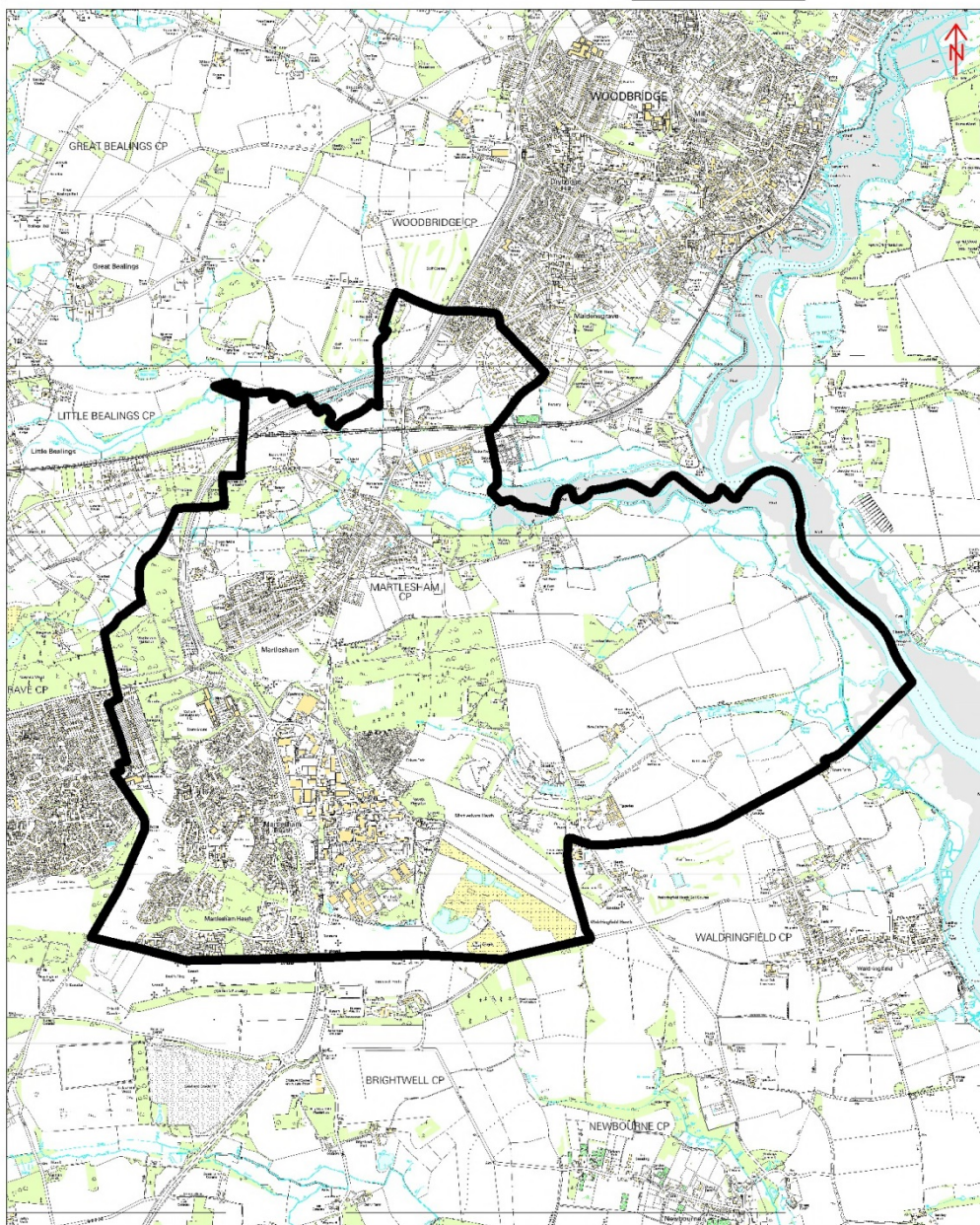


Neighbourhood Area Determination and Decision

Name of neighbourhood area	MARTLESHAM (as submitted – Map 1)
Parish /Town Council	Martlesham Parish Council

Suffolk Coastal District Council © Crown Copyright and database rights 2012 Ordnance Survey 100019684	Neighbourhood Plan Boundary
Map produced on 23 April 2015 at 16:39	Scale 1:30000



The procedures governing the production of Neighbourhood Plans are set out in the [Neighbourhood Planning \(General\) Regulations 2012](#) (as amended). The first formal stage in the Neighbourhood Plan process is the application by the “relevant body” to the Local Planning Authority for neighbourhood area designation (Part 2, paragraph 5). Additional guidance is provided in the National Planning Policy Framework (NPPF) and in National Planning Practice Guidance – Neighbourhood Plans.

In accordance with the Regulations, the Local Planning Authority is required to publicise the neighbourhood area application (Part 2, paragraph 6) and to determine the application following consideration of representations received and to publicise its decision.

In determining an application the LPA must have regard to:

“The desirability of designating the whole of the area of a parish council as a neighbourhood area; and

The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas”

There is no requirement at this stage in the process for the applicant to state what issues it is intended that the Neighbourhood Plan would cover, only the geographic area to which Neighbourhood Plan policies would apply.

DETERMINATION

1. Has the applicant fulfilled all the necessary requirements?

Yes. The Neighbourhood Area designation application has been submitted by Martlesham Parish Council who are the “relevant body” for the purposes of section 61G of the 1990 Town and Country Planning Act.

The application was accompanied by a map and statement identifying Martlesham Parish as the area proposed to be designated and the reasons for that (the submitted neighbourhood plan area is contiguous with the parish council administrative boundary area (Map 1)).

2. Has the application been properly advertised?

A copy of the application was placed on the Council’s website. Information provided included a copy of the application, details of how to make representations and the date by which representations should be received.

To bring the application to the wider attention of the people who live, work or carry on business in the area to which the application relates, a number of site notices were placed around the parish. A request was made to the Parish Council to include details on their parish council notice boards and in their parish newsletter.

Individual letters of notification were also sent to the local district and county council members; to neighbouring parish /town councils including Suffolk County Council and to statutory consultees.

appropriate in their eyes. A further objection relates to a misconception that by including the cross over area within the Woodbridge Neighbourhood Plan this would mean that they become part of the Woodbridge Town Council administrative area. This is not the case.

Of the other comments received, Martlesham Parish Council confirmed that provided there was evidence that the residents in the “cross over area” would prefer to be in the Woodbridge Neighbourhood Plan Area as submitted, they would have no objection to this. They confirm that they would look to work with Woodbridge Town Council for mutual agreement on any policies in their plan which would impact this area. This has since been re-confirmed.

Two respondents suggested an alternative area for the Woodbridge Neighbourhood plan area. This suggestion was for it to be extended further to the south to take in land bounded by Sandy Lane, the railway line and Top Street. One considers that residents of this top half of Sandy Lane relate more to Woodbridge than to Martlesham. The other considers that the area in question provides an opportunity for Woodbridge to expand and would like it to be considered as a potential housing site through the plan making process.

Of the remaining respondents, Suffolk County Council has no stated preference regarding either neighbourhood area as submitted. They note that the most appropriate geographic coverage for a plan is, in large part, dependent on the topics it covers. One suggestion is to use primary school catchments as a proxy for functional areas at a scale similar to that of a parish. They welcome the opportunity to discuss proposals at an early stage whatever the determined neighbourhood plan area. They provide a list of service areas for which the County Council has responsibility.

Environment Agency has no stated preference regarding either neighbourhood plan area as submitted.

Neither Natural England nor English Heritage has any stated preference regarding either neighbourhood plan area as submitted. They both provide additional specific advice for each Parish / Town Council on matters that will need to be considered as the plans progress.

Comments received from David Lock Associates on behalf of BT and from LondonMetric Property Plc are specific to the Martlesham Neighbourhood Plan area proposal.

LondonMetric Property Plc is the property management company for the Martlesham Heath Retail Park. They have requested membership of the neighbourhood forum responsible for drawing up the neighbourhood plan. They note that the retail park lies within the proposed neighbourhood area and that any planning policies that come forward in the neighbourhood plan are likely to affect the retail park and its surrounding environs. They consider that joining the Forum will enable them to positively engage with the local community and help secure a strong future for the neighbourhood. The relevant body for Martlesham is the parish council and not a neighbourhood forum.

David Lock Associates on behalf of BT object to the Martlesham neighbourhood plan area proposal insofar as it relates to land affecting their client’s site – Adastral Park (employment site) and the majority of the housing allocation adjacent to it. They note that the area is already the subject of detailed planning policy under Core Strategy policy SP20 – Eastern Ipswich Plan Area. They want to see these strategic employment and housing areas excluded from the neighbourhood area, citing

the Daws Hill case as an example from elsewhere round the country where this has happened. They argue that:

- the parish has already contributed to the formulation of policy SP20 and that it is unnecessary for Martlesham Parish Council to include the site within their proposed neighbourhood area;
- the stated desire to ensure integration of walking and cycling can still be made without the inclusion of their clients land within the neighbourhood plan area;
- Adastral Park is a Strategic Employment Area and in built form is very different from the rest of the parish and needs to be considered very differently from the rest of the parish;
- The strategic nature of the employment and mixed use allocation is of wider than parish significance; it is of significance for the entire district;
- They have an as yet undetermined planning application before Suffolk Coastal District Council which is already well advanced. They would not want its determination delayed until the neighbourhood plan is well advanced;
- The Core Strategy and the planning application process (including later reserved matters applications) allow for significant opportunity for community input into the planning of this strategic site;
- The unique position of Adastral Park within the parish would undoubtedly require more time and ultimately more resources from the Parish Council than other areas and this would be to the detriment of the rest of the parish.

Nonetheless, they recognise that the decision lies with the District Council, and request that if the neighbourhood area boundary is allowed to stand as submitted, that it is made clear that the allocation stands as per the adopted Core Strategy and that the neighbourhood plan should not be allowed to undermine the allocation.

A number of comments were received specifically relating to Woodbridge Town Football ground site and one other site in terms of possible future use rather than in respect of the neighbourhood area proposal.

4 Are there any reasons why the application should not be permitted as submitted?

The first key stage in the Neighbourhood Planning process is for the Local Authority (this Council) to determine the extent of the plan area within which the neighbourhood plan policies will apply.

Section 61G of the 1990 Planning Act (as amended by the Localism Act 2011) gives a local authority a discretion as to whether to designate the entire area applied for as a neighbourhood area ,or designate only part of that area. Section 61G(5) requires the local planning authority to consider whether the area specified in the application is, or is not, an appropriate area to be designated as a neighbourhood area. Section 61G (4) sets out two matters which the local authority must have regard to:

- (a) *“The desirability of designating the whole of the area of a parish council as a neighbourhood area; and*
- (b) *The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas”*

A local planning authority is therefore not bound to designate the area proposed if it considers that it is not an appropriate area for designation. In such circumstances however it must designate at least some of the area sought. (Section 61G(5)). In exercising its discretion, the local planning authority should have regard to the particular circumstances existing at the time the decision is made. Where a local planning authority decides to refuse to designate a neighbourhood area it must provide a document setting out the decision and a statement of their reasons for making that decision.

National guidance suggests that for parished areas, the parish boundary will normally be the appropriate boundary for the neighbourhood plan area. It is this area that Martlesham Parish Council, the “relevant body” have proposed as their neighbourhood area and to which their supporting statement relates.

The parish of Martlesham is a complex and varied area in planning policy terms, which makes identifying and agreeing what is an appropriate geographic area to be covered by the proposed neighbourhood plan, a matter which requires detailed consideration.

There are very particular circumstances affecting Martlesham Parish which in combination have contributed to the consideration of the neighbourhood area application and the decision set out below.

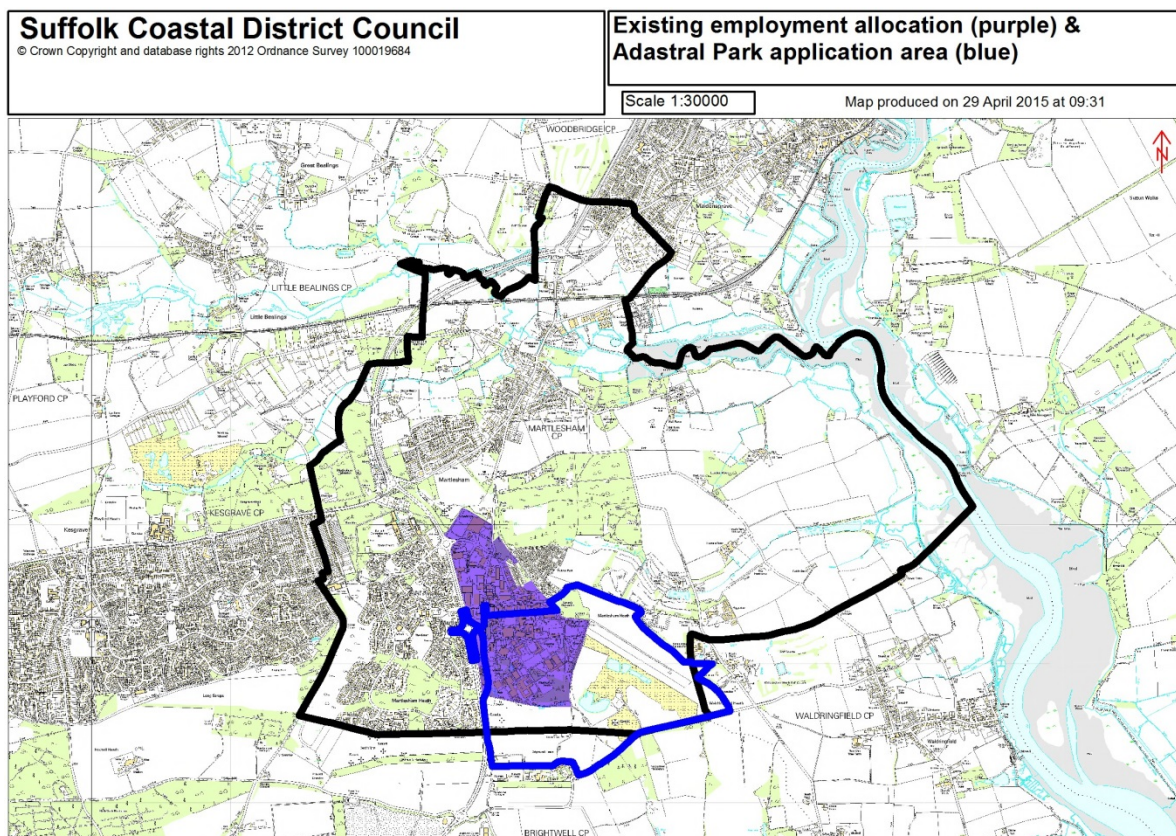
Those circumstances can be summarised as follows:

1. Part of the parish is the subject of an alternative neighbourhood plan proposal put forward by Woodbridge Town Council. No area can be within more than one neighbourhood plan.
2. Part of Martlesham parish (to the south and east of Adastral Park) is identified in the adopted Suffolk Coastal District Local Plan Core Strategy and Development Management Policies 2013 (the Core Strategy) as a strategic growth area for both employment (ICT linked to BT and Innovation Martlesham) and housing (2000 homes) – Policy SP20. Development of this scale is of at least district wide significance. It is an identified area for growth and not an allocation which can be precisely identified on a Policies Map.
3. The scale of development identified under policy SP20 and more specifically the 2000 homes is significant and is acknowledged to require mitigation measures, to ensure that it will not result in a significant effect on the nearby Natura 2000 sites. Further appropriate assessment work to comply with the Habitats Regulations will almost certainly be required as part of any neighbourhood plan. Natural England in responding to the neighbourhood plan area application has confirmed that this will be the case.
4. The Core Strategy is subject to an on-going legal challenge by a local objector group NANT (No Adastral New Town) and specifically to the housing element in SP20 (2000 homes). At the time of writing, permission has been sought by NANT to appeal to the Supreme Court or European Court. There is no timescale provided as to when a decision will be made on their latest request (potentially June/ July 2015). If the permission is turned down, that is the end of the legal challenge. If permission is granted, a final decision may not be known for 12 months or more.
5. The Council has before it an as yet undetermined strategic planning application by BT for employment, housing and associated infrastructure provision including health and education facilities. The proposal, which broadly accords with the strategic policy requirements set out

in policy SP20, was submitted in 2009. The application remains at an advanced stage. Whilst the major part of the planning application area falls within Martlesham parish it also extends further east and south into Waldringfield and Brightwell Parishes (see Map 3). This application is impacted by the on-going legal challenge. In response to the consultation on the neighbourhood plan area, BT is seeking the removal of their planning application site from the submitted neighbourhood plan area.

6. The area identified for strategic housing growth is at present an active mineral extraction site. Minerals and waste are strategic planning matters which are specifically exempted from neighbourhood plans.
7. The Parish Council in their neighbourhood plan area application confirm that they are wanting the neighbourhood plan to work alongside the planning application looking at the linkages between the existing and future communities and their ability to access services and facilities and to facilitate social integration. The decision that this Council has to make at this stage however relates to the neighbourhood area and not to the content of the plan.
8. There is an outstanding “saved” policy designation relating to the wider Martlesham Heath business park area which includes the BT employment site (see Map 3).

MAP 3



Discussion

Issue 1. No area can be included within more than one neighbourhood area.

The area submitted by Martlesham Parish Council as the “relevant body” was for the whole of the parish to be included in the neighbourhood area. At the same time, Woodbridge Town Council

applied for a neighbourhood area which includes a small part of Martlesham parish which effectively includes the existing built area for the town of Woodbridge as defined under Core Strategy policy SP26 Woodbridge and the adjacent Woodbridge Town Football ground (the cross over area shown on Map 2). Both applications were consulted upon at the same time.

The majority of comments received in response to the two neighbourhood plan area applications showed a clear preference for this “cross over” part of Martlesham parish to be included in the Woodbridge proposal. Martlesham Parish Council confirmed that where a clear preference was shown, that they would not raise objection to that part of the parish being included within the Woodbridge proposal. An adjustment would therefore have to be made to the Martlesham Neighbourhood Plan area as submitted to accommodate this change.

An alternative Woodbridge neighbourhood plan area option which would have further encroached into Martlesham Parish was suggested by Gladman Properties and one other. This included land bounded by Sandy Lane, the railway line and Top Street. At a joint meeting organised by SCDC, representatives from the Parish and Town Councils and their respective neighbourhood plan teams were invited to comment on this alternative option. The Gladman proposal was strongly rejected by all of the groups who could see no merit in it. It did not have the same close functional and visual relationship to Woodbridge as the Woodbridge Town Council proposal. It was considered that whilst the railway line forms a clear physical feature when viewed from Sandy Lane, it does not have the same perceived visual and social boundary when viewed from Top Street, one of the oldest parts of Martlesham parish. It is an open, rural landscape more akin to neighbouring areas of land within Martlesham parish than the more urban townscape limit proposed by Woodbridge Town Council. This view is shared by the District Council. As a result of these deliberations, the District Council has determined that the Woodbridge (with part of Martlesham) neighbourhood plan boundary be approved as submitted.

The result of that determination is that the District Council must refuse the Martlesham neighbourhood plan area as submitted. Instead, a new neighbourhood boundary line will be drawn for the northern part of Martlesham parish to exclude the “cross over area” coloured green on Map 2.

Issue 2 Other challenges to the proposed neighbourhood area

When answering the question how desirable it is to designate *the whole of the Martlesham parish as a neighbourhood area* the District Council must also consider how best to treat the area covered by the as yet undetermined Adastral Park strategic planning application (C09/0555). The application broadly accords with Core Strategy policy SP20 and the requirements for this strategic employment and housing growth area, on land to the south and east of Adastral Park. The strategic employment is centred around the ICT sector, and the long term vision to develop an ICT hub in this location. BT and Innovation Martlesham based at Adastral Park provide the core of this hub. The application includes for extensive improvements to existing employment buildings within Adastral Park, to ensure they are fit for purpose, as well as the creation of an additional 60,000sq m of new floorspace.

The housing growth is for a single development of up to 2000 homes, with associated infrastructure provision. It will provide a stand alone community, similar to old Martlesham and Martlesham Heath, but one which will share links and facilities with the existing communities of Martlesham.

Green infrastructure provision is an essential part of the scheme as it is one of the main elements required to mitigate the impact of development of this scale on nearby Natura 2000 sites.

The grant of planning permission would effectively take away the need for land to be specifically allocated in either the District Council Site Allocations and Area Specific Local Plan or a neighbourhood plan. The planning application is therefore presented as a single, comprehensive strategic mixed use development. It is designed as a complete package as the means by which to secure the strategic growth identified in the Core Strategy for this location. An outline application at this stage, if permitted, will require a detailed masterplan to be prepared and agreed. That masterplan will provide the detailed guidance and framework for later reserved matters applications. Given the scale of the strategic growth proposed, development is anticipated to occur over a 15 – 20 year period.

Consideration 1

The NPPF (paras 184 and 185) states “...*Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly in their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.*

Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area...”

National Planning Practice Guidance – Neighbourhood Planning (ID41-009-20140306) confirms that a neighbourhood plan can be developed or at the same time as a local planning authority is producing its Local Plan. It goes on to state, “...*where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between the policies*

- *The emerging neighbourhood plan*
- *The emerging Local Plan*
- *The adopted development plan*

With appropriate regard to national policy and guidance.”

As noted, the strategic planning application, due to its advanced stage, is expected to be determined ahead of the Site Allocations and Area Specific Policies Development Plan Document which the Council are currently working on, or indeed a neighbourhood plan (subject to the outcome of the on-going legal challenge). In this context, for “the emerging Local Plan”(bullet point 2 above) it is appropriate to also include the Adastral Park strategic planning application.

If permitted, the strategic planning application will provide for the strategic levels of housing and employment growth identified in adopted policy SP20.

In respect of the above, it can therefore be assumed that it is possible for a strategic planning application to be progressed in parallel with a neighbourhood plan (and the Council's own site specific allocations work).

Consideration 2

The planning application area extends beyond the parish boundary into the neighbouring parishes of Brightwell and Waldringfield (See Map 3). These neighbouring parishes are not part of a joint neighbourhood area proposal. Following that logic, it would be inequitable for neighbourhood planning policies to apply to part of a comprehensive development and not all, a point made by BT. The Council agrees with BT on this point.

Consideration 3

The current legal challenge is to the Core Strategy and not to the planning application. In particular it is to the housing element of SP20 (2000 homes). As noted previously, the Core Strategy identifies land to the south and east of Adastral Park for strategic housing growth. It does not allocate a specific site. The indicative area proposed for housing in the planning application is largely within an area currently operated as a mineral extraction site. Mineral and waste matters are specifically exempted from the remit of neighbourhood plans due to their strategic nature.

If the legal challenge eventually succeeds, or the planning application is otherwise unduly delayed, the District Council will be required to identify land to provide for the 2000 homes. This is a strategic matter which extends beyond the confines of Martlesham parish, and for this reason is not considered to be an appropriate matter to be dealt with through the neighbourhood plan. It would need to be picked up either through a review of the Core Strategy or through the Site Allocations and Area Specific Policies Local Plan work that the District Council is leading on. The Parish Council and the local community would have input into that plan making process. That work would run in parallel with neighbourhood plan work that the parish council is undertaking. The mineral extraction work would continue in accordance with the permission granted.

If the legal challenge fails, the planning application because it is well advanced, is likely to be determined ahead of the neighbourhood plan and would not require a specific strategic allocation. This is public knowledge. The District Council has specifically stated this fact in its Site Allocations and Area Specific Issues and Options consultation document which was consulted on during December 2014 – February 2015. The BT Adastral Park planning application is a strategic planning application which covers much more of course than just the housing element, it is a comprehensive proposal also designed to meet the strategic employment growth in this location. It broadly accords with overarching policy SP20 to which the neighbourhood plan would also need to broadly conform. Policy SP20 provides a set of detailed requirements for the development of this growth area.

The District Council has already confirmed both verbally and in writing that should the planning application be permitted it would be subject to a condition requiring a masterplan to be produced. The District Council would expect the Parish Council to have a role to play in the development of this masterplan. The masterplan approach has the benefit that it would apply to the whole application

site overcoming the potential inequality outlined in Consideration 1 above. In addition, to achieve the integration and links which the parish council (and policy SP20) require, a combined masterplan / neighbourhood plan approach provides a very strong local input / influence to create a successful development which will inevitably take 15 – 20 years to complete. The combined approach is considered to provide a strong framework to ensure physical and social integration between existing and future communities, service provision and land uses.

Consideration 4

The legal challenge does not extend to the strategic employment designation. The employment element of the planning application is encompassed within the existing BT Adastral Park site, which itself is included within an existing “saved” employment allocation (See Map 3). The BT employment site is included within the existing defined built up area for this part of Martlesham. More specifically (and in addition to policy SP20) it is identified along with the Martlesham Heath Business Campus, including Adastral Park, as a strategic employment site under Core Strategy policy SP5 – Employment Land.

Work is already on-going to upgrade and re-furbish buildings within the Adastral Park site. Additional ICT companies are being drawn to the locality, building the ICT hub. It is part of the built fabric of this part of Martlesham, and whilst it is enclosed within a fenced area, it operates physically and functionally within it.

The District Council agrees with BT that their site is of a different character to the rest of the business campus, but is clearly physically linked to it. Adastral Park is a long established site and one which is intrinsically linked to and a defining element within this part of Martlesham. The BT tower is a landmark visible for many miles. The adjacent housing area of Martlesham Heath was built to provide housing for workers at BT. In light of these facts, the District Council disagrees with BT that the employment element of the planning application area should be excluded from the neighbourhood plan area on the basis that it is physically and functionally a different character to the rest of the neighbourhood plan area.

Notwithstanding the above, Adastral Park (the fenced area) which incorporates both BT and Innovation Martlesham is the developing hub for ICT. ICT is identified in the CS as a strategic employment sector i.e. of importance within the district and beyond. The growth and development of this sector at this location is an integral part of the comprehensive development package which comprises the Adastral Park strategic planning application. In this sense, there is already a clear distinction between this part of the currently designated employment area (See Map 3) and the remainder of the business park / retail area. Having regard to national planning advice and guidance as to what neighbourhood plans should contain, and what is strategic, there is a logic to using this current distinction to delineate the revised neighbourhood area boundary. Were the legal challenge to succeed, the Adastral Park strategic employment area would be picked up through the Council’s own emerging Local Plan work. The integrity of the remaining neighbourhood area would not be compromised.

In adopting this approach, in the same way that the District Council would require community input into a masterplan should the BT planning application be permitted, the District Council will expect BT

or their agents to be offered the opportunity to be involved in the neighbourhood plan as it progresses through its various stages.

The District Council also consider that LondonMetric Property Plc who are the property management company for the Martlesham Heath Retail Park should be offered the opportunity to be involved in the neighbourhood plan as it progresses through its various stages. It will need to be explained that they will not be part of a neighbourhood forum as the Parish Council is the relevant body with responsibility for preparing the neighbourhood plan.

Conclusion

Having regard to all the circumstances specific to the Martlesham parish area, the Council has concluded that the parish boundary for Martlesham is not the appropriate neighbourhood boundary. Where this is the case the Council must refuse the application and designate what it considers to be the appropriate area. The revised neighbourhood area is indicated on Map 4 below. Where changes have been recommended, the revised boundary line follows a physical feature on the ground which is readily discernible.

Recommendation:

The Martlesham Neighbourhood Plan area application as submitted be **REFUSED** but that the revised area identified on Map 4 be **APPROVED** as the appropriate neighbourhood plan boundary for Martlesham. The reasons for this decision are set out in section 4 of this Determination Statement.

DECISION UNDER REGULATION 7 OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

The application for the designation of Martlesham parish as a neighbourhood plan area is **REFUSED**. A revised neighbourhood plan area for Martlesham as identified on Map 4 is **APPROVED**.



Cllr Geoff Holdcroft
Portfolio Holder with responsibility for Planning

Date: 05/05/2015

Map 4

Suffolk Coastal District Council
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Martlesham Approved Neighbourhood Plan Area

Scale 1:17500

Map produced on 01 May 2015 at 10:05

