

Saham Toney Neighbourhood Plan – Basic Conditions Statement

It is clear that a significant amount of research has gone into this assessment, which has resulted in the final statement containing a rather large volume of information for such an assessment; there seems to be an excessive amount of assessment in some areas (NPPF assessment), but a lacking in others (Policy v para/policy ref tables).

In view of this this we have made general comments and identified a few specific examples to demonstrate to points we are making. Therefore, there remains concern that parts of the Statement do not adequately justify meeting all the 'Basic Condition' tests.

Where comments are made in respect of specific policies in the STNP further information can be found in the Council's comments on the Plan itself.

Key - Neighbourhood Plan – The Plan

Page and Policy/ Paragraph No	Comment	Justification
Assessment of Neighbourhood Plan	Unfortunately, still too many statements have been made without any clarification to support them.	Evidence - <i>Outline why your plan meets the basic conditions rather than simply stating that it does. You need to reference the specific policies in your neighbourhood plan, the rationale for these policies and the evidence on which they are based.</i> p6, How to write a basic conditions statement (Planning Aid).
Table Format	Format -. As previously advised, the Independent Examiner is assessing the Neighbourhood Plan policies against other documents. It would have been better practise if the Plan policies had been listed first, in the order found in the Plan, and the guidance/policies it is being assessed against listed second.	This approach makes it clearer for the Examiner to assess whether all policies of the Plan have been addressed in the assessment.
All Tables - Assessment of National Guidance & Local Plan policy	Format - For all tables, it would have been clearer if the guidance/policy approach being assessed was summarised and not just made reference to the section/ para number / title.	This it makes it more difficult for the Examiner to assess what point is being made without referring to other documents.

1. INTRODUCTION		
	TABLE 1: THE POLICIES AND THEIR BROAD INTENT	
p5	2C: Residential Development Outside the Settlement Boundary – if Policy 2C “...adopts a stricter approach to what other developments which may come forward...” then this risks not conforming to the strategic Local Plan Policy HOU 04 and therefore it fails the ‘Basic Conditions’ test.	Basic Conditions
4. HAVING REGARD TO NATIONAL POLICIES and ADVICE CONTAINED IN GUIDANCE		
p10, Table 3	This assessment includes too much information, particularly when it makes reference to paragraphs that aren’t relevant. It is disappointing this table has not been amended as previously advised, as it is not presented in a manner which is clear for the Examiner to assess whether all policies of the Plan have been addressed in the assessment. Although referencing as to how the Plan has regard to National Policy has improved, parts remain where the referencing is too vague; the statement needs to be explained e.g. it needs to describe how this is achieved, rather than just referring to a section or policy e.g. NPPF 16a - How is the Plan contributing to sustainable development demonstrated by section 5 and Appendix A?	Good Practise
p10, Table 3	Some responses are also not accurate e.g. NPPF 65-66 - This does apply to the Neighbourhood Plan, which is excess of the Local Plan housing figure.	Accuracy
p10, Table 3	NPPF 6 – As previously advised, clarification regarding what ‘HCWS’ stands for has not been made.	Clarity
	TABLE 4: NEIGHBOURHOOD PLAN POLICIES vs NPPF PARAGRAPHS	
p32/33	While we support the introduction of this table, it fails to adequately clarify ‘how’ the Neighbourhood Plan takes account of this national guidance (NPPF).	Good practise
	TABLE 5: HOW THE NP IS APPROPRIATE HAVING REGARD TO ADVICE CONTAINED IN NATIONALGUIDANCE	
p33	We welcome the approach taken in this assessment.	
5. HOW THE NEIGHBOURHOOD PLAN CONTRIBUTES TOWARDS THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT		
	TABLE 6: AN OVERVIEW AS TO HOW THE PLAN CONTRIBUTES TO ACHIEVING SUSTAINABLE DEVELOPMENT	

p36-37, Table 6	While there has been some improvement in clarifying 'how' policies in the Neighbourhood Plan contribute towards the achievement of sustainable development in the Economic section, this has only occurred in parts of the Social section and not at all in the environmental section.	Clarity
6. CONFORMITY WITH THE STRATEGIC POLICIES IN THE BRECKLAND LOCAL PLAN		
	TABLE 8: GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE BRECKLAND LOCAL PLAN	
p42-46, Table 5	As previously advised, there are still statements with the explanation missing. It needs to describe how this is achieved, rather than just referring to a section or which policy, which make this assessment weak. For example in GEN 1: The explanation has not been summarised in the table (it just refers to Appendix A) or in GEN 05: Settlement Boundaries it does not make it clear 'how' <i>"STNP policy 2B adds local context and considerations to Policy GEN 05, to the principle of which it conforms"</i> .	Clarity
p42, Policy HOU 01: Development Requirements (Minimum)	This states that this policy <i>"sets a <u>minimum</u> development requirement at district level"</i> and that <i>"STNP policy 2A does the same at the neighbourhood level"</i> . This is not consistent with the Consultation Statement, which states the opposite in response to comment 37 (p334), by stating that <i>"the extensive site assessment and selection work....justify <u>limiting</u> the total allocation"</i> .	Accuracy
p42, Policy HOU 04 (General)	If, as stated, <i>"...the STNP takes a more restricted approach to other developments which may come forward immediately adjacent to the settlement boundary during the Plan period"</i> , then then it risks failing the 'Basic Conditions' test as it does not conform to this strategic policy.	Basic Conditions
p44, Policy Hou 06: Principles of New Housing	3 rd para states that there is <i>"... no shortage of land for meeting identified housing needs..."</i> . However, this does not mean <i>"...the need to avoid homes being built at low densities is not applicable"</i> , as building at higher densities is a sustainability issue. Land is a finite resource and the continuing need for new housing that will extend beyond the Plan period means that maximising the effective use of land (including the optimisation of densities) is always an important consideration.	Accuracy

p45, Policy HOU 07: Affordable Housing	STNP Policy 2D Local Lettings policy <u>is not</u> in full accordance with the Local Housing Authority's housing allocation policy.	Accuracy
TABLE 9: NEIGHBOURHOOD PLAN vs LOCAL PLAN POLICIES		
p47	While we support the introduction of this table, it fails to adequately clarify 'how' the Neighbourhood Plan takes account of the Local Plan.	Clarity
7. COMPATIBILITY WITH EU OBLIGATIONS		
p48, para 7.1	Although this provides a useful summary, it is disappointing it is not consistent with the duplicated, more detailed, section below e.g. A second screening assessment was carried <i>'for'</i> not <i>'by'</i> the Local Planning Authority. It <i>'initially'</i> concluded that SEA was not required, the <i>'Local Planning Authority'</i> determined that a SEA was required.	Accuracy
p48, para 7.1.1-7.1.3	As previously advised, these paragraphs are unnecessary as they duplicate the above (para 7.1) in more detail.	Accuracy
p52, para 7.2.	This section provides a useful basic summary.	Clarity
p52, para 7.2.1-5	As previously advised, these paragraphs are unnecessary as they duplicate the above in more detail, as well as including inaccurate statements which have not been amended e.g. 7.2.1 is a complete misrepresentation because no such screening was ever produced as the Council was advised by the County Council that an HRA was not considered to be necessary.	Accuracy