



# **Lichfield City Neighbourhood Plan 2016-2029 Basic Conditions Statement**

**February 2017**



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## **1 INTRODUCTION**

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Lichfield City Neighbourhood Development Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.
- 1.2 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.3 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); and
  - the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

### **Supporting documents and evidence**

- 1.4 The Lichfield City Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement.

### **Key statements**

- 1.5 Lichfield City Council is a qualifying body and entitled to submit a Neighbourhood Plan for the civil parish of Lichfield. The Lichfield City Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.
- 1.6 The neighbourhood area is contiguous with the parish boundary, as shown in the map accompanying the neighbourhood area designation application.
- 1.7 The Lichfield City Neighbourhood Plan covers the period from 2016 to 2029.
- 1.8 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 1.9 The Lichfield City Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Lichfield as designated by Lichfield District Council on 10<sup>th</sup> December 2013.
- 1.10 There are no other neighbourhood plans in place for the Lichfield City neighbourhood area.

## 2 CONFORMITY WITH NATIONAL PLANNING POLICY

2.1 It is required that the Lichfield City Neighbourhood Plan (LCNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF).

### National Planning Policy Framework

2.2 The NPPF in sections 183-185 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

2.3 This section demonstrates that the LCNP has regard to relevant policies within the NPPF in relation to:

- Delivering a wide choice of high quality homes
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Supporting high quality communications infrastructure
- Requiring good design
- Promoting healthy communities
- Conserving and enhancing the natural environment
- Protecting Green Belt land

2.4 The LCNP has identified several objectives which it seeks to address. We summarise them in Table 2.1 below and which NPPF goals each objective seeks to address.

2.5 Table 2.2 then provides a summary of how each policy in the LCNP conforms specifically to the NPPF.

**Table 2.1: Assessment of challenges that the LCNP addresses against NPPF goals**

LCNP Objective	Relevant NPPF goal
Increase higher value employment activities in the City to provide more local job opportunities.	Building a strong, competitive economy
Increase the number of start-up businesses in the City.	Building a strong, competitive economy
Increase the proportion of retail spend captured from local residents in Lichfield.	Building a strong, competitive economy Ensuring the vitality of town centres Promoting healthy communities
Increase high spend tourism and length of stay through the improvement of Lichfield City as a destination.	Building a strong, competitive economy Ensuring the vitality of town centres Requiring good design
Increase levels of employment and commercial activity in cultural, creative, medical and educational sectors.	Building a strong, competitive economy Promoting healthy communities
Improve pedestrian access into and around the City Centre and between Lichfield City Railway Station, Trent Valley	Promoting sustainable transport

<b>LCNP Objective</b>	<b>Relevant NPPF goal</b>
Railway Station and Cricket Lane.	Promoting healthy communities
Maintain and enhance the City's historic character, particularly its medieval core. Development should be of a scale and character consistent with the inherent character of the City Centre.	Requiring good design Conserving and enhancing the historic environment

**Table 2.2: Assessment of how each policy in the LCNP conforms to the NPPF**

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	Policy 1: Cricket Lane Strategic Development Allocation	21, 23, 24, 35	Maximises opportunities for B1a and B1b employment located sustainably within the strategic site, complemented by other commercial uses to increase appeal.
2	Policy 2: Managed workspace	20, 21	Recognises the needs of small start-up businesses in a growing high value economy and makes provision for infrastructure to support them.
3	Policy 3: Lichfield Business Village, University of Staffordshire campus	20, 21	Seeks to build on the success of the existing managed workspace at this location and grow it.
4	Policy 4: Primary movement routes	29, 30, 35, 41	Seeks to protect and enhance the primary movement routes for pedestrians and cyclists, and where possible enhance them, particularly at identified points of conflict.
5	Policy 5: Signage	29, 41, 69	Seeks to improve signage to and within the City to reduce journey times and encourage users to adopt the best and most accessible routes.
6	Policy 6: Pedestrian linkage of Friarsgate with the rest of Lichfield City Centre	23, 37, 69	Seeks to ensure that development at Friarsgate does not detract from existing retail by providing strong pedestrian links between the two locations.
7	Policy 7: Non-retail uses in the retail area, Lichfield City Centre	23, 70	Supports the introduction of temporary non-A Class uses for units to enable pop-up shops and similar, while protecting the primary retail allocation.
8	Policy 8: Tourism and cultural industry employment	21, 23, 70	Supports the protection and growth of employment in the tourism and cultural sector including the use of vacant Use Class A and Use Class B in the retail area.
9	Policy 9: Linkages with Lichfield Cathedral	35, 69	Encourages stronger linkages – for walkers and cyclists - between Lichfield Cathedral and the City Centre.
10	Policy 10: Views of Lichfield Cathedral	58, 128	Seeks to protect view of the cathedral from positions around the City.
11	Policy 11: Hotel Provision	23	Encourages the provision of hotel accommodation to support the visitor and wider business economy.
12	Policy 12: City Centre Redevelopment Sites	21, 23, 29, 40, 128	Supports provision for a mix of development to increase A-class retail, B- class provision, and car parking at city centre sites (Bird Street car park and the former Quonians site).

### **3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT**

- 3.1 The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking.'
- 3.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals.
- 3.3 The **social** goals are to maintain a vibrant community within Lichfield City, recognising that the community and its needs may change over time. It seeks to provide improved pedestrian and cycling links within the city and improved community infrastructure to meet the needs of residents, works and visitors.
- 3.4 The **economic** goals are to retain and improve the existing employment base within Lichfield. This it seeks to achieve by ensuring that new employment space is provided in the sectors with potential to grow, for example commercial and office space, retail and businesses that support the important visitor economy.
- 3.5 The **environmental** goals are to protect the historic environment and ensure that development recognises this in its design, landscaping and access. This it seeks to achieve through its policies on linkages between parts of the city and protecting important heritage views.
- 3.6 Lichfield District Council considered that a Strategic Environmental Assessment (SEA) was not required because the LCNP in its current form is not likely to have significant environmental effects.
- 3.7 In respect of the possible need for a Habitat Regulations Assessment (HRA), the assessment undertaken by Lichfield District Council concluded that there are no potential significant effects upon the identified designated European sites and as such further work as part of the compliance with the Habitat Regulations will not be required.

## 4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

4.1 The development plan currently consists of the following:

- 2015 Lichfield District Local Plan
- 1998 Lichfield Local Plan (saved policies) – which remain saved until replaced by policies in the Local Plan: Allocations document
- 1999 Staffordshire and Stoke-on-Trent Minerals Local Plan (saved policies)
- 2013 Staffordshire Waste Local Plan.

4.2 The policies of relevance are shown in Table 4.1 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the LCNP is in general conformity with them.

4.3 Any policy that is not identified in Table 4.1 is not considered to be relevant to the LCNP because the LCNP does not have any policies that directly relate to it.

4.4 It is confirmed that there are no policies in either the 1999 Staffordshire and Stoke-on-Trent Minerals Local Plan (saved policies) or the 2013 Staffordshire Waste Local Plan that the LCNP policies have any relevance to.

**Table 4.1: Relevant policies in the 2015 Lichfield District Local Plan (*and saved policies from 1998 Local Plan*)**

Theme	District Local Plan Policy	LCNP Policy
Infrastructure	Core Policy 4 – Delivering our Infrastructure Policy Lichfield 3 – Lichfield Economy	Policies 1, 2, 3 and 12 supports improvements to commercial and retail provision, along with associated transport infrastructure.
Transport	Core Policy 5 – Sustainable Transport Policy ST1 – Sustainable Travel Policy Lichfield 1- Lichfield Environment Policy Lichfield 2 – Lichfield Services and Facilities  Policy ST2 – Parking provision  <i>Saved Policy L.27 – Pedestrian Access to the City Centre</i>	Policies 4, 5 and 9 seek to promote the provision of improved movement routes for pedestrians and cyclists access to reduce journey times and support sustainable travel modes.  Policy 12 seeks to either increase or ensure no net loss of car parking provision in the city centre to support redevelopment sites.  Policy 6 seeks to enhance pedestrian linkages to the City Centre.
Economy	Core Policy 7 – Employment & Economic Development Policy Lichfield 3 – Lichfield Economy	Policies 1, 2, 3, 7, 11 and 12 support a more diverse economy, including provision for additional retail and commercial/office space and the visitor economy.
Centres	Core Policy 8 – Our Centres	Policies 7, 8 and 12 support proposals for retail,

Theme	District Local Plan Policy	LCNP Policy
	<p>Policy Lichfield 2 – Lichfield Services and Facilities</p> <p>Policy Lichfield 3 – Lichfield Economy</p> <p><i>Saved Policy L.15 – Primary Retail Area</i></p> <p><i>Saved Policy L.16 – Secondary Retail Area</i></p> <p><i>Saved Policy L.17 – Bird Street</i></p> <p><i>Saved Policy L.18 – Dam Street</i></p>	<p>leisure, office and cultural facilities within the city centre area.</p> <p>Policy 7 supports flexible use of premises in the primary and secondary retail areas that are not in retail use.</p>
Tourism	<p>Core Policy 9 – Tourism</p> <p>Policy Lichfield 1 – Lichfield Environment</p> <p>Policy Lichfield 2 – Lichfield Services and Facilities</p> <p>Policy Lichfield 3 – Lichfield Economy</p>	<p>Policies 4, 5 and 9 seek to enhance walking and cycling routes around the neighbourhood area with a focus on signage to ensure visitors (and residents) take advantage of the quickest and most attractive routes.</p> <p>Policies 8 and 9 supports employment in the tourism and cultural sector, including (pop-up) retail provision.</p>
Healthy living	<p>Core Policy 10 – Healthy &amp; safe lifestyles</p> <p>Policy Lichfield 2 – Lichfield Services &amp; Facilities</p>	<p>Policies 4, 5, 6 and 9 seek to promote the provision of better walking and cycling linkages.</p>
Arts and culture	<p>Core Policy 12 – Provision for arts and culture</p>	<p>Policy 7 supports temporary retail uses that are tourism and culture related, for instance linked into local events.</p> <p>Policy 8 supports the growth of the tourism and cultural sector.</p>
Heritage	<p>Core Policy 14 – Our Built &amp; Historic Environment</p> <p>Policy BE1 – High quality development</p> <p>Policy Lichfield 1 – Lichfield Environment</p>	<p>Policy 10 seeks to protect views of Lichfield Cathedral.</p> <p>The need to be sympathetic to the historic environment runs through each policy in the Plan.</p>

## **5 DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS**

- 5.1 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.
- 5.2 The LCNP Group submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) of the draft LCNP in December 2016. In February 2016, Lichfield District Council formally stated that neither an SEA nor an HRA was required. The formal Screening Report providing this opinion is submitted as a separate supporting document.

## **6 CONCLUSION**

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Lichfield City Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Lichfield City Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

