



Newmarket Neighbourhood Plan

Basic Conditions Statement

March 2019

Prepared for Newmarket Town Council by
Places4People Planning Consultancy
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Contents

| | | |
|----|--|----|
| 1 | Introduction | 5 |
| 2. | Legal Requirements | 6 |
| 3. | Compliance with Basic Conditions | 9 |
| | How the purpose of NNP policies achieve sustainable development | 13 |
| | General conformity with the strategic policies contained in the development plan | 15 |
| | Compatibility of the NNP with the Strategic Policies of the Development Plan | 19 |
| 4. | Compatibility with European Union Obligations and Human Rights | 27 |
| | Environmental Impact and Habitat Regulations | 27 |
| | Human Rights | 27 |
| | Impact of Objectives of Newmarket Neighbourhood Development Plan on Persons with Protected Characteristics | 28 |
| | Impact of Newmarket Neighbourhood Development Plan Policies on Persons with Protected Characteristics | 30 |

1 Introduction

1.1 As part of the formal submission of the Newmarket Neighbourhood Plan (NNP) for Examination, there is a requirement for the Town Council, as the 'qualifying body' to demonstrate that they have complied with a series of 'basic conditions' as set out in the Town & Country Planning Act 1990 (as amended). This Statement accompanies the submission to the local planning authority, Forest Heath District Council, of the ANP under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations"). Regulation 15 requires a submission neighbourhood development plan to be accompanied by "*a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act*".

1.2 This statement has been prepared in order to confirm compliance with these basic conditions as follows:

Section 2 identifies the legislative requirements for the 'basic conditions';

Section 3 identifies the matters that the appointed examiner must consider and confirms how the neighbourhood plan responds to them;

Sections 4 to 9 set out the basic conditions and review how the neighbourhood plan meets these requirements;

Section 10 confirms that the neighbourhood plan is compatible with the Convention Rights.

It is considered that the neighbourhood plan (NNP) complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.

2. Legal Requirements

2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the “basic Conditions” that the neighbourhood plan must comply with.

2.2 Paragraph 8 (1) states that the examiner must consider:

- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of this Act,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- (e) such other matters as may be prescribed.

2.3 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:

- (a) having regard to national policies and advice contained in guidance by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- (e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
- (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

The requirements of Paragraph 8(2)(b), (2)(c) (3), (4) and (5) are not of relevance to the compliance with the Basic Conditions Tests.

2.4 Paragraph 8 (6) stipulates that the examiner is not to consider any matter that does not fall within subparagraph (1) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights.

2.5 On 28 December 2018 the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force. Amongst other things, these Regulations amend the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) which stated:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.

The Regulations substitute a new basic condition which states:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Meeting the Legal Requirements

Compliance with the individual elements of the legal requirements is set out below.

| Requirement | Interpretation | NP response |
|---|--|---|
| 4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions | This requires the NP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act. | This is considered in detail in later sections of this Statement. |

| Requirement | Interpretation | NP response |
|--|--|---|
| 4B 8 (1)(b) Whether the Draft Order Complies with Sections 38A & 38B of the Compulsory Purchase Act 2004 | This requires the draft order to comply with Sections 38A & 38B of the Compulsory Purchase Act 2004. Section 38A sets out the "Meaning of Neighbourhood Development Plan". | Compliance with Sections 38A and 38B is demonstrated in the following rows. |
| | Section 38A(1) "any qualifying body is entitled to initiate a process for the purpose of requiring a Local Planning Authority in England to make a Neighbourhood Development Plan." | The Neighbourhood Plan has been submitted by Newmarket Town Council, a qualifying body (as defined in the Localism Act 2011). |
| | Section 38A(2) A "Neighbourhood Development Plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan." | The NNP sets out Policies that relate to the development and use of land for the Neighbourhood Area covering the Parish of Newmarket and a small part of the adjoining Parish of Exning, as designated by Forest Heath District Council on 15 June 2018. The boundary of the Neighbourhood Area is shown in the NP. |
| | Section 38A, Paragraphs (3) - (12) | These paragraphs are not of relevance to the submission phase of the NP. |
| | Section 38B1(a) The Neighbourhood Development Plan "Must specify the period for which it is to have effect." | The plan period of the NNP is to 2031. |
| | Section 38B1(b) A Neighbourhood Development Plan "may not include provision about development that is excluded development." | The NNP does not contain policies relating to excluded development as defined in Section 61K of the Planning and Compulsory Purchase Act 2004 |
| | Section 38B1(c) A Neighbourhood Development Plan may not relate to more than one neighbourhood area | The NNP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by Forest Heath District Council on 15 June 2018. |
| | Section 38B(2) Only one Neighbourhood Development Plan may be made for each neighbourhood area. | There are currently no other NP's in place in this neighbourhood area. |
| | Section 38B(3) If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. | There are no conflicts within the NNP |
| | Section 38B(4)(a) Regulations made by the Secretary of State may make provisions for "restricting the provision that may be included in Neighbourhood Development Plans about the use of land." These Regulations are set out in Statutory Instrument 2012 No 637. The | The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the NNP. |

| Requirement | Interpretation | NP response |
|---|---|---|
| | Neighbourhood Planning (General) Regulations 2012. | |
| | Section 38B(4)(b) Regulations made by the Secretary of State may make provisions "requiring Neighbourhood Development Plans to include such matters as are prescribed in the Regulations." | A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) or Habitat Regulations Assessment (HRA) would be required in support of the NNP. In both cases it was considered that the Newmarket Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the NNP. |
| | Section 38B, which include paragraphs 38B(4)(c), 5 & 6, | The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement |
| 4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area | This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates. | The NNP relates to land that falls within the Parish of Newmarket and a small area of land that that falls with the parish of Exning but which does not contain any properties. |
| 4B 8 (1)(e) Other Matters 3.28. | This requires the examiner to consider such other matters as may be prescribed | There are no other prescribed matters. |
| Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 | These Regulations require an Appropriate Assessment of the Plan to be carried out should the SEA and HRA Screening Opinion deem it necessary. | The SEA and HRA Screening Opinion has concluded that an Appropriate Assessment of the Plan is not required. |

3. Compliance with Basic Conditions

3.1 Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act sets out the basic conditions that must be met by a draft Neighbourhood Plan. Subsections (a), (d), (e), (f), and (g) are of relevance to this statement. The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan for the area; and
- Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

National Policy

3.2 The Newmarket Neighbourhood Development Plan must have appropriate regard to national policy. The following section describes how the NNP relates to the National Planning Policy Framework (NPPF) which was originally published in 2012 and most recently amended in February 2019. The February 2019 NPPF has been used as the basis to assess the NNP. The NPPF is framed around a basic premise of achieving sustainable development, comprising three main dimensions: economic, social and environmental. It requires the planning system to have regard to three overarching objectives:

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

3.3 How the NNP Aim and Objectives, as set out in Section 5, relate to the three NPPF dimensions of sustainable development

| NPPF Component | NNP Aim and Objectives |
|----------------|---|
| Economic | The Aim includes provision to preserve the unique features arising from the horseracing and thoroughbred breeding industry, which is the main economy for Newmarket and surrounding area. Objective A seeks to promote and maintain the prosperity of the town and Objective F seeks to create a vibrant and attractive town centre which enhances Newmarket as a major tourist destination. |
| Social | The opening statement of the Aim is to meet the needs of local residents. Objective B aims to improve and promote well-being for all residents |
| Environmental | The Aim seeks to ensure that development in the Plan Area is sustainable and that Newmarket remains distinct from neighbouring towns. |

3.4 Paragraph 11 of the Framework states that plans should apply a presumption in favour of sustainable development. For neighbourhood plans, this means that plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change. The Qualifying Body for the Newmarket Neighbourhood Plan has chosen not to address the housing development needs for the area, leaving

this matter to the Forest Heath Local Plan which is referred to below. However, the planning policies that are contained in the NNP are positively worded and, where appropriate, sufficiently flexible to respond to rapid change.

- 3.5 The NPPF contains thirteen topic-based chapters in which more detailed policy guidance is set out for plan making and decision taking. Table 1, below, identifies how the NNP meets the basic condition of having regard to the NPPF by assessing the Plan against the principles for each of the topic-based chapters.

Table 1 - Compatibility of the plan’s vision, objectives and policies against the NPPF Core Principles

| NPPF Topic | Newmarket NP Objectives (as identified in Section 5 of the NP) | Newmarket NP Policies |
|---|--|--|
| Delivering a sufficient supply of homes | Objective D: To Develop Sustainable Housing within the Boundary of the Designated Area | Policy NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk Policy NKT19: Meeting the Housing Needs of Newmarket Policy NKT20: Affordable Housing |
| Building a strong, competitive economy | Objective A: To Promote and Maintain the Character and Prosperity of the Town | Policy NKT4: Facilities for the Horseracing Industry Policy NKT5: Provision for New and Growing Businesses Policy NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre Policy NKT7: The Market |
| Ensuring the vitality of town centres | Objective F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination | Policy NKT30: Shop Fronts Policy NKT31: Guineas Shopping Centre Policy NKT32: Attractive Entrances to the Town |
| Promoting healthy and safe communities | Objective B: To Improve and Promote Well-being for All Residents | Policy NKT8: Newmarket Community Hospital Policy NKT9: Provision for Special Educational Needs and Disability (SEND) Policy NKT10: Cinema Policy NKT11: Community Sports and Recreation Areas Policy NKT12: Local Green Spaces Policy NKT13: New Green Spaces |
| Promoting sustainable transport | Objective E: To Develop a Sustainable Transport Network | Policy NKT22: Impact of Traffic from Development Proposals Policy NKT23: Public Right of Way and Cycle Networks Policy NKT24: Horsewalks Policy NKT25: Railway Station Policy NKT26: Bus Station Policy NKT27: Coach Park Policy NKT28: Enhancement and Continued Provision of Car Parks Policy NKT29: Lorry Park |

| NPPF Topic | Newmarket NP Objectives (as identified in Section 5 of the NP) | Newmarket NP Policies |
|--|--|--|
| Supporting high quality communications | Objective D: To Develop Sustainable Housing within the Boundary of the Designated Area | Policy NKT21: High Speed Communications Technology |
| Making effective use of land | Objective A: To Promote and Maintain the Character and Prosperity of the Town Objective C: To Value and Protect our Environment | Policy NKT16: Biodiversity Policy NKT19: Meeting the Housing Needs of Newmarket |
| Achieving well-designed places | Objective A: To Promote and Maintain the Character and Prosperity of the Town Objective C: To Value and Protect our Environment | Policy NKT1: Key Views Policy NKT2: St Mary's Square and St Mary's Churchyard Policy NKT13: Trees Policy NKT14: Air Quality |
| Protecting Green Belt land | There is no designated Green Belt in the Neighbourhood Area | None |
| Meeting the challenge of climate change, flooding and coastal change | Objective C: To Value and Protect our Environment Objective D: To Develop Sustainable Housing within the Boundary of the Designated Area Objective E: To Develop a Sustainable Transport Network | Policy NKT14: Air Quality Policy NKT17: Sustainable Design Features to Counter Newmarket-Specific Flood Risk Policy NKT22: Impact of Traffic from Development Proposals |
| Conserving and enhancing the natural environment | Objective A: To Promote and Maintain the Character and Prosperity of the Town Objective C: To Value and Protect our Environment | Policy NKT2: Key Views Policy NKT14: Trees Policy NKT15: Air Quality Policy NKT16: Biodiversity |
| Conserving the historic environment | Objective A: To Promote and Maintain the Character and Prosperity of the Town Objective C: To Value and Protect our Environment | Policy NKT1: Traditional Features and Materials for Developments within the Conservation Area Policy NKT2: Key Views Policy NKT3: St Mary's Square and St Mary's Churchyard Policy NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre |
| Facilitating the sustainable use of minerals | Mineral extraction is excluded development within the regulations governing neighbourhood planning and is therefore not dealt with in the NNP. | None |

How the purpose of NNP policies achieve sustainable development

3.6 The table below identifies the purpose of each policy in the NNP and its intended outcome in relation to achieving sustainable development as defined by the NPPF.

| Policy | Purpose | Outcome against NPPF |
|--------|--|--|
| NKT1 | To ensure that development proposals within the Conservation Area have regard to the context and setting of the site. | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT2 | To ensure that development does not have a detrimental impact on identified views that contribute to the appreciation of the visual qualities of the Conservation Area and its valued surrounding landscape. | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT3 | To provide guidance for the consideration of proposals within this area of significant and historic value. | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT4 | Protects and promotes the retention of facilities and employment opportunities offered by the Horseracing Industry. | Helps build a strong, responsive and competitive economy |
| NKT5 | Supports the refurbishment and environmental improvements at existing employment sites and promotes starter businesses and the expansion of small businesses. | Helps build a strong, responsive and competitive economy |
| NKT6 | Supports the development of a suitable town centre site to provide a town museum and archive, creative arts centre and tourist information centre. | Helps build a strong, responsive and competitive economy |
| NKT7 | Supports the retention of a market in the town centre | Helps build a strong, responsive and competitive economy |
| NKT8 | Safeguards the site of the Community Hospital for health uses and supports the provision of an enhanced level and range of health care services. | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |
| NKT9 | Supports facilities that meet the requirement of Special Educational Needs and Disability groups. | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |
| NKT10 | Supports the provision of a new cinema in the town | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |
| NKT11 | Protects existing community sports and recreation sites from inappropriate development | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |

| Policy | Purpose | Outcome against NPPF |
|--------|---|--|
| NKT12 | Designates Local Green Spaces in accordance with the criteria set out in the NPPF | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT13 | Seeks the provision of new green space in new development | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |
| NKT14 | Protects the loss of trees as a result of development | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT15 | Seeks to minimise adverse development impacts on air quality contribute to the improvement of air quality | Supports strong, vibrant and healthy communities, that reflect current and future needs and supports communities' health, social and cultural well-being |
| NKT16 | Seeks to ensure that new development supports biodiversity through appropriate design and planting and the enhancement of biodiversity corridors | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment |
| NKT17 | Identifies the "Yellow Brick Road as an important wildlife and travel corridor that should be protected and enhanced | Ensures that proposals contribute to protecting and enhancing our natural, built and historic environment Promoting sustainable transport |
| NKT18 | Seeks to minimise the risk of flooding through the incorporation of features within new development | Helps meet the challenge of climate change, flooding and coastal change |
| NKT19 | Seeks to ensure that new housing provides a suitable mix of size, tenure and types to meet locally identified needs | Contributes towards delivering a sufficient supply of homes |
| NKT20 | Seeks to ensure that affordable housing within large sites is provided within small groups or clusters integrated are of equal or better design standards | Contributes towards delivering a sufficient supply of homes |
| NKT21 | Requires the provision of infrastructure capable of accepting high speed communications technology | Contributes towards supporting high quality communications |
| NKT22 | Seeks to minimise detrimental impact from development on the transport infrastructure of the town including the safety of horse movements | Ensures maintaining healthy and safe communities and the delivery of sustainable transport |
| NKT23 | Ensures the protection of existing public rights of way and, where appropriate, their improvements | Ensures maintaining healthy and safe communities and the delivery of sustainable transport |
| NKT24 | Ensures that new horsewalks or any changes to the existing network are safe for all users and are an attractive feature | Helps build a strong, responsive and competitive economy and ensures maintaining healthy and safe communities |

| Policy | Purpose | Outcome against NPPF |
|--------|--|---|
| NKT25 | Supports the expansion and improvement of the railway station | Helps promote sustainable transport |
| NKT26 | Provides criteria for any redevelopment of the Bus Station | Helps promote sustainable transport |
| NKT27 | Identifies a site for the provision of a new coach park for tourism | Helps build a strong, responsive and competitive economy |
| NKT28 | Ensures that public car parking provision is sufficient and well designed. | Helps build a strong, responsive and competitive economy and achieve well-designed places |
| NKT29 | Provides criteria for the consideration of proposals for lorry parks | Helps build a strong, responsive and competitive economy |
| NKT30 | Seeks to maintain and improve high quality shop fronts | Helps achieve well-designed places |
| NKT31 | Provides criteria for any future redevelopment of The Guineas Shopping Centre | Helps build a strong, responsive and competitive economy and achieve well-designed places |
| NKT32 | Ensures that development at the entrances to the town are of high quality and in keeping with the locality | Helps achieve well-designed places |

General conformity with the strategic policies contained in the development plan

3.7 The Newmarket Neighbourhood Development Plan (NNP) must demonstrate that it is in general conformity with the development plan for the local authority area concerned. The development plan currently in force for the NNP is the Forest Heath Core Strategy (May 2010), the Joint Development Management Policies Local Plan Document (February 2015) and the saved policies of the Forest Heath Local Plan (1995). In addition, a Single Issue Review of Core Strategy Policy CS7 is, at the time of the preparation of this Statement, at examination as is the Forest Heath Site Allocations Local Plan Document. In the case of the documents that are at examination, consultation and hearings on proposed modifications were held in 2018 and it is anticipated that the documents will be adopted during 2019. Regard has been had to the content of these emerging Local Plan documents as it is quite likely that they will be adopted before the examination of the NPP takes place.

Vision of NNP and the Forest Heath Core Strategy 2010

The Forest Heath Core Strategy 2010 contains two Visions that are relevant to Newmarket.

| Forest Heath Core Strategy Vision | Fit of Newmarket Neighbourhood Plan Aim and Objectives |
|---|--|
| VISION 1 – FOREST HEATH | |
| <p>The LDF will plan and manage change for all communities in Forest Heath, to improve the social, economic and environmental well-being of the area. The following spatial vision provides a clear direction for development in Forest Heath to 2026 and looking ahead for housing to 2031.</p> | <p>The Aim is:</p> <p>To meet the needs of local residents while preserving the special character and landscape of Newmarket, in particular the town’s historic core and the unique features arising from the horseracing and thoroughbred breeding industry, ensuring that development is sustainable in the long term and that Newmarket remains clearly distinct from neighbouring towns.</p> |
| <p>Forest Heath will be known for its unique countryside, its diverse population, rich heritage and a strong and diverse economy based on tourism, horse racing and other world leading and high-value businesses.</p> | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>C: To Value and Protect Our Environment</p> <p>F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination</p> |
| <p>The countryside of Forest Heath will be known for its intrinsic landscape value and rich biodiversity. Forest Heath will contain areas of expanded heathland and green links along the River Lark corridor will have been enhanced for people and to increase their biodiversity. The locally distinctive Brecks will be protected and enhanced, contributing to a linked green infrastructure network throughout the district and beyond. Countryside recreation in the north of the district, together with tourism development, will continue to thrive, benefiting the economy, providing jobs and creating healthy lifestyles for residents and visitors.</p> | <p>C: To Value and Protect Our Environment</p> |
| <p>The district will have a diverse high-value business and tourism economy with attractive and vibrant towns and villages that act as employment and service centres for the surrounding rural hinterland. Newmarket and its surrounding area will have an increased number of high skilled jobs, fulfilling its role within the Cambridge sub-region. Forest Heath will have been exploited and marketed appropriately as an area for business and economic growth, building on its proximity to the neighbouring towns and cities of Ely, Bury St Edmunds and Cambridge.</p> | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination</p> |
| <p>The market towns of Forest Heath will have a viable and vibrant retail offering with a range of local and national outlets offering a wide range of goods. Smaller centres will have a sufficient retail offer to accommodate the needs of their respective local catchments.</p> | <p>F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination</p> |
| <p>All towns and villages will enjoy open spaces and a wide range of quality community, sport and recreation facilities will cater for the population and serve</p> | <p>B: To Improve and Promote Well-being for All Residents</p> |

| Forest Heath Core Strategy Vision | Fit of Newmarket Neighbourhood Plan Aim and Objectives |
|--|--|
| local community needs. The majority of residents will be able to access play/green space provision without the need of a car. An established network of open spaces and green corridors will enhance and protect the districts natural assets. | C: To Value and Protect Our Environment |
| The need to adapt to climate change (in particular in managing flood risk) and to reduce carbon emissions, will have influenced the location and design of development, including the re-creation of habitats. Low energy buildings will be commonplace and renewable energy generation will have increased. The need for sustainability will encourage the use of alternative modes of transport. | C: To Value and Protect Our Environment |
| Forest Heath will be an area in which everyone will be able to flourish and achieve their potential. The current three-tier school system will have successfully transferred to two-tier. Schools will be well integrated into the community the University Campus for Suffolk and the Anglia Ruskin University will provide access to higher education. | B: To Improve and Promote Well-being for All Residents |
| Residents will have a higher quality of life, and there will be an increased range of housing and job opportunities for all. Socially balanced, strong, safe and sustainable communities will be developed, which reflect the cultural diversity of the Districts population, including the two USAF bases at Mildenhall and Lakenheath. | B: To Improve and Promote Well-being for All Residents |
| Development will be focused in the towns and key service centres. Each settlement will have maximised the provision of affordable housing and will facilitate the creation of new business and established business growth. Red Lodge will be considered a key service centre following completion of the planned school and village centre. Small amounts of new development will occur within a number of designated primary villages to support rural sustainability. | A: To Promote and Maintain the Character and Prosperity of the Town D: To Develop Sustainable Housing within the Boundary of the Designated Area |
| The emphasis on protecting and enhancing the intrinsic character and built historic heritage of our villages, towns and the wider environment will be balanced with the benefits of small-scale development to provide affordable housing, local jobs or additional community facilities. | A: To Promote and Maintain the Character and Prosperity of the Town C: To Value and Protect Our Environment D: To Develop Sustainable Housing within the Boundary of the Designated Area |
| Local people will be fully engaged in decision making for their communities and parish/town councils will play an increasing role in this. Local people will be involved in making their communities 'green, safe, clean and prosperous'. | B: To Improve and Promote Well-being for All Residents |
| | |

| Forest Heath Core Strategy Vision | Fit of Newmarket Neighbourhood Plan Aim and Objectives |
|--|--|
| VISION 2 – NEWMARKET | |
| Newmarket will remain the largest town in the district. | <p>The Aim is:</p> <p>To meet the needs of local residents while preserving the special character and landscape of Newmarket, in particular the town’s historic core and the unique features arising from the horseracing and thoroughbred breeding industry, ensuring that development is sustainable in the long term and that Newmarket remains clearly distinct from neighbouring towns.</p> |
| Newmarket's position as the international home of horse racing will be preserved and enhanced. It will have been positioned and promoted further as both a destination for tourists and businesses, and as a hub from which the rich and distinct historic context of the district, its cultural attractions and environment can be enjoyed. | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination</p> |
| Its facilities and retail offerings will have been developed and expanded. A broader range of employment, services and facilities will be available, to capitalise on its strategic location within the region and locality. | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination</p> |
| As part of the sub-regional vision with Cambridge, Newmarket will have further developed its knowledge based economy. There will be improved rail and bus links with other urban centres in the region and with London and to national networks. The frequency and quality of bus services within and beyond the town will be good, connecting the rural hinterlands and urban centres with Newmarket and integrated with rail services. | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>E: To Develop a Sustainable Transport Network</p> |
| Most of the additional housing development will have taken place to help meet the needs of local people and businesses. Further growth will function as part of the town and will be connected by pedestrian and cycle links, and if appropriate horse walks. It will be balanced by the need to protect the towns unique character and landscape setting. | <p>A: To Promote and Maintain the Character and Prosperity of the Town</p> <p>D: To Develop Sustainable Housing within the Boundary of the Designated Area</p> |

Compatibility of the NNP with the Strategic Policies of the Development Plan

3.8 Paragraph 20 of the NPPF states:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;*
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”*

3.9 Paragraph 076 of the Planning Practice Guidance helps to clarify how strategic policies are determined, as follows:

“Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- whether the policy sets out an overarching direction or objective*
- whether the policy seeks to shape the broad characteristics of development*
- the scale at which the policy is intended to operate*
- whether the policy sets a framework for decisions on how competing priorities should be balanced*
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan*
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan*
- whether the Local Plan identifies the policy as being strategic.”*

3.10 The District Council has usefully identified which of the adopted local plan policies are “strategic” and the table below provides details of those policies, a link to the NNP policy (where relevant) and a narrative of conformity of the NNP with the strategic policies. It is not considered that any of the saved policies of the Forest Heath Local Plan (1995) meet the criteria as set out in the NPPF.

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|---|--|---|
| Forest Heath Core Strategy 2010 | | |
| CS1 Spatial Strategy | All Neighbourhood Plan policies apply | The Core Strategy policy sets out the development strategy for Newmarket. All of the Neighbourhood Plan policies are positively prepared and in accordance with this strategic policy. |
| CS2 Natural Environment | NKT2: Key Views NKT12: Local Green Spaces NKT13: New Green Spaces NKT14: Trees NKT15: Air Quality NKT16: Biodiversity NKT17: Yellow Brick Road Linear Park | The Core Strategy policy protects areas of landscape, biodiversity and geodiversity interest and local distinctiveness from harm. The identified neighbourhood plan policies complement the strategic approach by identifying local sites and features to be protected. |
| CS3 Landscape Character and the Natural Environment | NKT2: Key Views NKT12: Local Green Spaces NKT13: New Green Spaces NKT14: Trees NKT15: Air Quality NKT16: Biodiversity NKT17: Yellow Brick Road Linear Park | The Core Strategy policy seeks to protect, conserve and enhance the quality, character, diversity and local distinctiveness of the District's landscape and historic environment. The identified neighbourhood plan policies complement the strategic approach by identifying local sites and features to be protected. |
| CS4 Reduce Emissions, Mitigate and Adapt to future Climate Change | NKT15: Air Quality NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk | The Core Strategy policy promotes and encourages development proposals to deliver high levels of building sustainability in order to avoid expansion of the districts ecological footprint and to mitigate against and adapt to climate change. The identified neighbourhood plan policies complement the strategic approach through identifying local issues that need to be addressed |
| CS5 Design Quality and Local Distinctiveness | NKT1: Traditional Features and Materials for Developments within the Conservation Area NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk | The Core Strategy policy seeks to ensure that all new development is designed to a high quality and reinforces local distinctiveness. The identified neighbourhood plan policies complement the strategic approach. |
| CS6 Sustainable Economic and Tourism Development | NKT5: Provision for New and Growing Businesses NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre | The Core Strategy policy sets out the district wide approach to the delivery of additional jobs including the identification Newmarket as a primary location for strategic employment and supporting the further development of the equine industry around the town. The identified neighbourhood plan policies complement the strategic approach. |
| CS7 <i>(See Single Issue Review below)</i> | | |

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|--|---|---|
| CS8 Provision for Gypsy and Travellers | No specific policies apply | The Core Strategy policy sets out the approach for meeting the accommodation needs of Gypsies and Travellers across the district. The Neighbourhood Plan policies do not contradict this approach. |
| CS9 Affordable Housing Provision | NKT19: Meeting the Housing Needs of Newmarket NKT20: Affordable Housing | The Core Strategy policy sets out the approach for delivering identified affordable housing need across the district. The identified neighbourhood plan policies complement the strategic approach by identifying how developments should integrate affordable housing within them. |
| CS10 Sustainable Rural Communities | N/A | Not relevant to the Newmarket Neighbourhood Area |
| CS11 Retail and Town Centre Strategy | NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre NKT7: The Market NKT28: Enhancement and Continued Provision of Car Parks NKT30: Shop Fronts NKT31: Guineas Shopping Centre | The Core Strategy policy supports maintaining and enhancing the vitality and viability of towns, including the provision of additional retail floorspace. The identified neighbourhood plan policies complement the strategic approach by identifying specific initiatives that would help to deliver the Core Strategy policy. |
| CS12 Strategic Transport Improvement and Sustainable Transport | NKT22: Impact of Traffic from Development Proposals NKT23: Public Right of Way Network NKT24: Horsewalks NKT25: Railway Station NKT26: Bus Station NKT27: Coach Park NKT28: Enhancement and Continued Provision of Car Parks NKT29: Lorry Park | The Core Strategy policy promotes the delivery of necessary transport infrastructure and sustainable transport measures to facilitate the regeneration of the market towns, support the local economy, improve access to services and facilities. It highlights improvements to the rail infrastructure and the A14/A142 junction within the Neighbourhood Plan Area. The identified neighbourhood plan policies complement the strategic approach by identifying specific initiatives that would help to deliver the Core Strategy policy. |
| CS13 Infrastructure and Developer Contributions | NKT8: Newmarket Community Hospital NKT9: Provision for Special Educational Needs and Disability (SEND) NKT21 High Speed Communications Technology NKT22: Impact of Traffic from Development Proposals | The Core Strategy policy seeks to ensure that adequate essential infrastructure is available to accommodate planned growth. The identified neighbourhood plan policies complement the strategic approach by identifying specific initiatives that would help to deliver the Core Strategy policy. |

Single Issue Review of Core Strategy Policy CS7

| | | |
|---------------------------------|---|--|
| CS7 – Overall Housing Provision | NKT19: Meeting the Housing Needs of Newmarket | At the time of the preparation of this Basic Conditions Statement, the Single Issue Review of Core Strategy Policy CS7 was still at examination, having been submitted by the District Council in March 2017. Consultation on Main Modifications took place between 25 April and 8 June 2018 and further local plan hearings were held |
|---------------------------------|---|--|

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|-----------------------------|------------------------------------|---|
| | | <p>in June 2018. The Inspector's Report has yet to be issued to Forest Heath District Council.</p> <p>Policy CS7, as modified and consulted upon in 2018, identified the provision and broad distribution of housing across Forest Heath in the period 2011 to 2031.</p> <p>The Newmarket Neighbourhood Plan does not allocate sites for housing and, therefore, does not conflict with the Core Strategy policy as most recently examined.</p> |

| Joint Development Management Policies Local Plan Document (February 2015) | | |
|--|---|--|
| DM1 Presumption in Favour of Sustainable Development | All Neighbourhood Plan policies | The Neighbourhood Plan has been prepared to ensure that its policies support appropriate sustainable development commensurate to the size and location of Newmarket |
| DM2 Creating Places - Development | NKT1: Traditional Features and Materials for Developments within the Conservation Area NKT2: Key Views NKT11: Community Sports and Recreation Areas NKT12: Local Green Spaces NKT13: New Green Spaces NKT14: Trees NKT15: Air Quality NKT16: Biodiversity NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk NKT21 High Speed Communications Technology NKT22: Impact of Traffic from Development Proposals NKT23: Public Right of Way Network NKT24: Horsewalks NKT30: Shop Fronts | Policy DM2 identifies many criteria against which proposals will be judged in relation to achieving high quality design and creating locally distinct places. The NNP policies complement this policy by identifying locally distinct features of the nature that Policy DM2 requires development proposals to have regard to. |
| DM3 Masterplans | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM4 Development Briefs | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|---|---|--|
| DM5 Development in the Countryside | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM6 Flooding and Sustainable Drainage | NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk | Policy NKT18 complements the Local Plan policy by identifying specific approaches that development should include to minimise surface water flooding and the risk of flooding. |
| DM7 Sustainable Design and Construction | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM8 Low and Zero Carbon Energy Generation | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM9 Infrastructure Services and Telecommunications Development | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance | NKT16: Biodiversity | Policy NKT16 complements Policy DM10 by identifying features that should be incorporated into new developments to support endangered species. |
| DM11 Protected Species | NKT16: Biodiversity | Policy NKT16 complements Policy DM11 by identifying features that should be incorporated into new developments to support endangered species. |
| DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity | NKT16: Biodiversity | Policy NKT16 complements Policy DM12 by identifying features that should be incorporated into new developments to support endangered species. |
| DM13 Landscape Features | NKT2: Key Views NKT12: Local Green Spaces NKT13: New Green Spaces NKT14: Trees NKT17: Yellow Brick Road Linear Park | The identified policies in the NNP complement Policy DM13 by referencing locally identified features of importance including important open spaces and important views. |
| DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards | NKT15: Air Quality | Policy NKT15 complements Policy DM15 through identifying locally specific requirements that will ensure that development proposals do not create adverse impacts on air local quality. |
| DM15 Listed Buildings | NKT1: Traditional Features and Materials for Developments within the Conservation Area | The identified policies in the NNP complement Policy DM15 by referencing the need for development proposals to have regard to impact on heritage assets. |

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|---|---|--|
| | NKT3: St Mary's Square and St Mary's Churchyard | |
| DM16 Local Heritage Assets and Buildings Protected by an Article 4 Direction | No specific policies apply | The NNP does not identify any local heritage assets for protection |
| DM17 Conservation Areas | NKT1: Traditional Features and Materials for Developments within the Conservation Area NKT2: St Mary's Square and St Mary's Churchyard | The identified policies in the NNP complement Policy DM17 by referencing the need for development proposals to have regard to impact on heritage assets. |
| DM18 New Uses for Historic Buildings | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest | No specific policies apply | There are no Parks and Gardens of Special Historic or Design Interest in the Neighbourhood Area |
| DM20 Archaeology | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM21 Enabling Development | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM22 Residential Design | NKT1: Traditional Features and Materials for Developments within the Conservation Area NKT13: New Green Spaces NKT14: Trees NKT15: Sustainable Design Features to Counter Newmarket-Specific Flood Risk NKT19: Meeting the Housing Needs of Newmarket NKT21 High Speed Communications Technology | The identified policies of the NNP complement Policy DM22 through identifying specific design characteristics and features that proposals for new housing should provide. |
| DM23 Special Housing Needs | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|--|--|---|
| DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage | NKT13: New Green Spaces NKT14: Trees NKT18: Sustainable Design Features to Counter Newmarket-Specific Flood Risk | The identified policies of the NNP complement Policy DM24 through identifying specific design characteristics and features that proposals for residential alterations and extensions should have regard to. |
| DM25 Extensions to Domestic Gardens within the Countryside | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM26 Agricultural and Essential Workers Dwellings | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM27 Housing in the Countryside | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM28 Residential Use of Redundant Buildings in the Countryside | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM29 Rural Housing Exception Sites in St Edmundsbury | N/A | This policy does not apply to the NNP Area. |
| DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses | NKT4: Facilities for the Horseracing Industry NKT5: Provision for New and Growing Businesses | The identified policies of the NNP complement Policy DM30 through supporting proposals that retain existing employment sites, encourage new employment as well as consolidate employment opportunities offered by the Horseracing industry. |
| DM31 Farm Diversification | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM32 Business and Domestic Equine Related Activities in the Countryside | NKT4: Facilities for the Horseracing Industry | Policy NKT4 supports proposals for the consolidation and diversification of horseracing related facilities. The policy is in conformity with the Local Plan policy and applies it to specific circumstances in the NNP Area. |
| DM33 Re-Use or Replacement of Buildings in the Countryside | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM34 Tourism Development | NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre | Policy NKT6 complements Policy DM34 by identifying a specific tourism development initiative in the NNP Area. |

| Local Plan Strategic Policy | Relevant Neighbourhood Plan Policy | Comment |
|--|--|---|
| DM35 Proposals for Main Town Centre Uses | NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre NKT7: The Market NKT30: Shop Fronts NKT31: Guineas Shopping Centre | The NNP policies identified are in conformity with Policy DM35 in that they identify specific initiatives and measures that are related to Newmarket. They do not, therefore, undermine the policies of the Local Plan or NPPF. |
| DM36 Local Centres | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM37 Public Realm Improvements | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM40 Ancillary Retail Uses | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM41 Community Facilities and Services | NKT8: Newmarket Community Hospital NKT9: Provision for Special Educational Needs and Disability (SEND) | The NNP policies identified are in conformity with Policy DM41 in that they propose the provision and enhancement of specific community facilities in the NNP Area. |
| DM42 Open Space, Sport and Recreation Facilities | NKT11: Community Sports and Recreation Areas NKT12: Local Green Spaces NKT13: New Green Spaces | The Local Plan policy promotes the provision and retention of open space, sport and recreation facilities. The policies of the NNP identify locally specific facilities which the Plan seeks to protect. |
| DM43 Leisure and Cultural Facilities | NKT10: Cinema | The Local Plan policy provides for the positive consideration of new leisure or cultural facilities. Policy NKT10 positively plans for the consideration of proposals for a new cinema in the NNP Area. |
| DM45 Transport Assessments and Travel Plans | NKT22: Impact of Traffic from Development Proposals | The Local Plan policy identifies the circumstances when transport assessments and travel plans will be required for development proposals. Policy NKT22 provides local detail on how the impact of traffic from development proposals will be considered. |
| DM46 Parking Standards | No specific policies apply | There is no need for the NNP to address this matter as it is adequately addressed in the Local Development Plan documents and the NPPF and the NNP will not undermine that strategy. |
| DM47 Development Relating to the Horse Racing Industry | NKT4: Facilities for the Horseracing Industry NKT24: Horsewalks | The Local Plan policy provides criteria whereby proposals relating to the Horse Racing Industry will be considered. The identified policies in the NNP support the Local Plan approach. |
| DM48 Development Affecting the Horse Racing Industry | NKT4: Facilities for the Horseracing Industry NKT24: Horsewalks | The Local Plan policy identifies how proposals that are likely to have a material adverse impact on specified Horse Racing Industry activities will be considered. The identified policies in the NNP support the Local Plan approach. |

4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 4.1 Section 4B 8 (2)(f) states that a draft Neighbourhood Plan will meet the basic conditions if, the making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 4.2 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plan or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) that this is to be determined by a screening process which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available.
- 4.3 In accordance with Regulation 9 of the Regulations, as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, Newmarket Town Council, asked Forest Heath District Council whether an environmental assessment of the emerging Neighbourhood Plan was required. The District Council subsequently made this determination following consultation with the statutory consultees. The determination is set out in the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Opinion: Newmarket Neighbourhood Plan

Human Rights

- 4.4 The public consultation process for the Newmarket Neighbourhood Plan has been wide and inclusive and has included direct engagement with the local community. The policies contained within the plan do not disadvantage any minority group or group with protected characteristics.
- 4.5 The overall purpose of the Neighbourhood Development Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people's views and in the light of evidence gathered for the parish, in order to meet the needs expressed and address the issues identified. In order to confirm that the NNP does not have any unintended consequences for particular groups, the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. "Protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 4.6 This section assesses the Submission Draft of the Neighbourhood Plan to ensure that Newmarket Town Council is satisfying its statutory duties in this regard. An assessment has been made on whether the objectives and the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics. The purpose of each of the objective and the policies in the Neighbourhood Plan are provided, and their likely impact on persons with protected characteristics is assessed.

| Policy | Purpose | Outcome |
|---------------|--|---|
| NKT1 | To ensure that development proposals within the Conservation Area have regard to the context and setting of the site. | |
| NKT2 | To ensure that development does not have a detrimental impact on identified views that contribute to the appreciation of the visual qualities of the Conservation Area and its valued surrounding landscape. | Neutral impact on persons with protected characteristics. |
| NKT3 | To provide guidance for the consideration of proposals within this area of significant and historic value. | Neutral impact on persons with protected characteristics. |
| NKT4 | Protects and promotes the retention of facilities and employment opportunities offered by the Horseracing Industry. | Neutral impact on persons with protected characteristics. |
| NKT5 | Supports the refurbishment and environmental improvements at existing employment sites and promotes starter businesses and the expansion of small businesses. | Neutral impact on persons with protected characteristics. |
| NKT6 | Supports the development of a suitable town centre site to provide a town museum and archive, creative arts centre and tourist information centre. | Neutral impact on persons with protected characteristics. |
| NKT7 | Supports the retention of a market in the town centre | Neutral impact on persons with protected characteristics. |
| NKT8 | Safeguards the site of the Community Hospital for health uses and supports the provision of an enhanced level and range of health care services. | Broadly positive impact for persons with certain protected characteristics. |
| NKT9 | Supports facilities that meet the requirement of Special Educational Needs and Disability groups. | Broadly positive impact for persons with certain protected characteristics. |
| NKT10 | Supports the provision of a new cinema in the town | Neutral impact on persons with protected characteristics. |
| NKT11 | Protects existing community sports and recreation sites from inappropriate development | Broadly positive for persons with certain protected characteristics. |
| NKT12 | Designates Local Green Spaces in accordance with the criteria set out in the NPPF | Neutral impact for persons with certain protected characteristics. |
| NKT13 | Seeks the provision of new green space in new development | Neutral impact for persons with certain protected characteristics. |
| NKT14 | Protects the loss of trees as a result of development | Neutral impact for persons with certain protected characteristics. |
| NKT15 | Seeks to minimise adverse development impacts on air quality contribute to the improvement of air quality | Broadly positive impact for persons with certain protected characteristics. |

| Policy | Purpose | Outcome |
|---------------|---|---|
| NKT16 | Seeks to ensure that new development supports biodiversity through appropriate design and planting and the enhancement of biodiversity corridors | Neutral impact for persons with certain protected characteristics. |
| NKT17 | Identifies the "Yellow Brick Road as an important wildlife and travel corridor that should be protected and enhanced | Neutral impact for persons with certain protected characteristics. |
| NKT18 | Seeks to minimise the risk of flooding through the incorporation of features within new development | Neutral impact for persons with certain protected characteristics. |
| NKT19 | Seeks to ensure that new housing provides a suitable mix of size, tenure and types to meet locally identified needs | Broadly positive impact for persons with certain protected characteristics. |
| NKT20 | Seeks to ensure that affordable housing within large sites is provided within small groups or clusters integrated are of equal or better design standards | Broadly positive impact for persons with certain protected characteristics. |
| NKT21 | Requires the provision of infrastructure capable of accepting high speed communications technology | Neutral impact for persons with certain protected characteristics. |
| NKT22 | Seeks to minimise detrimental impact from development on the transport infrastructure of the town including the safety of horse movements | Neutral impact for persons with certain protected characteristics. |
| NKT23 | Ensures the protection of existing public rights of way and, where appropriate, their improvements | Neutral impact for persons with certain protected characteristics. |
| NKT24 | Ensures that new horsewalks or any changes to the existing network are safe for all users and are an attractive feature | Neutral impact for persons with certain protected characteristics. |
| NKT25 | Supports the expansion and improvement of the railway station | Neutral impact for persons with certain protected characteristics. |
| NKT26 | Provides criteria for any redevelopment of the Bus Station | Neutral impact for persons with certain protected characteristics. |
| NKT27 | Ensures that public car parking provision is sufficient and well designed. | Neutral impact for persons with certain protected characteristics. |
| NKT28 | Provides criteria for the consideration of proposals for lorry parks | Neutral impact for persons with certain protected characteristics. |
| NKT29 | Seeks to maintain and improve high quality shop fronts | Neutral impact for persons with certain protected characteristics. |
| NKT30 | Provides criteria for any future redevelopment of The Guineas Shopping Centre | Neutral impact for persons with certain protected characteristics. |
| NKT31 | Ensures that development at the entrances to the town are of high quality and in keeping with the locality | Neutral impact for persons with certain protected characteristics. |

Impact of Objectives of Newmarket Neighbourhood Development Plan on Persons with Protected Characteristics

| NNP Objectives | Outcome for persons with Protected Characteristics |
|--|--|
| Objective A: To Promote and Maintain the Character and Prosperity of the Town | Neutral impact for persons with protected characteristics. |
| Objective B: To Improve and Promote the Well-Being of All Residents | Positive impact on persons with protected characteristics. |
| Objective C: To Value and Protect our Environment | Neutral impact for persons with certain protected characteristics. |
| Objective D: To Develop Sustainable Housing within the Boundary of the Designated Area | Positive impact on persons with protected characteristics. |
| Objective E: To Develop a Sustainable Transport Network | Broadly positive impact on persons with protected characteristics. |
| Objective F: To Create a Vibrant, Attractive Town Centre which Enhances Newmarket as a Major Tourist Destination | Neutral impact for persons with protected characteristics. |

Impact of Newmarket Neighbourhood Development Plan Policies on Persons with Protected Characteristics

Certain protected characteristics are not affected by the NNP, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same circumstances.