

**Forest Heath District Council Local Development  
Framework Core Strategy DPD**

**Regulation 30 (1) (e) Statement**

**August 2009**



**Forest Heath**  
District Council

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## **1. Introduction**

1.0.1 This statement sets out a summary of the main issues raised in representations made to the Forest Heath District Council Core Strategy Regulation 28 proposed submission publication period. This statement satisfies the requirements of Regulation 30 (1) (e) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and includes a statement of the total number of representations received and a summary of the main issues raised by the representations.

1.0.2 It should be noted that this statement is not a full record of all of the issues which were raised during the proposed submission publication period and does not contain the detailed content of all the representations. Copies of all the representations received can be viewed at the Council's offices and libraries in Brandon, Lakenheath, Mildenhall and Newmarket. The representations can also be viewed online at:

<http://forest-heath.jdi-consult.net/ldf/readdoc.php?docid=149>

## **2. Regulation 27 Proposed Submission Document Publication Period (March 2009)**

2.0.1 The publication period was originally timetabled to run for 7 weeks from 31<sup>st</sup> March 2009 to 22<sup>nd</sup> May 2009, however due to a necessary amendment to the employment land allocation figures the period eventually ran for 10 weeks from 31<sup>st</sup> March 2009 to 5<sup>th</sup> June 2009. All contacts on the Local Development Framework mailing list were informed of the change to the employment land allocation figures and subsequent extension to the publication period.

### **2.1 Who was consulted**

2.1.1 Letters were sent informing all the contacts on the Forest Heath LDF mailing list about the Core Strategy- Proposed Submission document. As with the previous consultations, documents were sent to all statutory consultees as well as to any other consultees who requested them. By this stage of the process the mailing list had grown to include around 800 contacts, including the contacts from the previous consultations combined with new contacts who had requested to be added after the previous consultation had finished. The mailing list features national interest groups, local interest groups, local residents, representatives of the development industry, statutory consultees (who were sent documentation directly) and any other bodies or persons that the Council felt it necessary to consult or who had requested to be kept informed of the progress of the LDF. Along with the Core Strategy document and the appropriate Sustainability Appraisal document statutory consultees and key stakeholders were sent representation forms on which to return their comments, it was also possible to view the documents and make comments on the Core Strategy- Proposed Submission document via the Council's website. All contacts were also sent a statement of representation procedure (in accordance with Regulation 27 (d) (i)) which included guidance on how to make effective representations and also explained the concepts of legal compliance and document 'soundness'.

2.1.2 Forest Heath District Council not only sent information about the consultation to the contacts on the mailing list but also published information about the Proposed Submission

documentation widely, as will be explained in more detail in the methods of consultation section below. A full list of the consultees on the LDF mailing list can be found in Appendix A of the Forest Heath District Council Local Development Framework Core Strategy DPD Regulation 30 (1) (d) Statement.

2.1.3 The Council is also working in partnership with other District and Borough Councils in the County to enable pooling of resources.

## **2.2 How they were consulted**

### Town and Parish Councils

2.2.1 The Town and Parish Councils were sent copies of the consultation letter, the documents, representation forms and the statement of representation procedure. The letter included an offer for officers to attend parish meetings on request and explain the process and answer any questions, however no parish councils took up this offer.

### Local Press

2.2.2 The consultation was advertised in two local newspapers (Bury Free Press and Newmarket Journal) for two consecutive weeks. The advertisement dates were 2<sup>nd</sup> and 9<sup>th</sup> April 2009 for the Newmarket Journal and 3<sup>rd</sup> and 10<sup>th</sup> April 2009 for the Bury Free Press.

### Consultation Documents

2.2.3 The Core Strategy - Proposed Submission comprised of a single document and an accompanying Sustainability Appraisal, the document contained the Council's Core Strategy policies and monitoring and implementation framework.

### *Core Strategy- Proposed Submission document*

2.2.4 This document sets out the Council's Proposed Submission Core Strategy policies, it contains 13 policies covering issues ranging from the spatial strategy for the District, through housing provision, to climate change and strategic transport improvements. There has been increase in the number of policies from 12 to 13 between the 'Final Policy Option' consultation document and the 'Proposed Submission' publication period document. This is due to the deletion of the 'Final Policy Option' policy on 'Town Centre and Key Service Centre Strategies (CS2)' and the inclusion of policies on 'Affordable Housing' and 'Sustainable Rural Communities' within the 'Proposed Submission' Core Strategy document. These are the Council's final version of its Core Strategy policies, it is felt that these most adequately address the needs and desires of the District in the most sustainable and appropriate manner.

2.2.5 The document also includes text relating to the reasoned justification for each policy as well as other background text and information.

2.2.6 A table detailing the progression of the policy numbers from the 2006 Preferred Options stage to the 2009 Submission stage can be found in Appendix A (Table 4).

### *Core Strategy- Proposed Submission Sustainability Appraisal*

2.2.7 The Sustainability Appraisal assesses the effects on the environment, economy and society of Forest Heath's Proposed Submission Core Strategy. It also includes the necessary compliance with the Strategic Environmental Assessment (SEA) Directive (Environmental Assessment of Plans and Programmes Regulations, 2004).

Habitats Regulations Assessment (HRA) of the Core Strategy

2.2.8 The Habitats Regulations Assessment assesses the effects of the Core Strategy on sites of European environmental importance (Natura 2000 sites). In Forest Heath these are the Breckland Special Protection Areas (SPA) and several different Special Areas of Conservation (SAC).

Representation forms

2.2.9 This form was used to collect representations to both the Core Strategy document and the Sustainability Appraisal, an electronic version of the form made it possible to make representations on the documents through the Council's website.

Statement of Representation Procedure

2.2.10 The Statement of Representation Procedure (as required by Regulation 27 (d) (i)) included guidance on how to make effective representations and also explained the concepts of legal compliance and document 'soundness'

Website

2.2.11 The Core Strategy - Proposed Submission document, along with the Sustainability Appraisal, was made available on the Council's website for viewing and downloading. It was also possible to make representations to the Core Strategy document online and download the representation forms if required.

### 3. Number and nature of representations received

3.0.1 381 representations were received from 68 respondents during the publication period. Of the 68 respondents there were 56 objectors. The table (Table 1) below details the numbers of representations made to each section of the Core Strategy document.

**Table 1 – Breakdown of representations received by Core Strategy document section**

<b>Document / Section / Policy</b>	<b>Respondents / Objectors</b>	<b>Support</b>	<b>Object</b>	<b>Representations</b>
<b>Core Strategy Proposed Submission</b>	<b>68/56</b>	<b>82</b>	<b>299</b>	<b>381</b>
Introduction	2/2	0	2	2
Policy Context	1/1	0	2	2
Spatial Portrait	3/2	1	2	3
Issues and Challenges	4/3	1	3	4
Vision and Objectives for Forest Heath	22/16	12	39	51
Spatial Objectives	16/11	8	42	50
Spatial Strategy	6/6	0	7	7
CS1 Spatial Strategy	39/33	7	49	56
Key Diagram	3/2	1	2	3
Natural Environment	2/2	1	4	5
CS2 Natural Environment	14/7	8	8	16
Landscape Character and the Historic Environment	0/0	0	0	0
CS3 Landscape Character and the Historic Environment	3/0	3	0	3
Reduce Emissions, Mitigate and Adapt to Climate Change	3/3	0	3	3
CS4 Reduce Emissions, Mitigate and Adapt to Climate Change	19/18	1	18	19
Design Quality and Local Distinctiveness	1/1	0	1	1
CS5 Design Quality and Local Distinctiveness	9/4	6	4	10

Sustainable Economic and Tourism Development	3/2	1	3	4
CS6 Sustainable Economic and Tourism Development	14/11	3	11	14
Overall Housing Provision	4/4	0	4	4
CS7 Overall Housing Provision	28/20	8	21	29
Provision for Gypsies and Travellers	0	0	0	0
CS8 Provision for Gypsies and Travellers	3/3	0	3	3
Affordable Housing Provision	1/1	0	1	1
CS9 Affordable Housing Provision	11/11	1	11	12
Sustainable Rural Communities	2/2	0	2	2
CS10 Sustainable Rural Communities	11/9	2	9	11
Retail and Town Centre Strategy	1/1	0	3	3
CS11 Retail and Town Centre Strategy	9/5	4	5	9
Strategic Transport Improvements and Sustainable Transport	1/1	1	1	2
CS12 Strategic Transport Improvements and Sustainable Transport	7/4	4	4	8
Infrastructure and Developer Contributions	3/3	0	6	6
CS13 Infrastructure and Developer Contributions	13/9	4	9	13
Monitoring and Implementation Framework	7/6	3	10	13
Saved Policies to be Replaced	1/1	0	1	1
Glossary	1/1	0	1	1
Miscellaneous Comments	9/8	2	8	10

#### 4. Summary of main issues raised and how they are addressed by the Submission document

4.0.1 The table below (Table 2) shows the summaries of the main issues raised during the publication period of the proposed submission Core Strategy DPD, it also shows how the issue is dealt with by the Submission Core Strategy DPD.

**Table 2 – Summary of main issues raised and how they are addressed by the Submission document**

<b>Policy/ Text</b>	<b>Summary of Key Representation</b>	<b>Council Response</b>
Section 2.2	A key issue not expressed in this list is the need to ensure that strategic infrastructure can be provided ahead of major development.	List not exhaustive – these factors are covered elsewhere in the document.
Section 2.2	The substantial ‘leakage’ of retail expenditure from the area to other centres should be identified.	Accepted. Additional issue proposed.
Vision 1	Paragraph 5 only deals with the retail position of the market towns – should also refer to smaller centres and their service needs.	Accepted. Add reference to such centres accommodating needs for local catchments.
Vision 7	Statement deals with only four villages – Beck Row, Exning, Kentford and West Row and fails to identify vision for other rural areas.	The vision only identifies four settlements because these are identified as ‘primary villages’ in the strategy.
Policy CS1 (Spatial Strategy)	Traffic issues and racing industry protection are not consistent with the scale of development at NE Newmarket.	Amend phasing of development (in policy CS7) to reflect likelihood that site cannot be developed as early as suggested. Amend reference to provide for further technical study of related traffic issues.
Policy CS1 (Spatial Strategy)	The policy should give greater priority to use of previously developed land, including higher density on such sites in the main towns.	This priority is reflected in policy CS7 and does not need to be repeated here.
	The proposed development at NE Newmarket is not necessary before 2021, since other sites are available and densities could be increased. Housing assumptions incorrect.	The proposal is likely to be needed, although phasing should be adjusted to reflect more realistic dates for commencement of the major urban expansion.
	Employment land allocation for Mildenhall is in adequate to meet needs of future jobs.	This was estimated in relation to housing growth. Allow small increase to figure.
	Policy for Brandon should refer to broad locations for a larger urban extension related to the provision of key infrastructure (including relief road).	The level of growth is considered appropriate for Brandon and there are constraints of international nature conservation significance to further growth.

	In the section on primary villages, there is no need or justification for the limit of 50 dwellings on all developments.	Accepted. Replace this with an acceptance of development appropriate in scale and siting.
Policy CS2 (Natural Environment)	The reliance on a 'project level assessment' to protect sites of international nature conservation significance is insufficient and inconsistent with national guidance. It is also inconsistent with the approach of Breckland District Council.	Minor wording revisions. However, the substantive objection is not accepted, since the designations are based on wide constraint zones, which need more detailed testing.
Policy CS4 (Emissions + adaptation to Climate Change)	The policy is inflexible and will restrict development. It should accept that there are other ways of achieving low carbon development, including other types of low carbon energy. The target of 20% renewable energy for developments over 100 dwellings is not justified.	Wording change to accept the point about viability and other low carbon sources. The targets are a minimum and are negotiable.
Policy CS7 (Overall Housing Provision)	The justification of the housing numbers in the policy is questioned and the phasing does not allow sufficient time for major proposals to be negotiated and brought forward.	Phasing has been amended. The justification of the rest of the policy numbers will need to be reviewed for the Examination, taking account of the longer term need for additional releases.
	The overall figures for housing supply are too low – the greenfield development proposed is not needed until after 2021.	Not accepted, although the detailed phasing of development around Newmarket is amended.
	The proposal for Brandon is too low to satisfy the strategic objectives in Vision 4 – further development potential here.	Not accepted (see above)
Policy CS9 (Affordable Housing)	The policy is too detailed and rigid in its application. The 35% should be expressed as a target and depending on site specific factors.	Amend wording to express 35% as target. However, other points not accepted, subject to further work on viability being undertaken.
	The 35% target for affordable housing is not justified, since the Housing Needs Survey is now out of date and the figure included in the RSS as a monitoring target. No reference is made to viability testing.	The Cambridge SR SHMA is relevant and up to date and work is progressing on assessing viability of affordable housing proposals.
Policy CS10 (Sustainable Rural Communities)	The tone of the policy is defensive and one of struggle to defend services. A more positive approach is needed using new ideas and relationships.	The policy addresses issues raised by the local community and other stakeholders. It will be reviewed at an early date.
Policy CS12 (Strategic Transport Improvements)	No strategic transport assessment has been produced to justify the proposed schemes or to show the linkage between them and proposed development rates.	Further detail on securing developer contributions to transport schemes will be developed for the Development Control Policies document. The strategic assessment to justify

and Sustainable Transport)		schemes has been carried out by Suffolk County Council.
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## 5. Sustainability Appraisal of Core Strategy Proposed Submission document

### 5.1 Who was consulted and how

The Sustainability Appraisal consultation ran alongside the Core Strategy publication stage and the same people and bodies were consulted. Representations were invited using paper forms or by e-mail, because although the Sustainability Appraisal document was available to view and download from the website, it was not possible to make representations via the website.

### 5.2 Representations and responses

There were 2 representations, incorporating several different points, received regarding the Sustainability Appraisal during the Core Strategy Proposed Submission publication stage, these are summarised in Table 3 below.

**Table 3 – Summary of representations received to the Core Strategy Proposed Submission Sustainability Appraisal publication stage and the Council’s response**

Section/ Policy	Summary of Key Points from Representations	How does the Submission Document address these issues?
SA matrices	Object to the conclusions for policy CS1 (Spatial Strategy). Without a greater emphasis on developing land within settlement boundaries for housing we do not consider that the policy will have a neutral impact on objective 6 (improve access to services), but will have a negative impact. We consider that the policy will also have a negative impact on objective 11 (to increase the ability for shorter commuting times). We do not agree that objective 21 (to maximise the development of brownfield land) should be scored a +. The Core Strategy does not sufficiently prioritise development of such sites and should be scored -.	The Submission Core Strategy seeks to direct development to brownfield land and land within identified settlement boundaries prior to the allocation of greenfield extensions (policy CS7), this is in accordance with National policy. The settlement hierarchy identified in policy CS1 directs new development to the most sustainable settlements to enable better service provision for the population. The identified settlement hierarchy will not have a negative impact on objective 11 as it will direct new residential development to the most sustainable settlements and therefore shorten commuting times and make more sustainable forms of transport available. Policy CS7 of the Submission Core Strategy prioritises development on brownfield land, identified through the SHLAA, in accordance with

		National policy.
SA matrices	We object to the conclusion for Policy CS4 (reducing emissions and adapting to climate change). We consider that the policy will have a -- rather than a - impact on objective 1 (housing the whole community) due to the onerous obligations placed on housing developers by the policy.	Submission policy CS4 considers viability to ensure that planning obligations are not too onerous.
SA matrices	We object to the conclusion for Policy CS9 (affordable housing). We do not agree that it will have a ++ impact on objective 1 (housing the whole community). Unless viability is properly taken into account the policy could reduce the level of housing development, so should score --.	Submission policy CS9 considers viability to ensure that the providing affordable housing does not make development unviable.
SA matrices	We object to Policy CS11 (retail and town centre strategy). We do not agree that objective 12 (to revitalise town centres) should be scored +. The policy should take a much more positive and pro-active attitude to improving town centres with the aim of scoring ++, the present policy should score -.	Submission policy CS11 takes a positive approach to identifying and encouraging the development necessary to meet the retail and town centre facilities needs of the District's population over the life of the Core Strategy, it is therefore appropriate to give it a positive score.
SA matrices	We object to Policy 13 (infrastructure and developer contributions) without appropriate recognition of the viability of development this will have a -- impact rather than a neutral impact on the provision of housing for the whole population, and a -- impact rather than a + impact on the revitalisation of town centres.	Submission policy CS13 takes into account viability when assessing developer contributions and planning obligations.
Landscape and Biodiversity (pg 14-15)	There is no mention made of the area covered by SPAs or SACs. These form an important designation within the District and should be recorded in addition to SSSI area.	This section sets the basic context. The wider document recognises the importance of the range of designations and has regard to such in concluding on the Sustainability of the Core Strategy. Areas designated SPA and SAC are also designated SSSI so there would be no overall increase in the area of designated land in the District by referencing this.
Table 3 Forest Heath Council SA	The RSPB supports the siting of development in appropriate locations, with a focus on using previously developed land before Greenfield sites, but as is recognised in para. 13 of PPS9, brownfield sites can contain high levels of biodiversity in	Submission policy CS2 seeks to protect biodiversity on both greenfield and brownfield land, site surveys will be considered as part of the Site Specific Allocations DPD.

objectives (pg 19)	their own right. We therefore encourage the Council to conduct a survey of the biodiversity importance of brownfield sites, and map this information, prior to allocating sites for development.	
Table 5 Synergistic effects of SA objectives (SAO) for policies (pg 25-28)	When the results are compared there appears to be an inconsistency in how the overall impacts for the synergistic effects have been stated. It is unclear why the assessment of one SAO should be classified as positive, whilst a similar assessment result for a different SAO returns a neutral effect.	The overall impacts have been scored subjectively, based on context and circumstance. Variations between conclusions are not discrepancies, merely bespoke judgements based on the particular circumstances relevant to the situation.
Table 7 Synergistic effects of policies on SA objectives (pg 34-36)	When the results are compared there appears to be an inconsistency in how the overall impacts for the synergistic effects have been stated. It is unclear why the assessment of one SAO should be classified as positive, whilst a similar assessment result for a different SAO returns a neutral effect.	The overall impacts have been scored subjectively, based on context and circumstance. Variations between conclusions are not discrepancies, merely bespoke judgements based on the particular circumstances relevant to the situation.

**Appendix A – Table 4 - Progression of the policy numbers from the 2006 Preferred Options stage to the 2009 Submission stage**

<b>Preferred Options Policy Number</b>	<b>Final Policy Option Policy Number</b>	<b>Submission Policy Number</b>
PP1 The Sequential Approach to Mixed-Use Development	CS2 Town Centre and Key Service Centre Strategies	CS1 Spatial Strategy
PP2 Settlement Policy and Development in the Countryside	CS1 Spatial Strategy for Forest Heath	CS1 Spatial Strategy
PP3 Cambridge Sub-Region	Deleted	N/A
PP4 Infrastructure Requirements and the Mitigation of Development Impact	CS12 Sustainable Infrastructure	CS13 Infrastructure and Developer Contributions
PP5 Development Quality and Impact	CS11 Design Quality and Local Distinctiveness / DC Policies DPD	CS5 Design Quality and Local Distinctiveness
PP6 Requirement for Development Briefs and Design Statements	Deleted / DC Policies DPD	DC Policies DPD
PP7 Environmentally Sustainable Construction of Development	CS5 Climate Change	CS4 Climate Change
PP8 Water Resources	Deleted	N/A
PP9 Flood Protection	CS5 Climate Change	CS4 Climate Change
PP10 Environmental Quality and Pollution	DC Policies DPD	DC Policies DPD
PP11 Location, Scale and Range of Employment Development	CS6 Economy and Tourism	CS6 Sustainable Economic and Tourism Development
PP12 Redevelopment of Existing Employment Land or Premises	CS6 Economy and Tourism / DC Policies DPD	CS6 Sustainable Economic and Tourism Development / DC Policies DPD
PP13 Working from Home	Deleted	N/A
PP14 Development Relating to the Horse Racing Industry	DC Policies DPD	DC Policies DPD
PP15 Redevelopment of Existing Sites Relating to the Horse Racing Industry	DC Policies DPD	DC Policies DPD
PP16 Town Centre and Retail Strategy	CS9 Retail and Town Centre Strategy	CS11 Retail and Town Centre Strategy
PP17 Ground Floor and Residential Uses in Town Centres	DC Policies DPD	DC Policies DPD
PP18 Tourist Accommodation	CS6 Economy and Tourism / DC Policies DPD	CS6 Sustainable Economic and Tourism Development / DC Policies DPD
PP19 Reuse of Buildings in the Countryside	DC Policies DPD	DC Policies DPD

PP20 Development Related to Agriculture and to Farm Diversification	DC Policies DPD	DC Policies DPD
PP21 Telecommunications Development	DC Policies DPD	DC Policies DPD
PP22 Scale and Location of Housing Provision	CS7 Overall Housing Provision	CS7 Overall Housing Provision
PP23 Housing Density and Mix	CS7 Overall Housing Provision	CS7 Overall Housing Provision
PP24 Affordable Housing	Removed from Final Policy Option document	CS9 Provision for Affordable Housing
PP25 Rural Housing Exception Sites	DC Policies DPD	DC Policies DPD
PP26 Defence Base Housing	Deleted	N/A
PP27 Alterations and Extensions to Dwellings in the Countryside	DC Policies DPD	DC Policies DPD
PP28 Agricultural and Essential Workers Dwellings in the Countryside	DC Policies DPD	DC Policies DPD
PP29 Provision for Gypsies and Travellers	CS8 Accommodation for Gypsies and Travellers	CS8 Provision for Gypsies and Travellers
PP30 Strategic Transport Improvements and the Local Transport Plan	CS10 Strategic Transport Improvement and Sustainable Transport	CS12 Strategic Transport Improvements and Sustainable Transport
PP31 Parking Standards	DC Policies DPD	DC Policies DPD
PP32 Lorry Parking	DC Policies DPD	DC Policies DPD
PP33 Landscape Features	CS4 Landscape Character	CS3 Landscape Character and the Historic Environment
PP34 Loss of Agricultural Land or Commercial Woodland	Deleted	N/A
PP35 Nature Conservation and Biodiversity – National/ International Importance	CS3 Natural Environment / DC Policies DPD	CS2 Natural Environment / DC Policies DPD
PP36 Nature Conservation and Biodiversity – Regional/ Local Importance	CS3 Nature Conservation / DC Policies DPD	CS2 Natural Environment / DC Policies DPD
PP37 Renewable Energy Proposals	CS5 Climate Change	CS4 Climate Change
PP38 Alterations and Extensions to or Demolition of Listed Buildings and Development within their Curtilage	DC Policies DPD	DC Policies DPD
PP39 Demolition of Unlisted Buildings, Structures or Features and New Development within	DC Policies DPD	DC Policies DPD

Conservation Areas		
PP40 Archaeology	DC Policies DPD	DC Policies DPD
PP41 Advertisements	DC Policies DPD	DC Policies DPD
PP42 Provision of Leisure Facilities	CS12 Sustainable Infrastructure / DC Policies DPD	CS13 Infrastructure and Developer Contributions / DC Policies DPD
PP43 Retention of Existing Open Space and Recreational Facilities	CS5 Climate Change / DC Policies DPD	DC Policies DPD
PP44 Public Rights of Way	DC Policies DPD	CS12 Strategic Transport Improvements and Sustainable Transport / DC Policies DPD
PP45 Protection of Rural Services and Community Buildings	DC Policies DPD	CS10 Sustainable Rural Communities / DC Policies DPD