

Newmarket Neighbourhood Development Plan 2018-2031

**A report to West Suffolk Council on the Newmarket
Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by West Suffolk Council in August 2019 to carry out the independent examination of the Newmarket Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 13 August 2019.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on designating local green spaces and safeguarding its attractive character. It is a very effective Plan which carefully addresses a series of important issues that face the local community.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Newmarket Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
14 October 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Newmarket Neighbourhood Development Plan 2018-2031 (the Plan).
- 1.2 The Plan has been submitted to West Suffolk Council (WSC) by Newmarket Town Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its distinctiveness and identity. It proposes a comprehensive set of policies for the future of the town. In this context, it proposes the designation of a series of Local Green Spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WSC, with the consent of the Town Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the WSC and the Town Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that all of the points have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan (and its appendices).
- the Basic Conditions Statement.
- the Consultation Statement.
- the Evidence Base.
- the SEA/HRA Screening report.
- the representations made to the Plan.
- the Town Council's comments on the representations received.
- the Town Council's responses to my Clarification Note.
- the adopted Forest Heath Core Strategy 2010;
- the single-issue review of Core Strategy Policy CS7;
- the Site Allocations Local Plan;
- the adopted Joint Development Management Policies document 2015;
- the saved policies of the Forest Heath Local Plan 1995;
- the National Planning Policy Framework (February 2019).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 13 August 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations.

3.4 The NPPF was originally published in 2012. It was updated both in 2018 and earlier this year. The 2018 version commented about transitional arrangements for neighbourhood plans being produced at that time. As the Plan was submitted in March 2019 it is assessed in this report against the 2019 version of the NPPF. Any references in this report to the NPPF are to that version of the NPPF.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Town Council has prepared a Consultation Statement. This Statement is proportionate to the Plan area and its policies. Its strength is the way in which it summarises the key stages of consultation and provides the details in a series of appendices. This contributes significantly to its legibility.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the second pre-submission version of the Plan (June to August 2018).
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. It includes details about:
- the early discussions with officers at the former Forest Heath District Council and at Suffolk County Council;
 - the establishment of a Steering Committee and its Terms of Reference;
 - the initial consultation and engagement activities; and
 - workshops to prepare draft policies
- 4.5 Appendices A-E sets out the nature of the community questionnaire and other consultation exercises and the responses received. They demonstrate the professional way in which those responsible for the preparation of the Plan sought to address the expectations of the wider community. Appendix F of the Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. This analysis helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the submitted plan was undertaken by West Suffolk Council that ended on 29 July 2019. This exercise generated representations from the following persons and organisations:
- Natural England
 - Network Rail
 - Sport England
 - Suffolk County Council
 - Suffolk Preservation Society
 - Theatres Trust
 - West Suffolk Housing

- A. Innes
- Anglian Water
- Hatchfield Farm
- Ian Young
- Environment Agency
- Historic England
- National Grid

4.7 I have taken account of all the representations in preparing this report. Where it is appropriate to do so I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is described in paragraph 2.5 of the Plan. It is irregularly-shaped and consists principally of the whole parish of Newmarket and part of an area which is now within the parish of Exning. It is principally an urban area with extensive open areas in the south west and north east. Its population in 2011 was approximately 18 500. It was initially designated as a neighbourhood area on 23 December 2015. The neighbourhood area was subsequently revised on 15 June 2018.
- 5.2 Newmarket is an attractive market town. Its historic core remains clear and is based around High Street running in an east to west direction. The designated conservation area extends beyond the historic town centre to include the extensive area of stables and owners' houses to the north, north west and south-east of the town. The town is well positioned in the wider region. It is located to the immediate south of the A14 and has good road connections with Cambridge, Norwich, London and the Midlands. It also has a railway station.
- 5.3 The character of the neighbourhood area is heavily affected by the horse racing industry. This has a significant impact on both the various land uses and the nature of several buildings. The historic town centre contains training stables and visitor attractions including the National Heritage Centre for Horseracing and Sporting Art. The town also benefits from many well-kept roadside verges which are maintained by the Studs and Jockey Club Estates.

Development Plan Context

- 5.4 The development plan context for West Suffolk Council principally consists of the local plans of the two constituent councils which now comprise West Suffolk. The Forest Heath Core Strategy was adopted in 2010. It sets out the basis for future development in the former Forest Heath District up to 2026, with housing growth and development projected to 2031. The adoption of the Core Strategy partially replaced a number of policies in the Forest Heath Local Plan 1995. The Core Strategy has subsequently been complemented by the Joint Development Management Policies Document 2015. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan.
- 5.5 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.
- 5.6 Newmarket is identified as one of three towns in the adopted Core Strategy (policy CS1). Spatial Vision 2 of the Plan identifies the ways in which the future of the town will be shaped and directed as follows:

- Newmarket will remain the largest town in the (former) district;
- 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;
- 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;
- 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; and
- 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 town's unique character and landscape setting

5.7 Following the adoption of the Core Strategy the former Forest Heath District Council has prepared a Single Issue Review of Core Policy CS7 and a complementary Sites Allocation Local Plan. They were adopted by WSC on 19 September 2019 during the examination of the neighbourhood plan. WSC is preparing a new local plan. It will incorporate a review of the adopted development plan. The draft Plan will emerge in 2021. On this basis it has had no practical implications for the examination of the neighbourhood plan.

5.8 The submitted neighbourhood plan has been prepared within its wider development plan context in general terms and in relation to Newmarket's role in the settlement hierarchy in particular. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The Town Council has clarified that the submitted Plan has chosen to remain silent on the wider delivery of new housing in the neighbourhood area and to rely on the policies in the Core Strategy and the Site Allocations Plan. This is an appropriate approach. Nevertheless, I recommend that the supporting text makes reference to this matter. This will help those using the neighbourhood plan to understand the wider strategic context.

Visit to the neighbourhood area

5.9 I carried out an unaccompanied visit to the neighbourhood area on 13 August 2019.

5.10 I drove into the neighbourhood area along the A1304 from Six Mile Bottom to the west. This helped me to understand the neighbourhood area in its wider landscape context.

It also highlighted the importance of the horse racing industry to the town and its surroundings. The maintenance of the highway verges was very impressive.

- 5.11 I parked in Birdcage Walk and looked at the extensive local green spaces in this part of the town. Given the pleasantness of the day and the compact nature of the town I carried out the majority of the visit on foot. I headed into the town centre along High Street. I saw buildings of different sizes and ages. I found the gardens at the King Edward VII Memorial Hall. They were hugely popular with children and their families enjoying both the weather and the school holidays. I also saw the Jockey Club building.
- 5.12 I then saw the range of retail and commercial facilities in the town centre. Its vitality was enhanced with the street market. I saw the contrasts between the traditional High Street and the more modern shopping centres to its north.
- 5.13 I then continued to Warren Hill and The Severals to the immediate east of the town centre. Their openness and attractiveness were self-evident. In combination they bring a very distinctive character and appearance to the town.
- 5.14 I continued into Fred Archer Way and onto St Mary's Square. The initial part of this element of the visit highlighted the recently-developed Waitrose store and the Premier Inn. The visit to St Mary's Square helped me to understand more fully the reasoning behind the formulation of Policy NKT3.
- 5.15 I then walked to the current and the old railway station via Old Station Road, All Saints Road and Green Road. I saw the contrasting nature of the different station buildings. I walked back to Birdcage Walk along The Avenue. I saw its impressive buildings and the equally impressive Tattersalls. I saw The Avenue Bowls Club in active use in the early evening sunshine. I then took the opportunity to walk along Hamilton Road. I saw the Lawn Tennis Club members enjoying the same sunshine as their bowling counterparts.
- 5.16 I drove out of the Plan area to the north along Fordham Road to the A14. This helped me to understand the town's relationship to this important element of highway infrastructure and the concentration of the employment elements of the town.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued earlier this year.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Newmarket Neighbourhood Development Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy, the Site Allocations Plan and the Joint Development Management Policies document;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of town centre and environmental matters. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy on housing need (NKT19) and for new business and horse racing development (NKT4/5). In the social role, it includes a policy on affordable housing (NKT20) to safeguard its community hospital (NKT8) and for the Yellow Brick Road Linear Park (NKT17). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on important views (NKT2), biodiversity (NKT16) and on proposed Local Green Spaces (NKT12). This assessment overlaps with the Town Council's comments on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider West Suffolk area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy and the Allocations Plan. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan. I have suggested modifications to the text of the Sustainable Housing section of the Plan so that its relationship with the Local Plan is more transparent.

European Legislation and Habitat Regulations

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, WSC undertook a screening exercise in July 2018 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process WSC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. The screening report includes the responses from the three consultation bodies. This is best practice.
- 6.14 WSC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. In particular it assesses the likely effects of the implementation of the policies in the Plan on the following sites:
- Newmarket Heath SSSI - located within and adjacent to the neighbourhood area;
 - Chippenham Fen SSSI and NNR - located to the north of the neighbourhood area;
 - Wicken Fen SSSI and NNR - located to the north west of the neighbourhood area;
 - Devils Ditch SSSI - located to the south west adjacent to the neighbourhood area;
 - Snailwell Meadows SSSI - located to the north of the neighbourhood area;
 - and
 - Brackland Rough SSSI - located to the north of the neighbourhood area.

It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.

- 6.15 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.16 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.17 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report. Section 7 assesses each policy against the basic conditions. Where necessary it recommends modifications on a policy-by-policy basis.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Town Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of Community Actions. They are separately identified from the land use planning policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-5)

- 7.8 The Plan as a whole is very well-organised and includes effective maps. It makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9 The Introduction comments about the background to neighbourhood planning. It also helpfully describes the local planning context within which the Plan has been prepared. The diagrammatic summary of the Forest Heath Development plan on page 5 is particularly effective.
- 7.10 Section 2 summarises how the submitted Plan was prepared. It sets out the management arrangements which were introduced. The timeline in paragraph 2.6 is very good summary of the key stages followed. It overlaps with the submitted Consultation Statement.
- 7.11 Section 3 describes the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on:

- its history;
- an overview of the modern town;
- the importance of the horse-racing industry;
- the town centre;
- transport links and connectivity; and
- infrastructure assets.

7.12 Section 4 comments about the way in which the Plan has sought to address key issues in the neighbourhood area. It identifies a series of constraints and opportunities. It demonstrates that the Plan has been prepared with a clear sense of purpose. In particular it identifies three key opportunities as follows:

- to maintain, promote and increase awareness of Newmarket's key features;
- to enhance existing facilities; and
- to address identified key needs.

7.13 Section 5 sets out a comprehensive aim for the Plan. It is underpinned by a series of objectives. In all cases they are distinctive to the neighbourhood area. The objectives act as chapter headings for the resulting policies. This is a key strength of the Plan. It is clear to understand and the policies flow from the evidence base and the supporting text. In addition, it has a clear focus on a comprehensive range of key development issues in the area. On this basis it deliberately avoids repeating national or local policies.

7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report. Thereafter it comments on the Community Actions.

Policy NKT1: Traditional Features and Materials for Developments within the Conservation Area

7.15 This policy sets out the Plan's ambitions for the conservation area. It relies heavily on the Conservation Area Appraisal. It has two main components. The first comments about the use of vernacular local materials for new development in the conservation area. The second comments that their design should complement existing buildings.

7.16 The thrust of the policy meets the basic conditions. I recommend that its two elements are incorporated into a modified policy which relates back more closely to national policy. As submitted the policy proceeds immediately to detail without setting a wider development context.

Replace the policy with:

'Proposals for new development within the designated conservation area should preserve or enhance the character or appearance of the designated Newmarket Conservation Area. In particular development proposals should:

- **complement surrounding buildings which are described in the Conservation Area Appraisal as making a positive contribution to its character or appearance;**

- **complement any surrounding listed buildings; and**
- **use appropriate local, vernacular materials insofar as they are appropriate to the proposal concerned'**

Policy NKT2: Key Views

- 7.17 This policy seeks to capture the range of public vistas which are characteristic of the neighbourhood area. The views are a combination of the position of the town in its wider landscape, the linear nature of its High Street and the location of key open space at the western and the eastern ends of the built-up part of the town. The key views are shown by way of photographs in Section 13 of the Plan.
- 7.18 The policy builds on work undertaken previously on the Conservation Area Appraisal. The work in that Appraisal partly features in the policy itself.
- 7.19 Whilst the list of key views is extensive, I am satisfied that the views are important to the character and appearance of the town. I am also satisfied that they are public vistas.
- 7.20 I recommend detailed modifications to the wording of parts a and c of the policy. They will result in a Plan which adopts a positive approach in ensuring that the various views are taken into account by developers in preparing new proposals rather than being seen as a restriction to new development. I also recommend the deletion of part b of the policy which refers loosely to views outside the conservation area. In any event the important views are otherwise identified in the third part of the policy.
- 7.21 I also recommended that supporting text within the policy is relocated into the main body of the supporting text.

In part a of the policy:

- **add 'in the Conservation Area' after 'proposals'**
- **replace 'must not have a detrimental impact on' with 'should take account of and where possible complement'**

Delete part b

In part c of the policy:

- **replace the opening sentence with 'As appropriate to their nature and location development proposals should take account of the following Key Views as identified on the Policies Map'**
- **replace the second sentence with 'In particular development proposals should be designed in such a fashion that their height, scale, mass and location within the site concerned respects and safeguards the identified Key Views. Proposals which would complement an identified Key View will be particularly supported'**
- **delete the third sentence.**

At the end of paragraph 6.3 add: 'Section 13 of the Plan includes photographs for each of the identified Key Views'

Policy NKT3: St Mary's Square

- 7.22 This policy sets out a comprehensive context for any development proposals which may come forward in the St Mary's Square area. In particular this part of the town centre is designated as an Environmental Improvement Area. It is a very distinctive approach to a part of the town which is highly-valued by the local community.
- 7.23 I recommend detailed modifications to the wording used so that it has the clarity required by the NPPF in general, and can be applied through the development management process in particular. Otherwise it meets the basic conditions.

In part b of the policy replace 'needs to' with 'should'

Replace criterion iii with: 'There are a significant number of listed buildings surrounding St Mary's Square and their appropriate repair, renovation and enhancement should be incorporated within any overall vision for the area'

In criterion iv replace 'shall be encouraged' with 'will be supported'

In criterion v replace 'will be taken' with 'should be taken'

In part c of the policy replace 'shall' with 'should'

Policy NKT4: Facilities for the Horseracing Industry

- 7.24 This policy offers support for proposals that would diversify and consolidate opportunities offered by the horse racing industry. It reflects the importance of the wider industry to the economy and general well-being of the town. It incorporates important environmental criteria to ensure that any such proposals take full account of the wider amenities of the town and its attractive environment.
- 7.25 The policy is well-considered. I recommend two modifications. The first is in relation to the first criterion. As submitted, it will be beyond the responsibility of individual proposals to mitigate concerns about congestion in the town on race days. I recommend that the criterion reflects the particular responsibilities of individual proposals. The second reflects that the three criteria may not necessarily apply to each and every proposal. Otherwise the policy meets the basic conditions.

In the initial part of the policy replace 'provided that:' with 'and, as appropriate to the proposal concerned that:'

Replace criterion i) with 'the proposal provides for its own car parking and servicing requirements'

After criterion ii) add'; and'

Policy NKT5: Provision for New and Growing Business

- 7.26 This policy sets out the Plan's approach to new and growing businesses. It establishes a positive stance on this important matter. It includes the following components:
- the refurbishment of existing employment sites and associated environmental improvements;
 - the establishment of smaller businesses and the expansion of established businesses;
 - working from home; and
 - modifications to buildings to facilitate working from home.
- 7.27 I recommend detailed modifications to the first and the second components of the policy. They will ensure that the policy has the clarity required by the NPPF. On the initial part of the policy the modification acknowledges that not all of the proposals addressed by that part of the policy will need planning permission.
- 7.28 I recommend that the approach towards working from home is simplified. There is a significant degree of overlap between the third and fourth components of the policy. In addition, the fourth section includes elements of supporting text which complement the principal policy approach included in the third component of the policy. The replacement policy recognises that not all such proposals will require planning permission. It also provides a positive and supporting context for such developments.

In part a of the policy replace 'Support will be given for' with 'Insofar as planning permission is required proposals will be supported which will result in the'

Replace the opening part of part b of the policy with: 'Proposals for the development of starter businesses and the expansion of existing small businesses will be supported. Proposals for the following activities will be particularly supported:

- in i. delete 'supporting'
- in ii replace 'encouraging businesses to with 'businesses which'
- in iii delete 'enabling'

Replace parts c and d of the policy with:

'Insofar as planning permission is required, proposals for working from home will be supported where they:

- relate primarily to the employment needs of persons resident at the property concerned;
- respect the nature of the part of the neighbourhood area in which they are located and would not result in unacceptable levels of deliveries, visits by others and any other type of activities which would detract from the amenity of the immediate locality; and
- have an appropriate amount of internal storage related to the needs of the business operated from the premises.'

At the end of paragraph 6.12 add: ‘Policy NKT5 offers general support to the development of homeworking. It is acknowledged that this is an increasingly popular way in which businesses and individuals take advantage of the flexibilities offered by modern technology. Not all such proposals will need planning permission. West Suffolk Council will come to individual decisions based on a case-by-case assessment of each proposal in general terms, and whether a material change of use would take place in particular. Any such proposals will be expected to be primarily used by occupants of the house concerned and to be compatible with a residential location. On this basis proposals which would generate a significant increase in vehicular traffic to the property and/or which would result in a regular need for business visitors would be unlikely to achieve support on the basis of the policy approach included within the Plan’.

Policy NKT6: Town Museum and Archive, Creative Arts Centre and Tourist Information Centre

- 7.29 This policy offers support to proposals within the town centre which would provide a variety of museum, archive, creative arts and tourist information uses. It is deliberately unspecific.
- 7.30 A representation from the Theatres Trust comments about its general support for the approach included with the Plan. However, it suggests that there would have been an opportunity for the Plan to safeguard existing valued community, cultural and social facilities in the town. I agree that such an approach would have been both appropriate and welcome. However, given the nature of my limited role I am satisfied that the scope of the submitted policy meets the basic conditions in general terms.
- 7.31 I recommend that the policy is modified so that it has the clarity required by the NPPF. The modifications do not directly affect its outcomes. Otherwise it meets the basic conditions.

Replace the opening part of the policy with: ‘Proposals for the development of sites within the town centre to provide some or all of the following uses will be supported’.

Policy NKT7: The Market

- 7.32 This policy offers support for an enhanced twice-weekly market in the town centre should the existing market in the High Street become unviable.
- 7.33 I saw the added vibrancy that was brought to the town centre by the market during my visit. The thrust of the policy meets the basic conditions. However, the market is a temporary structure which, depending on its size, location and frequency may not need planning permission. I recommend that the policy is modified to reflect this matter. I also recommend that the reference in the policy to the existing market is deleted. It adds nothing directly to the policy and the matter is already adequately addressed in paragraph 6.19 of the Plan. Otherwise it meets the basic conditions.
- 7.34 I also recommend that the final sentence of paragraph 6.19 is deleted. It refers more to the wider delivery of a market within the town rather than a land use matter.

Replace the policy with: ‘Insofar as planning permission is required proposals for an enhanced twice-weekly market in the town centre will be supported where it is in a suitable and accessible location’

In paragraph 6.19 delete the final sentence.

Policy NKT8: Newmarket Community Hospital

7.35 This policy relates to the Community Hospital. It is proposed to be safeguarded for health uses. It has two related parts. The first offers support to proposals that would offer an enhanced level or range of services. The second resists the change of use of the health facilities to other uses, except in two defined circumstances.

7.36 I am satisfied that the approach is both appropriate and distinctive. I recommend modifications to the detailed wording and structure of the policy to bring the clarity required by the NPPF. Otherwise it meets the basic conditions.

In the first part of the policy:

- **replace ‘will be’ with ‘is’**
- **insert full stop after plan period**
- **at the beginning of the resulting new sentence replace ‘and any proposal’ with ‘Development proposals’**
- **replace ‘actively encouraged’ with ‘supported’**

In the second part of the policy:

- **replace ‘The loss’ with ‘Proposals for the change of use’**
- **at the end of i. add ‘; or’**

Policy NKT9: Provision for Special Educational Needs and Disability

7.37 This policy offers support to proposals to establish a special needs school in the neighbourhood area. It offers specific support to any such proposal where it would be adjacent to an existing primary school. The supporting text at paragraph 7.8 explains the context to this wider social need.

7.38 The policy is suitably non-site specific. In general terms it meets the basic conditions. However, I recommend modifications so that its intentions are clear in policy terms. In particular they clarify that the policy specifically refers to a special needs unit.

Replace the policy with:

‘The proposed development of a special educational needs and disability provision unit will be supported.

Proposals for such a development adjacent to an existing primary school will be particularly supported.’

Policy NKT10: Cinema

- 7.39 This policy offers support for a multi-screen cinema and associated uses in the town centre subject to a series of criteria. Paragraph 7.13 provides commentary about a current site evaluation process being undertaken by WSC.
- 7.40 The policy identifies an appropriate and locally-distinctive set of criteria for any such development. It meets the basic conditions.

Policy NKT11: Community Sports and Recreation Areas

- 7.41 This policy proposes the designation of five parcels of land as community sports and recreation areas. This designation is for the purposes of applying Policy DM 42 Open Space, Sport and Recreation Facilities of the Joint Development Management Policies Document. That policy safeguards community sports and recreation areas from other uses unless one of two particular circumstances apply.
- 7.42 The various sites have been carefully selected. I saw some of the areas when I visited the neighbourhood area. The policy has a particular focus on the George Lambton Playing Fields and potential opportunities which exist for the consolidation of recreational facilities on that site.
- 7.43 As submitted the policy's primary role is to designate five parcels of land as community sports and recreation areas. This meets the basic conditions. However, it also includes significant elements of supporting text on the George Lambton site which are not in themselves of a policy nature. Its connection with Development Management Policy DM42 is also unclear as neither the policy nor the supporting text identifies the role and purpose of that policy. As such the effect of the submitted policy is not obvious to all concerned. I recommend modifications to address these matters.

Delete parts a and c of the policy

In part b insert 'v. the George Lambton Playing Fields, and the playing fields and tennis courts of the St Felix School site'

As a new paragraph after the schedule of sites add:

'Proposals for either the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities on the designated areas or proposals which would result in the loss of the existing amenity, sport or recreation open space or facilities will be determined on the basis of the policy approach set out in Policy DM42 (Open Space, Sport and Recreational Facilities) of the Joint Development Management Policies Document'

At the end of paragraph 7.20 add the second sentence of the deleted part a of the policy. Thereafter add:

'Policy NKT11 applies Policy DM42 (Open Space, Sport and Recreational Facilities) of the Joint Development Management Policies Document to the five areas listed in the policy'

Policy NKT12: Local Green Spaces

- 7.44 This policy proposes the designation of a suite of local green spaces (LGSs) in the neighbourhood area. The policy is underpinned by the submitted Local Green Spaces Study. It describes the proposed LGSs within the context of the three criteria identified in the NPPF for such designations.
- 7.45 In most cases the proposed LGSs are traditional public open spaces within the wider network of the town. In other cases, they relate to areas associated with race horse training. I am satisfied that they meet the criteria included in the NPPF. No evidence or representations received to the Plan have challenged their designation. In addition, I am satisfied that their designation accords with the more general elements of paragraph 99 of the NPPF. Firstly, the package of sites is consistent with the local planning of sustainable development. In this context WSC has recently adopted the Site Allocations Plan which includes housing and mixed-use sites in the neighbourhood area. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, in many cases they are established elements of the local environment and are sensitively managed as green spaces in ways appropriate to their particular uses.
- 7.46 The supporting text (paragraph 7.22) correctly comments about the national context to such designations. Paragraph 7.21 comments about the under provision of green space within the town when assessed against Natural England's Accessible Natural Greenspace Standard. Paragraph 7.23 then relates the designation of LGSs to this perceived lack of green areas in the town. I recommend that this connection is removed from the Plan as the designation of LGSs reflects the way in which each and every proposed LGS relates to the NPPF criteria rather than to any shortfall of green space provision against another standard. Plainly the designation of LGSs will separately ensure the retention of existing green spaces within the wider town.
- 7.47 The second part of the policy seeks to identify the types of development which might be acceptable within designated LGSs. I can understand the positive approach taken. However, it goes well beyond the matter of fact approach expected in national policy. In any event WSC will be able to come to its own view on a case-by-case basis on the extent to which any development proposal would represent the restrictive approach identified in the NPPF. I recommend that the second part of the policy is modified so that it takes the matter of fact approach in the NPPF and that the supporting text is expanded to provide a degree of guidance on how any development proposals would be assessed.

Replace part b of the policy with:

'Proposals for development within designated Local Green Spaces will only be supported in very special circumstances'

Replace paragraph 7.23 with:

'Policy NKT12 identifies that development will only be supported with the designated spaces in very special circumstances. West Suffolk Council will be able to come to its

own view on a case-by-case basis on the extent to which any development proposal would comply with this important component of national planning policy. However, in general terms proposals which would enhance existing uses in the designated spaces whilst retaining their open character and community value have the ability to be considered as very special circumstances. Permitted development rights are unaffected by this policy.'

Policy NKT13: New Green Spaces

- 7.48 This policy seeks to ensure that any new development should include open green space. Its purpose is to mitigate the recognised lack of natural accessible green space. This analysis is captured in paragraphs 7.21 and 7.22 of the Plan.
- 7.49 I understand the purpose of the approach taken. However, it does not identify the amount of open green space required. At the same time, it seeks to mitigate the existing lack of accessible natural green space. National policy is clear that it is not the direct responsibility of new development to resolve existing matters in any defined area. I recommend modifications to address these matters. The resulting policy is one which makes a clear and functional relationship with the former Forest Heath District Council Supplementary Planning Document for Open Space, Sport and Recreation Facilities (October 2011).

Replace the policy with:

'Proposals for new development should provide open green spaces to the standards set out in the former Forest Heath District Council Supplementary Planning Document for Open Space, Sport and Recreation Facilities (October 2011)'

Policy NKT14: Trees

- 7.50 This policy addresses trees in the neighbourhood area. They are an important part of its character and landscape. As paragraph 8.3 comments trees have a very particular role in the heritage of the town.
- 7.51 The policy has three related components as follows:
- a general approach to trees;
 - the relationship between new development and trees; and
 - the specific protection of veteran or ancient trees.

- 7.52 I am satisfied that the general approach taken in the Plan meets the basic conditions

Policy NKT15 Air Quality

- 7.53 This policy addresses air quality in the neighbourhood area. It has an inevitable focus on the designated Air Quality Management Area (AQMA) based on High Street and Old Station Road.
- 7.54 In its response to the clarification note the Town Council commented that its ambition was that the policy should apply throughout the neighbourhood area. On the balance

of the evidence I am satisfied that air quality is an issue which is appropriate to be addressed in a planning policy in the Plan. Plainly it is an issue which can be applied by WSC as a material planning consideration to any planning application which may generate such an issue. However, several of the components of the submitted policy would have different effects the designated AQMA and the remainder of the neighbourhood area. In any event the focus of the supporting text in paragraph 8.5 of the Plan is on the AQMA.

- 7.55 In the circumstances I recommend that the remit of the policy is clarified so that relates to the wider neighbourhood area in general, and to the designated AQMA in particular. This will bring the clarity required by the NPPF. I also recommend modifications to the wording of the policy, and modifications to introduce clarity about where the third and fourth criteria would apply. This approach is also reflected in modifications to the supporting text.
- 7.56 Finally I recommend an addition to the policy which indicates how planning applications would be determined following the assessment of the potential impacts.

Replace the opening part of the policy with ‘Proportionate to their nature and location development proposals should demonstrate that’

Delete criterion iv.

At the end of the policy add a new paragraph to read:

‘Proportionate to their nature and location development proposals within the designated Air Quality Management Area should not interfere with the implementation of the Air Quality Action Plan and, where appropriate, identify how they will achieve any relevant actions in that Action Plan. Proposals within the Air Quality Management Area which would detrimentally impact on the implementation of the Action Plan and/or which would not comply with the criteria in the first part of this policy will not be supported’

At the end of paragraph 8.5 add:

‘Policy NKT15 takes a proportionate approach to this matter. Its first part sets out a general approach throughout the neighbourhood area. The second part refers more specifically to the designated AQMA.’

Policy NKT16: Biodiversity

- 7.57 This policy addresses biodiversity in the neighbourhood area. The supporting text identifies the background to the policy. Paragraph 8.9 in particular identifies the significance of the Devil’s Dyke (SAC and SSSI) and the training grounds run by Jockey Club Estates in the neighbourhood area.
- 7.58 The policy has three related parts as follows:
- the incorporation of features within development to support or protect biodiversity;
 - specific advice on planting in new developments; and

- the connections between new development and biodiversity

7.59 The policy is well-developed. In particular it takes a proportionate approach which relates to the specific nature of development proposals and their locations. It meets the basic conditions

Policy NKT17: Yellow Brick Road Linear Park

7.60 This policy refers to the Yellow Brick Road Linear Park. It is designated as a green corridor.

7.61 The policy has two related parts. The first indicates that proposals in the vicinity of the Park should have regard to protecting its habitats and, where possible, increase connectivity between the Park and other areas of green space. The second indicates that development proposals should seek to increase the connectivity between the Park and the wider pedestrian and cycle network.

7.62 I am satisfied that the designation is appropriate and in general terms meets the basic conditions. The two elements of the policy are also appropriate. I recommend the removal of the opening element of the second part of the policy as it is supporting text rather than policy.

In part b of the policy delete the first sentence

Insert the deleted element of the policy at the end of paragraph 8.14

Policy NKT18: Sustainable Design Features to counter Newmarket-specific flood risk

7.63 The policy sets out an approach towards sustainable design measures to counter flooding. The supporting text and associated maps identify the potential issues and the areas at risk. It identifies a range of sustainable design features which should be incorporated into new development.

7.64 I recommend modifications to the policy so that it has the clarity required by the NPPF. I also recommend the incorporation of technical details suggested by Anglian Water. Otherwise it meets the basic conditions.

Replace 'included' with 'incorporated' and 'appropriate' with 'necessary'

In iv. add '(including rainwater and stormwater harvesting)' after 'storage features'

Policy NKT19: Meeting the Housing Needs of Newmarket

7.65 This policy addresses the wider housing needs of the town. It has three related elements as follows:

- the need for a statement setting out the types of houses proposed and how they relate to housing need;
- the distribution of house types within any one development; and
- compliance with national and local spaces standards.

- 7.66 There is a strong relationship between the first and the second parts of the policy. In general terms the second part of the policy is the policy approach itself, and the first part of the policy describes the mechanism that would be necessary for any developer to demonstrate compliance with the policy. On this basis I recommend that the first part of the policy is incorporated into the supporting text at paragraph 9.7.
- 7.67 The third part of the policy refers to the National Space Standards and relevant WSC policies on this matter. The supporting text helpfully highlights the WSC local approach to this matter. In general terms there is no need for a neighbourhood plan to repeat national or local policy guidance. However, in these circumstances I recommend that the submitted third part of the policy is modified so that it makes direct reference to the WSC Technical Advice Note on Space Standards (or to any update of that Note which may come forward within the Plan period).
- 7.68 Earlier parts of this report have highlighted the Town Council's reliance on strategic planning documents for the delivery of new housing within the neighbourhood area within the Plan period. Whilst this approach is acceptable in general, I recommend that the supporting text makes reference to this approach. This is all the more important both as the casual reader of the Plan might not otherwise recognise this arrangement and as the submitted neighbourhood plan introduces policies which may have a bearing on the development of allocated strategic sites.

Delete part a of the policy

Replace part c of the policy with 'Development proposals for 10 or more net additional dwellings should conform to the guidance with the West Suffolk Council Technical Advice Note: Space Standards for Residential Development (2017) or any update of that Note'

At the end of the first sentence of paragraph 9.7 add: 'The first part of Policy NKT19 addresses this important matter'. [Insert at this point the deleted part a of the policy with the removal of 'As part of any planning application,']

At the end of paragraph 9.7 add: 'The approach in this Plan is complementary to that taken in the wider development plan. In particular the future strategic development of new housing in the neighbourhood area is addressed in Core Strategy Policy CS7. the single-issue review of the Core Strategy and the submitted Sites Allocations Plan.'

Policy NKT20: Affordable Housing

- 7.69 This policy makes reference to the design of affordable housing and its incorporation into wider private developments. It meets the basic conditions.
- 7.70 WSC Housing Team suggests a technical modification to the supporting text. Given that it has a bearing on its allocation policy I recommend a modification accordingly.

In paragraph 9.8 add 'to West Suffolk' between 'connections' and 'to'.

Policy NKT21: High Speed Communications Technology

- 7.71 This policy requires that all new development should incorporate electronic communications technology, including full fibre broadband
- 7.72 The policy takes proper account of the importance of communication of this type and its importance in modern life. It meets the basic conditions.

Policy NKT22: Impact of Traffic from Development Proposals

- 7.73 This policy addresses the way in which development proposals that would generate significant amounts of traffic movement are expected to demonstrate how they have assessed their impact on the safety of horse movements. It provides a series of very distinctive and appropriate criteria on such developments.
- 7.74 As submitted the policy largely presupposes that developments which generate significant levels of traffic movements will be acceptable insofar as they address the safety of horse movements. Plainly such movements will be important. However other factors will need to be considered in assessing such proposals. To address this matter, I recommend the inclusion of an additional part of the policy which would require development proposal to make appropriate provision to manage traffic movements.
- 7.75 In addition I recommend detailed modifications to the wording of the policy so that it has the clarity required by the NPPF.

Insert an additional paragraph at the beginning of the policy to read:

‘Development proposals should demonstrate the way in which they incorporate their traffic and servicing requirements within the capacity and the safety of the local highway network’

In the initial part of the submitted policy replace ‘Permission will only.... where applicants can’ with ‘Development proposals that would generate significant amounts of traffic movement will only be supported where they’

In ii. delete ‘potentially’

Policy NKT23 Public Rights of Way and Cycle Networks

- 7.76 This policy addresses rights of way and cycle networks. It has two parts. The first supports upgrades and the expansion of the existing network. The second part highlights the potential opportunities for new development to connect to and to enhance the local cycle network in general, and the National Cycle Route 51 in particular.
- 7.77 The policy is well-considered. However, I recommend modifications to the wording of the first part of the policy. As submitted, it comments loosely that improvements will be sought without identifying the means by which the policy would be implemented in general terms, and through the development management process in particular. I recommend modification to remedy this issue.

Replace the first part of the policy with:

‘Development proposals which protect public rights of way or upgrade and/or expand the network will be supported. Where appropriate and practicable new development should provide new or improved links between the proposal itself and the wider public rights of way network’

Policy NKT24: Horsewalks

- 7.78 As its title suggests this is a very distinctive policy to Newmarket. Its ambition is to ensure that any extensions or changes to the horsewalk network is safe for all users and is an attractive feature of the town.
- 7.79 The policy has a degree of repetition. I recommend modifications to address this issue. I also recommend detailed changes to the wording used. Otherwise it meets the basic conditions.

Replace ‘Any extension.... must’ with ‘Proposals for extensions and/or modifications to the horsewalk network should’

Replace the second sentence with: ‘Development of this nature should ensure that they safeguard the function and appearance of the horsewalks in general, and of The Rows in particular’.

Policy NKT25 Railway Station

- 7.80 This policy provides a context for improvements and/or extensions of the railway station. Paragraphs 10.16 and 10.17 describe the current situation and the community’s ambitions for improved facilities and services.
- 7.81 The policy approach is promotional in places rather than directly of a land use nature. In places its focus is on the community’s requirements for facilities at the station rather than setting out a supporting land use policy which would facilitate such improvements in the event that they were pursued by the operators concerned. In this context Network Rail comment about the limited nature of its freehold ownership around the current station and which does not extend to the adjacent former station site and its associated car park. The representation comments that the station and the service itself is operated by Greater Anglia in its capacity as a franchisee.
- 7.82 In this context I recommend modifications both to the policy and to the supporting text. In both cases the modifications reflect that a development plan policy should be land use based. In particular they reflect that the direct expansion of the station may be impracticable.

Replace ‘expand’ with ‘consolidate’

Replace ‘Requirements..... limited to’ with ‘Proposals which include any or all of the following initiatives will be particularly supported:’

In paragraph 10.16:

- *in the third sentence replace 'require' with 'would benefit from'*
- *in the fourth sentence replace 'need to' with 'could'*

In paragraph 10.17:

- *in the first sentence replace 'enormous' with 'significant'*
- *in the second sentence delete 'radical'*
- *in the fourth sentence replace 'It is possible' with 'It may be possible'*

Policy NKT26: Bus Station

- 7.83 This policy addresses the Bus Station site. It is located adjacent to the Guineas shopping centre. As such it enjoys a central and sustainable location. The policy provides a context for any potential redevelopment of the facility.
- 7.84 The policy raises similar issues to the policy on the railway station. In its response to the clarification note the Town Council advised that there were no current proposals for the redevelopment of the bus station. It also confirmed that the supportive approach in the submitted policy would equally apply to more modest proposals for the refurbishment of the existing facility.
- 7.85 In this context I recommend modifications both to the policy and to the supporting text. In both cases the modifications reflect that a development plan policy should be land use based.

Replace the opening part of the policy with:

'Proposals for the redevelopment or the refurbishment of the Bus Station to provide improved public transport facilities will be supported. Proposals which include any or all of the following initiatives will be particularly supported:'

In the first sentence of paragraph 10.18 replace 'deteriorating' with 'reducing'

Policy NKT27 Coach Park

- 7.86 This policy supports the development of a coach park. It is not site-specific.
- 7.87 Whilst this lack of detail makes the policy less effective than it might be otherwise, it offers sufficiently flexibility for a site to come forward in the Plan period. As such it meets the basic conditions.

Policy NKT28: Enhancement and Continued Provision of Car Parks

- 7.88 This policy addresses the provision of car parking in the town and potential proposals for either the enhancement of existing car parks or for their redevelopment. It has three related components:
- proposals for the enhancement of existing car parks;
 - proposals for the redevelopment of existing car parks; and
 - proposals for a new 'park and walk' car park.

- 7.89 I saw the attractiveness and convenience of the car parking facilities when I visited the town. I recommend that the first part of the policy is modified so that it identifies how planning applications would be determined. I also recommend that the second part of the policy is refined so that it is clear that all the criteria need to be met by any redevelopment proposals. Otherwise the wider policy meets the basic conditions. The third component offers significant opportunities for the development of a sustainable parking strategy which would make the best use of valuable town centre locations and which would further reinforce the town's role in the wider retail hierarchy.

Replace the opening part of section a of the policy with: 'Proposals for the enhancement of existing public car parks in the town centre will be supported. Proposals which include any or all of the following initiatives will be particularly supported;'

In part b of the policy add a semi colon after i. and ';' and' after ii.

Policy NKT29 Lorry Park

- 7.90 This policy offers support to the development of a lorry park close to the A14. It seeks to address the acknowledged need for a facility of this type. In particular it seeks to avoid lorries parking on residential streets.
- 7.91 The policy is underpinned by a series of appropriate criteria relating to the location and type of the facility and to potential impacts on residential amenity. I recommend modifications to the part of the policy which gives effect to the criteria. I also recommend a detailed modification which clarifies that any development proposals need to meet all the five criteria. Otherwise it meets the basic conditions.

In the opening part of the policy replace 'It must' with 'where they meet the following criteria'

Insert semi-colons after criteria i/ii/ii and ';' and' after criterion iv.

Policy NKT30 Shop Fronts

- 7.92 This policy proposes consistently high design standards for new shop fronts. I saw their variety when I visited the neighbourhood area. There were an interesting range of traditional, independent and more modern corporate chain type shop fronts in evidence.
- 7.93 The policy requires new shop fronts to comply with the Shop Front and Advertisement Design Guidance published by West Suffolk Council. I am satisfied that this approach is appropriate, distinctive and meets the basic conditions in general terms. I recommend a modification so that the approach reads as a policy. Its effect is unchanged. Otherwise it meets the basic conditions.

Replace the policy with:

'Proposals for new or altered shop fronts will be supported where they comply with the West Suffolk Shop Front and Advertisement Design Guidance (February 2015)'

Policy NKT31 Guineas Shopping Centre

- 7.94 This policy recognises the importance of the Guineas Shopping Centre in the local and the sub-regional shopping hierarchy. It is sustainably located off the High Street and incorporates the Bus Station. The policy supports the potential investment in the redevelopment of the Centre.
- 7.95 The policy has four related parts as follows:
- the composition of principal uses;
 - the nature of additional amenities;
 - the design and linkages for any redevelopment; and
 - community engagement and master planning.
- 7.96 The policy is commendably comprehensive. It gets to the heart of good planning and design. The third section is particularly well-considered.
- 7.97 The fourth part of the policy is part policy and part supporting text. I recommend modifications to remedy this matter. In particular I safeguard the deleted parts of the policy within the wider supporting text in the Plan.

In the fourth part of the policy replace ‘will require’ with ‘should be accompanied by’ and delete ‘this could.... Town Centre Masterplan’

At the end of the preceding supporting text add:

‘Policy NKT31 sets out a comprehensive policy to address the potential redevelopment of the site. Its fourth part requires the preparation of a detailed development brief. This process could be considered within the context of West Suffolk’s forthcoming Newmarket Town Centre Masterplan’

Policy NKT32: Attractive Entrances to the Town

- 7.98 This policy relates to development proposals at defined gateways to the town. I saw their significance as part of my visit.
- 7.99 The policy is part policy and part supporting text. I recommend modifications to remedy this matter. In particular I safeguard the deleted parts of the policy within the wider supporting text in the Plan.

Delete ‘and should provide.... from the A142’

After Policies Map add ‘and in particular along the A142’

At the end of paragraph 11.13 add: ‘Policy NKT32 provides a context for new development in such locations. Development should provide a sense that visitors have arrived in a special town, in particular when approaching from the A142’

Community Actions

- 7.100 The Plan includes a series of Community Actions. Paragraph 1.8 of the Plan correctly summarises their status as local issues which have arisen as part of the preparation of the Plan.
- 7.101 Planning Practice Guidance comments that such matters should be included in a separate part of the Plan distinct from the land use policies. The submitted Plan has taken a different approach. It has included the various Community Actions within the relevant topic-based sections of the Plan. The Actions are however identified in a different text and format from the land use policies.
- 7.102 In all the circumstances I am satisfied that the approach taken is appropriate. The relationship between planning policies and the Community Actions is clearer through the use of this approach.
- 7.103 The Community Actions are as comprehensive as the policies. They are listed separately in the Plan in Part 12. There is no need for this report to address them in turn as they will not ultimately be part of the development plan. However, I am satisfied that in their different ways the Actions provide a clear list of priorities for the Town Council and others to address in the Plan period. A key success of the Plan is the way in which the Actions directly complement the land use policies.
- 7.104 The following Actions are worthy of particular mention for their distinctive approach within the context of the town:
- A5 Horsewalks in and around St Mary's Square
 - A9 The Market
 - B1 Newmarket Community Hospital
 - B3 Provision for Special Educational Needs and Disability
 - B7 Community Sports and Recreation Area
 - B8 The Severals
 - C4 Air Quality
 - C5 Waste
 - C7 Yellow Brick Road
 - E1 Junction 37 of the A14
 - E5 Cambridge to Newmarket Cycle Path
 - E8 Road Safety around Horses
 - E9 Public Transport Services
 - F1 Newmarket Racecourses and the Wider Tourism Offer

F5 Rejuvenation of the Pedestrian Network in the Town Centre

Other Matters - General

7.105 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for WSC and the Town Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

The Plan Period

7.106 The Plan refers to its Plan period as 2018-2031. This is entirely appropriate.

7.107 However this point is not immediately apparent to the casual reader of the Plan. On this basis I recommend that the Plan period is clearly expressed on the front cover

On the front cover insert 2018-2031 after 'Plan'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its community facilities.
- 8.2 Following my independent examination of the Plan I have concluded that the Newmarket Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to West Suffolk Council that subject to the incorporation of the modifications set out in this report that the Newmarket Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the former Forest Heath District Council on 23 December 2015 and as amended on 15 June 2018.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

Andrew Ashcroft
Independent Examiner
14 October 2019