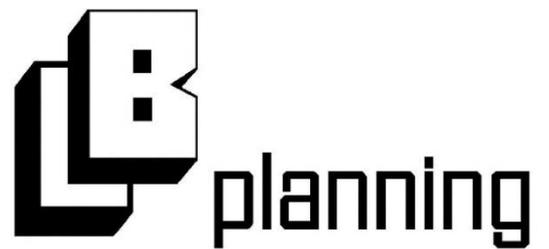


# Lawrence Weston Neighbourhood Development Plan

## BASIC CONDITIONS STATEMENT

March 2016



## **Contents**

1. Legal Requirements .....	2
2. Introduction and Background.....	3
3. Conformity with National Planning Policy.....	3
4. General conformity with the strategic Policies of the development plan.....	6
5. Contribution to Achieving Sustainable Development.....	8
6. Compatibility with EU Obligations and legislation .....	10

### **Appendix 1: Equalities Impact Statement**

### **Appendix 2: Screening Opinion**

## 1. Legal Requirements

1.1 This Statement has been prepared by LB Planning on behalf of Ambition Lawrence Weston and the Lawrence Weston Neighbourhood Forum (“the Neighbourhood Forum”) to accompany its submission to the local planning authority Bristol City Council of the Lawrence Weston Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”). No other neighbourhood plan has been submitted for the neighbourhood area.

1.2 The Neighbourhood Plan has been prepared by Ambition Lawrence Weston on behalf of the Neighbourhood Forum, a qualifying body for the Neighbourhood Area covering the Lawrence Weston Neighbourhood area, as designated by Bristol City Council on the 31<sup>st</sup> January 2013. The Lawrence Weston Neighbourhood Forum was designated by Bristol City Council on the 1<sup>st</sup> May 2013.

1.3 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 extends until the end of 2030 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 This Statement addresses each of the four ‘basic conditions’ required by the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 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

2.1 Ambition Lawrence Weston is working to regenerate Lawrence Weston, and three years ago set up a planning group of local residents to get involved in the planning process as part of this work. That group decided to initiate the NP process and became a Forum for this purpose on the 1<sup>st</sup> May 2013.

2.2 Working from the Lawrence Weston Community Plan that had been drawn up early in 2013, and concentrating on land-use policies that arose from this document, the forum began working on a Neighbourhood Plan in June 2013. A draft plan was produced in February 2015 and the six week formal consultation undertaken, as required by Reg14 of the Neighbourhood Plan Regulations 2012 (NP Regs 2012).

2.3 Responses from this consultation have been considered, and some changes made to the policies in the plan as a result of that consultation. It is now ready to be submitted to Bristol City Council, the Local Planning Authority. As required by the NP Regs 2012; the submission of the Neighbourhood Plan to the Local Planning Authority is accompanied by this Basic Conditions Statement, a Consultation Statement and the results of the Strategic Environmental Assessment screening opinion.

## 3. Conformity with National Planning Policy

3.1 The Lawrence Weston Neighbourhood Development Plan (LWNDP) 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 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.

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

<b>NDP Policy</b>	<b>NPPF paragraph</b>	<b>Comment on conformity</b>
<b>H1: Provide a minimum of 360 homes</b>	<b>47, 50</b>	The LWNDP aims to provide for new housing and widen the tenure choice in Lawrence Weston.
<b>H2: Make best use of brownfield infill sites</b>	<b>111</b>	The NPPF and more recent government policy all promote the use of brownfield land for redevelopment.
<b>H3: Widening Affordable Housing types and tenures</b>	<b>50</b>	This policy directly promotes the policy of the NPPF.
<b>H4: Excellence in building design and sustainability</b>	<b>56 – 66; 93 - 95</b>	The NPPF supports policy requiring good design, and this includes making homes energy efficient.

<b>NDP Policy</b>	<b>NPPF paragraph</b>	<b>Comment on conformity</b>
<b>H5: Community Self Build</b>	<b>50</b>	Recent Government Policy requires Local Authorities to identify land suitable for custom-built homes.
<b>H6: Local Lettings Policy</b>	<b>69</b>	The NPPF details ways in which healthy communities can be promoted through planning. The policy aims to strengthen community ties in Lawrence Weston.
<b>MA1: Provision of Cycling and Walking Facilities</b>	<b>30, 35</b>	Sustainable travel modes are supported in line with policy in the NPPF.
<b>MA2: Encourage increased sustainable movement</b>	<b>29, 30, 35</b>	Sustainable travel modes are supported in line with policy in the NPPF.
<b>MA3 Good street design</b>	<b>35, 58, 69</b>	The safety and visual benefits of good street design, as well its promotion of sustainable travel, are recognised in the NPPF.
<b>JSB1: Provision of facilities for employment &amp; training</b>	<b>69</b>	This policy aims to reduce the level of disadvantage and unemployment in Lawrence Weston. Thus it is promoting the NPPF's aim of developing healthy communities.
<b>JSB2: Employment opportunities for local people</b>	<b>69</b>	This policy aims to reduce the level of disadvantage and unemployment in Lawrence Weston. Thus it is promoting the NPPF's aim of developing healthy communities.
<b>JSB3: Reinvigorate the retail offer in Ridingleaze</b>	<b>23, 69</b>	The importance of this local centre is recognised and its regeneration promoted in line with the NPPF.
<b>JSB4: Retail development</b>	<b>23</b>	The LWNDP supports further retail development that respects the local context.
<b>OPR1: Protecting existing open spaces and allotments</b>	<b>73</b>	The importance of Open Space is recognised in the NPPF.
<b>OPR2: Local green space</b>	<b>76-77</b>	The NPPF makes provision for NDPs to designate Local Green Space, and the reasons for each designation have been set out in the plan.
<b>OPR3: Improved play facilities</b>	<b>69, 73</b>	Identifying areas of deficit provision, and looking to improve provision is supported in the NPPF.
<b>CSF1: New and upgraded community facilities</b>	<b>69 - 70</b>	The importance of developing and maintaining community facilities is recognised in the NPPF.
<b>CSF2: Pre application consultation on key sites</b>	<b>71, 189</b>	The NPPF promotes pre-application consultation with communities, as does the NPPG (Para 009 Ref ID: 20-009-20140306). The LWNDP requires it on key sites in the LWNDP Area and major development as defined in planning legislation.

<b>NDP Policy</b>	<b>NPPF paragraph</b>	<b>Comment on conformity</b>
<b>CSF3: Temporary community use of empty buildings</b>	<b>69</b>	Temporary use of empty buildings encourages regeneration of retail and other commercial areas.
<b>CSF4: Community Infrastructure priorities</b>	<b>69</b>	This policy sets out priorities for improvements to Community Infrastructure.
<b>SSP1 Henacre Site</b>	<b>58, 70</b>	This site design guidance policy responds to the NPPF request for Neighbourhood Plans to set out the quality and type of development needed for an area. It promotes improved community facilities as well.
<b>SSP2 College Site</b>	<b>58, 70</b>	This site design guidance policy responds to the NPPF request for Neighbourhood Plans to set out the quality and type of development needed for an area. It promotes improved community facilities as well.
<b>SSP3 Deering Close</b>	<b>58</b>	This site design guidance policy responds to the NPPF request for Neighbourhood Plans to set out the quality and type of development needed for an area.
<b>SSP4 Baptist Church Site</b>	<b>58, 69</b>	This site design guidance policy responds to the NPPF request for Neighbourhood Plans to set out the quality and type of development needed for an area. It promotes the retention of community facilities as well.
<b>SSP5 Clinic and GP site</b>	<b>58, 69</b>	This site design guidance policy responds to the NPPF request for Neighbourhood Plans to set out the quality and type of development needed for an area. It promotes the retention of community facilities as well.

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

4.1 The development plan for Bristol is the Bristol Core Strategy (BCS) adopted in 2011 and The Site Allocations and Development Management Policy Local Plan (SADMLP) adopted 2014, together with the Central Area Local Plan adopted 2015, but not relevant for Lawrence Weston. There is also an adopted Joint Waste Core Strategy, but this document is not applicable to this plan as it deals with excluded development.

4.2 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for Bristol City Council as it relates to Lawrence Weston, namely the BCS and the SADMLP.

4.3 Table 2 below sets out how each policy is in general conformity therefore with the BCS and the SADMLP where relevant.

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

<b>NDP Policy</b>	<b>BCS policy</b>	<b>SADMLP policy</b>	<b>Comment on conformity</b>
<b>H1: Provide a minimum of 360 homes</b>	<b>3 &amp; 5</b>	<b>DM1</b>	The LWNDP has followed BCC recommendations on available sites.
<b>H2: Make best use of brownfield infill sites</b>	<b>5 &amp; 20</b>		Policy BCS20 promotes the re-use of previously developed land.
<b>H3: Widening Affordable Housing types and tenures</b>	<b>17, 18</b>		Table 1 and the policy is in general conformity with the targets in policy BCS17 and the aspirations of Policy BCS18 for the creation of diversity of housing types and tenure. Lawrence Weston being originally an area that was nearly 100% affordable housing will be best served by development that widens the range of affordable and other housing available.
<b>H4: Excellence in building design and sustainability</b>	<b>14 &amp; 15</b>	<b>DM29</b>	BCC has strong policies on sustainable building and combating climate change.
<b>H5: Community Self Build</b>	<b>18</b>		Policy BCS18 promotes a range of housing types to support mixed communities, which this new method of constructing homes can contribute to.
<b>H6: Local Lettings Policy</b>		<b>DM1</b>	The BCS vision builds on the vision of the Bristol Sustainable City Strategy and a key aim of this Strategy is "A city of Strong and Safe Communities". This policy looks to strengthen the community in Lawrence Weston. Strengthening communities is part of sustainable development, so the policy is furthering the over-arching presumption in favour of sustainable development – DM1.

<b>NDP Policy</b>	<b>BCS policy</b>	<b>SADMLP policy</b>	<b>Comment on conformity</b>
<b>MA1: Provision of Cycling and Walking Facilities</b>	<b>10</b>	<b>DM25</b>	BCS10 supports the development of a network for cycling and walking.
<b>MA2: Encourage increased sustainable movement</b>	<b>10</b>	<b>DM23</b>	DM23 requires development to promote and provide sustainable travel and movement.
<b>MA3 Good street design</b>	<b>21</b>	<b>DM27/28</b>	Policies directly promote this, local detail added.
<b>JSB1: Provision of facilities for employment &amp; training</b>	<b>8</b>		BCS8 aims to strengthen the economic performance of Bristol and address barriers to employment.
<b>JSB2: Employment opportunities for local people</b>	<b>8</b>		BCS8 aims to strengthen the economic performance of Bristol and address barriers to employment.
<b>JSB3: Reinvigorate the retail offer in Rodingleaze</b>	<b>7</b>	<b>DM 7-10</b>	DM8 defines Rodingleaze shops as a primary shopping area where A1 retail use is preferred.
<b>JSB4: Retail development</b>	<b>7</b>		Promotes retail development sensitive to its surroundings, as does BCS7
<b>OPR1: Protecting existing open spaces and allotments</b>	<b>9</b>	<b>DM15</b>	BCS9 requires that the integrity of the green network is maintained.
<b>OPR2: Local green space</b>			Local Green Space designation has not been undertaken in any of the Bristol City policy documents, and is perhaps a more relevant task for Neighbourhood Plans. All designations have been properly justified.
<b>OPR3: Improved play facilities</b>		<b>DM16</b>	Policy DM16 includes requiring Children and Young People's space provision.
<b>CSF1: New and upgraded community facilities</b>	<b>12</b>	<b>DM5</b>	The policy agrees with the requirements of BCS12 and adds local detail.
<b>CSF2: Pre application consultation on key sites</b>		<b>Statement of Community Involvement</b>	This policy, which has appeared in other made plans, complies with the expectations of the BCC Statement of Community Involvement 2015 (para 2.3). Pre-application consultation is also promoted in the NPPF. For purposes of reasonableness, the policy only applies to key sites in the Neighbourhood Plan area.
<b>CSF3: Temporary community use of empty buildings</b>		<b>DM1</b>	Promotes active communities and the re-use of vacant space, both sustainable activities.
<b>CSF4: Community Infrastructure priorities</b>	<b>11</b>		This policy provides an indication of local priorities for developer contributions, and is local detail for Policy BCS11 and the new direct payments to local communities.
<b>SSP1 Henacre Site</b>		<b>BSA 0101</b>	Local detail on this allocation
<b>SSP2 College Site</b>		<b>BSA 0102</b>	Local detail on this allocation
<b>SSP3 Deering Close</b>		<b>BSA 0103</b>	Local detail on this allocation

NDP Policy	BCS policy	SADMLP policy	Comment on conformity
<b>SSP4 Baptist Church Site</b>			Local aspirations for any development on this site are set out.
<b>SSP5 Clinic and GP site</b>			Local aspirations for any development on this site are set out.

## 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 have sustainability at their heart. The vision is for a vibrant neighbourhood that is a pleasure to move around in using sustainable transport. The vision further states that the Neighbourhood Development Plan seeks to ensure the creation of a mixed, well-balanced community with high-quality, energy-efficient, affordable accommodation.

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 that the plan's policies are normally positive in impact on all three aspects, and where they are not, a decision has been taken about the greater benefit of the proposal in terms of another aspect of sustainability.

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

Policy no. and title	Economic factors	Social factors	Envirnmtl factors	Comments
H1: Provide 360 new homes	**	**	*	Would like to be able to specify zero carbon but can't.
H2: Use of brownfield infill sites	**	**	**	
H3: Widening Affordable Housing types and tenures	**	**	—	
H4: Excellence in building design and sustainability	**	**	**	
H5: Community Custom Build	**	**	**	
H6: Local Lettings Policy	*	**	*	
MA1: Provision of Cycling and Walking Facilities	*	**	**	
MA2: Encourage increased sustainable movement	*	**	**	
MA3 Good street design	*	**	**	
JSB1: Provision of facilities for employment & training	**	**	*	Reduces the need to travel as well as social and economic benefits.
JSB2: Employment opportunities for local people	**	**	*	Reduces the need to travel as well as social and economic benefits.
JSB3: Retail offer in Ridingleaze	**	**	—	
JSB4: Retail development	**	**	X	Will result in extra traffic
OPR1: Protecting existing open spaces and allotments	—	**	**	
OPR2: Local green space	—	**	**	
OPR3: Improved play facilities	*	**	—	
CSF1: New and upgraded community facilities	*	**	—	
CSF2: Pre application consultation on key sites	*	**	*	
CSF3: Temporary community use of empty buildings	**	**	*	
CSF4: Community Infrastructure	**	**	**	
SSP1 Henacre Site	**	—	X	There is a loss of green space.
SSP2 College Site	**	**	*	
SSP3 Deering Close	**	X	*	Some resistance from residents.
SSP4 Baptist Church Site	**	**	*	
SSP5 Clinic and GP site	**	**	—	

Scale used: \*\* very positive \* positive — neutral x negative xx very negative

## **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. An Equalities Impact Statement has been produced to check and verify the impact of the policies in the Plan on people with protected characteristics and is attached as Appendix 1. The Forum obtained legal advice to assure themselves of the compliance of one policy that was challenged on a point of indirect discrimination on grounds of ethnic origin prior to the Reg14 Consultation. Initial alterations to this policy, the H6 Local Lettings Policy, were made in the pre-Submission version of the plan used for the Reg14 Consultation to meet these concerns. With further challenge to this policy arising in the Reg14 Consultation on other grounds, it has now been altered again and uses established Council Local Lettings Policy. We therefore conclude that the plan as now further amended either helps to reinforce Human Rights or is neutral in relation to them.

6.2 A screening decision was issued by Bristol City Council on the 3<sup>rd</sup> December 2015 following consultation on a Screening Opinion with the relevant national bodies. This advised that the Neighbourhood Plan did not require a Strategic Environmental Assessment or an Appropriate Assessment under the EU Habitats Regulations (see Appendix 2). The Determination (page 2 of the letter) stated that:

“The Lawrence Weston Neighbourhood Development Plan is unlikely to give rise to significant environmental effects which would require Strategic Environmental Assessment, or have significant effects on European Designated Sites that would require consideration under the Habitats Directive. This determination has been arrived at in agreement with relevant statutory consultees.”

The Plan has not significantly altered since this determination was made and so it is still current and an accurate statement of environmental impact.

## **7. References**

National Planning Policy Framework 2012

National Planning Policy Guidance (2014 and updated)

Bristol Core Strategy 2008

Bristol Site Allocations and Development Management Policies

Neighbourhood Planning Regulations 2012