



The Planning  
Inspectorate

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# **Report to Mid Suffolk District Council**

**by Julia Gregory BSc (Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 17<sup>th</sup> October 2012**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO MID SUFFOLK CORE STRATEGY  
FOCUSED REVIEW**

**LOCAL PLAN**

Document submitted for examination on 22 March 2012

Examination hearings held on 27 and 28 June 2012

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## Abbreviations Used in this Report

AA	Appropriate Assessment
CIL	Community Infrastructure Levy
CS	Mid Suffolk Core Strategy Development Plan Document adopted September 2008
CSFR	Mid Suffolk Core Strategy Focused Review, a Local Plan
FPLS	Felixstowe Port Logistics Study
Framework	National Planning Policy Framework
GF	Greenfield allocation
IPA	Ipswich Policy Area
LDS	Local Development Scheme
LP	Local Plan
LPA	Local Planning Authority
MM	Main Modification
PDL	Previously developed land, brownfield land
RS	East of England Plan Regional Strategy
SA	Sustainability Appraisal
SAAP	Stowmarket Area Action Plan
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
WSELR	Western Suffolk Employment Land Review

## **Non-Technical Summary**

This report concludes that the Mid Suffolk Core Strategy Focused Review Local Plan provides an appropriate basis for the planning of the District over the next 15 years providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the Plan.

All of the modifications to address soundness issues were proposed by the LPA, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- amendment to Strategic objective SO3 to clarify the approach to mitigating the effects of climate change;
- inclusion of the model policy on the presumption in favour of sustainable development;
- amendments to text to better reflect national policy;
- a new policy FC 1.1 to facilitate the delivery of sustainable development; and
- clarification of time periods for housing and employment policy implementation.

## Introduction

1. This report contains my assessment of the Mid Suffolk Core Strategy Focused Review (CSFR) in terms of Section 20 (5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan (LP) should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted Draft Plan January 2012. This is based on the results of a consultation exercise on a document published for consultation in October 2011.
3. There is a schedule of changes to the CSFR dated March 2012. This was further updated by a list of changes dated June 2012. Where these are minor, they do not concern me. However, some of the alterations are significant and where they are significant in respect of rectifying matters to do with soundness/ legal compliance they are included as main modifications. Further main modifications were discussed at the hearing sessions.
4. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council has requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
5. The main modifications have been subject to public consultation and I have taken the consultation responses into account in writing this report. The Council considered that the modifications did not require a further sustainability appraisal (SA).

## Assessment of Duty to Co-operate

6. Section s20 (5) (c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. A failure in this regard would be fatal to the plan and would not be capable of correction.
7. The thrust of the duty is that local planning authorities are required to engage constructively, actively and on an ongoing basis in local plan preparation. They are also required to have regard to the activities of other bodies so far as they are related to local plan making. Engagement is required to consider whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of these activities, and if a local planning authority, to consider whether to agree under section 28 to prepare joint local development documents.

8. The Council has submitted a detailed record of co-operation with neighbouring local authorities and also with various departments in Suffolk County Council. The Council is integrating with Babergh, an adjoining authority, and is working more closely across joined services. The two Councils propose to prepare joint planning documents in the future. Evidence has also been submitted demonstrating that the Council is working with Regulation 4 public bodies on matters relevant to the preparation of the plan. There is, in addition, evidence of active co-operation with non-statutory bodies such as the Haven Gateway Partnership.
9. There is much evidence of joint working on policy matters for mutual benefit, including representations from those parties involved, submissions from the Council, in core documents, and from what I was told by participants at the hearing sessions. That evidence readily satisfies me that on much of the LP, the duty to co-operate has been fulfilled.
10. Nevertheless, there is an outstanding objection to the LP from St Edmundsbury Borough Council. This is related to the alleged effects that the employment provision at Mill Lane, Stowmarket in CSFR policy FC3 would have on the delivery of a large employment allocation at Suffolk Business Park, Bury St Edmunds. Mill Lane comprises an allocation of 39.5Ha of B1, B2 and B8 uses that could provide some 3395 jobs as identified in CSFR policy FC3.
11. Suffolk Business Park is located north of Bury St Edmunds close to the A14. It comprises some 70 Ha of greenfield (GF) land. It would comprise an extension to existing industrial estates to the west and Rougham Industrial Estate to the east. A master plan was adopted by St Edmundsbury Borough Council for that site in June 2010. The site is allocated in the Bury St Edmunds Local Plan and in its Core Strategy. It is a site referred to in the West Suffolk Employment Land Review (WSELR).
12. There is no suggestion that the Council has not actively sought to co-operate and reach agreement with St Edmundsbury Borough Council. There have been joint planning studies and there has been no failure to consult the neighbouring authority. Rather it is that the Councils have failed to agree on the policy approach that should be taken to employment land provision in Mid Suffolk. Having heard all the representations on this matter, I consider that this does not represent a failure to co-operate for the reasons that I have set out later in my report under issue 3, alongside my reasoning on employment matters.

## **Assessment of Soundness**

### **Preamble**

13. The CSFR includes provision for a total of 1220 homes on previously developed land (PDL) and 2625 homes on GF land for the next 15 years. It proposes 8,000 additional jobs to 2026 and 11,100 jobs by 2031. The CSFR was prepared as a direct response to concerns arising in respect of and out of the initial examination of the Stowmarket Area Action Plan (SAAP) concerning sustainability issues, housing allocations and employment provision.
14. The Council responded to the question of conformity between the two plans by reviewing parts of the Mid Suffolk Core Strategy Development Plan Document

Adopted September 2008 (CS) to ensure that the two documents would be in conformity. Whilst legislation has changed so that it would now be possible for a revised policy to supersede another policy in an adopted development plan document, and the hierarchy of plans has been abandoned, this was the context for the preparation of the CSFR. The plan makes satisfactory references to other planning documents, existing and proposed.

15. I am also examining the SAAP, and that examination has not been completed, at the time of writing. That examination was held in abeyance to allow for the more strategic plan, the CS to be reviewed. I have taken into account in this examination, core documents relevant to and representations made in respect of the SAAP where they are relevant to the CSFR. I have considered these alongside all the representations and documents received in respect of the CSFR.
16. There was also an expectation created by paragraph 3.102 of the CS that, once the results of the revised Employment Land Review had been received, that the Council would give consideration to the possibility of an early review of the employment section of the CS.
17. Since employment, housing and sustainability issues are inextricably linked, the review of all these sections is a logical approach. The CSFR is intended to be read alongside the CS, some of which will be superseded. There is nothing to prevent the time periods of the two plans being different. Indeed this is supported by the National Planning Policy Framework (Framework) which prefers a 15 year time horizon for plans, which are to be kept up to date. This would suggest a fairly regular review of LPs.
18. The Council has also responded to the current Government's planning policy initiatives including the Plan for Growth, and has taken into account the presumption in favour of sustainable development that was contained within the draft National Planning Policy Framework. This presumption was carried forward into the published Framework on 27 March 2012. The Framework replaced many Planning Policy Guidance notes, Planning Policy Statements and other documents as set out in its Annex 3.
19. The Framework is a strategic document. It cuts across matters in the CSFR which could be affected by its policies. Hence, representations on it, in so far as they relate to the LP, were invited. I have taken into account the representations made. I consider that the plan has a good fit with the NPPF, and that it is capable of responding positively and flexibly to changing circumstances over a 15 year time period (20 years for employment), taking full account of relevant market and economic signals and reflecting the vision and aspirations of the local community.
20. The time period of CSFR policy FC2 was discussed at the hearing. The Council agreed that it would be sensible to count housing land supply from 1 April 2012 so that it would be compatible with other monitoring rather than to use an arbitrary date of adoption, albeit that the Council did not intend to prevaricate on adoption (**MM5**). This would coincide with the housing trajectory in Figure 2.1. I consider that this is necessary to ensure the clarity of the plan.

21. CSFR policy FC 3 does not identify what is meant by short, medium and long terms for employment land provision. It was agreed at the hearing that this should be clarified (**MM6**). The Council also wishes to identify Mill Lane Phase 2 as being provided in the medium to long term rather than in the long term. This is necessary in the interests of the flexibility of the policy, in line with the Framework. I conclude that this is also necessary as a main modification to the plan (**MM7**). This brings forward rather than pushes back employment provision and I see no conflict with sustainability objectives in terms of compatibility with housing provision.
22. A few days before the Framework was published, the Government published the *Planning Policy for Traveller Sites*. Although representations were invited in respect of any implications of this document for the CSFR, and some representations were received, the CSFR does not seek to amend CS policy CS 10. Therefore, there is no need for me to consider that matter further in my examination.
23. Further representations were invited on a model policy concerning the presumption in favour of sustainable development. I have taken account of all the responses made, including those of the Council. The Council has suggested that the model policy be included in the CSFR as policy FC 1, accompanied by some text alterations and alterations to the original FC.1 to create a new policy FC 1.1.
24. The model policy would clarify the operational relationship between the plan and national policy. This is a sensible approach since the model policy addresses comprehensively the requirements of the Framework in respect of sustainable development. In essence, it confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Framework. The model policy is set out in full in the Appendix. In order to comply with the Framework, owing to its importance, this is a necessary main modification (**MM2**).

### **Main Issues**

25. Taking account of all the representations made, written evidence and the discussions that took place at the examination hearings, I have identified four main issues upon which the soundness of the Plan depends.

### **Issue 1 - Whether the Local Plan's strategic objectives are clear, effective, deliverable and consistent with national policy.**

26. The CSFR would replace Objectives SO3 and SO6 in the CS. CS Objective SO3 provided for "*sustainable development and to respond to the implications of climate change reducing Mid Suffolk's carbon footprint*". The more detailed CSFR SO3 seeks to identify the links between jobs and homes. The thrust of the plan is to provide better employment opportunities in Stowmarket for those living in new homes. It seeks to ensure that out commuting, which is significant, is not exacerbated.
27. However, there would be substantial housing provision with a balancing amount of employment provision. There is also a high established level of out commuting, which may not be reduced, because patterns may be difficult to change and jobs created within the District may be taken by those outside the



District. For these reasons, it is difficult to show that traffic congestion including along the A14 trunk road and pollution from traffic will be improved. The use of the word *address* in the second sentence is therefore misleading.

28. Although transportation and other initiatives may reduce carbon consumption per capita in Mid Suffolk, there may not be an overall reduction in total carbon consumption because of the levels of development proposed. The Council has suggested a rewording of Strategic Objective SO3 which would provide a more accurate reflection of what the plan would seek to achieve, so that the plan could be judged to be effective against its objective but would be sufficiently aspirational so that it is compliant with the Framework. (**MM1**)
29. Text changes providing new paragraphs 3.12, 3.13 and 3.14 along with changes to create a replacement for policy FC1 (policy FC 1.1) would also better reflect current government policy (**MM3 and MM4**). The replacement of the word *respect* with *conserve and enhance* incorporated in policy FC1.1 would respond to concerns by Natural England. The policy requirement would not dictate a particular architectural style and would not stifle innovation, originality or initiative.
30. CSFR strategy objective SO6 seeks to co-ordinate housing, employment, retail, infrastructure and services, ensuring that necessary infrastructure is provided. A representation was received that this objective should be altered to reflect paragraph 173 of the Framework, to ensure that viability is taken into account in obligation requirements to ensure that the scale of obligations does not prejudice the delivery of allocations.
31. However, the Council is not seeking to alter SO6 as a main modification and therefore this cannot be subject to my recommendation. This is not a matter that I consider is critical to ensure soundness. This is because of the legal requirements of the CIL regulations, the contents of the Framework and because obligation matters would be subject to development management negotiation and would be considered against the requirements of this and any other LP or Supplementary Planning Document (SPD).

## **Issue 2 – Whether the CSFR is in general conformity with the Regional Strategy.**

32. The East of England Plan (RS) was adopted in May 2008. It is part of the development plan and provides a spatial strategy for the region from 2001 to 2021. The Court of Appeal in its judgment published on 27 May 2011 at paragraph 24 states that it would be unlawful for a local planning authority preparing, or an Inspector examining development plan documents to have regard to the proposal to abolish regional strategies. For so long as the regional strategies continue to exist, any development plan documents must be in general conformity with the relevant regional strategy.
33. The RS thus remains part of the statutory development plan. It is of relevance in the matters of housing land and employment land delivery in Mid Suffolk reviewed in the CSFR. These matters are central to the CSFR.
34. The Draft Revision to the Regional Spatial Strategy for the East of England was published in March 2010. That document is of limited weight because it has not been subject to an examination and will not now be progressed. It is not

part of the development plan. No local authorities in the surrounding area have been identified as using it as the basis of their land use allocations in LPs. Furthermore, St Edmundsbury Borough Council confirmed at the hearing session that they had actively opposed its suggested forecasts for employment.

35. There is no longer a Government Office to advise on general conformity of the CSFR with the RS. As the East of England Regional Assembly no longer exists, it is not possible to reach a definitive conclusion as to whether the Assembly would have determined that the CSFR was in general conformity with the RS. Nevertheless, in a letter dated 6 November 2009 the Assembly responded to a consultation in respect of the SAAP Proposed Submission Document dated October 2009. It identified that the SAAP conformed to the East of England Plan.
36. A comparison of the contents of the actual submission SAAP, and its earlier document and the contents of the CSFR shows that the strategic thrust of the CSFR is on similar lines. In particular, these identify the overarching dominance of Stowmarket in the District for allocations of housing and employment, and similar amounts of GF housing land for Stowmarket and similar GF and PDL split in the two documents for Stowmarket.
37. The employment allocations in Stowmarket are also the same as that consultation document. The East of England Local Government Association concurred with the view of the Assembly that the SAAP addressed many of the themes and challenges of the East of England Plan. This is contained in its letter dated 1 June 2010.
38. Turning to sustainability, the RS seeks in policy SS1 to achieve sustainable development. The CSFR seeks to achieve sustainable development, consistent with that policy. It includes policies in those respects. It particularly seeks to maximize the opportunities for people to live and work in the same town.
39. Turning to housing, the RS sets out Regional Housing Provision to 2021, and so it does not set down a 15 year period into the future. RS policy H1 identifies that Local Planning Authorities (LPAs) should plan for the delivery of housing for at least 15 years from the date of adoption of the relevant development plan documents, based on the rates of at least those set out in the RS. District targets should be viewed as minimum targets rather than ceilings that should not be exceeded. The Government wishes to encourage the provision of housing land.
40. The RS sets a minimum provision to 2021 of 8,300 homes within Mid Suffolk, which averages 415 per year. The average provision surpassed this target 2001 to 2011, even though in recent years completions have fallen significantly below the average. The CS covered a period 2010 to 2025 and required 1,690 homes on PDL and 2140 homes on GF sites. This was based on the same average 415 a year figure. These homes were to be distributed through the District in accordance with the settlement hierarchy in CS policy CS1.
41. CS policy CS8 would be replaced by CSFR policy FC 2 showing the total allocations required for the District for the 15 year period of 1220 homes on

PDL and 2625 homes on GF land. This would be somewhat higher than that which would be required if the targets were to be seen as a maximum. The Council's Housing Land Availability Assessment 2011 identifies a requirement 2011 to 2026 of at least for 1220 homes on PDL and 2157 homes on green field allocations. However, because the Government is keen to promote housing growth, there is a need to provide more affordable housing, and the RS requirement should be seen as the minimum provision, I consider that this approach would be sound.

42. The policy identifies that there is a need for co-ordination and consistency of approach between neighbouring authorities. There is no assertion that this co-ordination has not taken place or that there has been any failure to co-operate in respect of the provision of housing.
43. Turning to employment, RS policy E1 contains indicative targets for job growth for the rest of Suffolk. This comprises in Mid Suffolk, St Edmundsbury and Forest Heath of 18,000 jobs during the period 2001 to 2021. These should be taken as indicative targets only. This is because, as it is explained in RS paragraph 4.6, the evidence was not sufficiently robust to set more than indicative targets.
44. Job growth and its alignment with housing was to be reconsidered as part of the RS review. This produced substantially increased figures. Paragraph 4.7 is also telling because it specifies that LPAs may undertake joint studies to inform the preparation of Local Plans. Assumptions about job growth should be guided by RS policy E1 but, reflecting national guidance, may consider additional evidence as part of plan preparation. Because the figures and evidence was not sufficiently robust and the figures were indicative, that the Council seeks to amend job growth upwards from the position in the CS, does not make the CSFR non-compliant with the RS.
45. I conclude that the CSFR is in general conformity with the RS.

**Issue 3 – Whether the amount and distribution of economic development is appropriate, justified and supported by a sound evidence base. Whether the provision accords with the duty to co-operate and the provisions of the framework.**

46. I have already established that the employment section of the CSFR would generally conform with the RS because that includes an indicative figure which awaited further studies.
47. The CS in policy CS11 identified a total of 33.21ha of employment land. It is clear from the wording of the policy and of paragraph 3.102 that it was anticipated that there could be a need to review the CS following on from the production of the WSELR identified in the policy. The Framework also supports regular reviews of LPs to respond flexibly to changing circumstances. Most of the allocations in the CS have been carried forward and new allocations have been made at Stowmarket. That Mendlesham Airfield B has been deleted is to correct an error in the CS table.
48. There was no specific job figure for Mid Suffolk in the RS because the 18,000 indicative figure was for the Rest of Suffolk. This was not split between the 3 authorities. The situation was well understood by the Inspector who examined

the CS. He considered that because the WSELR was outstanding that it was a reasonable and sound approach to opt for what was in effect an interim policy.

49. The WSELR, May 2009, was commissioned by Suffolk County Council for the Rest of Suffolk LPAs. All of the 3 Districts along with the County Council participated in it. The study was to be used as supporting evidence for use in emerging LP preparation for each local authority. The two other authorities used the results of the WSELR as the evidence base for their Core Strategies. However Mid Suffolk had already adopted its CS by the time the WSELR was produced.
50. Both St Edmundsbury and Forest Heath CSs were adopted in 2010. St Edmundsbury CS contains a target of at least 13,000 jobs in the District until 2026. St Edmundsbury is a key centre for development and change in the RS. Forest Heath CS provides for an additional 7,300 jobs to 2026. Thus, there would be little scope for additional land allocations in Mid Suffolk if the RS was seen as a rigid amount. However, as I have already indicated, this is not the case.
51. Forest Heath District is some way from Mid Suffolk and is not significantly affected by the proposals for employment or housing in Mid Suffolk. Thus, it is only the links between St Edmundsbury and Mid Suffolk that are at issue in respect of the WSELR. Although, Bury St Edmunds is identified in the RS as a key centre for change and development, whereas Stowmarket is not, it has its own market internal to the Borough and sits mid way between the sphere of influence of the Felixstowe A14 corridor and the Newmarket and Cambridge markets. The Greater Cambridge sub region is the major economic driver for the Borough as a whole.
52. The report does not identify that St Edmundsbury is significantly influenced by either Ipswich or Felixstowe. The WSELR furthermore identifies that the influence of the Port of Felixstowe does not stretch as far as St Edmundsbury at present. Indeed, the Suffolk Park allocation north of the A14 is outside the 30 mile distance identified in the Felixstowe Port Logistics Study 2008 (FPLS).
53. In contrast, Mid Suffolk is heavily influenced by the Felixstowe A14 corridor and its close proximity to Ipswich. CS policy CS11 acknowledges the potential need for the District to accommodate development arising from the expansion of Felixstowe.
54. As strategic recommendations, the WSELR recommends that each LPA monitors employment change from the Port of Felixstowe and from Cambridgeshire to ensure that employment land is increasing in line with increased activity in each of those key areas. The CSFR would be consistent with that aspiration.
55. The WSELR suggests for Mid Suffolk for 2006 to 2026 a base case scenario over supply of 10.1Ha of industrial land and an undersupply of 0.2Ha office land. For scenario B, with modest growth from the Port of Felixstowe, there would be an under supply of 14.7Ha comprising 0.8Ha under supply of office land and an under supply of industrial land of 13.9 Ha.
56. For scenario A high growth from the Port of Felixstowe there would be an undersupply of around 57.5 Ha of employment land. With steady growth,

there would be an additional land requirement of 14.7Ha. The report concludes in paragraph 7.3 that potential growth at the Port of Felixstowe means that Mid Suffolk must consider allocating more employment land if growth is to be realised. The document identifies the potential of Felixstowe as well as Ipswich to exert an economic influence on development in the sub region.

57. WSELR R14 recommends that Mid Suffolk consider appropriate sites for employment allocation in either Mid Suffolk Stowmarket or Mid Suffolk South. The adopted CS policy CS11 identifies that major new allocations of employment land should be situated primarily in or close to towns and key service centres. Stowmarket is the largest town in the District.
58. In contrast, the WSELR concludes that St Edmundsbury's large oversupply of employment land means that no more land needs to be allocated due to additional demand from Cambridgeshire.
59. It is important that the WSELR should be seen as a study and as a snapshot of analysis at that time. I appreciate that the proposed developers of Suffolk Park as well as Bury St Edmundsbury Council have objected to the Mill Lane allocation on the SAAP. However, there have been no further representations from the developers since mid 2010 and, although it is a long term project, I understand from St Edmundsbury that a planning application is anticipated in the near future. The developers advocated that a CS review be undertaken, which has been done, but no representations have been received from them on the CSFR.
60. Given that the developers are proceeding to application stage, this does not indicate a commercial reticence to continue with the project because of the Mill Lane allocation. Suffolk Park includes an eastern relief road for Bury St Edmunds which offers significant benefits for the town as a whole. The thrust of the opposition is that there is a finite amount of development in the A14 corridor and that diverting investment to Mill Lane would damage the strategy for Bury St Edmunds and the area as a whole.
61. Nevertheless, there is scant evidence to support this stance. There is a substantial distance between the two sites and, as previously identified, they predominantly operate in different markets. Instead, Suffolk CC, Ipswich Borough Council, and the Haven Gateway Partnership are all supportive of the approach adopted by Mid Suffolk.
62. The Haven Gateway Partnership comprising Suffolk Coastal District Council, Ipswich Borough Council, Suffolk County Council, Babergh District Council and MSDC have all agreed that the Mill Lane proposal would be a valuable contribution to their pro-growth agenda. Babergh has agreed a statement of Common Ground with Mid Suffolk because of the relevance of the site to their own allocation at Sproughton, but that site is unlikely to be available in the short term, more likely to come forward after 2021. Therefore it will not harm its provision.
63. The Ipswich Policy Area Board endorsed the Mill Lane site as consistent with its overall economic vision in June 2012. The Ipswich CS examination highlighted the need to secure development of major employment sites

circling Ipswich and extending along the A14 for providing increased jobs. The Inspector concluded that, in all likelihood, in the longer term, planning for jobs growth as a practical approach will depend on cross boundary working with Ipswich's fellow neighbouring authorities.

64. The Plan for Growth attaches significant weight to the need to secure economic growth and employment. It emphasises the need to make adequate land available for employment growth and creating the right conditions for demand in the economy to grow. There is a joint statement of intent with Ipswich. This is all consistent with the WSELR recommendation for joint working between LPAs which the Government requires in the duty to co-operate.
65. Activity across Suffolk is being co-ordinated by a new inward investment service at Suffolk County Council, who support the allocation. Other local authorities in the area, whilst not actively supportive, because they do not need to be involved, are not opposed to the allocation.
66. The East of England Forecasting Model 2009 indicated 8000 jobs to 2026 and 11,100 jobs up to 2031 within the District, with 13,600 jobs in St Edmundsbury Borough and 6,600 jobs in Forest Heath. These were reflected in the revised RS March 2010. The revised 2010 Forecasting model figures were similar. Whilst it is acknowledged that there is a recession in the national economy at present, there is a willing developer to the Mill Lane site who is also developing offices at Suffolk Business Park. He believes there to be no conflict between the projects.
67. The provision of additional employment land at Mill Lane would amount to some 39.5Ha which would sit comfortably within the high growth scenario of the WSELR. Any additional detailed references to appropriate use classes could be contained within other plans if necessary, but there is no strategic reason to limit the flexibility of the allocation. The additional 2.4 Ha of employment land at Chilton Leys is provided to allow for some local jobs, some 114, and is not significant to the regional picture. Whilst the overall employment would be some way above the steady growth scenario, the Framework specifies that LPs should be aspirational but realistic.
68. The Framework specifies that LPAs should work with others, including the business community, to understand their changing needs and to identify and address barriers to investment. The Framework identifies that pursuing sustainable development includes making it easier for jobs to be created in cities, towns and villages. Plan making should positively seek to meet the development needs of their area. There is a need to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. This is all supportive of the Council's approach and aspirations for employment.
69. The Cedars site is substantially smaller than Mill Lane, has some ecological and topographical constraints as well as being located directly opposite housing. It has not been developed over many years, having been allocated in the Local Plan that was adopted in 1998. The Mill Lane site has a willing developer on a flat site. The site is a good size, more than the 10 Ha

identified in the FPLS and is located well within the 30 mile port centric zone, well connected and close to the A14, and on the main line rail network. The FPLS seeks to ensure land is in place in advance of demand. On balance, it concludes that it is likely that under providing for port and logistics related land uses will be more problematic than over provision. Mill Lane is identified as a medium to long term prospect in the document.

70. In addition, the Suffolk Haven Gateway Employment Land Review 2009 produced for Babergh, Suffolk Coastal and Ipswich also identified limited supply and generally longer term availability of land for port related growth. It recommended that consideration be given to Mid Suffolk's potential to deliver employment sites to fit with the wider need of the Suffolk Haven Gateway
71. The WSELR recommends the allocation of more employment land in Mid Suffolk Stowmarket or Mid Suffolk south. The Mill Lane allocation, being in the former, would be consistent with the recommendation. Although the Cedars Park site is also available, it is a much smaller allocation and there are some pressures for development for non B use classes. Cedars Park has also stood undeveloped over many years and there is also a County Wildlife site on the allocation which may reduce the amount of employment that can be delivered there.
72. The development in the District would not be constrained to port related uses only. This would be inconsistent with the aims of the Framework not to overburden investment in business by the combined expectations of planning policy expectations. The site would provide for some 3395 jobs, out of the 4615 jobs that would be provided in allocations for the District as a whole, over 15 to 20 years.
73. Since the hearings I have become aware of the Council's Eye Airfield Development Brief proposals, with the potential of 3,000 jobs. Nevertheless, these proposals are at an early stage and are not contained in the CSFR. It is not before me to consider that matter. It would be for the Council to determine how any proposal would comply with the Development Plan.
74. The new allocations at Stowmarket would be on GF agricultural land, and they would create some localised traffic increases. Nevertheless, the negative effects would be outweighed by the economic development benefits of providing high quality business parks, and the positive effects of the provision of jobs for existing and future residents.
75. It could mitigate out commuting to work elsewhere. The absence of additional employment land to balance housing provision would be likely to increase out commuting and would be contrary to the Council's sustainability objectives. It would create potential opposition to development proposals by the Highway Agency, which is supportive of the proposals, although there may be a need for junction improvements on the A14. There would also be potential beneficial effects for the town centre because people would use the town centre for services and shops, and there would be the potential to provide a significant amount of green space at Mill Lane.
76. The Council is accused of supplying more land than is necessary for development rather than insufficient land for the needs of other authorities.

However, this would not be on such a scale that it would be contrary to government policy. It would be consistent with the aims and plans of the District's neighbours to the east. Indeed, it would help to meet the unmet requirements of Felixstowe port. The proposals would be positively prepared taking into account the strategies of others, with effective joint working on cross boundary strategic priorities.

77. Although two authorities cannot agree about employment allocations, I conclude that this would not have any significant harmful consequences. The duty to co-operate has been effectively pursued, with the District helping to provide employment land for port related uses in the region. Despite the failure to agree and the provision of employment land additional to the base case scenario in the WSELR, this does not amount to a failure to co-operate or indicate that the plan has not been positively prepared. The allocations are fully compliant with the thrust of government policy.
78. I alluded to the pressures for alternative development at Cedars Park. This site is allocated for B1, B2 and B8 uses. It was suggested at the hearing that this allocation should be modified to allow greater flexibility of uses, to allow for example hotel, public house/restaurant or bulky goods retail uses.
79. I consider that this would be a significant change. It is not something that should be contemplated at this stage of the examination, since it is assumed that the Council has submitted what it considers to be a sound plan, unless it would be a necessary change to make the plan sound.
80. I consider that the sentence "*other commercial uses may be permitted where there is no sequentially preferable sites available*" contained in policy FC 3 is sufficient to ensure that there is some flexibility in allocations at Cedars Park or elsewhere. A major change as suggested could, in contrast, undermine the aim of the Framework to ensure the vitality and viability of town centres. There is insufficient evidence to demonstrate that the Mill lane allocation would harm the implementation or viability of employment provision at Cedars Park.
81. For the reasons given above, I conclude that the amount and distribution of economic development is appropriate, justified and supported by a sound evidence base. I also conclude that there has not been a failure to comply with the duty to co-operate and that the employment provisions comply with the Framework.

**Issue 4 – Whether the amount and distribution of housing land would meet the full objectively assessed need for market and affordable housing in the housing market area as far as would be consistent with the policies of the Framework. Also whether the housing provision would be deliverable within the plan period.**

82. The Council has taken the opportunity in the CSFR to review its housing figures, the distribution of housing across the District and to update the figures for 15 years. The provision is consistent with the RS as earlier reported, which requires a minimum provision and is not a ceiling.
83. The Strategic Housing Market Assessment (SHMA) is for the Ipswich Housing Market Area. The provision and distribution of housing land would allow for a mix, density and affordability of provision to meet local needs, based on



assessed needs and viability.

84. The distribution of housing land in the plan further skews development towards Stowmarket to that in the CS, with 1925 of the 3845 homes to be provided there, some 50% of the total. This is as opposed to some 1440 out of 3830, some 37% in the approved CS. However, the housing distribution accords with the settlement hierarchy, which favours Stowmarket as the main town of the District.
85. The reduction in the totals for the IPA reflects recent developments and negotiations in that area. The updated Strategic Housing Land Availability Assessment (SHLAA) was assessed with a panel of development industry partners. The CSFR does not identify housing sites and so the figures do not necessarily prejudge any required allocations of housing sites. I am satisfied from the SHLAA and the representations made on the SAAP that the amount of housing indicated could be delivered within the plan period.
86. Although I have received a representation that a large GF site at Lorraine Way, Bramford should be allocated, I can only recommend a change that is necessary to make the plan sound. The development of that land for 525 (at 30 dwellings per Ha) to 875 houses (at 50 dwellings per Ha) on GF land in that area would be contrary to the settlement hierarchy. It is not a change that has been recommended by the Council or is necessary for soundness.
87. I have also received a representation that some housing development should be allowed for in Offton and Willisham, but again the plan does not seek to change the CS settlement hierarchy and that matter is not before me.
88. The CS includes a brownfield target of 50% for housing development in the District in policy CS7. The amount of land allocated would result in a further shift towards GF allocations with total GF allocation in the District of some 2625 homes and 1220 homes on PDL.
89. This in part reflects the rural character of the area. The exclusion of garden land will also have an effect over time on the percentage of brownfield land development. This would not be achieved by the allocations since the split is only some 32% on PDL. However, it was not achieved previously either by the allocations in CS policy CS8. There is only a limited supply of suitable rural brownfield sites identified in the SHLAA.
90. There is no national PDL target. Given the content and thrust of the Framework to boost significantly the supply of housing, which is not unsupportive of extensions to existing towns, this does not make the plan unsound. Trying to restrict the supply of GF land would substantially affect the capacity of the Council to meet the housing needs of the area.
91. Overall, I consider that the CSFR would ensure the integrated approach to considering the location of housing and economic uses that the government promotes.

## **Assessment of Legal Compliance**

92. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all

except where main modifications, which have been suggested by the Council, are necessary and have been indicated within my report.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	Neither the LDS, revised April 2006, nor the update timetable 2009 to 2012 anticipated the preparation of the CSFR. This is because it is a review of part of the adopted 2008 CS in response to matters arising from the SAAP examination.  The CSFR is however identified within the recent draft LDS included in the Annual Monitoring Report 2011. This sets out an expected adoption date of September 2012. The CSFR's content and timing are compliant with the draft LDS, and consistent with the Framework which identifies that LPs can be reviewed in whole or in part to respond flexibly to changing circumstances.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in July 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes ( <b>MM</b> ).
Sustainability Appraisal (SA)	SA has been carried out and is adequate for scale of the partial review.
Habitats Regulations Assessment (HRA)	The HRA has been carried out, December 2011, and is adequate. The Appropriate Assessment stage was not necessary, as confirmed by Natural England.
National Policy	The CSFR complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The CSFR is in general conformity with the RS.
Sustainable Community Strategy (SCS) 2004 Act (as amended) and 2012 Regulations.	Satisfactory regard has been paid to the SCS, <i>Caring for the Heart of Suffolk Community Strategy</i> . The CSFR complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**93. The Council has requested that I recommend main modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix to the CSFR local plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

*Julia Gregory*

Inspector

This report is accompanied by the Appendix containing the Main Modifications

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	6	Strategic Objective SO3	<p>Delete first sentence, Insert new first sentence as follows:- To respond to the possible harm caused by climate change Mid Suffolk will seek to minimise its carbon footprint, by encouraging a shift to more sustainable travel patterns.</p> <p>Second sentence delete "This" ... Insert "<u>In particular the Council</u>" ...</p>
MM2	10	After 3.10	<p>Insert new paragraph 3.11 as follows</p> <p>The national framework underpins this approach to sustainable development and this focused review includes the model policy FC1 below.</p> <p>Then insert new Policy FC1 as follows:-</p> <p><b><i>Policy FC1</i></b></p> <p><b><i>Presumption in favour of sustainable development</i></b></p> <p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>account whether:</p> <p>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</p> <p>Specific policies in that Framework indicate that development should be restricted.</p>
MM3	10-11	<del>3.11-3.13</del> incl.	<p>Delete paras 3.11 – 3.13 and insert</p> <p><b>3.12</b> <u>The second paragraph of Policy FC1 puts the policies of the district's Local Development Framework /Local Plan at the heart of the local considerations that will apply in integrating the components of sustainable development, balancing the interests of an appropriate level of growth and the characteristics of Mid Suffolk as we know it. The Mid Suffolk Local Development Framework /Local Plan will be extended in the future to include the SAAP (when adopted) plus any other plans and policies that may be adopted either singly or jointly with Babergh. This includes plans and policies that may follow the commencement of the National Planning Policy Framework and the Localism Act (e.g. Neighbourhood Plans), or through the introduction of a local Community Infrastructure Levy.</u></p> <p><b>3.13</b> <u>The council notes that in many cases the balance between the elements of sustainable development will be achieved through the timely integration of any necessary social and environmental infrastructure into development proposals. The council recognises the value of a master plan / development brief approach to delivering complex development in the most sustainable way and with the necessary local participation in decision making. Policy FC 1.1 below supports this approach and will contribute to delivering the objectives of revised SO3 and SO6 as set out in Chapter 2 of this document.</u></p> <p><b>3.14</b> <u>Policy FC1.1 will help to ensure that the Core Strategy and the SAAP are in conformity, will facilitate the delivery of sustainable development in Mid Suffolk and contribute to the seamless relationship between decision taking and plan-making required in NPPF 186 that will be further developed in subsequent plans.</u></p>
MM4	11	FC1	<p>Delete Policy FC1 and insert new Policy after para 3.14.as follows:</p> <p><b>Policy FC 1.1:</b></p> <p><b><u>Mid Suffolk approach to delivering Sustainable Development</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>In line with policy FC 1, development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk Local Development Framework /Local Plan.</u></p> <p><u>Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents.</u></p> <p><u>The District Council encourages pre-application discussions and/or the use of development briefs and masterplans to address these matters prior to submitting planning applications and in relation to bringing forward proposed allocations. This approach is particularly relevant to the integration of the necessary physical, social and environmental infrastructure within development plans and proposals.</u></p> <p><u>The Council will facilitate the delivery of integrated sustainable development through a variety of means, including the appropriate use of planning conditions and obligations, planning performance agreements, local and neighbourhood plans and orders, the introduction of CIL and supplementary planning documents.</u></p>
MM5	15	Policy FC2	<p>End of first paragraph delete "<del>date of adoption</del>": Insert after ..."15 year period from the"... <u>1<sup>st</sup> April 2012</u></p>
MM6	29	Policy FC3	<p>To provide consistency with supporting text insert "<b>an indicative</b>" before "11,100 jobs by 2031 the end of the first sentence.</p> <p>To clarify the timetable further and for the purposes of monitoring, add note to read:</p> <p>Note 1: The Council has only sought to identify B classes land up <b>to 2026</b>.</p> <p>To clarify meaning of Short Medium Long term in the Table 6c add a note below the table, to read:-</p> <p>Note 2: Short term means in the first five years of the plan period; Medium term means years 6 to 10 and Long term</p>

Ref	Page	Policy/ Paragraph	Main Modification
			means year 11 to 14. Assumed starting date from 1 <sup>st</sup> April 2012
MM7	29	Policy FC3 in Table 6c	Row 7 (Mill Lane Phase 2) Col 6 (Availability):- Delete " <del>Long Term</del> " and Insert "Medium / Long Term"