

Lavenham Neighbourhood Plan 2

Modification Proposal

Regulation 14 Statement

1. This statement is made by Lavenham Parish Council (“the qualifying body”) in accordance with Regulation 14 (a) (v) of the Neighbourhood Planning (General) Regulations 2012, as amended.
2. Regulation 14 (a) (v) applies when a qualifying body proposes to modify an existing neighbourhood plan. It requires the publication of a “*statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion*”.
3. National planning practice guidance states:

“There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- *Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*
- *Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*
- *Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.”*

National planning practice guidance

www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan

Paragraph: 106 Reference ID: 41-106-20190509 Revision date: 09 05 2019

4. The existing Lavenham Neighbourhood Plan, referred to in this statement as Lavenham Neighbourhood Plan 1 (and abbreviated as LNP1), was adopted by Babergh District Council in September 2016.
5. LNP1 seeks to address two key issues in the plan area:

- a) Achieving sustainable development in Lavenham – through policies that will enable a better balance between the age groups of residents, and that will allow more young people to live in the village.
 - b) Preserving Lavenham’s unique qualities, including the historic core and surrounding countryside, to maintain Lavenham’s position as an important tourism destination.
6. LNP1 includes policies in relation to the location of development. Policy H1 provides detail and guidance to applicants as to what development will be permitted both within Built Up Area Boundaries (BUAB) as well as beyond the BUAB. The BUAB was defined in the Local Plan via Saved Policies from Babergh District Council’s 2006 Local Plan but brought forward through LNP1.
7. LNP1 also includes policies in relation to housing mix (H2), affordable housing (H3, H4 and H5), homes to meet the needs of the older generation (H6), design (D1, D2 and D3), community facilities (C1), open spaces (C2), the footpath network (C3), allotments (C4), health facilities (C5), Lavenham Community Primary School (C6), communications infrastructure (C7) connectivity (C8), retail (C9), landscape and defined views (ENV1 and ENV2), Market Place (ENV 3), renewable energy (ENV 4), tourism (E1) and employment (E2).
8. LNP1 does not allocate sites for development but it does assume the delivery of additional homes as a contribution towards the 1050 housing target set in the 2014 Babergh Core Strategy, to be met in ten core and 43 hinterland villages.
9. The qualifying body proposes to modify LNP1 through the following changes:
- a) A revised vision built around the four themes of i) responding to the climate change emergency ii) a flourishing community, sustainable and resilient iii) protecting our heritage and landscape iv) movement of people and vehicles. The vision proposed in the modification proposal is a different approach to that contained in LNP1. However, the two key issues which NP1 seeks to address continue to feature in LNP2 through theme two (a flourishing community, sustainable and resilient) and theme three (protecting our heritage and landscape).
 - b) A new plan period from 2023 to 2037
 - c) Assuming a minimum housing target of 118 to be delivered during the period 2018 to 2037. It is a target specific to Lavenham parish and is consistent with indicative figures provided by the Local Planning Authority under paragraph 67 of the NPPF 2021.
 - d) LNP2 proposes to designate an up-to-date settlement boundary (See Policy LAV 13), reflecting an up to date picture of the settlement’s main built form pattern. This allows LNP2 to provide greater clarity (than in LNP1) as to where the principle of development is established (inside the settlement boundary) and where it is not (outside the settlement boundary).

- e) Responding proactively to the climate change emergency through the inclusion of one policy chapter covering 12 planning policies, ten of which are new. These policies deal with new build energy standards, the upgrading of existing buildings, renewable energy infrastructure, flood events, extreme weather events, biodiversity networks and carbon footprints.
 - f) Designating the majority of spaces safeguarded under Policy C2 of the LNP1 as Local Green Spaces (LGS) (see LAV 19) in line with the NPPF 2021 as well as identifying new spaces where they meet the criteria. As part of this, LNP2 includes a policy which identifies other spaces of value but which do not meet the criteria for LGS designation.
 - g) No longer including an explicit aspiration to relocate Lavenham Community Primary School to a different site and instead continuing to support proposals affecting the school where such proposals meet the education needs of the parish.
 - h) The inclusion of a policy supporting, in principle, proposals which will deliver new employment uses to land at 47 – 48 Water Street
 - i) Including two new policies focusing on the conservation and enhancement of heritage assets in the parish.
 - j) Updating the approach taken in LNP1 on landscape character, reflecting up to date evidence provided in the recently completed Lavenham Landscape Character and Sensitivity Assessment.
 - k) Including a new policy focusing on Lavenham's village gateways.
 - l) Updating the approach taken in LNP1 on design, reflecting guidance and advice in the recently completed Lavenham Design Guide as well as national policy relating to design, including the National Design Code.
 - m) Including two new policies focusing on the movement of people and vehicles in the village.
10. Appendix 4 to the Regulation 14 Neighbourhood Plan 2 provides a schedule of LNP1 policies proposed to be superseded by NP2.
11. In summary, the changes proposed to LNP1 through this modification proposal are to reflect:
- a) The climate change emergency.
 - b) Changes in Lavenham's built environment that have occurred since the adoption of LNP1.
 - c) Changes in the strategic policy context, including the provision of greater clarity on required housing numbers for the parish.
 - d) Changes in the national policy context, including the NPPF 2021 and the publication of the National Design Guide.

12. The qualifying body considers the changes to be material modifications which would require examination.
13. The qualifying body also considers the material modifications to change the nature of the plan, therefore requiring a referendum to take place in addition to the examination. Whilst the two key issues at the heart of LNP1 remain in LNP2 through theme two “a flourishing community, sustainable and resilient” and theme three “protecting our heritage and landscape”, key aspects of the plan have evolved. The inclusion of the themes “responding to the climate change emergency” and theme 4 “movement of people and vehicles” has resulted in a number of additional new policies that did not feature in LNP1.

Lavenham Parish Council

December 2022