

Coleby Parish Neighbourhood Plan Basic Conditions Statement 4 June 2017

Author: David O'Connor for the Neighbourhood Plan Working Group

Purpose

This document is the Basic Conditions Statement to accompany the submission version of Coleby Parish's Neighbourhood Plan (CPNP).

It is a statutory requirement and has been compiled following guidance set out in *How to Write a Basic Conditions Statement* and *Approaches to Writing a Basic Conditions Statement*, both published by Planning Aid England.

Purpose

The purpose of the Basic Conditions Statement is to demonstrate how the CPNP meets specific legal requirements and satisfies four statutory basic conditions¹:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State
2. the 'making' of the neighbourhood plan contributes to the achievement of sustainable development
3. the 'making' of the neighbourhood 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)
4. the 'making' of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations

Introduction and background

Coleby Parish Council decided to develop a Neighbourhood Plan for the whole Parish as the best way of ensuring the Parish had a voice in future developments.

A Working Group of Councillors and other residents have developed the CPNP. We engaged widely with people and organisations, as set out in the Consultation Statement that accompanies the CPNP.

A national Neighbourhood Plan Grant enabled us to appoint Open Plan Ltd as consultants to assist the Working Group in developing the CPNP.

Our vision for 2036 is:

"Coleby Parish is a wonderful place to live that has adapted to change whilst retaining its own look and feel".

¹ Laid out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1995

The CPNP includes 6 policies:

- Policy 1: Appropriate Location for Development
- Policy 2: Housing
- Policy 3: Design and Character of Development
- Policy 4: Local Green Space and Green Infrastructure
- Policy 5: Access to the Countryside
- Policy 6: Community Facilities

Legal requirements

The CPNP is submitted by Coleby Parish Council, which is the qualifying body entitled to submit a Neighbourhood Plan for the parish.

The Coleby Parish Neighbourhood Plan Working Group has prepared the CPNP. The Working Group was set up by, and reports to, Coleby Parish Council.

The Parish Council applied to North Kesteven District Council (NKDC) on 18 February 2016 to designate the whole parish as a Neighbourhood Area under the Neighbourhood Planning Regulations 2012.

NKDC published our application for the statutory period and made the designation on 1 April 2016.

The CPNP contains policies relating to the development and use of land within the Neighbourhood Area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

The CPNP identifies the period to which it relates as 2012 to 2036. That period has been chosen to align with the dates of the Central Lincolnshire Local Plan (CLLP). The CPNP includes a process for review and revision.

The CPNP does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The draft Plan relates only to the parish of Coleby. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the Neighbourhood Area.

Basic Condition 1 - Having regard to national policies and advice contained in guidance

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

The table below sets out a summary of how each CPNP 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 Regard to national policies and advice

Neighbourhood Plan Policy	NPPF Ref.	Comments
Policy 1: Appropriate Location for Development	103	Promotes use of sustainable drainage systems
	109	Protects valued landscapes
	111	Encourages the effective use of brownfield land
	131	Encourages sustaining and enhancing heritage assets
Policy 2: Housing	159	Recognises need for all types of housing, including affordable housing and the needs of different groups in the community
	177	Seeks to ensure that planned infrastructure is deliverable in a timely manner
Policy 3: Design and Character of Development	59	The design policy avoids unnecessary prescription or detail by aligning with the CLLP, avoiding repetition where possible and linking design to the Coleby Character Assessment
Policy 4: Local Green Space and Green Infrastructure	76	Local Green Spaces (LGS) are identified as part of the CPNP and are capable of enduring beyond the end of the plan period (2036).
	77	LGS designations have been evaluated against the NPPF criteria
	78	CPNP policy is consistent with Green Belt policy
Policy 5: Access to the Countryside	28	Respects the character of the countryside

Neighbourhood Plan Policy	NPPF Ref.	Comments
	75	Protects and enhances public rights of way and access to the countryside
Policy 6: Community Facilities	28	Promotes the retention and development of local services and community facilities.
	70	Plans positively for provision and use of community facilities to enhance the sustainability of communities and residential environments. Ensures an integrated approach to considering the location of community facilities.
Other	42	CPNP Community Issues in Appendix 4 highlight further improvements in high speed broadband that plays a vital role in enhancing provision of local services and community facilities.
	58	The CPNP has developed robust and comprehensive policies that set out the quality of development that will be expected for the area. Those policies are based on stated objectives for the future of the area.
	183-185	The CPNP has been developed within NPPF criteria

Basic Condition 2 - Contributes to the achievement of sustainable development

The main purpose of the planning system is to contribute towards the achievement of sustainable development.

There are three dimensions to sustainable development²: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *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;*

² National Planning Policy Framework Paragraph 7

- *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; and*
- *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 contribution of the CPNP to sustainable development is summarised in Table 2 below. At a strategic level the CPNP aligns with the CLLP and its Policy LP1 that reflects the NPPF presumption in favour of sustainable development.

Table 2 Contributes to the achievement of sustainable development

CPNP Policy	Economic	Social	Environmental	Comments
Policy 1: Appropriate Location for Development	●	●	●	<ul style="list-style-type: none"> ✓ Accommodates 10% permitted housing growth on land within and adjacent to the developed footprint of the village. ✓ Requires that development does not detract from a range of village characteristics. ✓ Promotes Sustainable Urban Drainage Systems (SUDS).
Policy 2: Housing	●	●	●	<ul style="list-style-type: none"> ✓ Supports development of individual houses or small groups of houses. ✓ Encourages and supports affordable housing and housing suited to needs of first time buyers and downsizers. ✓ Protects amenity considerations. ✓ Infrastructure should be completed before development is occupied.
Policy 3: Design and Character of Development		●	●	<ul style="list-style-type: none"> ✓ Supports development that has regard to the Coleby Character Assessment i.e. fits with the particular part of the village where the development takes place. ✓ Protects the area of separation and important views.

CPNP Policy	Economic	Social	Environmental	Comments
Policy 4: Local Green Space and Green Infrastructure		●	●	✓ Designates Local Green Spaces
Policy 5: Access to the Countryside		●	●	✓ Seeks to maintain and enhance access to the countryside, links to existing footpaths and rights of way etc.
Policy 6: Community Facilities		●		✓ Protects existing Community Facilities and encourages improvements and expansion of community facilities.

Basic Condition 3 - General conformity with the strategic policies of the development plan

The adopted development plan for Coleby Parish is the Central Lincolnshire Local Plan 2012-2036 (CLLP).

The CPNP has been prepared to ensure that it is in general conformity with the CLLP.

Appendix A of the CLLP identifies the strategic policies. Table 3 below summarises how the 6 CPNP policies are in general conformity with the relevant CLLP strategic policies. Table 3 does not purport to be an exhaustive list.

Table 3 General conformity with strategic policies of the development plan

Relevant strategic policies of the development plan	How Coleby Neighbourhood Plan conforms
LP2 – The Spatial Strategy and Settlement Hierarchy	Coleby Parish contains a small village (Level 6), hamlet (Level 7) and open countryside (Level 8). CPNP adopts the CLLP tests for “developed footprint”, “demonstration of clear local community support” and “exceptional circumstances”.
LP4 – Growth in Villages	Adopts the LP4 permitted growth level of 10%. Adopts the sequential test for development in Level 6 settlements.

Relevant strategic policies of the development plan	How Coleby Neighbourhood Plan conforms
LP11 – Affordable Housing	Encourages affordable housing and housing for downsizers and first time buyers
LP12 – Infrastructure to Support Growth	Provides for infrastructure to be completed before new dwellings are occupied.
LP13 – Accessibility and Transport	Makes provision for appropriate parking
LP14 – Managing Water Resources and Flood Risk	Promotes Sustainable Urban Drainage Systems (SUDS)
LP15 – Community Facilities	Seeks to retain / develop community facilities
LP17 – Landscape, Townscape and Views	Has regard to character and setting and takes account of views into, out of and within the settlement.
LP20 – Green Infrastructure Network	Protects footpaths and other rights of way
LP21 – Biodiversity and Geodiversity	Seeks to protect the countryside
LP23 - Local Green Space and Other Important Open Space	Designates Local Green Spaces
LP25 – The Historic Environment	Protects, conserves and seeks opportunities to enhance the historic environment

Basic Condition 4 - The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations

Strategic Environment Assessment (SEA)

NKDC carried out a screening assessment of the pre-submission version of the CPNP to determine whether the CPNP required a full SEA.

As a result of that assessment, and consultation with the statutory agencies, NKDC has confirmed that it is unlikely that there will be any significant environmental effects arising from policies in the pre-submission CPNP. As a result, they have confirmed that a full SEA is not needed.

The submitted CPNP contains amendments in response to the statutory regulation 14 consultation. However, those amendments do not have the potential to change that opinion.

Habitats Regulations Assessment

There are no European Sites within the Parish so a Habitats Regulations Assessment is not necessary.

Conclusion

Coleby Parish Neighbourhood Plan meets relevant legal requirements and meets the four 'Basic Conditions' applicable to Neighbourhood Plans.