

# **SNETTISHAM NEIGHBOURHOOD PLAN**

## **BASIC CONDITIONS STATEMENT**

## **1 INTRODUCTION**

This Basic Conditions Statement has been prepared by the Working Group of the Snettisham Neighbourhood Plan on behalf of the Parish Council to accompany its submission to the local planning authority, the Borough Council of King's Lynn (BCKLWN), of the Snettisham Neighbourhood Plan (SNP) Submission Version, under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations")

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38(C)] sets out that Neighbourhood Development Plans must meet the following basic conditions:

- 1) The examiner must consider the following:
  - a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
  - b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L, as amended by s.38C(5)(b)
  - c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
  - d) such other matters as may be prescribed.
- 2) A draft neighbourhood development plan 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 neighbourhood development plan
  - b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
  - c) 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)
  - d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and
  - e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

Section 2 of this Statement sets out how the SNP complies with the legal requirements of sub-paragraphs 1 (b), (d) and (e). Section 3 of this Statement sets out how the SNP meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

## **2 LEGAL REQUIREMENTS**

The Snettisham Neighbourhood Plan [SNP] was prepared by a Working Group of Snettisham Parish Council [SPC] acting on its behalf, including both Council members and members of the Public. The SNP covers the whole of the parish of Snettisham (the designated neighbourhood area for the SNP) and does not include any areas within neighbouring parishes. SPC is a qualifying body for the purposes of developing neighbourhood plans.

The SNP was developed under the provisions of the relevant legislation, notably the Town and Country Planning Act [TCPA] 1990, Localism Act 2011, Neighbourhood Planning Regulations 2012, and subsequent additions and amendments. The SNP sets out policies in relation to the use and development of land which can be used in determining planning applications in the Parish of Snettisham, the designated neighbourhood area.

The SNP covers the period from 2018 to 2033, a fifteen-year period, ending part of the way through the next Local Development Framework period for the Borough Council of King's Lynn and West Norfolk [BCKLWN]. The period the SNP covers is clearly stated on the cover of the plan.

The SNP does not include any policies aimed at excluded development, such as county matters (minerals extraction and waste development) or national level infrastructure or development projects, and those matters covered in Section 61K of the TCPA.

The SNP does not affect any other geographical or administrative areas or have any overlap with any such areas. It is entirely limited to the Civil Parish of Snettisham, the area of which was officially designated as the neighbourhood area for the SNP.

### **3 HAVING REGARD TO NATIONAL POLICIES AND PLANNING LEGISLATION**

The National Planning Policy Framework [NPPF] lists twelve core principles for all planning, for convenience listed in the Appendix. The SNP is measured against each of these:

1. The SNP arose as a result of concerns by residents of the Village. At each stage, residents were consulted and their input used to add to or amend the Plan. The need for some development in line with wider Borough Council plans was accepted, in consultation with BCKLWN to ensure compatibility on issues affecting the whole of West Norfolk. **[All SNP Policies and Community Aims]**
2. The SNP seeks to support a positive view of development, allowing some, while preserving characteristics of the Village, and improving green space provision and the environment. **[NP01,03,04,06,07,09,10,11,12,13,14; CA01,02]**
3. By allocating areas of land for development for homes and business, the SNP encourages economic development in tandem with house building appropriate for the present, but with flexibility for the future. **[NP01,09,10,11,14]**
4. The SNP encourages sympathetic design to appropriate environmental standards, with an appropriate mix of dwellings, and builds in an increasing amount of amenity space, while encouraging commercial development to provide services for residents. **[NP03,06,07,09,10,11,12,13]**
5. The SNP specifically addresses the issue of community in the countryside, restricting development which removes the separation between settlements and limiting second-home ownership, preserving the natural environment and access to it, while encouraging the commercial development enabling such a community to thrive. **[NP01,04,06,07,09,10,11,12,13,14; CA01,02]**
6. The SNP encourages environmental considerations in design to reduce the effects of new development. It restricts development to appropriate areas within the Village to limit deleterious effects, and thus addresses the great risk of flooding due to local geography. **[NP01,02,06,07,08,10,11,14; CA01,02]**
7. The natural environment is a limiting factor in the scope of the SNP. Sensitive land is avoided, and development placed where it will have minimum effect. Car use within the Village is discouraged. **[NP01,11,13,14]**
8. There being no available brownfield or previously developed land, this provision is not relevant.
9. The SNP allows for open land to be preserved within the Village, to allow recreational use and green corridors within the area. **[NP01,11; CA02]**
10. The SNP protects buildings, historical sites, open land and views to maintain quality of life and our responsibility to future generations. **[NP01,07,12,13; CA02]**
11. By providing an allocation of land near to the Village centre, the use of public and green transport is encouraged, increasing the sustainability of development. **[NP01,09,13,14]**
12. Many cultural facilities and services are currently available to residents. Access to these is provided for new dwellings, and preserved for older ones. This

includes the most valuable amenity of all, the wider local environment.  
**[NP01,13,14]**

In addition to supporting the core planning principles of the NPPF, the SNP also has regard for each of the relevant sections of the NPPF, as shown in detail below.

**Section 1: Building a strong, competitive economy (NPPF Paras. 18 - 22)**

The SNP proactively supports sustainable economic growth through Policies NP09, NP10, and NP11. These policies provide support and encouragement for small and large businesses in appropriate locations in the Parish.

**Section 3: Supporting a prosperous rural economy (NPPF Para. 28)**

The SNP proactively supports sustainable economic growth through Policies NP09, NP10, and NP11. These policies will help to support sustainable growth and expansion of all sizes of business in this rural area, including new sustainable rural tourism businesses for people to experience local wildlife.

**Section 4: Promoting sustainable transport (NPPF Paras. 29 – 41)**

Policy NP14 promotes the use of sustainable transport, particularly through the introduction of new pedestrian links to and from new development to services and facilities. Policy NP10 seeks to limit the potential of any severe traffic impacts from arising from new development.

**Section 6: Delivering a wide choice of high quality homes (NPPF paras. 47 – 55)**

The SNP helps to deliver a choice of high quality homes and create a sustainable, inclusive and mixed community through the application of Policies NP01, 02, 03, 04 and 05. These policies plan positively for housing growth to meet the needs of present and future generations, supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people and promote a healthy and inclusive community and promotes new development where it relates well to the existing built-up area of the Village, uses locally appropriate materials and provides sufficient outdoor amenity space and development density.

**Section 7: Requiring good design (NPPF paras. 56 – 68)**

SNP Policies NP06 and 07 support new development where it relates well to the existing built-up area of the Village, uses locally appropriate materials and provides sufficient outdoor amenity space and development density.

**Section 8: Promoting healthy communities (NPPF paras. 69 – 78)**

A range of SNP policies seek to ensure that Snettisham is a healthy, inclusive community. Policies NP01 and NP14 aim to focus development in sustainable locations so that it has good walkable access to local services. Community Aim CA02 and NP13 seek to ensure that there is adequate open space and access to the natural environment to provide for quality of life benefits for local residents.

**Section 10: Meeting the challenge of climate change, flooding and coastal change (NPPF Paras. 93 – 108)**

Community Aim CA1 looks to promote sustainable design and building standards for new developments, to encourage the use of solar panels, suitable glazing and water protection measures etc., in order to ensure that new development helps to

mitigate, and adapt to, the effects of climate change.

### **Section 11: Conserving and enhancing the natural environment (NPPF Paras. 109 – 125)**

SNP Policy NP13 seeks to preserve the status of the AONB and increase access to the local natural environment. Policy NP02 will work to ensure that impacts on biodiversity from windfall development are avoided or mitigated, and that the best and most versatile agricultural land is protected.

### **Section 12: Conserving and enhancing the historic environment (NPPF Paras. 126 – 141)**

Policy NP02 ensures that any impacts from windfall development on heritage assets are mitigated. Policy NP12 looks to ensure that all developments adequately consider any impacts on both designated and non-designated heritage assets.

## **4 SUSTAINABILITY**

The SNP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.

The SNP focuses on the social, commercial, environmental, historical and ecological aspects of the Village. It does not seek to prevent development but, rather, to enhance the above aspects where possible, and otherwise mitigate effects on them, in a sustainable way. It seeks to improve the quality of life within the Village. This is in line with both BCKLWN planning policy and the NPPF.

This section of the Statement demonstrates how the SNP fulfils the basic condition that the plan contributes to achieving sustainable development.

The NPPF sets out three dimensions to sustainable development:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The ways in which the SNP contributes to achieving the economic, social and environmental aspects of sustainable development are set out below:

- contributing to building a strong and competitive economy by supporting small and large businesses **[NP09,10,11]**.
- planning positively for housing growth to meet the needs of present and future generations **[NP01,02]**.
- supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people and promote a healthy and inclusive community **[NP03,04,05]**.
- supporting new development where it relates well to the existing built-up area of the village, uses locally appropriate materials and provides sufficient outdoor amenity space and development density **[NP06,07]**.
- promoting policies to protect the local landscape and access to it, which contribute toward the sense of place and quality of life in the area **[NP13]**.
- promoting policies which preserve the historic fabric and heritage assets of the parish **[NP12]**.
- promoting policies which encourage the use of sustainable transport by ensuring that key facilities are located within the parish where possible, and that new development has good access to existing or new services and facilities **[NP14]**.

## 5 CONFORMITY WITH LOCAL BOROUGH PLANS

The SNP is in line with Borough Policy, particularly in that the scale of development proposed is broadly consistent with recent Local Plans, and certainly not less. It refers to relevant sections of the BCKLWN Core Strategy and LDF/SADMP. There are no departures from these documents. No new formal boundaries are proposed.

In addition, in relation to specific Core Strategy requirements, the SNP achieves those aims in the following ways:

- CS01 – Spatial Strategy: the SNP encourages economic growth, the status of Snettisham as a Key Rural Service Centre [KRSC], and also avoids encouraging development in flood risk areas. **[NP01,02,04,09,10]**
- CS02 – Settlement Hierarchy: as above, the SNP works to enhance the status and sustainability of Snettisham as a KRSC. **[NP01,02,04,09,10]**
- CS03, CS04, CS05 – Do not apply to Snettisham.
- CS06 – Development in Rural Areas: the SNP recognises the level of house building required, and allows for a higher figure than the current LDF. It encourages local character, and business development being in close proximity to residential areas. **[NP01,02,03,06,07,09]**
- CS07 – Development in Coastal Areas: the SNP recognises the various environmental designations in the area, and encourages development which will not impact significantly on these. **[NP01,02,09,10,12]**
- CS08 – Sustainable Development: the SNP encourages appropriate and sustainable development which is of good design, density, environmental

standards, and which does not encourage unnecessary car use; it does not impact adversely the natural and historic landscape.

**[NP02,03,04,05,06,07,09,12,13; CA1,2]**

- CS09 – Housing Distribution: again, as above, the SNP allows for the Borough's housing targets to be achieved, allowing a slightly increased number of dwellings against the current allocation. It encourages a mix of housing type, tenure and size, while allowing for this to adapt to changing circumstances, stressing the need for affordable housing.

**[NP01,02,03,04,05]**

- CS10 – The Economy: the SNP does not restrict appropriate commercial development encouraging this to be sustainable and local. It encourages retail and tourism in the centre of the Village, and policies which do discourage certain locations are to preserve natural and other assets.

**[NP02,09,10,11]**

- CS11 – Transport: the SNP does not deal with wider transport infrastructure, but does allow for the balance between necessary car use and ensuring alternative local options are available.

**[NP01,02,08,09,10,13,14]**

- CS12 – Environmental Assets: the SNP has at its heart the protection of the local historic, cultural and natural environment by encouraging development away from such areas which might be affected. It also encourages development with an appropriate and local character.

**[NP01,02,03,09,10,11,12; CA1,2]**

- CS13 – Community and Culture: the SNP has been community led throughout, encourages healthy and active lifestyles by ensuring access to both the environment and local services. It does not specifically address cultural assets. **[NP04,05,07,09: CA2]**

- CS14 – Infrastructure Provision: the SNP expresses concerns about appropriate infrastructure (e.g. transport and medical provision) but provision of these is beyond the scope of such a Plan. The CIL contributions may help, but these will need to be based on infrastructure needs at the time, and parishes are restricted to some extent on what these can be spent. **[NP02: CA2]**

With reference to the SADMP Development Management Policies, the SNP reflects these as below:

- DM1 – Presumption in Favour of Sustainable Development: the SNP is a document based entirely on the premise of sustainable development. **[All policies]**
- DM2 – Development Boundaries: the SNP does not propose any new boundaries.
- DM2A – Early Review of Local Plan: not addressed in the SNP.
- DM3 – Development in the Smaller Villages and Hamlets: does not apply to Snettisham – a Key Rural Service Centre.
- DM4 - Houses in Multiple Occupation: not specifically addressed by the SNP, but flexibility included. **[NP03]**

- DM5 - Enlargement or Replacement of Dwellings in the Countryside: the SNP concentrates on new dwellings, recognising the greater flexibility needed with conversions etc.
- DM6 - Housing Needs of Rural Workers: the SNP does not address rural workers specifically, but all policies address housing and other needs of local people; affordability and quality are specifically addressed.
- DM7 - Residential Annexes: the SNP does not deal with this specifically.
- DM8 - Delivering Affordable Housing on Phased Development: the SNP strongly addresses the issue of affordable housing on both new and windfall sites. **[NP04,05]**
- DM9 - Community Facilities: the SNP does not specifically deal with this, but stresses the importance of community throughout.
- DM10- Retail Development: not specifically aimed at Snettisham, but the SNP has a similar focus on location of commercial development in the Village context. **[NP09,10,11]**
- DM11 - Touring and Permanent Holiday Sites: not specifically addressed by the SNP, but some diversification is allowed inland. Note: Beach development is covered in DM11 given the extensive area at risk of flooding. **[NP11]**
- DM12 - Strategic Road Network: the SNP specifically addresses the issue of access onto the A149. **[NP10b,14]**
- DM13 - Railway Trackways: the SNP does not address this as sufficiently covered in DM13.
- DM14 - Development associated with the National Construction College, Bircham Newton and RAF Marham: not relevant to the SNP.
- DM15 - Environment Design and Amenity: the SNP stresses sympathetic development, good access and environmental awareness.  
**[NP03,06,07,13;CA1]**
- DM16 - Provision of Recreational Open Space for Residential Development: the SNP specifically addresses open space in new developments and longer-term preservation of existing open space. **[CA2]**
- DM17 - Parking Provision in New Development: the SNP specifically addresses parking. **[NP08]**
- DM18 - Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham): where the SNP encourages development, this is outside coastal flood risk areas, which are sufficiently addressed in DM18.
- DM19 - Green Infrastructure/Habitats Monitoring and Mitigation: the SNP includes HRA and SEA documents; it also addresses encouragement of access to and preservation of the natural environment. **[NP02,13]**
- DM20 - Renewable Energy: not specifically addressed in the SNP, though it does note general support for such development as evidenced by recent solar farm.
- DM21 - Sites in Areas of Flood Risk: where the SNP encourages development, this is outside flood risk areas, which are sufficiently addressed in DM21.
- DM22 - Protection of Local Open Space: the SNP addresses open space directly, protecting it, and with the aim of dedicating more over time.  
**[CA2]**

- G.83 Snettisham (KRSC): residential allocation of the current Local Plan: the SNP proposes a slightly higher figure than the current Local Plan.  
**[NP01]**

## **6 NATIONAL AND SUPRA-NATIONAL CONSIDERATIONS**

Following advice from BCKLWN – see additional document<sup>1</sup> - the need for Strategic Environmental and Habitat Regulations Assessments was agreed. This reasoning is set out in the BCKLWN document to be read in conjunction with this statement. Such assessments were undertaken and the Plan measured against them.

## **7 HUMAN RIGHTS**

SPC feels that there are no Human Rights legislation breaches likely to be consequent upon the Plan, either to residents of the Village or others who may be affected by it.

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### **APPENDIX: Core principles as laid out in the NPPF.**

Extract:

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

1. be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency
2. not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
3. proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities
4. always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
5. take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it
6. support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing

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<sup>1</sup> Snettisham Neighbourhood Plan - Strategic Environmental Assessment & Habitats Regulations Assessment

- resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- 7. contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework
  - 8. encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value
  - 9. promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)
  - 10. conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations
  - 11. actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
  - 12. take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs