

# BASIC CONDITIONS STATEMENT



## ELKESLEY NEIGHBOURHOOD DEVELOPMENT PLAN 2015 - 2028

ELKESLEY PARISH COUNCIL

## Consultation Statement

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### 1 Introduction

#### What is the Neighbourhood Plan?

- 1.1 The Elkesley Neighbourhood Development Plan hereafter Elkesley Neighbourhood Plan has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future of the parish and sets out how that vision will be realised through planning and controlling land use and development change.
- 1.2 The Plan relates to planning matters (the use and development of land) 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.

#### What is the Basic Conditions Statement?

- 1.3 This Basic Conditions Statement has been prepared to accompany the Elkesley Neighbourhood Plan. Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans must meet the following basic conditions:
  - I. Have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
  - II. Contribute to the achievement of sustainable development;
  - III. Be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case Bassetlaw District Council's 2011 Core Strategy; and
  - IV. Meet the relevant EU obligations.
- 1.4 This document will outline how the Elkesley Neighbourhood Plan meets all of the above basic conditions.

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### 2 Key Statements

- 2.1 Elkesley Parish Council is a qualifying body and is entitled to submit a Neighbourhood Plan for its own parish. The Elkesley Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.
- 2.2 The neighbourhood area is contiguous with the parish boundary as shown on the map accompanying the neighbourhood designation application. For clarity the Plan area is shown at Figure 1 on the following page.
- 2.3 The Elkesley Neighbourhood Plan covers the period from 2015 to 2028. The Plan proposal 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 as 'excluded development'.
- 2.4 The Elkesley Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Elkesley as designated by Bassetlaw District Council in July 2012. There are no other neighbourhood plans in place for the Elkesley neighbourhood area.
- 2.5 The Draft Elkesley Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations March 2012, from 24th November 2014 until the 18th January 2015. Some minor amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement<sup>1</sup>'.

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<sup>1</sup> The Consultation Statement can be found on the Elkesley Neighbourhood Plan web site at <http://elkesleyneighbourhoodplan.weebly.com/>



### 3 Conformity with National Policy

- 3.1 Elkesley Neighbourhood Plan (ENP) is required to have appropriate regard to national planning policy. This is principally provided in the National Planning Policy Framework (NPPF) published in March 2012. The NPPF provides a framework within which local communities can produce neighbourhood development plans for their area and sets out how planning should help achieve sustainable development (see Section 4 relating to achieving sustainable development).
- 3.2 Sections 183-185 of the NPPF refer to Neighbourhood Plans requiring them to have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the Local Plan. The Localism Act explains that this is the 'adopted Development Plan'.
- 3.3 This section demonstrates that the Elkesley Neighbourhood Plan has regard to relevant policies within the NPPF in relation to:
- Delivering a wide choice of high quality homes
  - Supporting a prosperous local economy
  - Requiring good design
  - Promoting healthy communities
  - Conserving and enhancing the natural environment
  - Conserving and enhancing the historic environment
- 3.4 The Elkesley NP contains a Vision, Aim and Objectives. The objectives are summarised in **Table 1** alongside the NPPF goals they seek to address.
- 3.5 **Table 2** provides a summary of how each of the 13 development management policies conforms specifically with the NPPF.

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**Table 1: Neighbourhood Plan Objectives Conformity with NPPF**

| Theme                | Objective  | Relevant NPPF Goal   |
|----------------------|--|--|
| Community facilities | To promote growth that maintains and increases the range of local services | Promoting healthy communities  |
| Housing              | To provide a mix of high quality housing to meet local needs               | Delivering a wide choice of high quality homes.                                    |
| Employment           | To provide local employment opportunities and support economic growth      | Building a strong competitive economy and supporting a prosperous rural community. |
| Environment          | To protect, enhance and extend open spaces and non-vehicular routes        | Conserving and enhancing the natural environment.<br>Promoting healthy communities |

**Table 2: Development Management Policies Conformity with NPPF**

| ENP Policy No. | Policy Title                     | NPPF Ref (para.)   | Commentary   |
|----------------|----------------------------------|--------------------|--|
| 1              | Sustainable Development          | 6, 7, 11           | Defines the overall approach to development where growth must bring forward a balance of uses to meet local need.  |
| 2              | Design                           | 56, 57, 58, 60, 61 | Sets out design standards expected on all new development, the importance of reinforcing local distinctiveness and the integration of new development with the existing.           |
| 3              | Housing Density                  | 47                 | Sets out the local approach to housing density.  |
| 4              | Housing Mix and Type             | 47, 50             | Addresses the need for a mix of dwelling sizes and particularly a greater proportion of smaller dwellings than has been delivered in the past in order to provide for local needs. |
| 5              | Allocation of Affordable Housing | 50                 | Ensures that new development meets the needs of different groups within the community  |
| 6              | Infill Development               | 48                 | Sets out policy criteria to be used if sites come forward that are not currently available but that may come forward in the future.  |



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| ENP Policy No. | Policy Title   | NPPF Ref (para.)      | Commentary   |
|----------------|--|-----------------------|--|
| 7              | Yew Tree Road Site                                   | 55                    | Site identified at the heart of the village that will enhance the vitality of the community.   |
| 8              | Elkesley Park Industrial Estate                      | 17, 20, 160, 161      | Encourages the redevelopment of the business park to sustain the rural economy   |
| 9              | Small Businesses                                     | 28                    | Encourage the growth of small businesses to strengthen the economic base of the village.   |
| 10             | Broadband  | 43                    | Seeks to ensure that Elkesley is provided with a high quality communications network to strengthen its economic base.  |
| 11             | Protecting Community Facilities                      | 28, 69, 70            | A key part of ensuring Elkesley continues to be a strong rural community.<br><br>Guarding against the loss of such vital facilities  |
| 12             | Conservation and Enhancement of Non Vehicular Routes | 30, 75, 109, 114, 117 | Seeks to ensure that pedestrians and cyclists have access to an extensive and safe network of paths that will encourage easier access to the countryside.<br><br>Seeks to improve the network of green infrastructure across the parish. |
| 13             | Designating Local Green Spaces                       | 76, 77                | Identifies a particular area of tranquillity and community value that will be protected from development.  |

### 4 Contribute to the Achievement of Sustainable Development

- 4.1 The NPPF has a presumption in favour of sustainable development. The NPPF defines sustainable development as having three dimensions: economic, social and environmental. The Elkesley NDP recognises that this is a balancing act and the strategic objectives of the Plan comprise a balance of social, economic and environmental goals.
- 4.2 The social goals are to maintain a thriving community, recognising that the community and its needs change over time. This Plan seeks to achieve this by providing an appropriate mix of new homes to meet the demands and needs of the local community and encourages the provision of community facilities and the retention and improvement of the local shop.
- 4.3 The economic goals are to retain, improve and extend the existing employment base. This is both by encouraging the renovation of premises on the Elkesley Park Industrial Estate and also to encourage new small businesses within the village particularly by ensuring the communications infrastructure, in the form of broadband, is in place.
- 4.4 The environmental goals are to protect the rural environment and ensure that development recognises this in its design, landscaping and access to the surrounding rural areas. The promotion and enhancement of non-vehicular routes and the designation of a local green space are policies intended to increase access to the countryside around the village and to encourage opportunities for its improvement.
- 4.5 The Elkesley Neighbourhood Plan (NP) has been prepared on the basis that local people can inform planning policy in their neighbourhood and it is considered that the development of Yew Tree Road gets this balance right. The Policies therefore aim to enable the housing and employment development necessary to meet district requirements whilst protecting and where possible enhancing the quality of life for local people.
- 4.6 Policy 1: Sustainable Development sets out the overarching approach of the Plan to new development in the village; the approach underpins the rest of the policies ensuring the delivery of sustainable development over the long term.

### 5 Conformity with Strategic Local Policy

- 5.1 The Elkesley NP has been prepared by the Parish Council in close collaboration with officers from Bassetlaw District Council. This has ensured that the process of developing the policies in the Elkesley NP has been informed by the Strategic Policies in the Core Strategy.
- 5.2 **Table 3** provides a summary of how each of the 13 development management policies are in general conformity with the Strategic Policies of the Bassetlaw District Council.

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**Table 3: Development Management Policies Conforms with Policies in Bassetlaw’s Core Strategy**

| Neighbourhood Plan Policy No. | Policy Title                     | Core Strategy Policy                | Commentary   |
|-------------------------------|----------------------------------|-------------------------------------|--|
| 1                             | Sustainable Development          | SO1, SO5, SO7, SO8, SO10            | The Core Strategy was written prior to the NPPF, however sustainable development was at the heart of the planning system prior to 2012 and the strategic objectives of the Core Strategy show the same consideration with respect to the need to balance the economic, social and environmental aspects of development (that were later defined in the NPPF) from which the NP Policy 1 was derived. Policy 1 is an overarching policy (more detail is provided in section 4). |
| 2                             | Design                           | SO7, DM4: Design and Character      | Policy 2 seeks to ensure that new development integrates with the existing settlement, is built to the highest national standards and that the provision enhances the character of the village in keeping with the key targets of SO7 and DM4.   |
| 3                             | Housing Density                  | SO7, DM5: Housing Mix and Density   | SO7 requires development to enhance the attractiveness of the local area; DM5 requires development to be appropriate to the site and locality. Policy 3 ensures that unless the housing is for a specific local need (i.e. retirement housing) then the density needs to reflect the rural nature of the village.  |
| 4                             | Housing Mix and Type             | SO1, DM5 Housing Mix and Density    | Policy 4 is the local expression of DM5 referencing local housing need surveys and requiring development to show how it meets this need.   |
| 5                             | Allocation of Affordable Housing | SO1, CS8: Rural Service Centres     | SO1 requires development to meet the diverse housing needs of the district. CS8 requires 25% of housing to be Affordable in Elkesley. Policy 5 establishes a local connection criteria that ensures that local people will be able to access the additional AH provision.  |
| 6                             | Infill Development               | DM4Bi: Design and Character         | DM4 required infill development to respect its wider surroundings in relation to historic patterns of development. Policy 6 applies that principle to Elkesley.  |
| 7                             | Yew Tree Road Site               | SO1, SO7, DM4: Design and Character | SO1 requires development to meet the diverse housing needs of the district. SO7 requires development to enhance the attractiveness of the local area. DM4 requires clear and functional  |

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| Neighbourhood Plan Policy No. | Policy Title   | Core Strategy Policy   | Commentary   |
|-------------------------------|--|--|--|
|                               |  |  | links with the surrounding settlement. The location of Yew Tree Road and its design is intended to connect the 2 separate parts of the village, the housing mix reflects local need. Policy 7 also recognises the requirement in Bassetlaw District Council's Core Strategy to deliver 10% of district housing across the rural service centres.                                     |
| 8                             | Elkesley Park Industrial Estate                      | SO5, DM7: Securing Economic Development  | SO5 supports enterprises in rural locations, DM7 supports proposals that bring inward investment opportunities and contribute to the growth of indigenous businesses. Policy 8 encourages improvements to the existing business park to enable it to attract more businesses and to enable existing ones to expand.  |
| 9                             | Small Businesses                                     | SO5, CS8B: Rural Service Centres   | SO5 supports enterprises in rural locations, CS8B encourages the expansion of rural employment opportunities in rural service centres. Policy 9 supports opportunities for working locally as a way of making Elkesley a more sustainable place.   |
| 10                            | Broadband  | SO5, DM11: Developer Contributions & Infrastructure Provision, CS8C: Rural Service Centres                   | SO5 supports the continued viability of rural settlements, DM11 requires the necessary infrastructure to be in place, CS8C supports the provision of rural community services. Policy 10 encourages the enhancement of the communications technology as part of new residential development that is essential if residents are to access services and to work from home in Elkesley. |
| 11                            | Protecting Community Facilities                      | SO5, SO10, CS8C: Rural Service Centres   | SO5 supports the continued viability of rural settlements, SO10 supports the provision of essential social infrastructure, CS8C supports the provision of community facilities and safeguards existing facilities from redevelopment. Policy 11 relates specifically to Elkesley reflecting the value placed on the community hall and other services like the shop by local people. |
| 12                            | Conservation and Enhancement of Non Vehicular Routes | SO8, SO10, DM9: Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities | SO8 and SO10 support the protection and enhancement of green infrastructure and encourage the growth of the GI network, DM9 expects proposals to enhance GI, restore or enhance biodiversity and respect landscape character. Policy 12 promotes the improvement and expansion of the non-vehicular routes around the parish and improvements to the biodiversity of the area.       |

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| Neighbourhood Plan Policy No. | Policy Title                   | Core Strategy Policy   | Commentary  |
|-------------------------------|--------------------------------|--|---|
| 13                            | Designating Local Green Spaces | SO8, DM9: Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities | SO8 supports the protection of the natural environment and landscape character, DM9 expects proposals to enhance GI, restore or enhance biodiversity and respect landscape character. Policy 13 designates an area of Local Green Space that will be a focus for environmental improvements over the Plan period. |

### 6 Compatibility with EU Obligations

- 6.1 Bassetlaw District Council considered that a Strategic Environmental Assessment was not required because the Neighbourhood Plan is not likely to have a significant impact on the environment.
- 6.2 This document was submitted to English Heritage, Natural England and the Environment Agency who also agreed with this outcome.
- 6.3 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.
- 6.4 The Neighbourhood Plan is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations so this has not been required by Bassetlaw District Council.

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### 7 Useful Documents

NPPF - <https://www.gov.uk/government/publications/national-planning-policy-framework-2>

Core Strategy - <http://www.bassetlaw.gov.uk/everything-else/planning-building/planning-policy/local-development-framework/core-strategy.aspx>

Elkesley Neighbourhood Plan – <http://www.elkesleyneighbourhoodplan.weebly.com>

### 8 Conclusion

- 8.1 It is the view of Elkesley Parish Council that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act are considered to be met by the Elkesley Neighbourhood Plan and all the policies therein.
- 8.2 The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained in Bassetlaw District Councils Local Plan and meets relevant EU obligations.
- 8.3 On that basis it is respectfully suggested to the Examiner that the Elkesley Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.