

STATEMENT OF BASIC CONDITIONS  
SUBMISSION DRAFT  
AUGUST 2021

# LONG MELFORD

## NEIGHBOURHOOD PLAN



Photographer: Steve Thomson

2018 - 2037

PREPARED ON BEHALF OF LONG MELFORD PARISH COUNCIL

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# PHOTO CREDITS

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# 1

## INTRODUCTION

### 1.1

Under the Localism Act 2011, Babergh District Council (BDC) have designated Long Melford Parish Council a qualifying body, and the Parish of Long Melford a qualifying area for which to prepare a Neighbourhood Development Plan (NDP).

### 1.2

This Basic Conditions Statement has been prepared by the Neighbourhood Plan Steering Group (NPSG) for the Parish Council to demonstrate how the proposed Long Melford NDP meets the requirements of the Town and Country Planning Act 1990 (as amended), in relation to the preparation of an NDP.



# 2

## LEGAL REQUIREMENTS

### 2.1

Section 8 (1) of Schedule 4B of the Town and County Planning Act 1990 (as amended) (“The Act”) requires an examiner to consider the following:

- a) whether the draft neighbourhood development order meets the basic conditions – see sub-paragraph (2) detail from which is in paragraph 2.2. below,
- b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,
- c) whether any period specified under section 61L(2)(b) or (5) is appropriate,
- d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
- e) such other matters as may be prescribed.

### 2.2

Section 8 (2) of Schedule 4B provides a list of basic conditions that NDPs must comply with. These are set out below:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP,
- b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- d) the making of the NDP contributes to the achievement of sustainable development,
- e) the making of the NDP 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),

- f) the making of the NDP does not breach, and is otherwise compatible with, EU obligations, and
- g) prescribed conditions are met in relation to the NDP and prescribed matters have been complied with in connection with the proposal for the order.

### 2.3

Section 8 (6) of Schedule 4B states that the “the examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft order is compatible with the Convention rights).

### 2.4

The purpose of this statement is to demonstrate how the NDP meets the basic conditions as required by 1(a) and sub-paragraph 2 (see section 3 below). However, the statement also demonstrates compliance with the requirements under paragraphs 1(b), (d) and (e).

### 2.5

The provision of 61E(2), 61J and 61L as amended by s38C(5)(b) is a reference to the provision of 38A and 38B. The following is submitted in respect of 38A and 38B.

- **38A**

- 1) Long Melford Parish Council is a qualifying body and entitled to submit a NDP for its own parish.
- 2) The Long Melford NDP expresses policies relating to the development and use of land solely within the neighbourhood area.
- 3) to 12) are essentially post examination procedures.

- **38B**

- 1a) The LMNDP covers the period 2018-2037, some 20 years. This period aligns with the emerging



## CHAPTER 2 CONTINUED...

Joint Local Plan being prepared by Babergh and Mid-Suffolk District Councils.

- b) The LMNDP does not include any provision for excluded development such as national infrastructure.
- c) The LMNDP does not relate to more than one neighbourhood area. It relates only to the Long Melford Parish Neighbourhood Area

as designated by BDC in February 2017. A copy of the notice confirming designation of the Long Melford Neighbourhood Area is attached in Appendix A.



# 3

## BASIC CONDITIONS

### NATIONAL POLICIES AND ADVICE

#### 3.1

This section will demonstrate that the Long Melford NDP, the “Plan” has had regard to national policies and advice as required by Section 8 (2) of Schedule 4B a) of “The Act”.

#### 3.2

Paragraphs 28-30 of the National Planning Policy Framework 2021 (NPPF) relate to Neighbourhood Plans. Paragraph 28 provides for non-strategic policies to be used by local planning authorities or communities to regulate development across a range of local or detailed topics, including the allocation of sites. The Plan includes policies covering a range of local topics (housing including affordable housing and housing for local people, village facilities and green spaces, traffic and parking, business and tourism, flood risk, biodiversity) and the Plan allocates sites for development.

#### 3.3

Paragraph 29 provides communities, through neighbourhood planning, with the power to shape their neighbourhood through the delivery of sustainable development. Neighbourhood plans influence

planning decisions by being part of the development plan. Neighbourhood plans must not promote less development than is set out in the strategic policies for the area. The Plan has been prepared with a view to influencing planning decisions. It provides for more development than is set out in (draft) strategic policies in the Pre-Submission (Regulation 19) Draft Joint Local Plan, November 2020, prepared by Babergh and Mid-Suffolk District Councils (Draft JLP) and submitted for Examination in March 2021 (Regulation 22).

#### 3.4

Paragraph 30 provides for the precedence of neighbourhood plan policies over non-strategic policies in the local plan, unless the latter are more up-to-date. This provision operates when the Plan is made.

#### 3.5

Paragraph 11 introduces the presumption in favour of sustainable development, which is expanded in Paragraphs 7 and 8:..... 7. The purpose of the planning system is to contribute to the achievement of sustainable development..... 8. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental):

TABLE 1 NPPF 2021 OBJECTIVES OF SUSTAINABLE DEVELOPMENT	HOW THE PLAN RESPONDS
<p><b>11.</b> Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:</p> <p>(a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;</p>	<p>The Plan allocates sites for 77 more dwellings than are required in the Draft JLP. The allocations are in response to needs identified through a comprehensive Residents Survey (Appendix 2) and through the village profile (Chapter 2). Whilst two small employment sites in the village centre are allocated for residential use (LM 3 and LM 4), provision is made for employment development (LM 5) as part of a mixed-use development on an underused employment site. The Plan is taking steps towards a more sustainable future, steps which are set out in response to the three objectives of sustainable development in the following sections. The Parish Council anticipates that future changes in circumstances and needs will be met by revisions of the Plan.</p>

# CHAPTER 3 CONTINUED...

*An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land .....is available .....to support growth, innovation and improved productivity; and .....the provision of infrastructure;*

Long Melford is distinguished, as a village, by a large number (78 in February 2020) of shops and services, located mainly in Hall Street. They are fundamental to the character and well-being of the village. Three objectives of the Plan (paragraph 3.28, (e), (f) and (g)) support different aspects of the local economy. The Plan has a policy providing general support for the local economy (LM 23) but also a specific policy to discourage the change of use of employment premises to residential use (LM 25). The Plan recognises however that commercial and residential uses have historically been interchangeable in Long Melford: LM 25 sets out circumstances in which changes to residential use will be supported. The strategic policies of the Draft JLP do not require the allocation of land for employment in Long Melford. Two small employment sites (Policies LM 3 and LM 4) are allocated for residential use and a site (Policy LM 5) is proposed for change from employment use to mixed employment and residential use.

*A social objective – to support strong, vibrant and healthy communities, .....a sufficient number and range of homes .....and .....well-designed, beautiful and safe places, with accessible services and open spaces .....support communities' health, social and cultural well-being;*

The Plan allocates land for 77 more dwellings than are set down for Long Melford in the Draft JLP (Policy LM 1). A variety of dwellings to meet differing needs will be ensured through:

- a. Provision of homes in different locations in the village (LM 2-LM 7).
- b. Provision of affordable housing (LM 9).
- c. Reservation of housing for local people (LM 10).
- d. Provision of less expensive market housing (LM 11).
- e. Reservation of housing for older people (LM 3 and LM 4).

Access to services and facilities is addressed through Policy LM 8.

Environmental quality and the beauty of housing are promoted in Policy LM 8. The Plan provides for the protection of important green spaces (including those for sport and recreation) (LM 19), for the provision of new green spaces (LM 20) and for the provision of outdoor play equipment (LM 21).



*An environmental objective –.....protect and enhance our natural, built and historic environment; .....effective use of land, .....improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy;*

Long Melford parish is relatively rich in archaeological remains, with at least 150 sites listed in Suffolk County's Historic Environment Record for the parish. Listed buildings line most of both sides of the long street comprising Long Melford. The majority are grade II listed houses and former commercial premises. The real gems in Long Melford are concentrated at the northern end of the village around Melford Green. The four grade I buildings comprise the Church of Holy Trinity, the adjoining Trinity Hospital plus two houses with large estates, Kentwell Hall north of the Church and Melford Hall to the south nearer the rest of the village (Long Melford Conservation Area Appraisal, 2011).

Two policies are designed to protect the environment in the Conservation Area (LM 3 and LM 4).

Policy LM 6 provides for proper protection to be afforded to the Registered Kentwell Park and Garden.

In relation to land use a call for sites produced a long list of 33 sites which were assessed: very few both brownfield and not constrained by conservation issues. Four of the six allocated sites are brownfield (LM 2-LM 5).

Policy LM 13 supports additional biodiversity within new developments.

Ten green spaces are designated as Local Green Spaces according to paragraphs 101-103 of NPPF 2021 (Policy LM 19), two as local nature reserves, four as locally important open areas within housing, two as significant local landscape areas adjacent to the River Stour and two as important sports grounds.

The Plan addresses resource, pollution and climate change issues by:

- a. Ensuring that developers address the risks of flooding on their own site and on adjacent land (LM 12).
- b. Ensuring that developers maximise sustainable travel opportunities (LM 16).
- c. Reservation of housing for local people (LM 10).
- c. Requiring the provision of electric charging points at all dwellings in new developments (LM 18).
- d. Requiring applicants in relation to larger schemes to set out how their proposals will contribute to reducing climate change and mitigating the effects of climate change (LM 20).

## **Sustainable Development in General**

There are two policies in the Plan which may have uncertain or negative effects on sustainable development: Policy LM 1, Growth and Sustainable Development, and Policy LM 17, Parking Guidelines. The development of new homes will use land and other resources and the provision of parking spaces may encourage the use of private transport rather than public transport. However, both policies comply with national policy in NPPF, that is, in relation to the amount of (housing) development, paragraphs 11 a) and 29 and, in relation to parking, paragraphs 104 e) and 107-108 (the Plan relies on parking standards set by Suffolk County Council).

# CHAPTER 3 CONTINUED...

## 3.6

In the table below the Plan is assessed against other relevant national policies in NPPF 2021.

<b>TABLE 2</b> <b>OTHER RELEVANT NPPF 2021 POLICIES</b>	<b>HOW THE PLAN RESPONDS</b>
<p><b>13.</b> <i>Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.</i></p>	<p>In the next section of this Statement evidence is provided of how the Plan supports the delivery of strategic policies of the local plan. The Plan itself contains only policies that deal with non-strategic issues.</p>
<p><b>15.</b> <i>..... Succinct and up-to-date plans should provide a positive vision for the future of each area.....</i></p>	<p>The vision for Long Melford, building on the key features and challenges, is presented in paragraphs 3.17-3.27 of the Plan and the objectives adopted in order to deliver that vision in paragraph 3.28.</p>
<p><b>16.</b> Plans should:</p> <ul style="list-style-type: none"> <li>(a) be prepared with the objective of contributing to the achievement of sustainable development;</li> <li>(b) be prepared positively, in a way that is aspirational but deliverable;</li> <li>(c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</li> <li>(d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</li> <li>(e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</li> </ul>	<ul style="list-style-type: none"> <li>a) Compliance with this requirement has been demonstrated under the heading ‘NPPF 2021 Objectives of Sustainable Development’ in Table 1 above.</li> <li>b) The positive character of the Plan is demonstrated by the allocation of sites for 77 more dwellings than are required in the strategic policy of the Local Plan. The Plan is aspirational in that it seeks to meet important identified needs and to realise a healthy future for the parish. The Parish Council have sought to ensure deliverability by taking the advice of a number of developers and agents on the development constraints and opportunities of each of the potential allocation sites. Some sites were rejected in the site assessment as they were not considered to be deliverable.</li> <li>c) The Parish Council’s response to this requirement has been set out in the Statement of Consultation submitted with the Plan. It has been an important part of the plan-making process to consult widely and to mould the Plan in the light of the representations made.</li> <li>d) The Parish Council has been conscious, throughout the planmaking process, that its policies will only achieve change and good development if both the planning applicant and the decision-maker understand what is to be achieved and that it is achievable. The Plan has been put through phases of both technical and editorial drafting in order to make it clear and unambiguous.</li> <li>e) A section of the Parish Council’s website has been dedicated to the Neighbourhood Plan from the time of the first consultations prior to the Reg 14 Consultation Draft. Since then, all significant phases or sections of the Plan have been accessible on the Plan’s dedicated website (<a href="http://www.longmelfordnp.co.uk">www.longmelfordnp.co.uk</a>) and people have been able to make representations electronically or physically. The Residents Survey was delivered to every household in the parish and collected manually by some 90 volunteers in order to maximise the response rate. In the event 75% of questionnaires distributed were completed and returned (1,995 respondents).</li> </ul>

<p>(f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p>	<p>f) In the absence of an up-to-date adopted local plan, the Parish Council has endeavoured to avoid duplicating policies in the emerging Draft JLP and in the NPPF. In some policies e.g. LM 24 parts of policies in the Draft JLP have been employed, in order to avoid re-inventing the wheel, in a policy which overall is adapted to local circumstances in Long Melford.</p>
<p><b>32.</b> Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. (Footnote 19: The reference to relevant legal requirements refers to Strategic Environmental Assessment (SEA). Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects).</p>	<p>Screening indicated that an SEA was required for the Plan. An SEA has been produced and is presented with the Plan.</p>
<p><b>37.</b> Neighbourhood plans must meet certain ‘basic conditions’ and other legal requirements before they can come into force.</p>	<p>This Statement sets out how the Plan meets the specified basic conditions.</p>
<p><b>65.</b> Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership.</p>	<p>Policy LM 9, Affordable Housing, provides for major schemes to include 35% affordable housing overall and, within that total, 50% affordable rented, 25% starter homes and 25% other routes to home-ownership.</p>
<p><b>71.</b> Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.</p>	<p>The Parish Council considers that the protection provided by the Conservation Area, the listing of many buildings and the provisions relating to ancient monuments provides sufficient protection, not to require policies restricting development in gardens.</p>
<p><b>74.</b> ....all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites.</p>	<p>The only site on which phasing might be considered relevant is that at Station Road, where permission was granted for 150 dwellings on appeal; the Parish Council had little influence over the conditions imposed.</p>
<p><b>98.</b> Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities .....which plans should then seek to accommodate.</p>	<p>The Residents Survey indicated strong support for open space and recreational facilities: 70% considered green space essential; 73% considered outdoor recreational activity essential or important; and nearly three-quarters of respondents rated the cricket and football clubs essential or important. In response the Plan (Policy LM 19) provides for ten green spaces to be designated as Local Green Spaces in the terms of NPPF 2021 paragraphs 101-103, including two as important sports grounds. Policy LM 20 requires the provision of green spaces in major new developments, the green space to comprise a minimum of 10% of the site area.</p>
<p><b>101 - 103.</b> Relating to the designation of Local Green Spaces.</p>	<p>Paragraph 101 is an enabling provision giving NP qualifying bodies the power to designate Local Green Spaces; the three paragraphs set out the qualifying conditions and the effect of Local Green Spaces. The Plan designates ten Local Green Spaces (LM 19); they have all been tested against the provisions of paragraphs 101 and 102 and shown to be compliant.</p>
<p><b>122.</b> Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews.....</p>	<p>The NPSG have sought the advice of developers and property professionals in relation to the selection of sites for development and the nature of the development proposed on the allocated sites. The NPSG proposes to review the Plan when it is appropriate.</p>



# CHAPTER 3 CONTINUED...

**127.** *Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities .....*

Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

Chapters 2 and 3 of the Plan describe the parish, identify the key features and the challenges, and set out a vision and objectives for the Plan. The community was engaged in the development of design principles principally through the Residents Survey which included questions on the size of housing schemes, the sizes and types of homes and, if sites were to be allocated, the favoured locations. Measures to protect the special qualities of the parish are contained in various parts of the Plan:

- a. Several of the criteria by which potential allocation sites are assessed (Chapter 4 and Appendix 3) relate to the special qualities of the area.
- b. Each allocation (LM 2-LM 7) contains provisions to protect the special qualities of the particular location.
- c. Policy LM 8 Impact and Character of Developments is a general policy applying to all new developments, particularly larger ones (more than 10 dwellings or larger than 0.5 has), for which impact assessments, including cumulative impacts, are required. Assessments must demonstrate that:
  - The scale and character of the proposal respects the landscape, landscape features, streetscape/townscape, heritage assets, important spaces, entry points to the village and historic views into and out of the village;
  - The proposal will make a positive contribution to the local character, shape and scale of the area; and
  - A Heritage Impact Assessment has been carried out according to recognised principles, taking into account, amongst other evidence, the Settlement and Heritage Sensitivity Assessment, 2018 and that steps have been taken to mitigate any potential harm.
- d. Policy LM 13 requires developers to encourage biodiversity within their proposals.
- e. Policy LM 14 creates a rural gap between Long Melford and Sudbury. One of the aims of the rural gap is “to preserve the setting and special character of communities north of Sudbury” (paragraph 4.92). Those communities include Long Melford.
- f. Policy LM 19 creates ten Local Green Spaces. These are existing spaces which are important to the community in different ways (character, recreation, nature conservation, amenity) and which are given extra protection by the policy.
- g. Policy LM 20 provides for new green spaces to be created in larger new developments.
- h. Policy LM 22, Protection and Enhancement of Public Rights of Way, is especially important as the village and its surrounding countryside are best appreciated on foot and the network of footpaths around the village is an important draw for visitors, who in turn are valuable to the economy of the village.
- i. Policies LM 23 and LM 25 are significant for underpinning the economy and services of the village, both of which are special qualities of the parish.

<p><b>128.</b> To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places, with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.</p> <p><b>129.</b> Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.</p>	<p>The Parish Council, for lack of resources and expertise, has not produced a design guide. Such a guide is seen as important for the parish and will be produced after the Plan has been made as either a supplementary planning document or an amendment to the Plan.</p>
<p><b>153.</b> Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.</p>	<p>The ways in which the Plan addresses climate change issues are set out under the NPPF heading above: ‘paragraph 11a’...’an environmental objective’.</p>
<p><b>155.</b> To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources,.....</p>	<p>At the time of the preparation of the Plan the Parish Council considered this to be a strategic issue, on which the Plan could contribute little. However, the growing emphasis on, and viability of, local and small-scale renewable energy systems is encouraging the Parish Council to develop suitable policies as either a supplementary planning document or an amendment to the Plan.</p>
<p><b>161.</b> All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> <li>(a) applying the sequential test and then, if necessary, the exception test as set out below;</li> <li>(b) safeguarding land from development that is required, or likely to be required, for current or future flood management;</li> <li>(c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and</li> </ul>	<p>Policy LM 12, Addressing Flood Risk, is a general requirement for a flood risk assessment and measures to reduce the risk of flooding, where there is a risk of fluvial or surface flooding. Specific requirements to address flood risk are included in Policies LM 2 and LM 5, where there is a potential flood risk. These policies have been informed by advice from Suffolk County Council and the Environment Agency.</p> <p>One of the reasons for designating the Stour Meadows north and south of Liston Lane as Local Green Spaces (LM 19) is their role in accommodating the flood waters of the River Stour and the Chad Brook, reducing the risk of flooding in the developed areas of the village.</p>

# CHAPTER 3 CONTINUED...

**174.** Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.....;
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast.....;
- (d) minimising impacts on and providing net gains for biodiversity,.....;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.....; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Landscape is not in general protected by the Plan; but two sites adjacent to the River Stour are designated as Local Green Spaces in the Plan because they are significant local landscape areas. Policy LP 19 Landscape of the Reg 19 Draft JLP provides general protection for the district. The two main sites of biodiversity – Melford Walk and the Country Park – are local nature reserves and they are designated as Local Green Spaces in the Plan.

The intrinsic character and beauty of the countryside have been assessed in the District Council's Joint Landscape Guidance and the Suffolk Landscape Character Assessment and Settlement Sensitivity Assessment. The Plan has made use of these resources e.g. in the assessment of potential sites for allocation. Agricultural land quality was also a factor in the assessment of sites.

The parish has no coast.

Policies LM 13 and LM 20 require developers to encourage biodiversity within their proposals. Two sites are designated as Local Green Spaces for their biodiversity interest: the Country Park and Melford Walk (Policy LM 19).

The incidence or risk of these polluting conditions is very low in the parish; no special precautions have been made beyond those in the Draft JLP (e.g. Policies LP 25, Sustainable Construction and Design, LP 26 Design and Residential Amenity and LP 28 Water Resources and Infrastructure).

Two sites in the parish require remediation:

1. The former petrol filling station in Southgate Street, for which planning permission for residential development has been granted; the consent requires remediation of the site. However, over many years there has been little or no evidence of the consent being implemented.
2. Land in Borley Road, which is allocated for mixed use development in Policy LM 5; the policy requires a risk assessment and any contamination to be addressed.

**190.** Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Much of the village of Long Melford is a Conservation Area, numerous properties are listed, there are several ancient monuments and two historic parks and gardens; the greens are registered greens and commons. In addition, the Plan requires developers to respect the heritage of the village e.g. in Policy LM 8 which, amongst other requirements, asks developers to provide a Heritage Impact Assessment in certain circumstances. There are special requirements on the developers of the sites allocated in Policies LM 2, LM 3, LM 4, LM 6 and LM 7, which are in sensitive locations.



### 3.7

Basic Condition d. (b. and c. applying only to Orders): the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

### 3.8

The Parish Council have set out above against the three overarching objectives of sustainable development in NPPF 2021, how the Plan contributes to the achievement of sustainable development. The Plan has also been the subject of a Strategic Environmental Assessment (SEA) carried out by external consultants. The SEA has been submitted with the Plan; it concluded: *“When read as a whole, the Neighbourhood Plan is anticipated to result in **broadly positive effects in relation to the SEA framework.**”*

### 3.9

Basic Condition e. General conformity with the strategic policies contained in the development plan.

### 3.10

The development plan for Babergh District comprises the Core Strategy, 2014, and Saved Policies of the Local Plan (2006). These are significantly out-of-date and are being replaced by the Babergh and Mid-Suffolk Joint Local Plan (JLP), on which consultations on the Pre-Submission Reg 19 Document (November 2020), ended in December 2020. Since the JLP has reached an advanced stage, the Parish Council have assessed the conformity of the Neighbourhood Plan with both the Core Strategy and the JLP. The JLP identifies the policies which are strategic; the Core Strategy does not. On two grounds the Parish Council have taken the policies in the Core Strategy to be strategic: comparison of the scope and nature of the policies in the Core Strategy and the JLP and recognition that the local policies relating to the Core Strategy are largely contained in the Saved Policies of the Local Plan (2006). The Parish Council considers first general conformity with the more recent JLP and then any additional issues which arise in the Core Strategy.

<b>TABLE 3</b> <b>STRATEGIC POLICIES OF THE BABERGH AND MID-SUFFOLK JLP 2020</b>	<b>GENERAL CONFORMITY OF THE NEIGHBOURHOOD PLAN</b>
<b>SP01 Housing Needs:</b> overall need for housing in the Borough.	The Parish Council accepts and supports the role of Long Melford as a Core Village.
<b>SP02 Affordable Housing:</b> 35% requirement and mix to match district need.	The Plan provides generally for 35% of affordable housing, more in the case of site K1, the land west of High Street (Policy LM 6).
<b>SP03 Settlement Hierarchy:</b> hierarchy defined; Ipswich Fringe settlements.....and Core Villages will act as a focus for development, which will be delivered through site allocations in the Plan and/or in Neighbourhood Plans.  <b>SP04 Housing Spatial Distribution:</b> the required minimum number of homes is distributed to types of settlement including Core Villages as a group and then to individual neighbourhood plan areas, the requirement for Long Melford being 367 homes.	The Plan provides for 77 more homes than the 367 minimum requirement for Long Melford.
<b>SP05 Employment Land:</b> Strategic employment sites are identified for protection and possibly expansion; existing employment sites are to be retained.	There are no strategic employment sites in Long Melford; however, the village has good access to a strategic employment site at Bull Lane, Acton and to several strategic sites in Sudbury. The Plan supports changes of use of three employment sites: two sites in the village centre (Policies LM 3 and LM 4) which meet a need for housing with good access to the village centre and one at Borley Road (LM 5) where low grade employment space with few jobs will be replaced with the same area of new employment space.

# CHAPTER 3 CONTINUED...

<p><b>SP 06 Retail and Town Centre Use:</b> this policy relates to identified town centres.</p>	<p>There are no town centres in Long Melford.</p>
<p><b>SP 07 Tourism:</b> general support for tourism development provided it respects the natural and heritage assets of the district and it includes measures to mitigate climate change and/or adapt to the effects of climate change.</p>	<p>Policy LM 23, Support the Local Economy, provides the same general support for tourism development subject to compliance with other policies of the development plan.</p>
<p><b>SP 08 Strategic Infrastructure Provision:</b> provides support for planned infrastructure investment and its funding through CIL and other channels.</p>	<p>No major infrastructure is currently envisaged in Long Melford. The Parish Council looks forward to receiving enhanced CIL payments (25%) when the Plan is made; it has prepared and adopted a Parish Infrastructure Investment Plan in which its priorities for infrastructure investment are set out.</p>
<p><b>SP 09 Enhancement and Management of the Environment:</b> requires development to support the enhancement and management of the natural and local environment and networks of green infrastructure.....through detailed development management policies set out in the plan.</p>	<p>The strategic thrust of this policy is in the first part of the text quoted (the remainder being local policies). The Plan contains nothing that conflicts with Policy SP 09. Environmental protection is built into all the policies which allocate sites for development (LM 2 – LM 7).</p>
<p><b>SP 10 Climate Change:</b> the Councils will require all developments to take a pro-active approach to mitigate and adapt to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes and visual impacts, and the risk of extreme summer and winter temperatures; overheating from rising temperatures.....</p>	<p>The Plan does not contain a policy dedicated to climate change. Relevant individual policies are: LM 12 Flood Risk, LM 13 Biodiversity, LM 16 Sustainable Travel, LM 19 Local Green Spaces and LM 20 Provision Of New Green Spaces. Nothing in the Plan conflicts with SP 10.</p>

**3.11**  
Basic Condition f. The making of the Plan does not breach, and is otherwise compatible with EU obligations.

**3.12**  
The EU obligations, which have been incorporated into UK law and which may be relevant to the LMNP, are:

1. Strategic Environmental Assessment (SEA Directive).
2. Environmental Impact Assessment (EIA Directive).
3. Habitats and Wild Birds Directives.

**3.13**  
An SEA has been prepared and is submitted with the LMNP. An EIA is not relevant to the LMNP and neither are the Habitats and Wild Birds Directives.

**3.14**  
The LMNP complies with Basic Condition f.

**3.15**  
The prescribed conditions g., for example compliance with Conservation of Habitats and Species Regulations 2017, do not apply to LMNP.

**3.16**  
The Parish Council believes that BDC can be satisfied that the LMNP meets the Basic Conditions.

# A

## AREA DESIGNATION NOTICE FROM BABERGH DISTRICT COUNCIL

### Place Directorate

Responsible for the Economy  
and the Environment



### Town & Country Planning Act 1990

### Neighbourhood Planning (General) Regulations 2012 (as amended)

Babergh District Council received an application from Long Melford Parish Council to designate the whole of the Parish as a Neighbourhood Area for preparing a Neighbourhood Plan.

A map identifying the designated area is published on the District Council website at:

[www.babergh.gov.uk/LongMelfordNP](http://www.babergh.gov.uk/LongMelfordNP)

The application was made under Regulation 5 and comments were invited between Friday 13 January 2017 and Friday 10 February 2017

Nine responses were received but no material representations were made.

Accordingly, under Regulation 7, and following the completion of the statutory consultation, the District Council hereby designates the application area as a Neighbourhood Area in order to facilitate the preparation of a Neighbourhood Plan by Long Melford Parish Council.

Tom Barker  
Assistant Director  
Babergh and Mid Suffolk District Council

22 February 2017

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