

Little Cornard Neighbourhood Plan 2020-2037

Basic Conditions Statement

Little Cornard Parish Council

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info@navigusplanning.co.uk
www.navigusplanning.co.uk

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1. Introduction

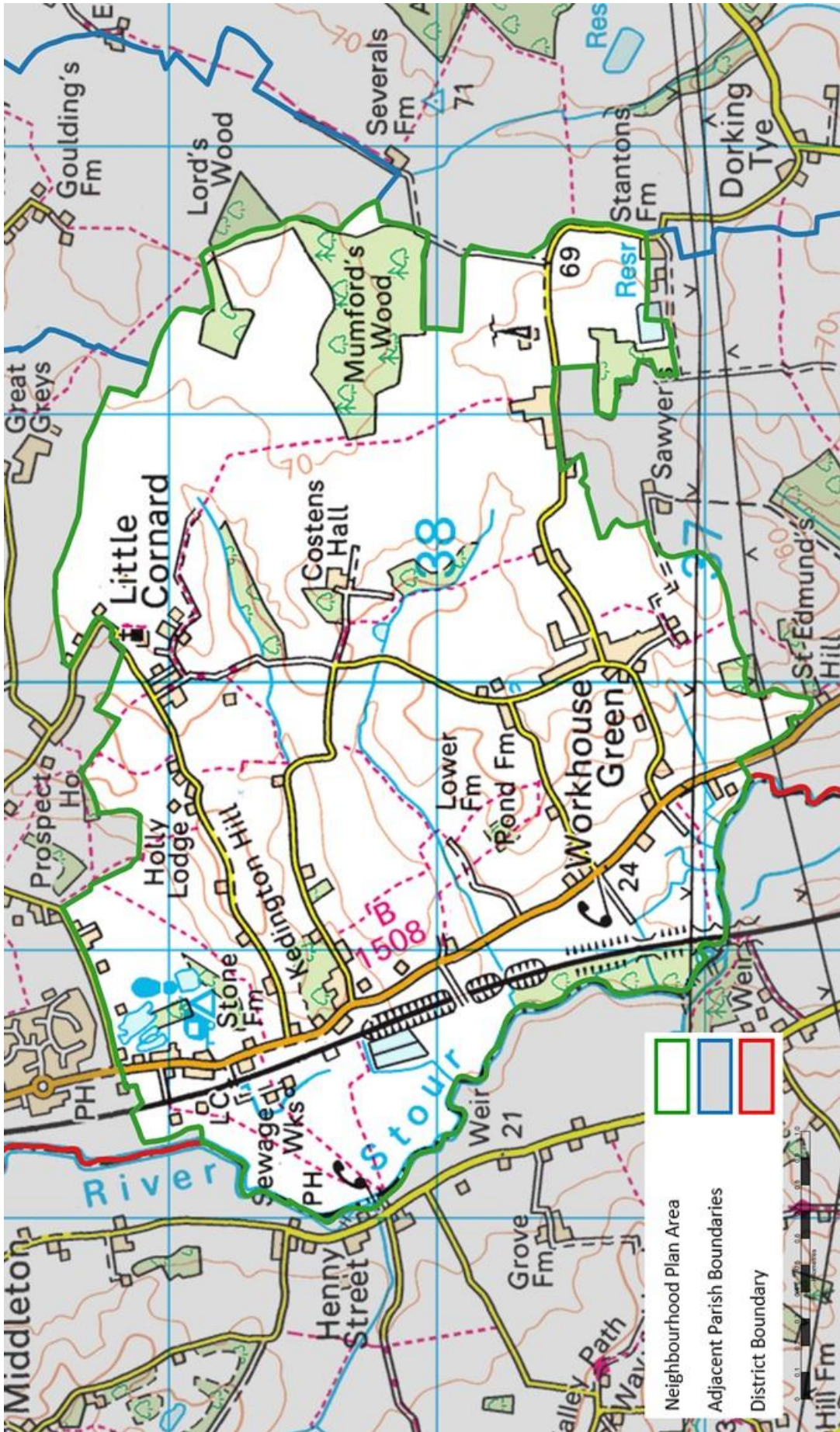
- 1.1. This Basic Conditions Statement has been produced to accompany Little Cornard Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and 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. Babergh District Council (BDC), as the local planning authority, has prepared the Plan, which covers the parish area of Little Cornard. This was designated in August 2018.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Little Cornard Neighbourhood Area. This is shown in Figure 1.
- 1.7. The Plan refers only to the administrative boundary of the parishes of Little Cornard. There are no other adopted Neighbourhood Development Plans that cover the Little Cornard Neighbourhood Area.
- 1.8. The Little Cornard Neighbourhood Plan Steering Group (LCNPSG) have 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 2020 to 2037.

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.

Figure 1: Little Cornard Neighbourhood Plan Area



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 five objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

Table 2.1: Assessment of the Little Cornard Neighbourhood Plan objectives against NPPF goals

Plan objective	Relevant NPPF goal
1. To preserve and enhance the environmental assets in the parish, both for the wildlife which is part of it and for the local community to enjoy.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Promoting healthy and safe communities • Meeting the challenge of climate change, flooding and coastal change
2. To improve the health and wellbeing of the community by expanding footpath linkages into the countryside.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Promoting healthy and safe communities • Promoting sustainable transport
3. To protect the high quality landscape of the Stour Valley that surrounds Little Cornard.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Meeting the challenge of climate change, flooding and coastal change
4. To protect the rural character of Little Cornard as reflected in its agricultural buildings.	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment
5. To protect the local heritage of Little Cornard.	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment

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 Little Cornard Neighbourhood Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY LCO1: CORNARD MERE AND GREAT CORNARD COUNTRY PARK	92, 98, 100, 174, 175, 179	This policy seeks to protect wildlife features and improve connectivity between such areas for wildlife. It also seeks to maintain and enhance pedestrian access into the countryside.
POLICY LCO2: ACCESS INTO THE COUNTRYSIDE	92, 98, 100	This policy seeks to enhance access along public rights of way into the countryside to improve health and wellbeing.
POLICY LCO3: VIEWS	127, 130, 174	This policy seeks to minimise the landscape impact of development in respect to existing natural features. It also identifies specific views which should be protected. This contributes to the NPPF objective of conserving and enhancing the natural environment.
POLICY LCO4: DARK SKIES	185	A key objective of the NPPF is to conserve and enhance the natural environment. This policy seeks to minimise light pollution from development in Little Cornard.
POLICY LCO5: CONVERSION OF AGRICULTURAL BARNs AND OUT- BUILDINGS	130, 189, 190	This policy seeks to preserve and enhance the heritage of Little Cornard as reflected in its historic barns and out-buildings.
POLICY LCO6: NON- DESIGNATED HERITAGE ASSETS	190	A key objective of the NPPF is to conserve and enhance the historic environment. This policy seeks to conserve and enhance heritage assets of local importance in Little Cornard.

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. 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 Little Cornard Neighbourhood Plan objectives and policies against sustainable development

Deliver social sustainability	
NPPF definition – ‘Support strong, vibrant and healthy communities’	
Little Cornard NP Objectives	<p>2. To improve the health and wellbeing of the community by expanding footpath linkages into the countryside.</p> <p>4. To protect the rural character of Little Cornard as reflected in its agricultural buildings.</p> <p>5. To protect the local heritage of Little Cornard.</p>
Little Cornard NP Policies	<p>POLICY LCO1: CORNARD MERE AND GREAT CORNARD COUNTRY PARK</p> <p>POLICY LCO2: ACCESS INTO THE COUNTRYSIDE</p> <p>POLICY LCO4: DARK SKIES</p> <p>POLICY LCO5: CONVERSION OF AGRICULTURAL BARNs AND OUT-BUILDINGS</p> <p>POLICY LCO6: NON-DESIGNATED HERITAGE ASSETS</p>
Commentary	<p>One of the key objectives in the NPPF is to promote healthy communities, which incorporates social sustainability. The Plan seeks to improve access to the countryside and, in particular, Great Cornard Country Park. This not only creates a physically healthier community, but one that is also more inclusive and people-friendly. This is identified by policies LCO1 and LCO2.</p> <p>Another aspect of ensuring healthy rural communities is the preservation of dark skies. Policy LCO4 seeks to achieve this.</p> <p>As Little Cornard changes with development, it is important that development reflects the character of the area, particularly in their open countryside which is a core part of the local heritage. Policies LCO5 and LCO6 seeks to ensure that development of barns and out-buildings preserves local character and that non-designated heritage assets are properly protected.</p>
Deliver environmental sustainability	
NPPF definition – ‘Contribute to protecting and enhancing our natural, built and historic environment’ and ‘mitigate and adapt to climate change’	
Little Cornard NP Objectives	<p>1. To preserve and enhance the environmental assets in the parish, both for the wildlife which is part of it and for the local community to enjoy.</p> <p>3. To protect the high quality landscape of the Stour Valley that surrounds Little Cornard.</p>

Little Cornard NP Policies	POLICY LCO1: CORNARD MERE AND GREAT CORNARD COUNTRY PARK POLICY LCO3: VIEWS
Commentary	Biodiversity and wildlife is an important part of the plan. The parish has a number of environmental assets, in particular the Mere and Great Cornard Country Park. It is vital that these are protected and enhanced for the wildlife that benefits from them. The creation of wildlife corridors through Policy LCO1 should help to achieve this. The parish has a number of significant views which represent Little Cornard and its history. Policy LCO3 seeks to preserve these views.
Deliver economic sustainability	
NPPF definition – ‘Contribute to building a strong, responsive economy’ and support growth, innovation and improved productivity; and ‘identifying and coordinating the provision of infrastructure’.	
Little Cornard NP Objectives	None
Little Cornard NP Policies	None
Commentary	N/a

3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social and environmental goals. Whilst the Plan does not specifically address economic goals, none of its objectives or policies are considered likely to have a detrimental effect on economic sustainability as reflected through the NPPF and Local Plan policy.

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

- 4.1. The development plan currently consists of the following:
 - The Babergh Local Plan 2011-2031 Core Strategy & Policies (adopted in 2014)
 - The Babergh Local Plan 2006 (saved policies)
 - The Suffolk Minerals and Waste Local Plan (adopted in 2020)
- 4.2. Table 4.1 details the Little Cornard Neighbourhood Plan policies alongside a consideration of how they are in general conformity with the policies in the Babergh Core Strategy 2014 and the Babergh Local Plan 2006 saved policies.
- 4.3. In addition, the Little Cornard Neighbourhood Plan policies have been assessed against the policies in the Babergh and Mid Suffolk Joint Local Plan Pre-Submission (Regulation 19) Version in order to understand whether there are any fundamental conflicts with the strategic direction of emerging policy.
- 4.4. 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.
- 4.5. The Neighbourhood Plan does not address matters relating to minerals and waste, therefore it is confirmed that there are no policies in the Suffolk Minerals and Waste Local Plan that the Neighbourhood Plan is not in general conformity with.

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

Little Cornard NP Policy	Strategic plan policy Core Strategy 2014 <i>Local Plan Saved Policies 2006</i> <i>Emerging Joint Local Plan 2020</i>	Commentary
POLICY LCO1: CORNARD MERE AND GREAT CORNARD COUNTRY PARK	Policy CS15: Implementing Sustainable Development in Babergh <i>Policy RE13: Great Cornard Country Park</i> <i>Policy CR04: Special Landscape Area</i> <i>Policy LP18: Biodiversity and Geodiversity</i> <i>Policy LP32: Safe, Sustainable and Active Transport</i>	Policy CS15 requires development to enhance biodiversity. Policy LCO1 seeks to create opportunities to achieve this through the creation of green corridors. <i>Policy RE13 protects the area of the Country Park from development.</i> <i>Policy CR04 seeks to protect the local landscape from development that affects the landscape setting of the area.</i> <i>Policy LP18 seeks to ensure development protects habitats and species and maximises biodiversity.</i> <i>Policy LP32 encourages provision for walking and cycling.</i>
POLICY LCO2: ACCESS INTO THE COUNTRYSIDE	Policy CS15: Implementing Sustainable Development in Babergh <i>Policy LP32: Safe, Sustainable and Active Transport</i>	Policy CS15 seeks to enhance sustainable movement. Policy LCO2 seeks to ensure that routes for walking and bridleway activity in the countryside are accessible. <i>Policy LP32 encourages provision for walking and cycling.</i>
POLICY LCO3: VIEWS	Policy CS15: Implementing Sustainable Development in Babergh	Policy CS15 recognises the importance of preserving the landscape. Policy LCO3 identifies specific aspects of value of the local landscape in respect of particular views.

Little Cornard NP Policy	Strategic plan policy Core Strategy 2014 <i>Local Plan Saved Policies 2006</i> <i>Emerging Joint Local Plan 2020</i>	Commentary
	<i>Policy LP19: Landscape</i>	<i>Policy LP19 seeks to protect landscape character and to protect local distinctiveness.</i>
POLICY LCO4: DARK SKIES	Policy EN22: Light pollution – outdoor lighting <i>Policy LP19: Landscape</i>	Policy EN22 seeks to minimise the impact of lighting on dark skies. <i>Policy LP19 seeks to minimise visual amenity impacts, including on dark skies.</i>
POLICY LCO5: CONVERSION OF AGRICULTURAL BARNS AND OUT-BUILDINGS	Policy CN06: Listed buildings – Alteration/ extension/ change of use <i>Policy LP21: The historic environment</i>	Policy CN06 seeks to ensure that development of buildings of historic interest preserves the historic fabric of the building. <i>Policy LP21 seeks to guide development affecting heritage assets, including non-designated heritage assets.</i>
POLICY LCO6: NON-DESIGNATED HERITAGE ASSETS	Policy CN06: Listed buildings – Alteration/ extension/ change of use <i>Policy LP21: The historic environment</i>	Policy CN06 seeks to ensure that development of buildings of historic interest preserves the historic fabric of the building. <i>Policy LP21 seeks to guide development affecting heritage assets, including non-designated heritage assets.</i>

5. Basic Condition (iv) – 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 January 2021, a draft Screening Report prepared by Babergh District Council was published. This concluded that the Plan would not be likely to have any significant environmental effects arising either individually or cumulatively.
- 5.2. This draft Screening Report was consulted on with the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether or not the Little Cornard 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. The statutory bodies agreed with the opinion of Babergh District Council and the final Screening Determination was published in February 2021.
- 5.3. The draft Screening Report and subsequent Screening Determination, including the responses from the statutory bodies, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.
- 5.4. 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. A draft HRA Screening was undertaken by Babergh District Council and published in January 2021. Babergh District Council was of the opinion that the Plan is not likely to have significant impacts on European protected species or sites. This was then consulted on with Natural England who concurred with this opinion.
- 6.3. The draft Screening Report and subsequent Screening Determination, including the response from Natural England, 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 Little Cornard Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Little Cornard Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.




NAVIGUS PLANNING

Truro, Lushington Road, Manningtree, Essex, CO11 1EF

info@navigusplanning.co.uk

www.navigusplanning.co.uk

 [@NavigusTweets](https://twitter.com/NavigusTweets)