

**Leiston Town Council**

# **Leiston Neighbourhood Plan 2015-2029 Basic Conditions Statement**



**January 2016**



## CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
	Supporting documents and evidence .....	1
	Key statements .....	1
<b>2</b>	<b>CONFORMITY WITH NATIONAL PLANNING POLICY .....</b>	<b>2</b>
	National Planning Policy Framework .....	2
<b>3</b>	<b>CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT .....</b>	<b>5</b>
<b>4</b>	<b>GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN .....</b>	<b>7</b>
<b>5</b>	<b>DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS.....</b>	<b>10</b>
<b>6</b>	<b>CONCLUSION .....</b>	<b>11</b>

# 1 INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Leiston Neighbourhood Plan (LNP) has been prepared in accordance with the Neighbourhood Planning General Regulations 2015 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.
- 1.2 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.3 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - the making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
  - the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

## Supporting documents and evidence

- 1.4 The LNP is supported by a Consultation Statement and this Basic Conditions Statement.

## Key statements

- 1.5 Leiston Town Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The LNP expresses policies that relate to the development and use of land only within the neighbourhood area.
- 1.6 The neighbourhood area is contiguous with the parish boundary, as shown in the map accompanying the neighbourhood area designation application.
- 1.7 The LNP covers the period from 2015 to 2029.
- 1.8 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 1.9 The LNP does not relate to more than one neighbourhood area. It is solely related to the area of Leiston as designated by Suffolk Coastal District Council on 29<sup>th</sup> October 2013.
- 1.10 There are no other Neighbourhood Development Plans in place for the Leiston neighbourhood area.

## **2 CONFORMITY WITH NATIONAL PLANNING POLICY**

2.1 It is required that the Leiston Neighbourhood Plan (LNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF).

### **National Planning Policy Framework**

2.2 The NPPF in sections 183-185 refers to Neighbourhood Development Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

2.3 This section demonstrates that the LNP has regard to relevant policies within the NPPF in relation to:

- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Promoting healthy communities

2.4 The LNP has six principal objectives. We summarise them in Table 2.1 below and which NPPF goals each objective seeks to address.

2.5 Table 2.2 then provides a summary of how each policy in the LNP conforms specifically to the NPPF.

**Table 2.1: Assessment of LNP objectives against NPPF goals**

LNP Objective	Relevant NPPF goal
Contribute to the Core Strategy district-wide housing requirement and provide for the housing needs of the parish	Delivering a wide choice of high quality homes
Work with service providers to improve the physical infrastructure serving the residents and businesses of Leiston	Building a strong, competitive economy Ensuring the vitality of town centres Supporting a prosperous rural economy Promoting sustainable transport Promoting healthy communities
Improve the community infrastructure of Leiston in order to provide more places for people, young and old, to undertake their leisure pursuits	Promoting healthy communities
Make Leiston town centre a place that more people want to visit for their shopping and leisure time	Ensuring the vitality of town centres
Improve movement by non-car modes, principally walking and cycling, whilst ensuring that all new residential properties have levels of parking that are appropriate to Leiston's role as a rural settlement and parish	Promoting sustainable transport
Protect the existing business base of the town and ensure their needs are provided for as well as the needs of new businesses	Building a strong, competitive economy

**Table 2.2: Assessment of how each policy in the LNP conforms to the NPPF**

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	PL1: Leiston Town physical limits boundary	55, 109	Defines the built up area boundary to ensure consistency with the need to deliver affordable and open market rural homes and to protect the natural landscape beyond the urban edge.
2	H1: Housing strategy	47	Details the strategy for housing growth
3	Policy H2: Housing mix	50, 54	Addresses the need for a mix of dwelling sizes – and particularly a greater proportion of smaller dwellings than has been delivered in the past - in order to provide for local needs.
4	Policy H3: Residential density and design	58, 60, 63, 64	Seeks to ensure that housing development is not out of keeping with the design of surrounding housing, without stifling good or innovative design.
5	Policy H4: Low carbon residential development	94, 95	Seeks to encourage low carbon technologies to be included in the design of new properties.
6	Policy H5: Dwellings appropriate for the needs of older people	50, 54	Recognises the significant ageing population in Leiston. Seeks to provide for their needs by encouraging new housing to meet Lifetime Homes standards.
7	Policy SA1: Land at Highbury Cottages Saxmundham Road	50, 54	Allocates a site for housing on the edge of Leiston, along with space for an extension of the cemetery.
8	Policy SA2: Land at Red House Lane	50, 54	Allocates a site for housing on the edge of Leiston
9	Policy SA3: Land to the rear of St Margaret's Crescent	50, 54	Allocates a site for housing within an existing residential area of Leiston
10	Policy SA4: Land at Abbey Road	21, 22, 50, 54	Allocates a site for housing and employment on the edge of Leiston
11	Policy IN1: Provision of beach huts for local community use	69, 70	Supporting the provision of tourist infrastructure that also provides for the needs of the local community

Leiston Neighbourhood Plan  
Basic Conditions Statement

No.	Policy title and reference	NPPF ref. (para.)	Commentary
12	Policy IN2: Provision of a new community centre and facilities, Waterloo Avenue	50, 54, 69, 70	Provides for a new community centre at a key community area within Leiston. Also supports the provision of housing to specifically address the needs of older people.
13	Policy IN3: Provision of community facilities at the Recreation Ground, Victory Road	69, 70	Seeks to provide for a community facilities to come forward and provide for a range of community activities that promote exercise within the community and address the needs of younger people.
14	Policy LG1: Protection and maintenance of local green spaces	74, 76, 77	Makes use of the provision for making a designation and applies the site selection criteria.
15	Policy LG2: Greens and verges	73	Seeks to protect important greens and verges
16	Policy HE1: Protection of heritage assets	126	Seeks to ensure that the setting of important heritage assets is retained
17	Policy TM1: Dedicated access for cyclists and pedestrians	23, 29, 30, 41	Seeks to improve access to key facilities within Leiston and ensure that non-car users have alternative routes to the existing road network. Identifies specific key routes to achieve this.
18	Policy TM2: Highway capacity at key road junctions	30, 32, 35	Seeks to signpost the particular congestion issues that major development could create and ensure that transport assessments accompanying planning applications address these directly to ensure that the cumulative impacts of development are not severe.
19	Policy TM3: Residential parking standards	39	Recognises the impact of on-street parking and seeks to ensure that new development provides for off-street parking commensurate with the comparatively high levels of car ownership in a rural parish.
20	Policy TM4: Parking garages	39	Seeks to protect existing parking garages and ensure they are not lost as places for people to park in a dense town.
21	Policy TM5: Improvement of access to Leiston	31	Ensures that people have good access to the only HWRC in the wider area.

Leiston Neighbourhood Plan  
Basic Conditions Statement

No.	Policy title and reference	NPPF ref. (para.)	Commentary
	Household Waste Recycling facility		
22	Policy FL1: Addressing localised flooding matters	99, 100, 103	Seeks to ensure that development does not worsen the impacts from flooding.
23	Policy TC1: Leiston Town Centre	7, 9, 23, 56, 58, 67	Defines the extent of the town centre and seeks to prevent it from uses that would affect its vitality and viability.
24	Policy TC2: Redevelopment of land at High Street, Leiston Town Centre	23, 69, 70	Allocates a site for a mix of town centre uses
25	Policy TC3: Town Centre car parks	17, 35, 40	Seeks to protect the current levels of parking in Leiston Town Centre in order to help ensure the continuing vitality of the retail and service offer.
26	Policy TC4: Town Centre environmental improvements	58, 69	Seeks to improve the environment of Leiston Town Centre
27	Policy EMP1: General employment areas	21	Seeks to protect the existing employment areas of Leiston to allow for the growth of commercial enterprise over the plan period
28	Policy ACC1: Land off King George's Avenue	28	Allocates a site for touring caravans to help increase tourism

### 3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

- 3.1 The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking.'
- 3.2 Table 3.1 below summarises how the objectives and policies in the LNP contribute towards sustainable development, as defined in the NPPF.

**Table 3.1: Assessment of LNP objectives and policies against sustainable development**

<b>Deliver Economic Sustainability</b>	
<b><i>NPPF Definition – 'Contribute to building a strong, responsive economy'</i></b>	
<b>LNP Objectives</b>	<ul style="list-style-type: none"> <li>Protect the existing business base of the town and ensure their needs are provided for as well as the needs of new businesses</li> <li>Work with service providers to improve the physical infrastructure serving the residents and businesses of Leiston</li> <li>Make Leiston town centre a place that more people want to visit for their shopping and leisure time</li> </ul>
<b>LNP Policies</b>	SA4: Land at Abbey Road TC1: Leiston Town Centre TC2: Redevelopment of land at High Street, Leiston Town Centre EMP1: General employment areas ACC1: Land off King George's Avenue
<b>LNP Comments</b>	The LNP seeks to enhance the vitality and viability of the town centre, to expand the business base and to increase tourism. In particular it seeks to protect and grow the retail sector in the town and places a focus on the expansion small and medium-sized enterprise businesses (through the allocation of land at Abbey Road – Policy SA4) and ensuring that their needs are catered for.
<b>Deliver Social Sustainability</b>	
<b><i>NPPF Definition – 'Support strong vibrant and healthy communities'</i></b>	
<b>LNP Objectives</b>	<ul style="list-style-type: none"> <li>Work with service providers to improve the physical infrastructure serving the residents and businesses of Leiston</li> <li>Improve the community infrastructure of Leiston in order to provide more places for people, young and old, to undertake their leisure pursuits</li> <li>Make Leiston town centre a place that more people want to visit for their shopping and leisure time</li> <li>Improve movement by non-car modes, principally walking and cycling, whilst ensuring that all new residential properties have levels of parking that are appropriate to Leiston's role as a rural settlement and parish</li> </ul>
<b>LNP Policies</b>	H2: Housing mix H5: Dwellings appropriate for the needs of older people IN1: Provision of beach huts for local community use IN2: Provision of a new community centre and facilities, Waterloo Avenue IN3: Provision of community facilities at the Recreation Ground, Victory Road TM1: Dedicated access for cyclists and pedestrians TM2: Highway capacity at key road junctions TM3: Residential parking standards TM4: Parking garages TC1: Leiston Town Centre TC2: Redevelopment of land at High Street, Leiston Town Centre

<b>LNP Comments</b>	The LNP seeks to maintain a thriving community within Leiston, recognising that the community has certain infrastructure needs (particularly in respect of leisure provision) that must be addressed. This it seeks to achieve by allocating sites for a new community centre, seeking to protect existing leisure assets and encouraging walking and cycling. Housing meeting the needs of the local community is supported.
<b>Deliver Environmental Sustainability</b>	
<b><i>NPPF Definition – 'Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change'</i></b>	
<b>LNP Objectives</b>	<ul style="list-style-type: none"> <li>Improve movement by non-car modes, principally walking and cycling, whilst ensuring that all new residential properties have levels of parking that are appropriate to Leiston's role as a rural settlement and parish</li> </ul>
<b>LNP Policies</b>	H3: Design of Residential Development H4: Low carbon residential development LG1: Protection and maintenance of local green spaces LG2: Greens and verges TM1: Dedicated access for cyclists and pedestrians TM5: Improvement of access to Leiston Household Waste Recycling facility FL1: Addressing localised flooding matters TC4: Town Centre environmental improvements
<b>LNP Comments</b>	The LNP seeks to protect the character of the town by requiring good design of new development and by designating certain spaces as local green spaces of importance to the local community. It seeks to reduce flood risk, avoid adverse impacts of flooding and places a focus on reducing traffic congestion and travel by the private car to reduce carbon emissions.

- 3.3 As demonstrated in Table 3.1, the strategic objectives of the Neighbourhood Development Plan are considered to comprise a balance of social, economic and environmental goals.
- 3.4 Suffolk Coastal District Council considered that a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) was required because the LNP could have a significant impact upon the environment and habitats. Specifically it could result in increased pressure upon nearby sites such as the Minsmere-Walberswick Special Protection Area (SPA)/Special Area of Conservation (SAC)/Ramsar site and the Sandlings SPA.
- 3.5 For this reason, a Sustainability Appraisal (SA) has been undertaken to satisfy the requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. While there is no statutory requirement to do so, it was considered prudent to undertake a full SA which takes into consideration the broader economic and social effects of the plan. This was duly undertaken and is provided as part of the supporting documents to the plan.
- 3.6 In addition, an HRA has been undertaken to assess impacts on the SPA/SAC/Ramsar areas.
- 3.7 The SA and HRA documents have been submitted along with the other documents required at Regulation 16 stage.

## **4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN**

- 4.1 The development plan currently consists of the following:
- 2013 Suffolk Coastal Local Plan Core Strategy and Development Management Policies
  - 2011 Suffolk Waste Core Strategy
  - 2008 Suffolk Minerals Core Strategy
- 4.2 The policies of relevance are shown in Table 4.1 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the LNP is in general conformity with them.
- 4.3 Any policy that is not identified in Table 4.1 is not considered to be relevant to the LNP because the LNP does not have any policies that directly relate to it.
- 4.4 It is confirmed that there are no policies in either the 2008 Suffolk Minerals Local Plan or the 2011 Suffolk Waste Local Plan that the LNP policies have any relevance to.

**Table 4.1: Relevant strategic policies in the Suffolk Coastal Development Plan Documents**

Local Plan Policy	LNP policy
<b>Suffolk Coastal Core Strategy</b>	
SP2: Housing numbers and distribution	Policy H1 establishes the number of dwellings and the location where they will be delivered. Policy H2 establishes the housing mix Policy H3 provides guidance on acceptable design and density Policies SA1-SA4, IN2 and TC2 allocate sites for residential development
SP3: New Homes	Policy H1 demonstrates how the stock of properties will be increased Policy H2 establishes the housing mix Policies H5 and IN2 address the needs specifically of older people
SP5: Employment land	Policy EMP1 seeks to protect key employment areas
SP6: Regeneration	Policy SA4 seeks to ensure that new commercial units are built for small businesses Policy EMP1 seeks to protect key employment areas
SP8: Tourism	Policy ACC1 seeks to provide more tourist accommodation
SP11: Accessibility	Policy TM1 seeks to improve access for pedestrians and cyclists
SP12: Climate change	Policy H4 seeks to encourage low carbon residential development Policy FL1 seeks to minimise flooding
SP15: Landscape and Townscape	Policy H3 establishes important design principles for new development Policy LG1 seeks to protect green spaces used by the community Policy HE1 seeks to protect the setting of heritage assets Policy TC4 seeks to improve the physical environment of the town centre
SP16: Sport and Play	Policies IN1, IN2 and IN3 seek to provide more community facilities Policy LG1 seeks to protect green spaces used by the community
SP17: Green Space	Policy LG1 seeks to protect green spaces used by the community Policy LG2 seeks to protect important greens and verges
SP18: Infrastructure	Policy H1 specifically identifies the need to ensure that there is sufficient sewerage provision.

Leiston Neighbourhood Plan  
Basic Conditions Statement

Local Plan Policy	LNP policy
	<p>Policies IN1, IN2 and IN3 seek to provide more community facilities.</p> <p>Policy LG1 seeks to protect green spaces used by the community.</p> <p>Policy TM5 seeks to improve access to a key infrastructure service.</p>
SP24: Leiston	All of the policies contribute towards addressing the strategic policy framework for Leiston
DM3: Housing in the countryside; DM4: Housing in clusters in the countryside	Policy PL1 establishes the physical limits boundary of the town and what uses are suitable outside the boundary
DM7: Infilling and backland development within Physical Limits Boundaries; DM8: Extensions to residential curtilages	Policy H3 establishes important design principles for new development
DM10: Protection of employment uses	Policy EMP1 seeks to protect key employment areas
DM17: Touring Caravan, Camper Vans and Camping Sites	Policy ACC1 seeks to provide more tourist accommodation for touring campers
DM19: Parking standards	Policy TM3 sets residential parking standards
DM22: Design: Function	<p>Policy H3 establishes important design principles for new development</p> <p>Policy H4 seeks to encourage low carbon residential development as part of good design</p> <p>Policy TM1 seeks to improve access for pedestrians and cyclists</p> <p>Policy TM3 sets residential parking standards</p> <p>Policy TM4 seeks to protect existing off-road parking provided in garages</p> <p>Policy TC3 seeks to protect existing town centre parking</p>
DM28: Flood risk	Policy FL1 seeks to minimise flooding
DM32: Sport and Play	Policy IN3 seeks to enable the provision of more facilities for young people

## **5 DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS**

- 5.1 The Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 Suffolk Coastal District Council undertook screening of the draft Leiston Neighbourhood Plan in January and February 2015. It was determined that a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) were required. This was confirmed in the SEA and HRA screening reports which are included as part of the suite of documents submitted to Suffolk Coastal District Council as part of the Regulation 16 Submission Stage.
- 5.3 The Sustainability Appraisal began with a Scoping Report which identified the baseline characteristics of the Neighbourhood Area followed by a full Sustainability Appraisal that considered reasonable alternatives which was consulted upon alongside the Neighbourhood Plan at Regulation 14 Consultation. Subsequently minor amendments were made to the Sustainability Appraisal taking into account comments received during that consultation period.
- 5.4 The draft HRA was the subject of consultation with Suffolk Coastal District Council, Natural England and the Environment Agency. Their comments were taken on board and shaped the final HRA.

## **6 CONCLUSION**

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Leiston Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Leiston Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

