

Corpusty and Saxthorpe Basic Conditions Statement



When submitting the Neighbourhood Plan to the Local Authority (North Norfolk District Council) a number of supporting documents is required. One of these is the Basic Conditions Statement. Only a Neighbourhood Plan that meets the basic conditions can be put to referendum and if successful, be used to assist in planning applications. This document has been prepared to assist the independent examiner and NNDC to decide whether the basic conditions have been met.

We are very grateful to Andrew Brown for his help, advice and expertise in preparing this document at very short notice.

CORPUSTY & SAXTHORPE PARISH COUNCIL NEIGHBOURHOOD PLAN 2018-2036: BASIC CONDITIONS STATEMENT

1. The Legal Requirements

Schedule 4B, paragraph 8(2) of the Town and Country Planning Act 1990 (amended by schedule 10 paragraph 8 (2) of the Localism Act) sets out a series of requirements that the Neighbourhood plans must meet. These basic conditions are set out below.

1.1. The Qualifying Body

The Submission Version of the draft Plan has been prepared by Corpusty and Saxthorpe Parish Council (Parish Council). It was recognised as a qualifying body following a public consultation organised by North Norfolk District Council (NNDC). NNDC designated Corpusty and Saxthorpe in December 2013.

1.2. Neighbourhood Development Plan

The draft Plan is a “Neighbourhood Development Plan” and relates to the development of land in the civil parish of Corpusty and Saxthorpe in the County of Norfolk. It has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

1.3. The Time Period Covered

The Corpusty and Saxthorpe Neighbourhood Development Plan covers the period 2018 to 2036. In accordance with NNDC’s Core Strategy (NNCS) it includes Development Control Policies prepared by North Norfolk District Council in September 2008.

1.4. Excluded Development

The draft Neighbourhood Development Plan does not deal with County-wide matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways, or other matters set out in Section 61K of the Town and Country Planning Act 1990.

1.5 The proposed Neighbourhood Development Plan does not relate to more than one Neighbourhood Area, no other Neighbourhood Development Plans are in place within the Neighbourhood Area. The draft Plan refers solely to the Corpusty and Saxthorpe Neighbourhood Area, which is coterminous with the civil parish and no other area. No other neighbourhood development plans relate to that same area.

2. The Basic Conditions

(2) A draft order meets the basic conditions if:

(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order (see below);

(b) The making of the order contributes to the achievement of sustainable development (see below);

(c) The making of the order 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 (see below);

(d) The making of the order does not breach and is otherwise compatible with EU obligations (see below), and;

(e) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order. 3.3 Where applicable each of these basic conditions is addressed below.

In the following sections we demonstrate how the Plan meets each of these criteria.

2.1. National Planning Framework

(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order:

2.1.1 Core Planning Principles

The twelve planning principles contained in the National Planning Framework 2012 Section 17 have been achieved by the Neighbourhood Plan as set out below.

2.1.2 The draft Plan was prepared following consultations with local residents, statutory authorities and other interested parties (CSNP Section 1.2 pg 8ff). Once the draft Plan has been accepted, North Norfolk District Council and the Parish Council will make arrangements to monitor development in the Neighbourhood Area and in the Greater North Norfolk Area and review these annually against the draft Plan's objectives and policies. (CSNP Section 10 pg 78).

2.1.3 As well as providing for housing development in the Neighbourhood Area, the draft Plan contains policies designed to enhance and improve the physical setting of the expanded village (CSNP Sections 5.2.4 pg 17 and 6.3 pg 39; Overarching Policies 1-3 pgs 39-45).

2.1.2.3 The draft Plan seeks to facilitate sustainable development required from the major economic drivers in the North Norfolk Area and specifically in the vicinity of Corpusty and Saxthorpe through the formulation of appropriate policies (see below tables 1 and 2).

2.1.2.4. The achievement of increasing the quantity of affordable housing and that future development takes account of the rich archaeological heritage of the parish is a major concern of the draft Plan not only for residential development but also for the protection and enhancement of the Neighbourhood Area. (CSNP Planning Policy H1 pg 46; Appendix 6; CSNP Section .3.2 pgs 25ff).

2.1.2.5. The draft Plan recognises the varying character of localities within the Neighbourhood Area and contains policies designed to maintain and to enhance these (CSNP Section 6.1.1: Planning Policies E1-E5 pgs 50-52). At the same time, the draft Plan provides for community protection from adverse future development (CSNP Planning Policy DC1 p 65).

2.1.2.6. The draft Plan recognises the likely impact of climate change and provides policies to minimise its effects and to encourage the use of sustainable energy. (CSNP Planning Policies E4 & E5 pg 52).

2.1.2.7. Policies have been produced to conserve and enhance the natural environment of the parish and to reduce pollution. These are contained principally in CSNP Sections 6.4; 6.5 and 6.7 pg 49 Overarching Policies 2 & 3 pgs 44-5 Planning Policy DC1 pg 65: but Planning Policies E4 pg 55 & E5 pg 52 also cover conservation of the natural environment with E1 pg 50 & E3 pg 51 relating to preservation of agricultural land to support biodiversity. The reduction of pollution is an aim of Planning Policy E4 (CSNP pg 52).

2.1.2.8. The use of brown field or previously developed sites has been addressed in the draft Plan. The southern end of the Matlaske Road contains an area of brown field land. In addition to this the gardens of some houses could also be developed. Possibilities for development have been identified in certain priority areas (CSNP Section 6.3.1pg 41; Figures 16 & 17 pgs 42-3) including Adams Lane being the largest extent of land for residential development and Matlaske Road for mixed residential and business development. Protection of local green space is a priority to the area to the south of the Village Hall and at the centre of Corpusty between The Street, the River Bure and the Norwich Road (CSNP Section 6.4 pg 44; Figure 15 pg 40).

2.1.2.9. Although the principal demand in Corpusty and Saxthorpe is for residential development, particularly for affordable housing, mixed development is promoted throughout the draft Plan and specific policies are found under CSNP Section 6.3.1 pg 41ff.

2.1.2.10. Heritage assets were identified in preparation for the draft Plan, partly through fieldwork and partly from the Heritage Environmental Record. Provision is made for their conservation in Planning Policy HE1 pg 53; HE2 pg 54 and the major elements are shown on the inspection draft Plan showing positions of architectural features (CSNP Figure 18 pg 63).

2.1.2.11. The inspection draft Plan promotes the use of public transport and community support transport. Ease of movement will be facilitated by a requirement of developers to submit traffic statements prior to development and traffic calming schemes (CSNP Planning Policies B2 pg 68; T1 & T2 pg 75). The promotion of small local businesses is also relevant (CSNP Planning Policy B1 pg 67).

2.1.2.12. The draft Plan seeks to support local strategies to improve health, social and cultural well-being for all residents and specific policies have been designed to ensure the necessary facilities and services will be provided as part of future development (CSNP Section 6.12 pg 71). Good health is supported by encouraging cycling and walking in conjunction with traffic management measures and recognition of green infrastructure (CSPN Section 6.4 pg 44; Overarching Policy 2 pg 44).

General social and cultural well-being are promoted by the emphasis upon the use of the church for cultural diversity and spiritual activities (CSNP W&F1 pg 72), preserving footpaths (CSNP W&F2, pg 72) and safeguarding allotments (CSNP Section 6.12 pg 71), for creating sustainable local employment (CSNP Planning Policy B1 pg 67), for the retention and preservation of the village school (CSNP Planning Policy ED1 pg 70) and upkeep of the village green, promotion of the village hall and public house as essential assets for the benefit of the whole community.

Easy contact by encouraging improved mobile phone signalling and super-fast broadband within the civil parish and between it and the wider world are recognised as important (CSNP CA3 pg 68).

(b) The making of the order contributes to the achievement of sustainable development (see below)

2.2 Presumption in favour of Sustainable Development

The key ways in which The Corpusty and Saxthorpe Neighbourhood Plan contributes to meeting the objectives of sustainable development are detailed below.

1. The Neighbourhood Plan (NP) has been produced to be in conformity with the spatial and sustainable community objectives of North Norfolk District Council Core strategy NNCS.
2. The NP sets policies to ensure that development in Corpusty and Saxthorpe is undertaken with reference to the existing infrastructure in order to make the village more sustainable. To encourage further employment opportunities within the village it is hoped to reduce the number of car journeys out of the village which in turn will benefit the local community, economy and environment (CSNP Policy B1, pg 67).

3. Developers will be expected to provide the Parish Council with a detailed design proposal to enable full consideration of transport, heritage and open space implications. This will allow proper consideration of public benefits and other material planning issues as evidenced by the results of local consultation for this Plan (see CSNP Section 10, pg 78).
4. The SCNP identifies the need for provision of affordable housing that can meet the needs of all different ages including those with disabilities (Planning policy H2, pg 47).
5. The NP identifies the need for multi-agency working to address traffic and public transport difficulties (CSNP Section 6.13, pg 74).
6. The NP identifies and promotes the protection of green spaces and listed buildings in the parish (CSPN Section 6.4 pg 44; Overarching Policy 2 pg 44); W&F1, pg. 72; Appendix 6).
7. A Sustainability matrix has been prepared to demonstrate compatibility with the NNDC core strategy sustainability criteria. See Tables 1 and 2 below.

(c) The making of the order 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 (see below)).

3. Conformity with Local Strategic Policies

The main source for local strategic policy is the North Norfolk District Council's Core Strategy (NNCS) and conformity is demonstrated as follows:

3.1. Strategic Policies

3.1.1 Spatial Strategy

The Parish Council has accepted in Section 6.2 (pgs 38ff) the need to accommodate the percentage of dwellings allocated to the parish in the NNCS which states a quota of 26 new dwellings developed by North Norfolk District Council Core Strategy (2008). The draft inspection Plan, accordingly, sets out the way in which this strategic requirement can be met (CSNP Section 1.2 pg 8; Overarching Policy 3 pg 45), while allowing for additional dwellings up to a maximum of 50 (CSNP** Section 6.5 pg 45ff).

As a designated Service Village in the Countryside any proposed development in Corpusty and Saxthorpe will be restricted by three conditions:

- first: supporting the rural economy;
- second: meeting affordable housing needs;
- third: providing renewable energy.

The draft inspection Plan commits to restricting new development to within the settlement boundary wherever possible thereby reducing car journeys for access to services and ensuring a sustainable pattern of development. **CSNP Sections 6.3 pg 39; 6.4: 6.5 and 6.6; Overarching Policies 2 & 3 pgs 44-5; Planning Policy DC1 pg 65: Planning Policies E4 & E5 pg 52; E2 & E3 pg 51 .**

3.1.2 Housing

NNDC Core Strategy housing policy is first and foremost to encourage development in the right places and building the right type of property. The target of 60% of new development being limited to brown-field sites is not feasible but the draft Plan places emphasis on encouraging affordable housing on sites of 10 or more new dwellings to ensure development is achievable by aiming for affordable housing up to 50% as a maximum limit, but not less than 25%, subject to a viability assessment which takes account of local incomes and the need to provide a range of certain categories of housing. The allocation of land for the gypsy and travelling communities is not addressed in the draft Plan. There are gypsy families who have previously chosen to live in the village who used the school and the facilities. Saxthorpe church is regarded as an important centre for burials and christenings for the local gypsy and travelling community. **CSNP Sections 6.2.1 pg 38; 6.3, p. 39, 6.3.1 pg 41; Overarching Policies 1-3 pgs 41- 45; Planning Policy H1-4 pgs 46-48.**

3.1.3 Environment

Preservation of agricultural land for food production and ensuring no damage to the agri-environment schemes are recognised. The conservation of wildlife in the village with the surrounding River Bure Habitat Priority Area and its nature reserves is vitally important. The use of renewable energy sources by encouraging micro-generation and schemes for insulating properties will be important in the future. **CSNP Section 6.7 pg 49-52; Planning Policies E1-E5 pgs 50-52.**

3.1.4 Economy

The Corpusty and Saxthorpe Neighbourhood Area is part of the local, regional and national economy but local economic development is promoted in the draft Plan. **CSNP: Section 6.10; Planning Policy B1 & B2 pg 67-8.**

3.1.5 Access and Infrastructure

The responsibility for road provision lies with the Highway Agency and the Highway Authority. The sustainability of future development requires adequate provision for access to and within areas of new building. Without trespassing on the territory of these bodies, the draft Plan identifies what its authors believe is required in Corpusty and Saxthorpe. Improvement in broadband access and mobile phone connectivity is also needed. **CSNP Planning Policies B2 pg 68: T1 & T2 pg 75.**

3.1.6 Town Strategies – These policies are not applicable to Corpusty and Saxthorpe.

4. Development Control Policies

- a. The draft Neighbourhood Development Plan reinforces the point made in the NNCS document that future development in the parish is identified as being dependent upon the improvement of the sewerage system to provide the necessary capacity which would be required by future development. **CSNP Section 5.3 pgs 18 - 23; Figure 5 pg 25 .**
- b. The draft Plan shows how the 26 new dwellings allocated to the parish can be accommodated. **CSNP Section 1.2 pg 8; Policy SS3 pg 29.**
- c. The future need for infant and primary school provision is recognised under **CSNP Section 6.6.6; Policy ED1 pg 74.**
- d. The enhancement of bus services to Norwich, Cromer, Sheringham, Holt, Aylsham, North Walsham and Fakenham is supported . **CSNP Section 6.6.8; Policy T2 pg 79.**
- e. Provision is made for safe and direct cycle routes through future development and these will connect with through routes promoted by NNDC. **CSPN Section 6.4; Overarching Policy 2 both pg 46.**
- f. Green infrastructure is promoted throughout the draft Plan but is given special attention in **CSPN Section 6.4; Overarching Policy 2 both pg 46.**

5. Implementation & Monitoring

The NNCS states that ‘a co-ordinated approach will be taken to the timely provision and on-going maintenance of infrastructure, services and facilities to support development’. Reference is also made to sources of funding and capital investment, as well as to the provision of ‘necessary infrastructure ... in a timely manner related to the needs of new development’. Infrastructure ‘to secure sustainable development’ includes:-

- water supply
- foul sewerage networks sewers
- drainage
- energy provision
- health services
- education
- highways and transport

The co-ordinated provision of infrastructure in a timely manner is assumed by the draft Plan and monitoring is provided for specifically by **CSNP Policies section 8.4 page 86**

6. Compatibility with EU Obligation

(d) The making of the order does not breach and is otherwise compatible with EU obligations (see below), and

(e) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

Where applicable each of these basic conditions is addressed below:

6. 1 Natural Environment: As a 'local plan', the Corpusty and Saxthorpe Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC Office (A Practical Guide to the Strategic Environmental Assessment Directive, Office of the Deputy Prime Minister 2005, Appendix 1).

The protection and enhancement of the natural environment were major considerations in the preparation and formulation of the Neighbourhood Development Plan and reflected the concerns of parishioners **CSNP Section 6.7 pg 49ff; Planning Policies E1-E5 pgs 50-2.**

The Environment Agency and Natural England were consulted and in their consultation response dated *July 2017* made comments- see appendices 20 and 20A on the draft inspection Plan. They noted that the Plan did not pose any likely significant risk to any SSSI or any areas of grade 1 agricultural land covering 20 hectares or more. We therefore believe the draft Plan does not breach the above Directive, but it is for North Norfolk District Council to determine, as the responsible authority. The NNDC SEA appears as Appendix 17 and Appendix 17A.

After further consultation with NNDC, they proposed addition of the following to Policy H1.

"Prior approval of a scheme of mitigation to minimise potential impacts on the North Norfolk Coast SAC/SPA and Ramsar sites arising as a result of increased visitor pressure, and on-going monitoring of such measures. Any financial contribution proposed should be at a scale likely to mitigate the potential impacts."

Having undertaken a screening exercise and taking account of the views of the statutory consultees, North Norfolk District Council has concluded on the basis of the emerging plan content and supporting information that Strategic Environmental Assessment is not required.

6. 2 Human Rights

The draft Plan does not diminish the human rights of either residents of Corpusty and Saxthorpe or of others who may be affected by it but in fact seeks to enhance them. The draft Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998 **CSNP Section 3.1.1 pg 13.**

May 2018

SUSTAINABILITY APPRAISAL MATRIX

The policies in this Neighbourhood Plan have been cross referenced against North Norfolk District Council Core Strategy Sustainability Assessment Criteria (https://www.north-norfolk.gov.uk/media/2644/core_strategy_policy_h09_final_sustainability_appraisal.pdf).

Table 1: Sustainability Appraisal Matrix

Sustainable Appraisal Objectives	ENV1	ENV2	ENV3	ENV4	ENV5	ENV6	ENV7	ENV8	ENV9	ENV10	ENV11	ENV12	ENV13	ENV14	S1	S2	S3	S4	S5	S6	S7	S8	S9	S10	EC1	EC2	EC3	EC4	
Policies																													
Overarching policy 1 New settlement boundary																													
Overarching policy 2 Green space protection																													
Overarching policy 3 Residential density																													
Housing																													
H1 New development																													
H2 Affordable Housing																													
H3 Housing for the elderly																													
H4 Infill Housing																													
Natural Environment																													
E1 Agricultural land																													
E2 Preserve the Bure Valley																													
E3 Preserve wildlife																													
E4 Renewable energy																													
E5 Insulation and Low Carbon																													
Historic environment																													
HE1 Archaeology																													
HE2 View of the churches																													
Design and Character																													
DC1 Overall character																													
DC2 Open Space																													
Making a living																													
B1 Small business																													
B2 Heavy goods vehicles																													
Education																													
ED1 Primary school																													
ED2 Travelling library																													
ED3 Adult education																													
Wellbeing and Flourishing																													
W&F1 St Andrew's Church																													
W&F 2 footpaths																													
W&F 3 Allotments																													
Getting around																													
T1 Traffic calming																													
T2 Car parking																													
T3 Public Transport																													

The table below cross references the original aims of the Neighbourhood plan as approved by the Parish Council against the policies that have been developed

Table 2: Sustainability Matrix Policies and Original Aims Compared

	Aims						
	a) Engender a vibrant, inclusive and caring community	b) Enhance and not devalue the architectural and landscape character of the villages and improve the quality of the housing	c) Increase the number of young families	d) Improve and support services for an elderly population	e) Increase economic activity in the parish	f) Take account of the nature and capacity of the roads within the parish	g) Take account of the effect of public transport on the village
Policies							
Overarching Policy 1 the new development boundary	+	+	+	+	+	+	
Overarching Policy 2 green space	+	+					
Overarching Policy 3 residential density	+	+	+	+		+	
Housing H1 New development	+	+	+	+	+	+	
H2 Affordable Housing	+	+	+	+	+	+	
H3 Housing for the elderly	+	+		+	+	+	
H4 Infill Housing	+	+	+	+	+	+	
Natural Environment E1 Preserve the Bure Valley	+	+			+	+	
E2 Agricultural land	+	+			+	+	
E3 Preserve Wildlife	+	+			+	+	

E4 Renewable energy	+	+	+	+	+	+	+
E5 Carbon neutral new properties	+	+	+	+	+		
HE1 Archaeology		+					
HE2 The views and settings of the churches	+	+				+	
Design DC1 Type and Size of dwellings	+	+	+	+	+	+	
DC2 Open Space	+	+	+	+			
Making a living B1 Development of new sites for light industry	+	+	+		+	+	+
B2 Increased traffic from heavy vehicles will be discouraged	+	+				+	
Education Ed1 Primary school	+	+	+		+	+	
Ed2 Mobile library	+		+	+		+	+
Well-being and Flourishing W&F1 St. Andrew's Church	+	+		+			
W&F 2 Footpaths and Public Rights of Way	+	+	+	+	+	+	
W&F 6 Allotments	+	+	+	+	+		
Getting around	+	+	+	+		+	+

T1 Traffic calming schemes							
T2 Car parking	+	+				+	
T3 Public transport	+		+	+	+	+	+