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RE: Martlesham Neighbourhood Plan Regulation 16 Consultation

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Martlesham Neighbourhood Plan (MNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.

Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the MNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.*

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively

seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the MNP's ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

The current development plan that covers the Martlesham Neighbourhood Plan area and the development plan which the MNP will be tested against is the Suffolk Coastal District Core Strategy and Development Management Policies,

adopted in July 2013. This plan sets out the over-arching strategic vision for the district and covers the period up to 2027. Whilst the Development Plan was prepared after the publication of the Framework, the Examining Inspector expressed significant concerns regarding the Plan's ability to meet full Objectively Housing Needs (OAN) for housing. To address this issue, the Council made a commitment to undertake an early review to address the level of housing provision by 2015.

This review has now commenced and the Council are working with the other local authorities in the Ipswich Policy Area to produce an aligned/joint Local Plan. This plan will seek to ensure that full housing needs are met across the wider housing market and set out future strategic needs. This plan is very much in its infancy and to ensure the longevity of the MNP and to avoid key aspects of the plan being superseded Gladman suggests the plan is sufficiently flexible towards new development as Section 38(5) of the Planning and Compulsory Purchase Act 2004 states:

'if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).'

Martlesham Neighbourhood Plan

This section highlights the key issues that Gladman would like to raise with regards to the content of the CNP as currently presented. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of alternative options that should be explored prior to the Plan being submitted for Independent Examination. Gladman have previously submitted representations to the Regulation 14 consultation held by the Parish Council and are disappointed that many of our concerns have not been addressed.

Policy MAR1 – Martlesham Physical Limits Boundaries

This policy seeks to focus growth in Martlesham Heath and Martlesham Village within the physical limits boundary. Development proposals beyond this boundary will not be permitted unless they are in accordance with the Suffolk Coastal Local Plan policies in respect of development in the countryside or where they relate to necessary utilities infrastructure where no reasonable alternative is available.

Gladman are opposed to the use of settlement limits if these would preclude the delivery of otherwise sustainable growth opportunities from coming forward. The Framework is clear that development that is sustainable should go ahead without delay in accordance with the presumption in favour of sustainable development. The Framework does not prevent the delivery of sustainable growth opportunities being delivered adjacent to existing settlements so long as the adverse impacts of a development proposal do not significantly and demonstrably outweigh the benefits of development.

Through Policy MAR1, the MNP seeks to prevent growth not only adjacent to the built up area of Martlesham but would act to suppress growth in the sustainable settlements such as Woodbridge. Development on the edge of Woodbridge would be to meet the needs associated with that settlement, even though these could potentially be located within the neighbourhood area. The PPG makes clear that all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

Policy MAR2: Areas to be Protected from Development

Policy MAR2 states that development will normally be permitted where it would not materially detract from the character and appearance of 1) those areas in Martlesham Heath identified on the proposals map to be protected from

development or further development; and 2) other sites, gaps, gardens and spaces which make an important contribution in their undeveloped form to a settlement within the physical limits boundaries identified on the proposals map, its setting, character, or the surrounding landscape or townscape.

Paragraph 113 of the Framework makes clear that criteria based policies against which proposals for any development on or affecting wildlife or geodiversity or landscape areas should be used. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. Gladman submit that as worded this policy is overly restrictive and does not conform with the Framework, therefore conflicting with basic condition (a) and this policy should be deleted.

Policy MAR5: Residential Mix

In principle, Gladman support the general thrust of this policy. However, housing mix will inevitably change over a period of time and therefore this policy needs to secure a greater degree of flexibility going forward so that it can react to changing market conditions. This policy should therefore include reference to the latest housing needs assessment in the policy wording.

Policy MAR7: Local Gaps

This policy seeks to implement a series of Local Gaps. Gladman submit that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances, we would question the purpose of the proposed gap designations, particularly if this would prevent the development of otherwise sustainable and deliverable housing sites to meet the District's housing needs.

Further, the identification of a Local Gap is considered to be a strategic policy that should only be confirmed in an adopted Local Plan. Whilst it is noted that Saved Policy AP212 seeks to maintain the open character of land which separates villages of the Ipswich Urban Fringe, this policy was progressed in an entirely different era of national policy which sought to focus growth to urban areas.

Notwithstanding the above, it is currently unknown whether Policy AP212 will be retained and progressed through the emerging Local Plan. As the policy already applies to the neighbourhood area there is no merit in simply repeating this policy. This has previously been addressed in the Examiner's Report¹ to the Alrewas Neighbourhood Plan where the Examiner recommended several policies be deleted as they were effectively repeating policy that already existed elsewhere in the development plan.

Policy MAR8: Special Landscape Areas

This policy seeks to ensure that no development will take place which would intrude upon or be to the detriment of, or detract from, the special landscape value of the valleys and tributaries of the River Reben. In addition to the comments already raised in response to Policy MAR2, as currently drafted, Gladman do not believe that this policy aligns sufficiently with the requirements of the Framework and PPG, given that this policy merely seeks to repeat the requirements contained in the Suffolk Coastal Local Plan Saved Policy AP13. Gladman reiterate that there is no value in simply repeating policy that is already part of the adopted Development Plan and therefore recommend that Policy MAR8 is deleted.

¹<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhood-plans/Downloads/Alrewas/Alrewas-Neighbourhood-Plan-Examiners-Report.pdf>

Policy MAR13: Non-Designated Heritage Assets

Although Gladman support the conservation of designated heritage assets, this policy states that planning permission will not be granted for development that would result in the loss of non-designated heritage assets identified in appendix 1 of the Plan. This does not accord with the Framework, specifically paragraph 135 which states when determining applications, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. As currently worded Gladman this policy is considered to be overly restrictive does not meet basic condition (a).

Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the MNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a) as some elements of the Plan do not conform with national policy and guidance. Gladman formally request to participate at the hearing session(s) should the Examiner decide it necessary to discuss these issues in a public forum. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

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Gladman Developments Ltd.