



Lydiate Parish Council



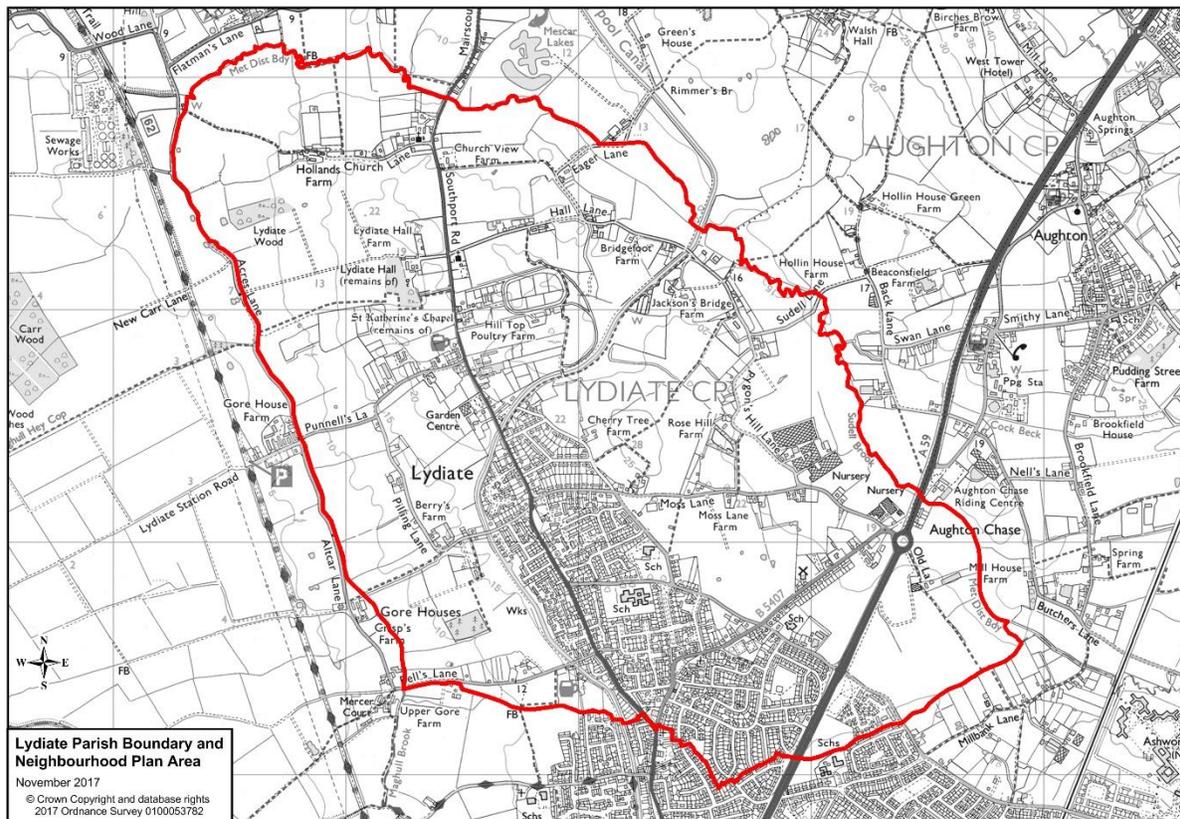
Basic Conditions Statement

19 April 2018

1. Legal requirements

- 1.1 This statement has been prepared by the Lydiate Parish Council Neighbourhood Plan Steering Group on the behalf of Lydiate Parish Council. This statement will accompany its submission to Sefton Council of the Parish Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.
- 1.2 The Neighbourhood Plan has been prepared by Lydiate Parish Council, a qualifying body, for the area covering the full parish (see figure 1 below), as designated by Sefton Council on 28th September 2015.
- 1.3 The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2017 to 2030. It does not contain policies relating to excluded development as laid out in the Regulations.
- 1.4 The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

Figure 1 Lydiate Parish Council Neighbourhood Plan Area.



1.5 The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan for the area;
- Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

- It has been determined that the plan is unlikely to have significant environmental effects, including on a European site or a European offshore marine site, alone or in combination with other plans or projects.

2. Introduction and Background

2.1 Lydiate parish Council resolved to draw up a Neighbourhood Development Plan (minute 109/2015) for the parish, partly in response to the emerging Sefton Local Plan as it was concerned about a number of issues affecting the Parish.

2.2 Following publication of the intention to produce a Neighbourhood Plan, on 6th July 2015 Lydiate parish Council submitted an application to Sefton Council to have the whole of Lydiate Parish designated as a “neighbourhood area” for the purposes of preparing a Neighbourhood Plan. This was approved (after consultation by Sefton MBC) on 28th September 2015.

2.3 The Parish established a Neighbourhood Plan Steering Group, which met monthly to oversee the development of the plan. It also employed a planning consultant to help in the preparation of evidence documents and with policy formation.

2.4 There have been several stages of consultation involved in the production of the Plan. The headline summary and timeline of the consultations is as follows;

- (i) During summer 2016 we carried out surveys of local residents, young people and businesses. The results were used to develop the Visions and Objectives for the Plan. The surveys and results of the survey can be found at Annex 1 of the Consultation Statement. The agreed vision and objectives can be found below at section 5, and the full range of consultation methods we used during this process and can be found at section 3.1 of the Consultation Statement.

- (ii) 30 April 2017, attendance at Lydiate Festival, over 100 people visited the stand to talk about the draft plan and the implications for Lydiate, over 2,000 people visited the festival.

(iii) Regulation 14 consultation was held between 1st December 2017 and 31st January 2018, however we continued to accept comments after this date due to the holiday period falling in the middle of the process. Over 120 people attended the event. 25 people left their details with 38 formal responses received. Comments received can be found at Annex 4 of the Consultation Statement.

2.5 The consultation process was very inclusive, every household, business, school community group in Lydiate, had the opportunity to play a role in the development of the Plan. The range of consultation activities undertaken and the broad timescale allowed for comments to be received from young and old alike demonstrate this.

3. Having regard to National Planning Policy

3.1 The Neighbourhood plan has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF) of April 2012. It also gives regard to the 12 core planning principles contained in paragraph 17 of the National Planning Policy Framework, alongside the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formation of Neighbourhood Plans.

3.2 Table 1 below sets out a summary of how each policy has regard to the NPPF. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

Table 1: How the Neighbourhood Plan policies conform to the National Planning Policy Framework Paragraph(s)

| Neighbourhood Plan Policy Number and Title | | National Planning Policy Framework Paragraph(s) | Comment on conformity |
|--|---|---|--|
| LNP DEV1 | Protecting and Enhancing the Character of Lydiate | 50/56/58 | Conforms to paragraph 50 by providing a choice of high quality homes to support inclusive and mixed communities. Conforms to paragraph 56 as we want to ensure the importance of high quality good design in all developments to make our locations better for people. Conforms to paragraph 58 by ensuring scale and design will add to the quality of the area and developments. |
| LNP HOU1 | Land north of Kenyons Lane | 50/56/58 | Conforms to paragraph 50 by providing a choice of high quality homes to support inclusive and mixed communities. Conforms to paragraph 56 as we want to ensure the importance of high quality good design in all developments to make our locations better for people. |

| | | | |
|----------|---|----------------|--|
| | | | Conforms to paragraph 58 by ensuring scale and design will add to the quality of the area and developments. |
| LNP HOU2 | Land at Lamshear Lane | 50/56/58/70/85 | Conforms to paragraph 50 by providing a choice of high quality homes to support inclusive and mixed communities. Conforms to paragraph 56 as we want to ensure the importance of high quality good design in all developments to make our locations better for people. Conforms to paragraph 58 by ensuring scale and design will add to the quality of the area and developments. Conforms to paragraph 70 by planning local shopping area as part of the development to link to and enhance the Lydiate Village Centre location. Conforms to paragraph 85 as the land will only be developed following a review of the Local Plan. |
| LNP HER | Protecting & Enhancing of Non-designated Heritage & Cultural Assets | 114/126/135 | Conforms to paragraph 114 by ensuring green infrastructure is protected and enhanced and protected. Conforms to paragraph 126 by protecting and enhancing non-designated significant heritage and cultural assets. Conforms to paragraph 135 by protecting non-designated heritage assets. |
| LNP PATH | Protecting & Enhancing Footpaths, Cycle ways and Bridle Paths | 70/74/114 | Conforms to paragraph 70 by delivering social, recreational facilities the community needs. Conforms to paragraph 74 by ensuring open spaces are not built on unless detailed assessments have been undertaken. Conforms to paragraph 114 by ensuring green infrastructure is protected and enhanced and protected. |

4. General conformity with the strategic policies of the development plan

- 4.1 The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the development plan for the area.
- 4.2 The current development plan for the area is the adopted Sefton Council Local Plan 2017 -2030.
- 4.3 The table 2 below sets out how each policy is in general conformity with the Sefton Local Plan 2017 -2030.

Table 2: How the Neighbourhood Plan policies conform to the Sefton Local Plan

| Neighbourhood Plan Policy Number and Title | | Relevant Local Plan Policy | Comment on Conformity |
|--|---|----------------------------|---|
| LNP DEV1 | Protecting and Enhancing the Character of Lydiate | HC4 EQ2 NH5 NH7 | Conforms with the Sefton Local Plan Policy HC4 – by virtue of the requirements for high quality design to match the surrounding area. EQ2 – in its aim to ensure development responds positively to the character, local distinctiveness and form of the soundings with high quality design. NH5 – in its aim to ensure open space in the urban area settlement is protected. NH7 – in its aim to ensure the rural landscape remains in keeping with the area. |
| LNP HOU1 | Land north of Kenyons Lane | MN 2.29 | Conforms with all the policies in the Sefton Local Plan as the site is identified for development on page 42 of that Plan. |
| LNP HOU2 | Land at Lambshear Lane | MN 8.1 | Conforms with the all the policies in the Sefton Local Plan as the site is identified for development on page 58 of that Plan. |
| LNP HER | Protecting & Enhancing of Non-designated Heritage & Cultural Assets | HC6 NH9 NH15 | Conforms with the Sefton Local Plan Policy HC6 in its aim to protect and/or provide alternative provision of assets of community value as far as possible. NH9 and NH15 in its aim to protect and enhance our heritage and cultural assets to reinforce the identity of the area. |
| LNP PATH | Protecting & Enhancing Footpaths, Cycle ways and Bridle Paths | EQ1 EQ3 EQ9 | Conforms with the Sefton Local Plan Policy EQ1 - in its aim to maximise opportunities to improve quality of life and make it easier to lead a healthy active life. EQ3 - developments are designed to encourage walking and cycling. EQ9 - in its aim to enhance and protect public rights of way, cycle and bridle paths |

5. Contribution to the achievement of sustainable development

- 5.1 A Neighbourhood plan must take into account the need to contribute to the achievement of sustainable development. This involves working to address the three separate strands of sustainability; economic, social and environmental.
- 5.2 Working with our communities we developed Lydiates Neighbourhood Development Plan visions and objectives which have been set out below.

Our vision.

“A parish that maintains a good quality of life in Lydiate with a high-quality environment and with suitable facilities and where any new housing meets the needs of the people of Lydiate is well designed and is in keeping with the surrounding area, maintaining its rural character.”

Objective

Contribution to sustainable development

- 1 Quality - Ensuring that any new housing and its layout and infrastructure are of a high quality of design, environmentally friendly, encourage cycling and walking and are in keeping with the local housing stock
- 2 Facilities - Maintaining and enhancing the provision of facilities in the area such as retail, health, leisure, sports, social and youth facilities
- 3 Housing - Ensuring that any new housing meets the needs of the local population including affordable housing.
- 4 Environment - Protecting and enhancing the environment including canal, parks and gardens and maintaining the balance between the countryside and the built-up area.
- 5 Heritage - Protecting and enhancing the Parish’s heritage assets including listed buildings, cultural assets and other non-listed buildings of heritage value.

- Social – providing high quality-built environment.
Environmental – protecting and enhancing the natural environment.
- Social – supporting strong vibrant healthy communities by providing accessible local services that reflect community needs
- Social – supporting strong vibrant healthy communities by providing a supply of housing to meet present and future needs.
Environmental – protecting and enhancing the natural environment.
Social - supporting strong vibrant healthy communities by providing accessible local services that reflect community needs
- Environmental – protecting and enhancing the natural environment.
Social - supporting strong vibrant healthy communities by providing accessible local services that reflect community needs

5.3 Table 3 below sets out an assessment of each policy of the plan and how it impacts on each of the three strands of sustainability; economic, social and environmental as set out in paragraph 7 of the National Planning Policy Framework.

Table 3: How the Neighbourhood Plan policies conform to sustainable Development as described in paragraph 7 of the National Planning Policy Framework.

| Neighbourhood Plan Policy Number and Title | | Economic | Social | Environmental | Comments |
|--|---|----------|--------|---------------|--|
| LNP DEV1 | Protecting and Enhancing the Character of Lydiat | | ** | ** | This policy has a very positive impact on social and environmental sustainability by creating high quality design and build and enhancing and protecting the natural, built and historic environment. |
| LNP HOU1 | Land north of Kenyons Lane | | ** | * | This policy has a positive effect on the social role and a positive impact on the environmental role of sustainability of the area by providing the supply of housing to meet the needs of present and future generations by creating a high-quality built environment whilst protecting key features of the natural environment. |
| LNP HOU2 | Land at Lambshear Lane | | ** | * | This policy has a very positive effect on the social role and a positive impact on the environmental role of sustainability of the area by providing the supply of housing to meet the needs of present and future generations by creating a high-quality built environment whilst protecting key features of the natural environment. |
| LNP HER | Protecting & Enhancing of Non-Designated Heritage & Cultural Assets | | * | ** | This policy has a very positive effect on the environmental role of sustainability of the area by protecting and enhancing the natural, built and historical environment. It will also have a positive impact on the social role enhancing wellbeing. |
| LNP PATH | Protecting & Enhancing Footpaths, Cycle ways and Bridle Paths | | ** | ** | This policy has a very positive effect on the environmental and social role of sustainability of the area by protecting and enhancing the natural, built and historical environment and providing more opportunities for people to exercise and improve their health and wellbeing. |

**Very positive impact *positive impact – neutral impact x negative impact xx very negative impact

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. Considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded.
- 6.2 A screening process was carried out by Sefton Council which determined that the Neighbourhood Plan did not require a Strategic Environmental Assessment or a Habitats Regulations Assessment, the joint screening report setting out the reasons for this conclusion is submitted.

7. Conclusion

- 7.1 This statement sets out how the Lydiate Neighbourhood Development Plan meets the legal requirements of the basic conditions for the submission of the Neighbourhood Development Plan to Sefton Council.
- 7.2 This basic conditions statement will be submitted to Sefton Council together with the following documents: -
- Lydiate Consultation statement
 - Lydiate Neighbourhood Development Plan
 - Lydiate Character Assessment
 - Lydiate Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report.