

# **Neighbourhood Plan Examination**

## **Town and Country Planning Act 1990 (as amended)**

### **Paragraph 8(2) of Schedule 4B 'Basic Conditions' Statement**

**Submission Date – March 2015**

**Coniston Neighbourhood Development Plan Proposal**

**Prepared by**

**Coniston Parish Council acting as Qualifying Body**

## 1. Legal Requirements

- 1.1 This Statement has been prepared by Coniston Parish Council to accompany its submission to the local planning authority - the Lake District National Park Authority of the Coniston Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
- 1.2 The Neighbourhood Plan has been prepared by the Coniston Parish Council, a qualifying body, for the Neighbourhood Area covering Coniston Parish, as designated by the Lake District National Park Authority on 26 February 2014.
- 1.3 The neighbourhood plan proposal relates to the Coniston Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to Coniston neighbourhood area.
- 1.4 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan is from 2015 until 2025 and does not contain policies relating to excluded development in accordance with the Regulations.
- 1.4 The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act
- 1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
  - Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - 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);
  - The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations

## 2. Introduction and Background

The second iteration of the Coniston Parish Plan was completed in September 2012. This identified several issues relating to development and land use and, specifically, concerns that outside commercial pressures might start to dictate, to a significant level, the future direction of the Community.

With this in mind the Coniston Parish Council decided to embark on a project to develop a Neighbourhood Planning document for the community, to ensure that the community continued to retain control of its own destiny. This required the Council to:

- establish a Neighbourhood Planning team,
- establish a Neighbourhood Area,

- list the major issues of concern which ultimately would be developed into the Policies of the Plan,
- establish how best:
  - a. to explain to the whole community the overall purpose of the Plan,
  - b. and to review and progress the Plan with the community and to obtain and review feedback from the community,

Coniston Parish Council received full support and encouragement from their planning authority, The Lake District National Park Authority. As a Vanguard Community funding would be obtained from Government sources and the project would be mentored by the planning authority in the form of continuing assistance and advice.

### 3. Conformity with National Planning policy

- 3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of April 2012. It is also mindful of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating neighbourhood plans.
- 3.2 The NPPF in section 16 states that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development. Section 184 also states that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. The strategic policies for the Lake District National Park are set out in the Core Strategy (Local Plan Part One).
- 3.3 Set out in Table 1 below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.
- 3.4 Neighbourhood planning gives communities direct power to develop a shared vision for the neighbourhood and deliver the sustainable development they need. The Coniston Neighbourhood Plan establishes a positive vision of what the parish should look like in 2025 and the policies within the plan provide a practical framework to deliver those aspirations.

**Table 1: Conformity of Neighbourhood Plan (NP) policies to the NPPF**

NP Policy Number and Title	NPPF paragraph	Comment on conformity
CNP1 – Our Community	NPPF 17 states that neighbourhood plans should set out a positive vision for the future of the area, and enhance and improve the places in which people live their lives.	The NP supports development of an appropriate scale that meets the needs of the community, particularly where it enhances the role of Coniston as a rural service centre.
CNP2 - Businesses	NPPF 28 refers to policies to support economic growth in rural areas.	The NP supports small scale economic <b>growth</b>
CNP3 - Housing	NPPF 50 refers generally to the delivery of a wide choice of housing to create sustainable,	The NP seeks to deliver housing to meet local need and local affordable,

	inclusive and mixed communities. NPPF 54 refers to housing in rural areas where housing should be responsive to local circumstances and reflect local needs, particularly for affordable housing.	including self-build housing in response to local affordable needs.
CNP4 – Buildings Structures & Sites of Historic Importance	NPPF 126 refers to the conservation and enhancing of the historic environment.	The NP takes a locally distinctive approach to conserving and enhancing the character, structure, integrity and settings of scheduled ancient monuments and Grade II listed sites within the neighbourhood area as well as locally important historic buildings or sites identified in an annex.
CNP5 – Village Services	NPPF 70 refers to the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments. And guard against the unnecessary loss of valued facilities and services.	The NP seeks to retain local services as well as encouraging additional services and facilities.
CNP6 - Tourism	NPPF 28 refers to the support of sustainable tourism and leisure developments, including the provision and expansion of tourist and visitor facilities in appropriate locations.	The NP supports the development of new tourist attractions of an appropriate scale that have no adverse impact on the local community.
CNP7 – Transport / Traffic Management / Parking	NPPF 29 promotes sustainable travel, recognising that solutions will vary from urban to rural areas	The NP supports sustainable transport options and better management of traffic
CNP8 – Environmental Sustainability	NPPF 109 refers to the conserving and enhancing the natural environment, including biodiversity	The NP seeks to protect and enhance several identified environmental attributes

#### 4. General conformity with the Strategic Policies of the development plan

- 4.1 Paragraph 184 of the National Planning Policy Framework states that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. The Local Plan for Coniston Neighbourhood Area is the Lake District National Park Core Strategy (Local Plan Part One), The Allocations of Land (Local Plan Part Two), The Minerals Safeguarding Areas Plan (Local Plan Part Three) and a small number of saved policies from the 1998 Local Plan. A small number of Supplementary Planning documents have also been produced.

- 4.2 The relevant strategic policies are set out in the Core Strategy and the Neighbourhood Plan has been prepared to ensure its general conformity with these strategic policies as highlighted by Table 2.

**Table 2: Conformity of Neighbourhood Plan policies with the strategic development plan policies**

NP Policy Number and Title	Relevant local plan policy	Comment on conformity
CNP1 – Our Community	CS02 – Achieving vibrant and sustainable settlements CS09 – South Distinctive Area	The Strategy for the Lake District is to enable development to support and maintain the vibrancy and sustainability of settlements, regenerate areas of need and reinforce the distinctiveness of place. Policy CNP1 is aligned with this approach.
CNP2 - Businesses	CS09 – South Distinctive Area CS22 – Employment CS23 – Farm diversification	The Strategy for the Lake District is to support business and employment opportunities (B1, B2 or B8 uses) that will diversify and strengthen the economy of the Lake District. Farm diversification proposals are also supported within specified criteria. Policy CNP2 is aligned with this approach. It also provides an additional level of detail regarding broadband which the strategic policy does not cover.
CNP3 - Housing	CS09 – South Distinctive Area CS18 – Housing Provision	The Strategy for the Lake District is to permit new dwellings where they contribute towards meeting an identified local need or local affordable need with priority given to the delivery of affordable housing. Policy CNP3 is aligned with this approach. It adds a level of detail regarding self-build homes which is not explicitly addressed through the strategic policy, but which does not serve to undermine the policy intention.
CNP4 – Buildings Structures & Sites of Historic Importance	CS19 – Community, health and education facilities. CS27 – The acclaimed historic environment	The Strategy for the Lake District is to protect the internationally historic environment of the Lake District. It also serves to protect existing community, education and health facilities from loss or

		change of use, unless there is evidence to demonstrate that there is no longer a local community need for the facility. Policy CNP4 is aligned with this approach.
CNP5 – Village Services	CS09 – South Distinctive Area CS20 – Vibrant settlement centres	The Strategy for the Lake District is to maintain the vitality and vibrancy of the settlements within the National Park. Policy CNP5 is aligned with this approach.
CNP6 - Tourism	CS09 – South Distinctive Area CS24 – Delivering sustainable tourism	The Strategy for the Lake District is to support sustainable tourism activity in the National Park to deliver a high quality, world class experience for all visitors, with a particular focus on rural service centres. Policy CNP6 is aligned with this approach. The policy provides a degree of local distinctiveness by identifying locations to which this policy is particularly relevant.
CNP7 – Transport / Traffic Management / Parking	CS09 – South Distinctive Area CS14 – Sustainable transport solutions	The Strategy for the Lake District is to reduce the need to travel within and through the Lake District and promote the development and use of sustainable travel choices. And particularly, the rights of way network should be maintained and improved where possible. Policy CNP7 is aligned with this approach.
CNP8 – Environmental Sustainability	CS26 – Geodiversity and biodiversity	The Strategy for the Lake District is to protect the important geodiversity and encourage a significant enhancement of its biodiversity resource. This includes its wealth of habitats and species, unique water environments and trees and woodlands. Policy CNP8 is aligned with this approach. It adds a degree of local distinctiveness by identifying locations to which this policy is particularly relevant.

## 5. Contribution to Achieving Sustainable Development

- 5.1 A **Sustainability Appraisal** has not been undertaken as this is not a requirement for a Neighbourhood Plan. However, the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development.
- 5.2 The strategic objectives of the Neighbourhood Plan promote sustainable development. The policies plan positively to support local development specifically housing and economic development whilst providing a positive framework to enhance local service provision, tourism and to conserve and enhance local historic assets and protect the environment.
- 5.3 Table 3 below has assessed our plan's policies in terms of how it will deliver sustainable development in the economic, social and environmental aspects of sustainability. It shows the NP will play an active role in guiding development that provides sustainable local solutions.

**Table 3: Assessment of sustainability of Neighbourhood Plan policies**

<b>Policy no. and title</b>	<b>Economic factors</b>	<b>Social factors</b>	<b>Environmental factors</b>	<b>Comments</b>
CNP1 – Our Community	Positive	Positive	Positive	The policy supports development of an appropriate scale that meets the needs of the community. There are positive effects on a range of economic and social benefits by providing development that sustains the community. There are positive benefits for the environment through the preservation of the unique character of the village and its surrounding landscape.
CNP2 - Businesses	Very positive	Positive	Positive	There is a significant positive effect on the economy because the policy aims to support and strengthen the local Businesses in the area which will also improve accessibility to local jobs. This may also have a range of social benefits for local people by improving access to services and facilities, and helping to foster stronger, vibrant and more affluent communities. The policy seeks to protect the distinctive character; any negative effects may be

				mitigated in part through high quality design.
CNP3 - Housing	Positive	Very positive	Neutral	The policy seeks to ensure all new homes meet a local need or local affordable need. Homes for permanent occupation will support efforts to increase the number of homes available to local residents which will strengthen community vibrancy and cohesion. This could also support wider economic benefits by providing local building projects.
CNP4 – Buildings Structures & Sites of Historic Importance	Neutral	Positive	Very positive	The policy seeks to retain the unique character of the area by conserving locally important sites of historic value. This policy has a significant positive effect on the environment and could enable wider social benefits to be realised.
CNP5 – Village Services	Positive	Very positive	Neutral	There are significant social benefits in retaining local services. Better provision of, and greater access to local services also supports jobs and diversification. Any negative effects on the environment may be mitigated in part through high quality design.
CNP6 - Tourism	Positive	Positive	Neutral	Although the policy is focussed at visitors, there is the potential to have a positive effect on the health and wellbeing of the local residents by promoting and facilitating local people to gain greater access to the same visitor experiences. Improving visitor experiences could have positive economic effects as it could lead to greater visitor numbers and visitor spend, which would help to strengthen the economy and create new jobs.
CNP7 – Transport / Traffic	Positive	Positive	Neutral	The policy focusses on improving cycleways and

Management / Parking				<p>footpaths to remove pedestrians and cyclists off the busy narrow roads. This will improve visitor experiences and has the potential for wider economic benefits by increasing visitor numbers and visitor spends. There are wider social benefits for the local community also promoting health and well-being and improving mobility. Any potential negative effects on the environment will be mitigated by high quality design.</p>
CNP8 – Environmental Sustainability	Positive	Very positive	Very positive	<p>Significant benefits for biodiversity, water quality, water resources, landscape character. The protection of environmental attributes could generate a range of economic benefits associated with tourism. There is also the potential for significant social benefits as reducing flood risk can positively affect the health and wellbeing of affected communities.</p>

## 6. Compatibility with EU Obligations and legislation

- 6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 6.2 Screening opinions were issued by the Lake District National Park Authority with regards to the Strategic Environmental Assessment and Habitats Regulations Assessment. These determined that a full SEA was not required and an Appropriate Assessment was not required under Habitat Regulations. The consultation bodies were asked to comment and no concerns were raised.