

Worlingham Neighbourhood Plan

2021-2036

Basic Conditions Statement

Worlingham Parish Council

December 2021



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1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany Worlingham Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
 - I. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - II. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - III. 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);
 - IV. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and
 - V. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4. This document sets out how the Plan meets the Basic Conditions.

Key statements

- 1.5. The Plan sets out policies that relate to the development and use of land within only the Worlingham Neighbourhood Area. Part of the area lies in Waveney district (under the administration of East Suffolk Council) and part lies in the Broads Authority area. This is shown in Figure 1 below. This demonstrates compliance with Regulation 15(a) of the Neighbourhood Planning Regulations.
- 1.6. The Plan refers only to the administrative boundary of Worlingham. There are no other adopted Neighbourhood Development Plans that cover the Worlingham Neighbourhood Area.
- 1.7. Worlingham Parish Council, as the qualifying body, has prepared the Plan, which covers the parish area of Worlingham. This area was designated by Waveney District Council in February 2017 and by the Broads Authority also in February 2017.
- 1.8. The Worlingham Neighbourhood Planning Team has prepared the Plan to establish a vision for the future of the parish. The community has set out how that vision will be realised through planning and controlling land use and development change over the plan period 2021 to 2036.

¹ There are two further basic conditions, which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

2. Basic Condition (i) – Conformity with National Planning Policy

- 2.1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).

National Planning Policy Framework

- 2.2. The NPPF has 13 key objectives which are:
1. Delivering a sufficient supply of homes
 2. Building a strong, competitive economy
 3. Ensuring the vitality of town centres
 - 4 Promoting healthy and safe communities
 5. Promoting sustainable transport
 6. Supporting high quality communications
 7. Making effective use of land
 8. Achieving well-designed places
 9. Protecting Green Belt land
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment
 13. Facilitating the sustainable use of minerals
- 2.3. This statement explains how the Plan contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.4. The Plan has 6 objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

Table 2.1: Assessment of the Worlingham NP objectives against NPPF goals

Plan objective	Relevant NPPF goal
A mix of housing is delivered which addresses the range of needs of Worlingham, including first-time buyers and elderly residents wanting to downsize.	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes
The design of development seeks to maintain the character of Worlingham, particularly in respect of housing.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the historic environment
Development seeks to provide a safe environment through use of traffic calming measures and the provision of sufficient off road parking.	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Promoting sustainable transport
Increased traffic impact will be assessed and mitigated by the developers.	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Promoting sustainable transport

Plan objective	Relevant NPPF goal
The green spaces, wildlife habitats, landscapes and heritage assets that define the character and natural environment of Worlingham will be protected and enhanced.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Meeting the challenge of climate change, flooding and coastal change
Achieve, together with Beccles, new sports and play facilities on the Beccles and Worlingham Garden Neighbourhood that meet the needs (such as those captured in the Worlingham Parish Plan) of the community	<ul style="list-style-type: none"> • Promoting healthy and safe communities

2.5. Table 2.2 sets out each policy of the Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.2: Assessment of how each policy in the Worlingham NP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Policy WORL1: Village Identity	92, 93, 126, 127, 130, 132	This policy contributes to the NPPF requirements of achieving well-designed places and promoting healthy and safe communities. The policy establishes certain principles of importance when development proposals come forward. This focuses in particular on the Beccles and Worlingham Garden Neighbourhood and the importance of delivering community facilities to address needs.
Policy WORL2: Housing Mix	62, 65	This policy contributes to the NPPF requirement of delivering a sufficient supply of homes. It identifies the specific types of housing that are required to meet the housing needs of the local community.
Policy WORL3: Lifetime Design	62	This policy contributes to the NPPF requirement of delivering a sufficient supply of homes. It seeks to ensure that housing meets at least the minimum requirements for accessible and adaptable dwellings.
Policy WORL4: Housing Design and Character	126, 127, 130	This policy contributes to the NPPF requirements of achieving well-designed places. It identifies the issues of particular importance that should be taken into consideration by applicants when preparing planning applications. The policy identifies a series of character areas which identifies the particular features and considerations for design by area.
Policy WORL5: Heights of dwellings	126, 127, 130	This policy contributes to the NPPF requirements of achieving well-designed places. It seeks to ensure that buildings refer the prevailing context height and only exceed this where it can be demonstrated not to have a detrimental visual impact.
Policy WORL6: Housing Design – Security	130	This policy contributes to the NPPF requirements of achieving well-designed places. It seeks to ensure that good design helps to provide increased security, albeit not at the expense of local dark skies.
Policy WORL7: Sports Facilities	92, 93	This policy contributes to the NPPF requirement of promoting healthy and safe communities. The policy seeks to ensure that sports and recreation facilities on the Garden Community reflect community needs and aspirations.
Policy WORL8: Parking Standards	107, 108	This policy contributes to the NPPF requirement of promoting sustainable transport. The policy requires most development to meet local parking standards, with the exception of certain types of residential development.
Policy WORL9: Design of On-Street Parking Provision	106, 130	This policy contributes to the NPPF requirements of achieving well-designed places and promoting healthy and safe communities. The policy requires on-street parking to be designed in ways that minimise their visual impact and ensure pedestrian safety.
Policy WORL10: The Design of Parking Courts	106, 130	This policy contributes to the NPPF requirements of achieving well-designed places. The policy requires parking courts to be designed in ways that maximise security and safety.
Policy WORL11: Protection and Enhancement of Key	92, 104, 105, 106	This policy contributes to the NPPF objective of promoting sustainable transport. The policy seeks to enhance the main routes where walking and cycling can be

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Pedestrian and Cycling Routes		significantly increased if appropriate infrastructure is provided.
Policy WORL12: Landscaping	130, 154	This policy contributes to the NPPF objectives of achieving well-designed places, conserving and enhancing the natural environment and meeting the challenge of climate change, flooding and coastal change. It seeks to ensure that landscaping of development is well designed, laid out and maximises biodiversity and resilience to the changing climate.
Policy WORL13: Country Park Landscaping and Management	130, 154	This policy contributes to the NPPF objectives of achieving well-designed places, conserving and enhancing the natural environment and meeting the challenge of climate change, flooding and coastal change. It seeks to ensure that landscaping of the proposed country park in the Garden Community is well designed, laid out and maximises biodiversity and resilience to the changing climate.
Policy WORL14: Wildlife Corridors	174, 179	This policy contributes to the NPPF objectives of conserving and enhancing the natural environment and meeting the challenge of climate change, flooding and coastal change. The policy seeks to protect wildlife corridors and exploit opportunities to expand them where possible.
Policy WORL15: Protection of Local Green Spaces	101, 102, 103	National policy enables local communities to identify, for special protection, green areas of importance to them known as Local Green Spaces. This policy designates 3 areas, identified by the local community as important, as Local Green Spaces which will be protected.
Policy WORL16: Drainage	149, 150, 170, 174	This policy contributes to the NPPF objectives of conserving and enhancing the natural environment and meeting the challenge of climate change, flooding and coastal change. The policy seeks to ensure that SuDS are provided creatively and that biodiversity is maximised.

3. Basic Condition (iv) – Contribution to Sustainable Development

- 3.1. The NPPF states in paragraph 11 that a presumption in favour of sustainable development is at the heart of the NPPF.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’. The evidence base presented alongside the Plan, coupled with the reasoned justification for each policy in the Plan, demonstrates how the Plan guides development towards sustainable solutions.
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of Worlingham NP objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’	
WORLINGHAM NP Objectives	A mix of housing is delivered which addresses the range of needs of Worlingham, including first-time buyers and elderly residents wanting to downsize. Achieve, together with Beccles, new sports and play facilities on the Beccles and Worlingham Garden Neighbourhood that meet the needs (such as those captured in the Worlingham Parish Plan) of the community
WORLINGHAM NP Policies	Policy WORL2: Housing Mix Policy WORL3: Lifetime Design Policy WORL7: Sports Facilities
Commentary	The NPPF seeks to secure economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future. The Plan seeks to contribute to the delivery of this national aim by ensuring that it has a mix of housing to support the existing and changing residential community (WORL2 and WORL3). It also seeks to ensure that the sports facilities that are delivered on the Garden Community meet the needs of the local community (WORL4). This will help to ensure that such provision is well used and prospers.

Deliver social sustainability	
NPPF definition – ‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’	
WORLING-HAM NP Objectives	<p>A mix of housing is delivered which addresses the range of needs of Worlingham, including first-time buyers and elderly residents wanting to downsize.</p> <p>The design of development seeks to maintain the character of Worlingham, particularly in respect of housing.</p> <p>Development seeks to provide a safe environment through use of traffic calming measures and the provision of sufficient off road parking.</p> <p>Increased traffic impact will be assessed and mitigated by the developers.</p> <p>The green spaces, wildlife habitats, landscapes and heritage assets that define the character and natural environment of Worlingham will be protected and enhanced.</p> <p>Achieve, together with Beccles, new sports and play facilities on the Beccles and Worlingham Garden Neighbourhood that meet the needs (such as those captured in the Worlingham Parish Plan) of the community</p>
WORLING-HAM NP Policies	<p>Policy WORL1: Village Identity</p> <p>Policy WORL2: Housing Mix</p> <p>Policy WORL3: Lifetime Design</p> <p>Policy WORL4: Housing Design and Character</p> <p>Policy WORL5: Heights of dwellings</p> <p>Policy WORL6: Housing Design – Security</p> <p>Policy WORL7: Sports Facilities</p> <p>Policy WORL8: Parking Standards</p> <p>Policy WORL9: Design of On-Street Parking Provision</p> <p>Policy WORL10: The Design of Parking Courts</p> <p>Policy WORL11: Protection and Enhancement of Key Pedestrian and Cycling Routes</p> <p>Policy WORL15: Protection of Local Green Spaces</p>
Commentary	<p>One of the key objectives in the NPPF is to promote healthy communities, which incorporates social sustainability. The local community’s needs and interests can be met through the provision of new housing (WORL2 and WORL3), community facilities (WORL7).</p> <p>It is not only provision that is important; as recognised by the NPPF, good design is key as well. Policies WORL1, WORL4, WORL5, WORL6, WORL8, WORL9 and WORL10 all seek to ensure good design of housing and parking.</p> <p>WORL11 seeks to protect and improve cycling and walking routes, which not only create a physically healthier community, but one that is also more inclusive and people-friendly.</p> <p>WORL15 protects a number of local green spaces that are of importance to the community because of the amenity they provide.</p>

Deliver environmental sustainability	
NPPF definition – ‘to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’	
WORLING-HAM NP Objectives	The green spaces, wildlife habitats, landscapes and heritage assets that define the character and natural environment of Worlingham will be protected and enhanced.
WORLING-HAM NP Policies	Policy WORL12: Landscaping Policy WORL13: Country Park Landscaping and Management Policy WORL14: Wildlife Corridors Policy WORL15: Protection of Local Green Spaces Policy WORL16: Drainage
Commentary	<p>The natural environment and addressing climate change is of key importance to Worlingham and its community. WORL12 seeks to push development to develop multi-functional SuDS and also to take all opportunities to maximise biodiversity, as does WORL12 through high quality landscaping. WORL14 seeks to protect important wildlife corridors and WORL13 requires the same for the proposed Country Park.</p> <p>Policy WORL15 seeks to protect and enhance the green space there already is.</p>

- 3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to achieving well-designed places, promoting a healthy and safe community and conserving and enhancing the natural and historic environment.

4. Basic Condition (v) – General Conformity with the Strategic Policies of the Development Plan

- 4.1. The development plan currently consists of the following:
- 2019 Waveney Local Plan
 - 2019 Broads Local Plan
 - 2020 Suffolk Minerals and Waste Local Plan
- 4.2. Table 4.1 details the Worlingham NP policies alongside a consideration of how they are in general conformity with the strategic policies in the 2019 Waveney Local Plan and the 2019 Broads Local Plan. Where it is not clear whether a policy is strategic, a judgment has been made. Equally, there are a number of strategic policies in these documents which are not considered relevant to any of the policies in the Neighbourhood Plan. In such cases, these strategic policies have not been included.
- 4.3. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.
- 4.4. It is confirmed that there are no policies in the 2020 Suffolk Minerals and Waste Local Plan that the Worlingham NP policies have any relevance to.

Table 4.1: Assessment of conformity with strategic policies in the development plan

Local Plan Policy	Worlingham NP policy
Waveney Local Plan	
Policy WLP3.1 – Beccles and Worlingham Garden Neighbourhood	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community. Policy WORL13 seeks to direct the effective provision of the Country Park.
Policy WLP1.3 – Infrastructure	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community.
Policy WLP8.1 – Housing mix	Policies WORL2 and WORL3 seek to ensure that housing delivery meets local needs and addresses the needs of those requiring accessible and adaptable dwellings.
Policy WLP8.21 – Sustainable Transport	Policy WORL11 seeks to enhance the main pedestrian and cycle routes through Worlingham. Policies WORL8 and WORL9 seek to provide appropriate levels of parking provision and to do so in a way that minimises the impact on amenity and safety of pedestrians.
Policy WLP8.22 – Built Community Services and Facilities	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community.
Policy WLP8.23 – Protection of Open Space	Policy WORL15 seeks to protect certain green open spaces.
Policy WLP8.24 – Flood Risk	Policy WORL16 seeks to ensure that development maximises the potential of SuDS provision.
Policy WLP8.29 – Design	Policies WORL1, WORL4, WORL5, WORL6, WORL8, WORL9 and WORL10 seek to ensure good design of housing and residential parking.
Policy WLP8.30 – Design of Open Spaces	Policy WORL13 seeks to ensure that the proposed Country Park is a multi-functional and high quality open space that addresses the needs of the community.
Policy WLP8.31 – Lifetime Design	Policy WORL3 seek to ensure that housing delivery meets the needs of those requiring accessible and adaptable dwellings.
Policy WLP8.32 – Housing Density and Design	Policies WORL1, WORL4, WORL5 and WORL6 seek to ensure good design of housing that reflects local character.

Local Plan Policy	Worlingham NP policy
Policy WLP8.34 – Biodiversity and Geodiversity	Policy WORL16 seeks to ensure that the biodiversity value of SuDS are maximised. Policy WORL14 seeks to protect and enhance wildlife corridors. Policies WORL12 and 13 seek to ensure that the design of landscaping and open spaces maximises the opportunities for wildlife.
Policy WLP8.35 – Landscape Character	Policy WORL4 seeks to ensure high quality design that reflects the character of the different parts of Worlingham, many of which are shaped by their landscape. Policy WORL12 specifically addresses the role of landscaping in reflecting the character of Worlingham.

Local Plan Policy	Worlingham NP policy
Broads Local Plan	
Policy SP2: Strategic flood risk policy	Policy WORL16 seeks to ensure that development maximises the potential of SuDS provision.
Policy DM7: Open space on land, play space, sports fields and allotments	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community. Policy WORL13 seeks to direct the effective provision of the Country Park.
Policy DM8: Green infrastructure	Policy WORL16 seeks to ensure that the biodiversity value of SuDS are maximised. Policy WORL14 seeks to protect and enhance wildlife corridors. Policies WORL12 and 13 seek to ensure that the design of landscaping and open spaces maximises the opportunities for wildlife.
Policy SP6: Biodiversity	Policy WORL14 seeks to protect and enhance wildlife corridors. Policies WORL12 and 13 seek to ensure that the design of landscaping and open spaces maximises the opportunities for wildlife.
Policy DM13: Natural Environment	Policy WORL14 seeks to protect and enhance wildlife corridors. Policies WORL12 and 13 seek to ensure that the design of landscaping and open spaces maximises the opportunities for wildlife.
Policy SP7: Landscape Character	Policy WORL4 seeks to ensure high quality design that reflects the character of the different parts of Worlingham, many of which are shaped by their landscape. Policy WORL12 specifically addresses the role of landscaping in reflecting the character of Worlingham.
Policy DM20: Protection and enhancement of settlement fringe landscape character	Policy WORL12 seeks to ensure high quality landscaping is provided on development including the Garden Community which is on the settlement fringe.
Policy DM22: Light pollution and dark skies	Policy WORL4 recognises the importance of the Broad's dark skies and directs development to address this through its lighting proposals.
Policy SP8: Getting to and around the Broads	Policy WORL11 seeks to enhance the main pedestrian and cycle routes through Worlingham.
Policy DM23: Transport, highways and access	Policies WORL8 and WORL9 seek to provide appropriate levels of parking provision and to do so in a way that minimises the impact on amenity and safety of pedestrians.

Local Plan Policy	Worlingham NP policy
Policy SP15: Residential development	Policies WORL2 and WORL3 seek to ensure that housing delivery meets local needs and addresses the needs of those requiring accessible and adaptable dwellings.
Policy DM43: Design	Policies WORL1, WORL4, WORL5, WORL6, WORL8, WORL9 and WORL10 seek to ensure good design of housing and residential parking.
Policy SP16: New community facilities	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community.
Policy DM44: Visitor and community facilities and services	Policies WORL1 and WORL7 seek to ensure that new community facilities required by the community are delivered by the new Garden Community.
Policy DM45: Designing places for healthy lives	Policy WORL13 seeks to ensure that the proposed Country Park is a multi-functional and high quality open space that addresses the recreational needs of the community.

5. Basic Condition (vi) – Conformity with EU Obligations

- 5.1. The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). In February 2020, the draft Neighbourhood Plan was subject to an initial screening report prepared by East Suffolk Council. This was published for consultation with the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether or not the Worlingham Neighbourhood Plan would have significant environmental effects in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. Following feedback from the statutory bodies, East Suffolk Council issued its screening opinion in March 2020, which considered that an SEA would not be required.
- 5.2. The Screening Opinion has been submitted at Regulation 16 stage as part of the evidence base for the Plan.
- 5.3. In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.

6. Basic Condition (vii) – Conformity with the Prescribed Conditions

- 6.1. Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the draft Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2. In February 2020, an HRA Screening Report was prepared by East Suffolk Council and published for consultation with Natural England, being the relevant statutory body. Following feedback from Natural England, East Suffolk Council issued its screening opinion in March 2020, which considered that an HRA would not be required because the Plan is not likely to have significant impacts on European protected species or sites.
- 6.3. The Screening Report including the responses from the statutory body has been submitted at Regulation 16 stage as part of the evidence base for the Plan.

² Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

7. Conclusion

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



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