

Forest Heath Local Plan

Examination of the Single Issue Review of Core Strategy Policy CS7

Written Statement on behalf of R J Upton 1987 Settlement Trust

Matters 2, 3 and 4

Introduction

- 1.1 This written statement has been prepared on behalf the R J Upton 1987 Settlement Trust, who have land interests at Red Lodge, in respect of the examination of the Forest Heath Single Issue Review of Core Strategy Policy CS7.
- 1.2 This Written Statement considers issues set out in Matters 2, 3 and 4 and responds to the relevant Inspector's questions.

Matter 2 – The objectively assessed need for housing and the housing requirement set out in Policy CS7 of the Single Issue Review

2.1 Forest Heath is identified as being within the Cambridgeshire Housing Market Area. Is this justified?

- 1.3 Paragraph 47 of the NPPF, dealing with the supply of land for housing refers to the need to maintain a five year supply in the housing market area rather than the local planning authority area. The NPPF provides no guidance on how housing market areas should be defined; and the PPG provides very little, simply suggesting that a housing market area could consist of more than one local authority district.
- 1.4 In practice, housing market areas, if larger than a single district, tend to be a combination of two or more whole districts for the ease and convenience of plan making. Debate at planning inquiries on the existence or otherwise of a five-year supply of land for housing has almost always focused on the district in which the site in question is located. Housing market areas are not empirically defined; certainly not in the sense that Travel to Work Areas (TTWA), based on origin and destination data for travel to work from the decennial Census, are empirically defined.
- 1.5 In fact, most of Forest Heath District lies within the Thetford and Mildenhall TTWA rather than the Cambridge TTWA. However, one of the most significant changes in the number and extent of TTWAs, comparing 2001 and 2011, was that the Cambridge TTWA absorbed most of the Bishops Stortford and Harlow TTWA, which disappeared. As a result, the number of jobs in the Cambridge TTWA increased from under 200,000 to over 350,000. The boundaries of the Cambridge TTWA elsewhere changed relatively little. Nevertheless, Newmarket and the part of East Cambridgeshire District which all but surrounds the town do form part of the

Cambridge TTWA, and the boundary to the north-east of Newmarket coincides with the County boundary, which means for example that Red Lodge lies only just outside it. TTWA boundaries are of course not impermeable, since TTWAs are normally based on the measure of self-containment of 75%.

- 1.6 The Cambridge TTWA is the dominant one in the East of England region, having a total population of 712,000, nearly six times that of the City (124,000). The next largest, Norwich, has a population of 471,000. In contrast, the population of the Thetford and Mildenhall TTWA is 118,000. The figure of 712,000 is not significantly less than those for TTWAs based around much larger cities such as Bristol (835,000) and Sheffield (851,000) respectively 10th and 9th in the national hierarchy.
- 1.7 These data illustrate the increasing importance of the economy of the Cambridge area not just to the region, but to the nation. On this basis, it can therefore reasonably be concluded that the inclusion of Forest Heath District in the Cambridgeshire Housing Market Area is justified.

Matter 3 – The supply of land for housing

3.2 The total supply amounts to only 77 dwellings more than the OAN.

a) Is there a risk that the need for housing will not be met?

b) Should the supply be increased to improve certainty in this regard?

- 1.8 Eclipse Planning Services did not comment further on the total housing requirement at the last stage of consultation as it appeared that the Council was set on not increasing the total figure; indeed, there was small reduction, from 7,000 to 6,800 dwellings.
- 1.9 Eclipse Planning Services understands that the position on a proposal for 400 dwellings at Hatchfield Farm, Newmarket has not yet been finally resolved. On 9 May 2017, the High Court ([2017] EWHC 1047 Admin)) quashed the Secretary of State's decision on the appeal (PINS reference APP/H3510/V/14/2222871), which had itself overturned the Inspector's recommendation that planning permission be granted. One of the third parties has now taken the matter to the Court of Appeal.
- 1.10 Box 6.2 of the Sustainability Appraisal deals with this situation as it stood in late 2016, after the Secretary of State's decision but before the High Court judgment. The box refers specifically to the figure of 6,877 dwellings as the level of housing provision from which the surplus of 77 dwelling referred to in the question is derived. The strategy relied to a certain extent on the Hatchfield Farm site, and it is described here as a "loss". An outline of compensatory provision is set out. If the case by the third parties taken to the Court of Appeal fails, then other things being equal housing supply in the District will be increased by 400 dwellings. If this occurs, it will go some way to addressing any concerns that the need for housing will not be met. Eclipse Planning Services is not advocating any increase in the housing requirement except as might be brought about by the failure of the appeal. However, we wish

to emphasise very strongly that if the appeal fails, there should be no reduction in housing provision anywhere else in the District and at Red Lodge in particular.

Matter 4 – The spatial distribution of housing

4.1 How has the distribution of housing set out in Policy CS7 been arrived at? In particular:

a) What factors have influenced the distribution proposed?

- 1.11 In short, the proposed distribution of housing has been influenced by the severe constraints affecting the two largest towns, Newmarket and Brandon, the relative absence of constraints in some of the other principal settlements, in particular Red Lodge, which has opportunities to accommodate both housing growth and associated supporting services and facilities.

b) What role has the Sustainability Appraisal had in influencing the distribution?

- 1.12 The Sustainability Appraisal (SA) prepared on behalf of the Council by Aecom published in January 2017 sets out an account in Part 1 of the sustainability appraisal process throughout the Single Issue Review. Figure 5.1 indicates that an Interim SA was provided at each of the previous stages of consultation, in 2012, 2015 and 2016. Paragraph 5.15 states that *“this part of the report aims to present information regarding the consideration of reasonable alternative spatial strategies, i.e. alternative approaches to the allocation of land to meet housing (and economic) needs”*.

- 1.13 The SA therefore appears to have played a substantial role in influencing the distribution of housing. Its soundness or otherwise is addressed in the response to the next question.

c) Has the distribution of housing been based on a sound process of sustainability appraisal and testing of reasonable alternatives, and is the Sustainability Appraisal adequate in this regard?

- 1.14 Eclipse Planning Services was disappointed that the eventual housing requirement figure of 6,800 dwellings was even lower than in Option 1 summarised at paragraph 6.3.3 of the SA. We had earlier argued that the higher figure in Option 2 was necessary among other things to deliver an appropriate level of affordable housing without the percentages required on larger site becoming so high as to make them unviable. There is clear recognition of the issues involved in the quotation at 6.3.4 from an earlier report.

- 1.15 The choice of 6,800 dwellings, instead of any higher figure, does not however significantly diminish the difficulties of arriving at an appropriate distribution of new housing in all the circumstances. Eclipse Planning Services has considered carefully the relevant parts of the SA and notes the following points in particular from Chapter 6:

- Paragraph 6.3.5 implies a “bottom up” approach, which we consider to be appropriate in the circumstances;
- Three out of the four alternatives identified at 6.3.6 involve a focus on Red Lodge;

- 6.4.13 shows how the earlier alternatives had been narrowed down, and in particular that the amount of housing proposed for Red Lodge differed at this stage only by 100 dwellings between Options 1 and 2;
- “There is little potential to confidently differentiate between the alternatives in terms of the majority of topics” (paragraph 6.4.14, beginning of first paragraph quoted); but of the others, biodiversity is the most prominent. This explains the very low levels of growth assigned to Brandon in both options; and
- Box 6.2 provides a concise but thorough appraisal of “unreasonable” alternative.

1.16 Chapter 8 then explains the choice of Option 1 and the influence on it of the Hatchfield Farm case as it then stood. Very importantly, however, Eclipse Planning Services considers that in the event of the failure of the current appeal (that is planning permission for the housing at Hatchfield Farm would be effectively granted) this would not undermine the Single Issue Review or the Strategy of the Local Plan generally. It would have been held that the benefits of the proposal would outweigh the dis-advantages, while at the same time not engage the environmental constraints affecting other parts of the District. It would also have the effect of supporting the facilities and service of the town, and providing a modest additional measure of affordable housing.

1.17 Eclipse Planning Services concludes that the SA provides a clear and rational explanation of the alternatives considered, and that the preferred housing distribution has been soundly arrived at.

4.2 Is the broad distribution of housing set out in Policy CS7 consistent with the Core Strategy’s vision for the district, its settlement specific visions, spatial objectives and settlement hierarchy?

1.18 To a certain extent, the settlement specific visions and the spatial objectives may well have been themselves influenced by the constraints affecting “reasonable” alternatives for housing distribution, rather than the distribution flowing from, or being determined by, visions and objectives. Whatever the extent of influence back and forth, Eclipse Planning Services cannot identify any significant inconsistency between visions and objectives on the one hand and the distribution of housing on the other.

1.19 To take the final element of this question, the settlement hierarchy appears to have had a relatively limited influence on the distribution of housing. The proposed distribution is clearly not commensurate with the size and function of the District’s main settlements. However, the circumstances in the District summarised in responses to other questions are sufficiently unusual to warrant a departure from a distribution based more closely on the settlement hierarchy. The Plan itself and the supporting documents, the SA in particular, adequately explain and justify that departure.

4.3 The three Market Towns of Newmarket, Brandon and Mildenhall are expected to provide around 34% of new housing over the plan period. Approximately 40% is anticipated in the two

Key Service Centres of Lakenheath and Red Lodge. It appears that the distribution of housing growth places greater emphasis on the two Key Service Centres than on the three Market Towns.

a) What is the justification for focussing greater growth in the Key Service Centres rather than the Market Towns?

b) What factors have influenced and led to this distribution?

1.20 Every local planning authority should identify and describe the settlement hierarchy in its area, and the duty to co-operate implies a consideration of the influence of larger settlements in adjoining authorities. It does not necessarily follow however that the distribution of new housing in a local plan should be based on the settlement hierarchy, as long as any different approach can be justified by the evidence, or in this case, all but demanded by the circumstances. New factors have come into play in a situation where the foundation and growth until 1947 of the settlements in Forest Heath District (and indeed everywhere in Britain) took place outside the framework of an effective town and country planning system. The horse racing industry has long been established around Newmarket, but it is only relatively recently that it has sought more vigorously to protect its interests against future growth proposals for the town. The EU regulations concerning habitats are also of relatively recent origin. These have imposed severe constraints on growth at Brandon.

1.21 Thus constraints, albeit of different kinds, at two of the District's three market towns lead inevitably to a focus on growth in settlements in the next tier down.

c) Does the Sustainability Appraisal support greater housing growth in the two Key Service Centres rather than the three Market Towns?

1.22 Our reading indicates that the Sustainability Appraisal, containing as it does a succinct appraisal of constraints and their relative importance, does support the proposed distribution of housing.

1.23 *4.4 Housing growth at both Newmarket and Brandon is quite low relative to other settlements. Both are Market Towns, in the 'top tier' of the settlement hierarchy. Newmarket is the district's largest settlement with a wide range of services and facilities, and is recognised as one of its most sustainable settlements, if not the most.*

a) What is the justification for Newmarket and Brandon respectively receiving only 9% and 2% of new housing growth?

1.24 Any assessment of the degree to which the settlement hierarchy should influence the distribution of housing in Forest Heath District needs to take a number of unusual factors into account. The first is the odd shape of the District. It is far from the ideal in which the largest settlement is located at its centre with smaller towns and villages distributed in a regular pattern around, it in the way that gave rise to central place theory in geography.

1.25 Secondly, the District’s principal town, Newmarket, although without question providing the widest range of services and facilities, is located in terms of administrative boundaries in a small part of Forest Heath District connected to the rest of the District by a neck of land barely 100 metres wide. The town and a small area around it is surrounded by East Cambridgeshire District. Newmarket’s catchment area therefore lies mostly outside Forest Heath. It could possibly be argued that the more effective exercise of the duty to co-operate might have led to greater levels of development at Newmarket, since the demand and need for market and affordable housing respectively arise from settlements rather than administrative areas. However, any such argument would also have to consider the constraints on development at Newmarket, mainly but not exclusively arising from the needs of the horse racing industry which is a mainstay of the local economy.

1.26 Thirdly, severe constraints arising from European designations affect other parts of the District, the Brandon area in particular.

1.27 The placing of two or more settlements in the same tier of the hierarchy does not necessarily mean that they are of equal size or importance, or offer the same levels of services or facilities. In this particular case, there is a significant difference in the size of Newmarket and Brandon. They have populations in the order of 20,400 and 9,200 respectively (2011 Census), and the levels of facilities and service they provide are commensurately different.

1.28 At the same time, although the nature of the constraints affecting them are also different, those constraints are relatively severe and strongly indicate that an approach which does not in fact locate the bulk of the housing at the two most important settlements should be pursued.

b) Does the Sustainability Appraisal support the relatively low levels of housing growth apportioned to Newmarket and Brandon?

1.29 The position is succinctly described in the antepenultimate bullet point in Box 6.1 of the Sustainability Appraisal: *“the constraints in Brandon and Newmarket mean that growth which could have been directed to these settlements is proposed for distribution elsewhere”*.

1.30 We therefore conclude that the SA does support – and justify - the relatively low levels of housing growth apportioned to Newmarket and Brandon.

In relation to Newmarket:

d) What evidence is there to demonstrate that greater housing growth in Newmarket would lead to more traffic in the town than the proposed distribution of new housing?

1.31 Eclipse Planning Services considers that this proposition is self-evident. Any transport assessment or statement drafted to support a proposal for residential development on any significant scale will need to consider levels of car ownership and the distribution of outbound trips for work and other purposes. At a strategic level, these are likely to be much the same

wherever in Newmarket such development is located. Any differences will arise from the location of individual sites and the degree of specific impact on particular nodes and links.

- 1.32 It is possible that degrees of impact would grow at a slightly greater rate than the number of dwellings might suggest, unless the anticipated growth in the number of economically active people could be reliably matched by the growth in the number of jobs in the town.

c) What specifically would be the impacts of greater housing growth on the horse racing industry?

e) Could the impacts of increased traffic on the horse racing industry be addressed, for example through the provision of new or enhanced horse walks?

- 1.33 These issues were thoroughly examined at the Hatchfield Farm inquiry. As acknowledged above, the final outcome is not known, and it unnecessary to comment further.

f) How has the effect of housing growth on the horse racing industry been addressed in terms of the Sustainability Appraisal?

- 1.34 The requirements of the horse racing industry and the constraints on housing growth at Newmarket are taken into account throughout the Sustainability Appraisal. In particular, the SA acknowledges the issues arising from the Hatchfield Farm case as it then stood, the findings of the Employment Land Review and two specific reports, by SQW and Deloitte, on the horse racing industry. It is a balanced approach which neither overestimates nor underplays the importance of that industry in planning for the District.

4.5 Housing growth at Red Lodge is close to twice as much as that for Lakenheath, the other Key Service Centre, is almost three times that proposed for Newmarket and is many times greater than that for Brandon. In short, relative to other settlements and considering its position in the settlement hierarchy, housing growth at Red Lodge is greater than might be expected.

a) What is the justification for Red Lodge receiving 27% of the district's new housing?

- 1.35 Eclipse Planning Services considers that the justification for the proposed distribution of housing generally and the large proportion of it assigned to Red Lodge arises from the highly unusual circumstances of the District described in the response to other specific questions. In short, these are the shape of the District, the location of the principal settlements in it, and the constraints affecting the settlements where normally the bulk of new housing would be expected to be allocated. Red Lodge provides a significant opportunity to accommodate housing and further services and facilities to support such growth, with a second primary school currently under construction.

- 1.36 Furthermore, Red Lodge's location on the A11, now a dual carriageway all the way from the outskirts of Cambridge to the edge of Norwich, makes it much more accessible than either

Brandon or Mildenhall. This makes it a superior location for the successful establishment of employment uses and land within single ownership is available for this use. It will need to be supported by appropriate levels of housing so that residents will have a better opportunity to live close to their places of work if they so wish.

b) Does the Sustainability Appraisal support the relatively high level of housing growth apportioned to Red Lodge?

- 1.37 Eclipse Planning Services has examined the Sustainability Appraisal for its references to Red Lodge (and has considered those references in the wider context) and finds that the SA does indeed support the relatively high level of housing growth apportioned to Red Lodge.

4.6 Overall, is the spatial distribution of housing justified?

- 1.38 In the light of the responses to other specific questions above, Eclipse Planning Services concludes that the spatial distribution of housing set out in Policy CS7 is indeed justified.