations set out in national policy<sup>73</sup>. However, policy LP35 needs to be modified to clarify that Local Green Space will be protected in accordance with national policy relating to Green Belt [MM42].

### **Allocations proposing community facilities**

354. Policies AP2, AP10, AP49, AP52 and AP66 include site specific proposals for various types of community facility all of which are justified and will be effective.

---

<sup>73</sup> NPPF 102.

For the reasons set out earlier in this report, policy AP10 needs to be modified to ensure the protection of nearby habitats sites [MM76].

### **AP9 West of Rougham Road, Bury St Edmunds**

355. Policy AP9 allocates 15 hectares of privately owned land in agricultural use for publicly accessible informal outdoor recreation. It is located close to the Abbey of St Edmund on the edge of the town in the Lark Valley, which is an important corridor for both biodiversity and recreational access. The proposal was also included in a previously adopted plan but has not been implemented. This is because whilst the owner is supportive in principle, they wish to develop part of the land for various commercial uses and some new homes. The site is outside the settlement boundary and protected from such commercial and residential development by other policies in the Plan.
356. Whilst there does not appear to be a reasonable prospect of the informal open space being provided in the foreseeable future, the landowner's intentions may change between now and 2041. The proposal would provide significant public benefits by creating new, accessible open space which is limited in supply close to the town centre; enhancing the setting of, and opening up new views to, the Abbey; and improving biodiversity. The allocation provides a clear positive statement of intent to deliver those public benefits and does not prevent the existing agricultural use continuing. On balance, therefore, we are satisfied that the proposal is justified. However, policy AP9 needs to be modified to ensure effective protection for the Glen Chalk Caves SSSI and Horringer Court Caves SSSI [MM75].

### **AP23 Land to expand Laureate Community Primary Academy**

357. The amount of development proposed in Newmarket means that a significant number of additional primary school and early years places need to be provided. Policy AP23 states that a site to provide an expansion to Laureate Community Primary Academy will be supported to meet that additional need. However, Suffolk County Council, the local education authority, now prefer for a new school to be built in the town as the existing site is constrained meaning that an expansion to a sufficient size would be costly and challenging.
358. Three suitable locations for a new school have been identified (the site of the former Scaltback Middle School or on either allocation AP19 Hatchfield Farm or AP20 Pinewood Stud), but further consideration is needed to determine which it should be. It is necessary, therefore, to modify policy AP23 so that it supports the delivery of a new primary school with early years places on one of the three specified sites [MM89]. To provide flexibility, we have amended the wording of the modification published for consultation to also retain reference to the existing Laureate Academy site as a potential option and to alternative,

appropriately located sites. This will ensure the Plan is positively prepared and effective in ensuring that the identified need for additional school places can be met in a timely manner on a suitable site. Consequential modifications are required to policies AP19 and AP20 as described earlier in this report.

### **AP26 Barrow Primary School**

359. Policy AP26 reserves one hectare of land adjoining Barrow Primary School for its expansion because additional school capacity is expected to be required as a result of the 165 homes proposed on allocations AP24 and AP25 in Barrow. Whilst the Plan sets no requirement for neighbourhood plans to allocate additional sites for residential development, the Barrow Cum Denham neighbourhood plan, which is currently at examination, allocates a site for a further 165 homes in the village. If that allocation is confirmed, further additional primary school capacity would be likely to be required in the village.

360. Policy AP26 is flexible enough to allow the school to expand to the size required to meet the needs that could arise due to the new homes proposed in the Plan and, if necessary, the neighbourhood plan. Based on current forecasts, it is unlikely that the number of homes proposed in the Plan would support the expansion of the school from one form of entry to two forms of entry. If the development proposed in the emerging neighbourhood plan were to take place, such an expansion, which would be operationally preferable, may be supported. However, such forecasts could change, including on the basis of assumptions made about the number of pupils living outside the village that attend the school<sup>74</sup>.

361. Policy AP26 is effective, justified and consistent with national policy relating to the expansion of schools<sup>75</sup>. Whilst there are uncertainties about whether the amount of development proposed in the Plan and neighbourhood plan will be sufficient to support the expansion of the school to two forms of entry, that does not render the Plan unsound. The amount of development proposed in the village is significant, and there is no persuasive reason why that should be increased in the hope of providing greater certainty around school expansion to a particular size.

### **AP40 Secondary school site, Red Lodge**

362. Policy AP40 supports the development of a new secondary school on an unspecified site of around 9 hectares in Red Lodge to serve the Mildenhall, Lakenheath and Red Lodge area.

---

<sup>74</sup> Oral evidence from Barrow Cum Denham Parish Council at the hearing session on 11 December 2024 indicated that around 30% of the September 2024 intake were pupils who live outside the village.

<sup>75</sup> NPPF 95.

363. At present, pupils living in Red Lodge travel to secondary schools in Bury St Edmunds, Mildenhall and Newmarket. The number of new homes proposed in this part of the district means that a significant number of additional school places will be required. Red Lodge is the largest key service centre in the district, meaning that it is in principle a suitable location for a secondary school (despite such a facility not being a prerequisite for key service centre status). Whilst a significant number of students from elsewhere, including Mildenhall and Kennett, would be likely to use the new school in addition to Red Lodge residents, the evidence indicates there would be overall benefits in terms of travel times and journeys made by sustainable modes with consequential improvements in student well-being, academic readiness and participation in extracurricular activities, as well as achieving sustainable development<sup>76</sup>.
364. The Plan does not include a specific allocation as no suitable site had been identified at the time it was prepared. Further work carried out during the examination has resulted in Suffolk County Council identifying a preferred site. However, policy LP31 supports the provision of new community facilities, including schools, where they will contribute to the quality of community life and sustainable communities, and policy AP40 specifically supports the development of a new secondary school on a site in Red Lodge. There is no reason, therefore, why the submitted Plan does not provide an effective and positive policy framework for the consideration of a specific proposal in Red Lodge. Detailed matters, such as potential effects on the Breckland SPA/SAC, could quite properly be considered through the planning application process and project level habitats regulations assessment in the context of all relevant policies in the Plan.
365. We are therefore satisfied that, with regard to the provision of a new secondary school in Red Lodge, the approach in the Plan is effective and consistent with national policy which seeks to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities based on a proactive, positive and collaborative approach that gives great weight to the need to create schools through the preparation of plans<sup>77</sup>.
366. However, to ensure consistency with the definition of "site allocation policy" in the 2012 regulations, a modification is required to recategorise policy AP40 as a non-strategic policy in the infrastructure chapter of the Plan, rather than as an allocation policy. The detailed wording of the policy and justification needs to be amended to clarify its purpose and the requirement for a project level habitats regulations assessment [MM106]. We have amended the wording of the modification published for consultation to refer to the site being "at" (rather than "in") Red Lodge as it may not be possible to identify a suitable site within the

---

<sup>76</sup> Suffolk County Council matter 13 statement appendix 2.

<sup>77</sup> NPPF 95.

settlement boundary and that is not a requirement of policy LP31 or other policies in the Plan.

## **Conclusion**

367. Subject to the main modifications described above, the development management and site specific policies relating to community facilities are justified, effective and consistent with national policy.

## **Issue 16 – Are the policies not considered under other main issues sound?**

### **Transport (policies SP15 and LP57 to LP60)**

368. Policy SP15 sets out the Plan's strategic approach to the provision of infrastructure needed to support development. For the reasons set out under main issue 2, that policy needs to be modified to ensure that it is effective in mitigating the direct and cumulative impacts of development primarily through packages of measures to encourage modal shift and maximise the use of sustainable transport [MM58].

369. Policies LP57 to LP60 set out various requirements for development relating to access, travel and transport. In most respects those policies are consistent with national policy aimed at promoting sustainable transport. However, a number of modifications are required to ensure effectiveness and consistency with national policy.

370. Policy LP57 needs to clarify that financial contributions will be required to improve transport infrastructure where it is necessary to mitigate the impacts of development [MM59]. Reference to new links being provided to the existing public rights of way network where necessary should be added to policy LP58 as part of the approach to promoting opportunities for sustainable travel and recreation [MM60]. Policy LP59 needs to refer to the local highway authority being the body responsible for considering whether a transport assessment indicates that there may be severe impacts as the assessment itself or applicant may not do that [MM61]. Reference in policy AP60 to parking being provided in accordance with the County Council's standards needs to be replaced by "have regard to" as those standards are not part of the Plan and are not subject to independent examination. [MM62].

### **Existing special operational uses (policy SP16)**

371. Policy SP16 aims to support development required for operational purposes at RAF Mildenhall, RAF Lakenheath, RAF Honington, RAF Barnham Camp and

HMP High Point, and to ensure that those sites are not adversely affected by other development in the area. The sites are identified on the policies map. This is justified and consistent with national policy although the reference to project habitats regulations assessments needs to be modified to ensure consistency with policy SP7 [MM64].

### **Digital infrastructure (policy LP61)**

372. Policy LP61 supports improvements to the digital communications network in the district; sets out specific requirements for telecommunications developments; and requires residential, public and business development to include gigabit-capable connections, or be constructed to be high-speed ready, with all physical infrastructure in accordance with the building regulations. In most respects the policy is sound, although the reference to complying with the building regulations is unnecessary duplication and should be deleted [MM63].

### **AP11 West Suffolk Operational Waste Hub and reserved land**

373. Policy AP11 relates to an existing municipal waste hub (AP11a) and reserves an adjoining area of around 10 hectares (AP11b) to meet any future expansion of the facility. The reserved land is in private ownership and being promoted as suitable for general industrial development in small units.

374. The available evidence suggests that the current need is for around 1.2 hectares of expansion land for the waste hub, with the possibility of a further 1.6 hectares in the longer term. In other words, significantly less land than the 10 hectares reserved. Waste management and general industry are not incompatible neighbours, as is recognised in the Suffolk Minerals and Waste Plan 2020, and the site is close to the strategic road network and Bury St Edmunds with good footpaths and cycle links to the town. However, it is possible that waste management needs could change in the years ahead, meaning that additional land is needed, and no other practical options exist to expand the waste hub which is an important facility in the district. Furthermore, the reserve land is divorced from the settlement boundary and existing general industrial or other commercial uses.

375. Policy AP11 states that if the reserve land is needed for waste operations in the plan period, the amount of land required for development, location of uses, access arrangements, design and landscaping will be determined through discussions between the Council and County Council. As part of that process, suitable uses for any of the reserve land not needed for waste management in the long term could be considered. That is a justified and effective process which will ensure that waste management needs can be met in a suitable location, and that efficient use of the whole site can be made in the longer term.

376. Policy AP11 is, therefore, justified and it is not necessary to modify it to allow general industrial uses on part of the reserve land. However, a modification is required to delete reference to a transport assessment as that is dealt with in detail by policy LP59, and to add a requirement to protect the Glen Chalk Caves SSSI and Horringer Court Caves SSSI due to the location of the site. We have amended the modification published for consultation to delete reference to any application for development on the reserved land, which is wholly or mainly for the storage and/or processing of waste or associated activities, being made to West Suffolk Council. This is because such development would be a county matter as defined in the legislation [MM77].

## **Conclusion**

377. Subject to the modifications described above, all of the Plan's policies that we have not considered under previous main issues are sound.

## **Overall Conclusion and Recommendation**

378. The West Suffolk Local Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

379. The Council has requested that we recommend main modifications to make the Plan sound and legally compliant and therefore capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the West Suffolk Local Plan satisfies the requirements referred to in section 20(5)(a) of the 2004 Act and is sound.

*Rosalyn Kirby    William Fieldhouse*

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.

---