

Newton Neighbourhood Plan 2020-2036

Basic Conditions Statement

Newton Parish Council

November 2020



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1. Introduction

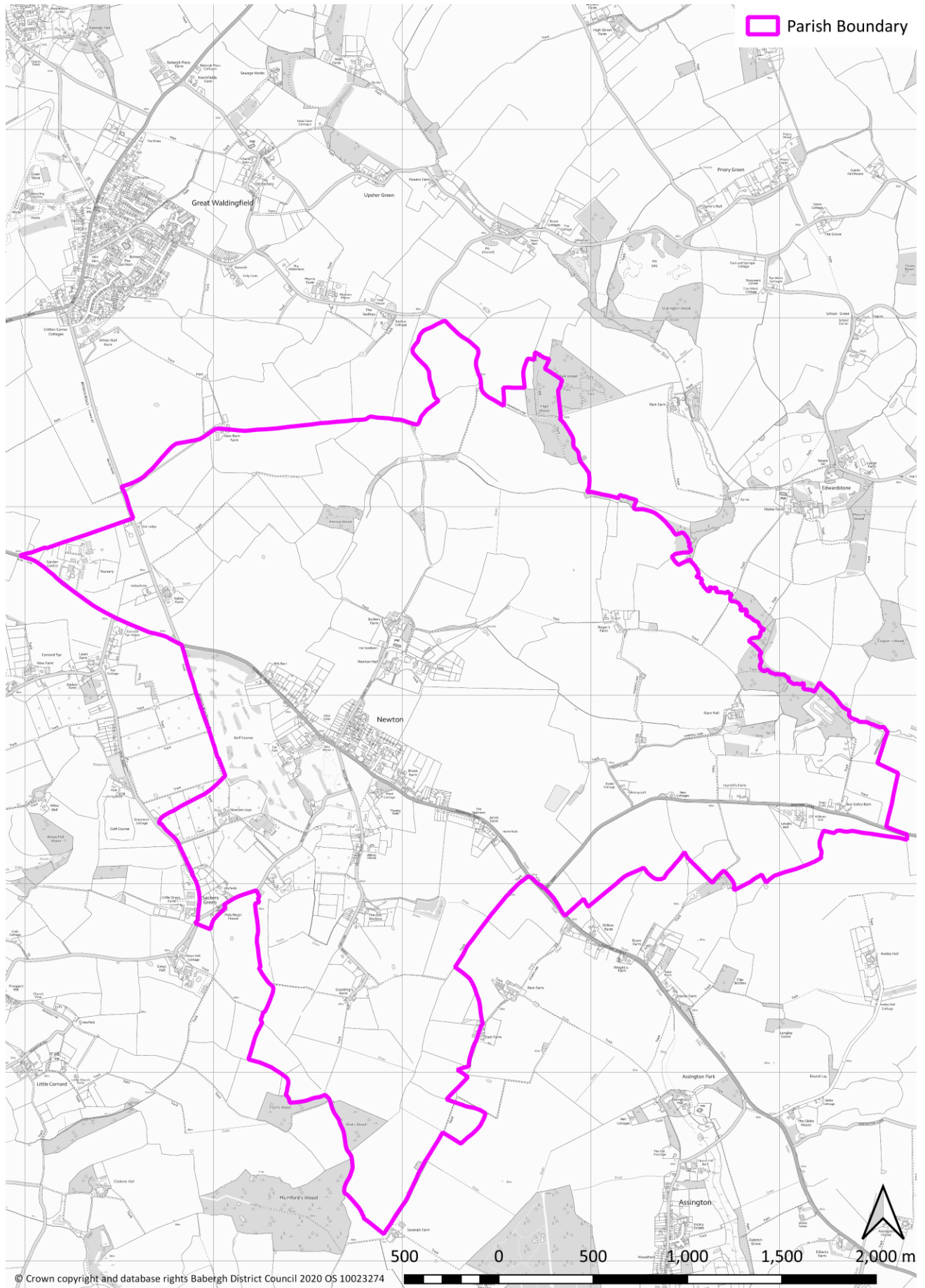
- 1.1. This Basic Conditions Statement has been produced to accompany Newton Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country 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 Newton. This was designated in March 2018.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Newton Neighbourhood Area. This is shown in Figure 1 below.
- 1.7. The Plan refers only to the administrative boundary of the parishes of Newton. There are no other adopted Neighbourhood Development Plans that cover the Newton Neighbourhood Area.
- 1.8. The Newton Neighbourhood Plan Steering Group (NNPSG) 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 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.

Figure 1: Newton 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 three broad aims and six objectives within these. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

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

Plan objective	Relevant NPPF goal
Development and Character	
1. Ensure new development will meet Newton’s needs.	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes •
2. To preserve and enhance the character of Newton as a rural village.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the natural environment • Promoting healthy and safe communities
Natural Environment and Sustainability	
3. To protect local green spaces and wildlife habitat that are valued by the community.	<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
4. To improve the resilience of the village to adapt to the impacts of climate change.	<ul style="list-style-type: none"> • Meeting the challenge of climate change, flooding and coastal change
Safer Environment, Community Assets and Amenities	
5. To promote a safer environment for pedestrians and other road users through the village.	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Promoting sustainable transport
6. To identify and enhance community assets and identify opportunities for new amenities.	<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 Newton Neighbourhood Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY NEWT1: DEVELOPMENT STRATEGY	78	This policy defines the built up area boundary to ensure clarity over the appropriate locations for development and the importance of protecting the natural landscape beyond the urban edge.
POLICY NEWT2: LOCAL HOUSING NEED	77	This policy contributes to the NPPF requirement to deliver a sufficient supply of homes, by encouraging and providing a framework for small scale affordable housing schemes on rural exception sites outside the settlement boundary.
POLICY NEWT3: CHARACTER AND DESIGN OF DEVELOPMENT	124, 125, 127, 128, 130, 148, 170	This policy contributes to the NPPF requirement of good design in the built environment. National policy encourages neighbourhood plans to develop design policies that demonstrate high quality, sustainable and inclusive design and architecture that respects and responds positively to the area's character.
POLICY NEWT4: LOCAL GREEN SPACES	124, 127, 170	The NPPF states that Neighbourhood Plans have the opportunity to designate Local Green Spaces. This policy designates four such spaces in or close to the village.
POLICY NEWT5: PROTECTION OF LOCAL LANDSCAPE AND VIEWS	125, 127	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 NEWT6: RENEWABLE ENERGY	148, 149, 151, 152	This policy contributes to the NPPF requirement of meeting the challenge of climate change. It encourages the development of renewable energy schemes, particularly community schemes.
POLICY NEWT7: MAXIMISING WILDLIFE AND BIODIVERSITY	170, 174	A key objective of the NPPF is to conserve and enhance the natural environment and this policy ensures that development proposals meet this objective by ensuring design of buildings and sustainable drainage systems allows local wildlife to thrive.
POLICY NEWT8: ENSURING PEDESTRIAN SAFETY AND ENCOURAGING WALKING	91, 102, 104, 108	The NPPF encourages neighbourhood plans to exploit opportunities for the use of sustainable transport modes. The Neighbourhood Plan clearly directs the design of development to ensure safety for cyclists and pedestrians.
POLICY NEWT9: PROVISION AND ENHANCEMENT OF COMMUNITY FACILITIES	91, 92	This policy contributes to the NPPF objective of promoting healthy communities and focuses on leisure facilities in particular. This includes provision such as a community shop/café.

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 Newton Neighbourhood Plan objectives and policies against sustainable development

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’.	
Newton NP Objectives	4. To improve the resilience of the village to adapt to the impacts of climate change.
Newton NP Policies	POLICY NEWT3: CHARACTER AND DESIGN OF DEVELOPMENT POLICY NEWT6: RENEWABLE ENERGY
Commentary	The NPPF seeks to ensure that the planning system contributes towards a low carbon future. This will ultimately help to support a strong economy and will help to create new types of jobs in the renewable sector.. The Plan seeks to contribute to the delivery of this national aim by encouraging the provision of renewable energy schemes and the delivery of low carbon homes.
Deliver social sustainability	
NPPF definition – ‘Support strong, vibrant and healthy communities’	
Newton NP Objectives	1. Ensure new development will meet Newton’s needs. 2. To preserve and enhance the character of Newton as a rural village. 4. To improve the resilience of the village to adapt to the impacts of climate change. 5. To promote a safer environment for pedestrians and other road users through the village. 6. To identify and enhance community assets and identify opportunities for new amenities.
Newton NP Policies	POLICY NEWT1: DEVELOPMENT STRATEGY POLICY NEWT2: LOCAL HOUSING NEED POLICY NEWT3: CHARACTER AND DESIGN OF DEVELOPMENT POLICY NEWT6: RENEWABLE ENERGY POLICY NEWT8: ENSURING PEDESTRIAN SAFETY AND ENCOURAGING WALKING POLICY NEWT9: PROVISION AND ENHANCEMENT OF COMMUNITY FACILITIES

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 community infrastructure as identified by policies NEWT6 and NEWT9. This includes providing for community renewable energy and a community shop/café.</p> <p>In addition, the Plan seeks to improve the safety of cycling and walking, which not only creates a physically healthier community, but one that is also more inclusive and people-friendly. This is identified by policy NEWT8.</p> <p>As Newton changes with development, it is important that new development reflects the character of the area. Policy NEWT3 seeks to ensure that development reflects the prevailing local character.</p> <p>The need for affordable rural housing to help local people that can not otherwise afford the cost of market housing is addressed in Policy NEWT2.</p>
Deliver environmental sustainability	
NPPF definition – ‘Contribute to protecting and enhancing our natural, built and historic environment’ and ‘mitigate and adapt to climate change’	
Newton NP Objectives	<p>2. To preserve and enhance the character of Newton as a rural village.</p> <p>3. To protect local green spaces and wildlife habitat that are valued by the community.</p>
Newton NP Policies	<p>POLICY NEWT3: CHARACTER AND DESIGN OF DEVELOPMENT</p> <p>POLICY NEWT4: LOCAL GREEN SPACES</p> <p>POLICY NEWT5: PROTECTION OF LOCAL LANDSCAPE AND VIEWS</p> <p>POLICY NEWT7: MAXIMISING WILDLIFE AND BIODIVERSITY</p>
Commentary	<p>The rural village setting and the natural environment is of key importance in Newton. Policy NEWT3 seeks to ensure that development reflects the rural character of the area. Policy NEWT5 seeks to ensure that development protects the local landscape and specifically identifies particular views worthy of protection.</p> <p>Biodiversity and wildlife is an important part of the plan. Policy NEWT7 seeks to ensure that development maximises the opportunity to wildlife and biodiversity to thrive, including through the effective design of sustainable drainage systems.</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.

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 Newton 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 Newton 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

Newton NP Policy	Strategic plan policy Core Strategy 2014 <i>Local Plan Saved Policies 2006</i> <i>Emerging Joint Local Plan 2020</i>	Commentary
POLICY NEWT1: DEVELOPMENT STRATEGY	<p>Policy CS2: Settlement Pattern Policy</p> <p>Policy CS11: Strategy for Development for Core and Hinterland Villages</p> <p><i>Policy SP03: Settlement Hierarchy</i> <i>Policy SP04: Housing Spatial Distribution</i></p>	<p>Policy CS2 identifies Newton as a Hinterland Village, where the scale of development will depend on identified housing need and the role of the settlement as an employment and retail centre. The housing need is established in the emerging Joint Local Plan and the Neighbourhood Plan has ensured that this growth is allowed for and that other growth is appropriate for a village in the lowest tier of the settlement hierarchy.</p> <p>Policy CS11 establishes that the development strategy for Hinterland Villages needs to take into account landscape, environmental and heritage characteristics of the village as well as locally-identified community needs such as affordable housing. Policy NEWT1 reflects this and the specific requirement for development adjacent to the settlement boundary to address local needs and be in keeping with the character of the area.</p> <p><i>The Emerging Joint Local Plan retains Newton and a Hinterland Village. It also identifies a housing requirement of 23 dwellings for Newton which had been met by outstanding planning permissions as at April 2018.</i></p>
POLICY NEWT2: LOCAL HOUSING NEED	<p>Policy CS2: Settlement Pattern Policy</p> <p>Policy CS11: Strategy for Development for Core and Hinterland Villages</p> <p>Policy CS20: Rural Exception Sites</p> <p><i>Policy SP04: Housing Spatial Distribution.</i></p>	<p>Policy CS2 did not identify a specific housing requirement for Newton – it was included as an amalgamated figure for the Core and Hinterland Villages.</p> <p>Policy CS11 establishes that the development strategy for Hinterland Villages needs to take into account proven local needs such as affordable housing. Policy NEWT2 reflects this and the specific requirement for development to address local needs.</p> <p>Policy CS20 encourages the delivery of rural exception sites. Policy NEWT2 provides more detailed criteria regarding their delivery.</p> <p><i>The Emerging Joint Local Plan (Policy SP04) identifies a housing requirement of 23 dwellings for Newton which had been met by outstanding planning permissions as at April 2018.</i></p>

Newton NP Policy	Strategic plan policy Core Strategy 2014 Local Plan Saved Policies 2006 <i>Emerging Joint Local Plan 2020</i>	Commentary
	<i>Policy LP08: Affordable, community-led and rural exception housing</i>	<i>Policy LP08 permits a maximum amount of market housing on rural exception sites, subject to viability.</i>
POLICY NEWT3: CHARACTER AND DESIGN OF DEVELOPMENT	<p>Policy CS11: Strategy for Development for Core and Hinterland Villages</p> <p>Policy CS12: Sustainable Design and Construction Standards</p> <p>Policy CN01: Design standards</p> <p><i>Policy LP25: Sustainable Construction and Design.</i></p> <p><i>Policy LP26: Design and Residential Amenity.</i></p>	<p>Policy CS11 establishes that the development strategy for Hinterland Villages needs to take into account landscape, environmental and heritage characteristics of the village. Policy NEWT3 reflects this and the specific requirement for development to be in keeping with the character of the area.</p> <p>Policy CS12 requires development to meet certain minimum standards and Policy NEWT3 encourages development to go beyond those standards.</p> <p>Policy CN01 requires design to take into account the prevailing local features and form. Key features of this are addressed more specifically in Policy NEWT3.</p> <p><i>Policy LP25 requires development to meet certain minimum environmental standards.</i></p> <p><i>Policy LP26 requires high quality design that recognises local character.</i></p>
POLICY NEWT4: LOCAL GREEN SPACES	<p>Policy CS14: Green Infrastructure</p> <p><i>Policy LP30: Designated Open Spaces</i></p>	<p>Policy CS14 requires the protection and enhancement of green infrastructure. Policy NEWT4 protects specific green infrastructure assets.</p> <p><i>Policy LP30 seeks to protect designated open spaces.</i></p>
POLICY NEWT5: PROTECTION OF LOCAL LANDSCAPE AND VIEWS	<p>Policy CS15: Implementing Sustainable Development in Babergh</p> <p>Policy CR07: Landscaping schemes</p>	<p>Policy CS15 recognises the importance of preserving the landscape. Policy NEWT5 identifies specific aspects of value of the local landscape in respect of particular views.</p> <p>Policy CR07 requires a high standard of landscaping from new development.</p>

Newton NP Policy	Strategic plan policy Core Strategy 2014 Local Plan Saved Policies 2006 <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 NEWT6: RENEWABLE ENERGY	Policy CS13: Renewable / Low Carbon Energy <i>Policy SP10: Climate Change</i>	Policy CS13 requires development to meet certain minimum renewable energy targets. Policy NEWT6 supports this by encouraging the development of renewable energy schemes. <i>Policy SP10 encourages development to take a proactive and innovative approach to delivering decentralised energy, including community-led initiatives.</i>
POLICY NEWT7: MAXIMISING WILDLIFE AND BIODIVERSITY	Policy CS15: Implementing Sustainable Development in Babergh <i>Policy SP10: Climate Change</i> <i>Policy LP18: Biodiversity and Geodiversity</i> <i>Policy LP29: Flood risk and vulnerability.</i>	Policy CS15 requires development to enhance biodiversity and ensure flood risk is addressed, where appropriate through sustainable drainage systems. Policy NEWT7 seeks to ensure all opportunities to achieve this are maximised. <i>Policy SP10 encourages development to take a proactive and innovative approach to sustainable design and flooding.</i> <i>Policy LP18 seeks to ensure development protects habitats and species and maximises biodiversity.</i> <i>Policy LP29 seeks to ensure that flood risk is adequately mitigated.</i>
POLICY NEWT8: ENSURING PEDESTRIAN SAFETY AND ENCOURAGING WALKING	Policy CS15: Implementing Sustainable Development in Babergh <i>Policy LP32: Safe, Sustainable and Active Transport</i>	Policy CS15 seeks to enhance sustainable movement. Policy NEWT8 seeks to ensure that routes for walking and cycling are safe. <i>Policy LP32 encourages provision for walking and cycling.</i>

Newton NP Policy	Strategic plan policy Core Strategy 2014 Local Plan Saved Policies 2006 <i>Emerging Joint Local Plan 2020</i>	Commentary
POLICY NEWT9: PROVISION AND ENHANCEMENT OF COMMUNITY FACILITIES	Policy CS21: Infrastructure Provision Policy SP04: Shopping in local centres and villages <i>Policy LP31: Services and facilities within the community</i>	Policy CS21 seeks to ensure that local community infrastructure is planned for. Policy NEWT9 identifies a specific requirement for a community shop/café. Policy SP04 encourages the provision of new retail in villages, subject to certain criteria. <i>Policy LP31 encourages the provision of new community services and facilities.</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 October 2020, a screening report prepared by Babergh District Council was published. This followed consultation with the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether or not the Newton 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.
- 5.2. The Screening Report concluded that the Plan would not be likely to have any significant environmental effects arising either individually or cumulatively.
- 5.3. The Screening Report, 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. An HRA Screening was undertaken by Babergh District Council in November and December 2020. This reflected consultation with Natural England. Babergh District Council was of the opinion that 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 bodies 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 Newton Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Newton Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.




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