

Draft Statement of Basic Conditions

(March 2016)

Thurcaston and Cropston Parish
Neighbourhood Plan

Introduction

- 1.1 This statement has been prepared by *Yourlocale* on behalf of Thurcaston and Cropston Parish Council to accompany its submission to the local planning authority (Charnwood Borough Council) of the Thurcaston and Cropston Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 The policies described in the Neighbourhood Plan relate to development and the use of land in the designated Neighbourhood Plan area only. The plan period for the Neighbourhood Plan is 2015 to 2028 and it does not contain policies relating to excluded development, in accordance with the Regulations. The way in which the Neighbourhood Development Plan meets the Regulations and the Basic Conditions is set out below.
- 1.3 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 in the following way how the Neighbourhood Plans must meet the basic conditions:

(3.1) The examiner must consider the following—

- (3.1.a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
- (3.1.b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
- (e) 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
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development

- (e) 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)
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and
- (g) 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 Thurcaston and Cropston Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (d) and (e). Section 3 of this Statement sets out how the Neighbourhood Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

Legal Requirements

- 2.1 The Plan complies with the provisions of sub-paragraph 1(b) as described below.

The Plan is being submitted by a qualifying body

- 2.1.1 The Thurcaston and Cropston Neighbourhood Plan has been submitted by Thurcaston and Cropston Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The Neighbourhood Plan has been prepared by a Steering Group under the auspices of Thurcaston and Cropston Parish Council.

What is being proposed is a neighbourhood plan

- 2.1.2 The Thurcaston and Cropston Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood area and has 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 Regulations 2012.

- 2.1.3 **The proposed neighbourhood plan states the period for which it is to have effect**

- 2.1.4 The Thurcaston and Cropston Neighbourhood Plan states that the period which it relates to is from 2015 until 2028. The period has been chosen to align with that of the approved Charnwood Local Plan 2011 – 2028 Core Strategy.

The policies do not relate to excluded development

- 2.1.5 The Thurcaston and Cropston Neighbourhood Plan 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 County Council was consulted as part of the Regulation 14 consultation and did not raise any concerns that the Neighbourhood Plan is not compatible with the existing adopted Leicestershire Minerals Local Plan.
- 2.1.6 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood plans in place within the neighbourhood area.
- 2.1.7 The whole parish of Thurcaston and Cropston was formally designated as a Neighbourhood Area by Charnwood Borough Council on 9 May 2014. The proposed neighbourhood plan relates only to the parish of Thurcaston and Cropston and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.
- 2.1.8 In relation to sub-paragraph 1(d), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.
- 2.1.9 In relation to sub-paragraph 1(e), there are no other prescribed matters.

The Basic Conditions

- 3.1 This section addresses how Thurcaston and Cropston Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF) and the approved policies contained in the Charnwood Local Plan 2011 to 2028 Core Strategy (adopted November 2015). The Neighbourhood Plan is therefore in general conformity with the approved policies from the Charnwood Local Plan 2011 to 2028 Core Strategy. Detailed references to relevant paragraphs in the NPPF and to relevant policies in the approved Local Plan are given in the justification for each Neighbourhood Plan policy in the main text of the Plan. For this Statement, the table in Appendix 1 shows a summary of the links between Neighbourhood Plan policies and the key themes for delivering sustainable development set out in the NPPF and the policies in the approved Local Plan.

These links are explored further below

3.2 Having regard to national policies and advice

Building a strong, competitive economy (NPPF paras. 18 - 22)

- 3.2.1 The Neighbourhood Plan proactively supports sustainable economic growth through its policies for Employment and the Economy. Policy T&C 3 focuses development, including employment related, to the most sustainable locations. Policy T&C 9 protects existing, and Policy T&C 10 supports the provision of appropriate new, community facilities (a major source of employment in the Parish).

Ensuring the vitality of town centres (NPPF paras. 23 – 27)

- 3.2.2 The Neighbourhood Plan promotes policies to support the viability and vitality of the main settlements (Thurcaston and Cropston) in the Parish through policies T&C 9 and T&C 10 that protects and enhances community facilities within the settlements. Policy T&C 3 defines a limit to development around Thurcaston and sets out the type of sustainable development that would be supported within it. Policies T&C 20, T&C 21 and T&C 21 seek to improve accessibility to the main villages and the surrounding areas.

Supporting a prosperous rural economy (NPPF para. 28)

- 3.2.3 The Neighbourhood Plan promotes a strong rural economy through Policy T&C 3 which supports development where it is appropriate to a rural location, such as for the purposes of agriculture, including in principle farm diversification. Policies T&C 9 and T&C 10 support the retention, provision and enhancement of key community services and facilities.

Promoting sustainable transport (NPPF paras. 29 – 41)

- 3.2.4 The Neighbourhood Plan's transport policies promote the use of sustainable transport. Policies T&C 20 and 21 and Community Actions 1, 2, 3 and 4 seek to improve traffic management and highway safety within the Parish. Policies T&C 22 and Community Action 5 supports pedestrians and cyclists.

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

- 3.2.5 The Neighbourhood Plan's housing policies seek to meet housing needs. Policies T&C 3 and T&C 5 supports appropriate small scale housing developments within the

defined Thurcaston Limits to Development. Policy T&C 6 supports a mix of market housing types and sizes to reflect local needs. Policy T&C 7 supports the provision of affordable housing to meet housing needs.

Requiring good design (NPPF paras. 56 – 68)

- 3.2.6 Good design is integral to the Plan. Policy T&C 12 specifically requires new development to be of good and sympathetic design, especially where in Thurcaston and Cropston Conservation Areas or where it may affect a Listed Building or its setting.

Promoting healthy communities (NPPF paras. 69 – 78)

- 3.2.7 A range of Neighbourhood Plan policies seek to ensure that Thurcaston and Cropston is a healthy parish. Policy T&C 6 supports the provision of new housing to meet local housing needs, especially for young people and young families. Policy T&C 10 protects key community facilities and shops, drawing attention to their importance for good health. Chapter 10 deals with the built and historic environment highlighting their importance for the health and well-being of residents. Policy T&C 13 protects Local Green Spaces, which are important for sport and well-being.

Meeting the challenge of climate change, flooding and coastal change (NPPF paras. 93 – 108)

- 3.2.8 Policies T&C 3 and T&C 4 focuses development on the most sustainable locations. Policy T&C 17 supports biodiversity and Policy T&C 19 protects important trees and hedges. Policies T&C 22 and Community Action 5 support walking and cycling.

Conserving and enhancing the natural environment (NPPF paras. 109 – 125)

- 3.2.1 This a major theme of the Plan. The Plan's environment policies contribute to and enhance the local natural environment by protecting the countryside and minimising impacts on biodiversity. Policy T&C 4 protects the countryside from inappropriate development. Policies T&C 13 and T&C 14 protects important local green spaces and T&C 17 important sites of biodiversity value. Policy T&C 19 recognises the value of trees, hedges and woodlands.

3.3 Achieving sustainable development

- 3.3.1 The Neighbourhood Plan 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 considerations, reasonable

environmental and social considerations are taken into account.

3.3.2 Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, this section of the Statement demonstrates how Thurstaston and Cropston Neighbourhood Plan fulfils the basic condition that the plan contributes to achieving sustainable development.

3.3.3 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; 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.

3.3.4 Contributing to sustainable development is at the heart of the Neighbourhood Plan. Some of the ways in which the Thurstaston and Cropston Neighbourhood Plan contributes to achieving the economic, social and environmental aspects of sustainable development are set out below:

- ensuring that development takes place in the most sustainable locations;
- planning positively for housing growth to meet the needs of present and future generations in line with Borough wide housing needs and policies;
- 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.
- protecting, and supporting the provision, of important community facilities that are special to the local community;

- promoting policies to protect locally important green spaces, enhance the built and natural environment and improve biodiversity,
- seeking ways of addressing the problems of traffic congestion and highway safety on our roads and the lack of parking and;
- promoting walking and cycling.

3.4 General conformity with the strategic policies of the development plan for the area

3.4.1 The Neighbourhood Plan has been developed in general conformity with the approved policies contained in the approved Charnwood Local Plan 2011 to 2028 Core Strategy as illustrated below and in appendix 1.

Chapter 6 – Development Strategy for Charnwood (Policies CS1, CS2, CS3, CS4 and CS5)

3.4.2 The Plan is accordance with the Chapter including its emphasis on meeting the local social and economic need for sustainable development. Neighbourhood Plan Policy T&C 1 requires a positive approach to sustainable development. Policy T&C 3 supports that development should be focused within the defined Limits of Development for Thurcaston. Policy T&C 4 supports that the countryside should be protected from inappropriate development. Policies T&C 3 and T&C 5 articulate, and address locally, the district wide housing need requirements as reflected in the Local Plan. Policy T&C 5 supports appropriate windfall development. Policies T&C6, T&C 7 and T &C 8 supports the provision of suitable housing, including affordable housing to meet local need.

3.4.3 Chapter 6 – Economy and Regeneration (Policies CS6, CS7, CS8 and CS9)

3.4.4 The Parish is mainly rural in nature and does not contain any significant employment sites. Policy T&C 4 supports rural diversification. Policy T&C 9 protects important community facilities including shops and Policy T&C10 supports the enhancement of existing provision.

Chapter 7 – Our Environment (Policies CS10, CS11, CS12, CS13, CS14, CS15 and CS16)

- 3.4.5 The policies in the Local Plan stress the importance of the good quality built and natural environment and the contribution this makes to quality of life. This is also a major theme of the Neighbourhood Plan. This is reflected in policies T&C 13 and T&C 14 that protect important green spaces, Policy T&C 17 which promotes biodiversity and Policy T&C 19 which protects important trees and hedgerows. Policy T&C 12 sets out the design standards required in development proposals. Policies T&C 15 and T&C 16 protect non-designated heritage assets from inappropriate development.

Chapter 8 – Access and Travel (Policies CS17 and CS18)

- 3.4.6 The emphasis of the policies of the Local Plan to promote sustainable travel and manage the road network especially by car is supported by the Neighbourhood Plan through Policies T&C 20, T&C 21 and Community Objectives 1, 2, 3 & 4 which seek to address traffic management issues and improve connectivity. Policy T&C 22 supports and encourages cycling and walking.

3.5 EU obligations

Strategic Environmental Assessment (SEA)

- 3.5.1 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:
- a neighbourhood plan allocates sites for development;
 - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
 - the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

3.5.2 In the case of Thurcaston and Cropston Neighbourhood Plan:

- the Plan does allocate any sites for development;
- there are no sensitive natural or heritage assets that may be adversely affected by the policies in the Plan;
- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and shown at Appendix 2; and
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Charnwood Borough Council's Local Plan.

3.5.3 The Borough Council has screened the NP to determine whether an SEA is required.

Habitats Directive

3.5.4 A HRA screening of the Neighbourhood Plan has been undertaken. This did not identify any significant effects arising from the proposals contained in the Plan.

3.5.5 The Parish therefore considers that the Neighbourhood Plan is not in breach of the EU Habitats Directive.

Convention on Human Rights

3.5.6 The Neighbourhood Plan must have regard to, and is compatible with, the fundamental rights and freedoms guaranteed under the European Convention on Human Rights.

3.6 Other Basic Conditions

3.6.1 An additional basic condition prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 is that: -

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3) (either alone or in combination with other plans or projects).

- 3.6.2 Natural England, Environment Agency and Historic England have formally been consulted on the draft Neighbourhood Plan and did not raise any concerns that the Plan would adversely affect an internationally or nationally designated nature conservation sites within Thurcaston and Cropston Parish or the surrounding area. The Parish Council therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.

3.7 Consultation

- 3.7.1 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. There was extensive consultation and engagement in identifying issues and objectives and the draft Neighbourhood Plan is being consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made. The Statement of Consultation has been prepared and meets the requirements set out in Paragraph 15 (2) of the Regulations.