

Basic Conditions Statement

Shireoaks Neighbourhood Plan

Table of Contents

1	Introduction	3
	What is the Neighbourhood Plan?.....	3
	What is the Basic Conditions Statement?	3
2	Key Statements.....	3
3	Conformity with National Policy.....	5
4	Contribute to the Achievement of Sustainable Development	10
5	Conformity with Strategic Local Policy	11
6	Compatibility with EU Obligations	16
7	Useful Documents.....	17
8	Conclusion	17

1 Introduction

What is the Neighbourhood Plan?

- 1.1 The Shireoaks Neighbourhood Development Plan hereafter Shireoaks 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 Shireoaks 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 2009 Core Strategy
 - IV. meet the relevant EU obligations.

This document will outline how the Shireoaks Neighbourhood Plan meets all of the above basic conditions.

2 Key Statements

- 2.1 The Plan area covers the Parish of Shireoaks and Shireoaks Parish Council is the qualifying body responsible for the preparation of this Neighbourhood Plan. The Shireoaks 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.

Basic Conditions Statement

- 2.3 The Shireoaks Neighbourhood Plan covers the period from 2015 to 2028 and is aligned with Bassetlaw District Council's Core Strategy which also runs to 2028.
- 2.4 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'.
- 2.5 The Shireoaks Neighbourhood Development Plan does not relate to more than one neighbourhood area. It is solely related to the area of Shireoaks Parish as designated by Bassetlaw District Council in April 2012.
- 2.6 There are no other neighbourhood plans in place for the Shireoaks neighbourhood area.
- 2.7 The Draft Shireoaks Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations in March 2012 from 26th May until the 13th July 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'.

Figure 1: Shireoaks Neighbourhood Area



3 Conformity with National Policy

- 3.1 Shireoaks Neighbourhood Plan 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 paragraphs below relating to achieving sustainable development).
- 3.2 Sections 183-185 of the NPPF refers 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 sections demonstrates that the Shireoaks Neighbourhood Plan has regard to relevant policies within the NPPF in relation to:

Basic Conditions Statement

- 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 Shireoaks 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 development management policies conforms specifically with the NPPF.

Basic Conditions Statement

Table 1

Theme	Objective	Relevant NPPF Goal
Environment	To protect, enhance and extend open spaces and non-vehicular routes. To maximise the potential of the Woodland for nature conservation and tourism. To support development that reinforces Shireoaks as a village. To ensure development does not exacerbate local flooding.	Conserving and enhancing the natural environment. Promoting healthy communities Meeting the challenge of climate change
Housing	To ensure development is sensitively located (to enhance the attributes of Shireoaks as a village) and is designed to be sympathetic to local styles and materials.	Conserving and enhancing the historic environment, requiring good design
Employment	To provide local employment opportunities and support economic growth.	Building a strong competitive economy and supporting a prosperous rural community.
Community facilities	To promote growth that maintains and increases the range of local services.	Promoting healthy communities

Table 2: Assessment of how each policy in the Shireoaks NP conforms to the NPPF

Policy No.	Policy Title	NPPF (para.)	Ref	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. Embraces the core principle of planning being a creative exercise in finding ways to enhance the places where people live whilst also accepting more development.
2	Conservation and Enhancement of Existing Natural Features	109,118		Seeks to protect the high quality of landscape distinctiveness and biodiversity that exists

Basic Conditions Statement

Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				across Shireoaks. Encourages the use of natural features in new development layouts, ensures that development mitigation measures relevant to the local area are in place to minimise the impact.
3	Green Space, landscaping and development	61		Sets out the requirements showing how major applications should retain the environmental assets of the parish and where possible add to the overall quality of the area.
4	Design Principles	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.
5	Reducing the Risk of Flooding	99,100		Seeks to ensure that new development does not worsen the impact from flooding and that development in those areas susceptible to flooding is designed in accordance with recognised standards that will not exacerbate flood risk.
6	Pre Application Community Consultation			Although Bassetlaw District Council have always encouraged pre application consultation they cannot legally require it (apart from major infrastructure projects). This Policy takes its context from the NPPF (which post-dates the Core Strategy) and seeks to encourage consultation with the community before an application is submitted.
7	Enhancing the Provision of Community Facilities	28,69, 70		A key part of ensuring Shireoaks Parish continues to be a strong rural community is to ensure the area is equipped with those buildings that enable social interaction. This

Basic Conditions Statement

Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				policy recognises that the social facilities linked to the miners' welfare may not be adequate in the long term and that the village hall is fully booked most of the time.
8	Creation of a public car park	17		A core planning principle is to provide the infrastructure necessary for a community to thrive. In the context of Shireoaks an additional public car park in the centre of the village would support the retail and community facilities and help the village to thrive.
9	Promote sustainable movement and connections	30,34,35,75, 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. Seeks to ensure that new development proposals take the opportunity to enhance these connections.
10	Develop Woodlands Country Park	109,114		Seeks to recognise that the former colliery site is now an area of valued landscape for its biodiversity. Sets out a strategic approach to the future of this site by promoting it as a Country Park.
11	Coachwood Green Local Green Space	76,77		Identifies a particular area of open space that is demonstrably special to local people for its tranquillity and community value that will be protected from development (other than in very special circumstances).

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 Shireoaks NP recognises that this is a balancing act and the strategic objectives of the Plan comprise a balance of social, economic and environmental goals.

The **social** goals are to maintain a thriving community, recognising that the community and its needs change over time. This Plan recognises that the distribution of development in accordance with the principals in the Core Strategy 2011 means that Shireoaks, as part of the sub regional centre of Worksop, is likely to get significant housing growth within the Parish over the next 15 years. However, the Neighbourhood Plan policies will ensure that major development on the edge of the Plan is designed to:

- a) minimise the environmental impact (particularly in relation to flooding),
 - b) provide smaller dwellings as identified in the SHMA and in the consultation for this Plan to meet local needs for housing for older people and some starter homes,
 - c) encourages the provision of an additional community facility to meet the needs of existing and future residents,
 - d) encourages the regeneration of the Woodlands as a Country Park recognising its tourist potential.
- 4.2 The **economic** goals relate to the policies to promote tourism via the development of a Country Park on the former colliery site to include a visitor's centre and associated leisure activities that will create some local jobs and raise the profile of Shireoaks as a visitor destination.
- 4.3 The **environmental** goals are to protect the rural environment and ensure that all development (but especially that proposed to the north of the village) takes into account particular environmental constraints (flooding). Development is expected to include high quality landscaping to minimise the impact of new development and to safeguard wildlife corridors. The designation of a local green space and the continued regeneration of the Woodlands and associated cycle and walkways reflects the desires of local people for the planning system to protect the biodiversity of the parish. There is a recognition of the value of the landscape and wildlife and policies ensure that every opportunity is taken to protect and enhance these assets. High standards of design with requirements that are locally specific seek to minimise the adverse impacts of all development proposals.

Basic Conditions Statement

- 4.4 The Shireoaks NP has been prepared on the basis that local people can inform planning policy in their neighbourhood at the pre application stage. The Policies therefore aim to enable development necessary to meet district requirements whilst protecting and where possible enhancing the quality of life for local people.
- 4.5 Policy 1: Sustainable Development sets out the overarching approach of the Plan to new development across Shireoaks Parish; 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 Shireoaks NP has been prepared by the Shireoaks Parish Neighbourhood Planning Group in close collaboration with officers from Bassetlaw District Council. This has ensured that the process of developing the policies in the Shireoaks NP has been informed by the Strategic Policies in the Core Strategy.
- 5.2 **Table 3** provides a summary of how each of the 11 development management policies are in general conformity with the Strategic Policies of Bassetlaw District Council.

Basic Conditions Statement

Table 3: Assessment of how each policy in the Shireoaks NP conforms to the Policies in Bassetlaw's Core Strategy

Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
1	Sustainable Development	SO 1, 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 above)
2	Conservation and Enhancement of Existing Natural Features	SO8, SO10, DM9	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 2 requires development to protect and enhance the local landscape recognising its particular significance in relation to biodiversity.
3	Green Space, Landscaping and Development	SO8, DM9	SO8 and DM9 support the need to ensure that development minimises its environmental impact. Policy 3 requires where appropriate landscaping strategies to be provided that retain or replace trees and hedgerows to protect the biodiversity of the rural area and the setting of the village.
4	Design Principles	SO7, DM4: Design and Character	Policy 4 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 tenets of SO7 and DM4
5	Reducing the Risk of Flooding	SO6, DM12 Flood risk sewerage and drainage	SO6 requires all new development to mitigate flood risk, DM12 requires all new development (other than minor extensions) to

Basic Conditions Statement

Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
			incorporate Sustainable Urban Drainage Systems with preference given to systems that contribute to conservation of biodiversity. Based on extensive local knowledge of the flooding issues in the parish. Policy 5 provides more specific requirements that would be suitable in Shireoaks Parish to address the risk of flooding.
6	Pre Application Community Consultation		Although Bassetlaw District Council have always encouraged pre application consultation they cannot legally require it (apart from major infrastructure projects). This Policy takes its context from the NPPF which post-dates the Core Strategy and seeks to encourage consultation with the community before an application is submitted.
7	Enhancing the Provision of Community Facilities	SO5, SO10, CS8C	SO5 supports the continued viability of rural settlements, SO10 supports the provision of essential social infrastructure. Due to Shireoaks being classed as part of the Worksop sub region CS8 does not apply to Shireoaks. However, Shireoaks evidently is still a rural centre and the approach in CS8C particularly supporting the provision of community facilities, safe guarding existing facilities from redevelopment and where necessary permitting the provision of community services or facilities on sites adjoining the development boundary. Policy 7 recognises that the village hall operates almost at capacity and that socially the village continues to change since the closure of the colliery. With the likely increase in population and the desire to attract visitors to the Country Park the need for an additional community building is recognised and supported.
8	Creation of a Public Car Park	SO5, CS8	SO5 is to ensure the continued viability of rural settlements through the enhancement of local services, CS8 supports the provision of community infrastructure. Policy 8 supports the provision of a public car park and the justification text sets out

Basic Conditions Statement

Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
			the need for this additional parking. It will benefit the local retailers and provide parking for the increased numbers of visitors who will be encouraged to visit the proposed Country Park as part of other initiatives in this Plan. Also the likely increase in local population due to anticipated major housing developments will put increased strain on the existing parking provision.
9	Promote Sustainable Movement and Connections	SO8, SO10, DM9	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 existing non-vehicular routes (canal towpath, bridleways etc) which are also wildlife corridors that run through the parish. Improving these walking, cycling riding routes will not make environmental improvements to the Plan area, they make that link between planning and health. Such initiatives can enable people to exercise more and can foster social cohesion as local people actively engage with their local environment.
10	Develop Coachwood Green as a Local Green Space	SO8, SO10, DM9	Local Green Space designation was introduced by the NPPF in 2012 so it is not reflected in the Core Strategy 2011. However, the principle of taking opportunities to enhance biodiversity is enshrined in DM9 part B in the wider context of SO8 and S010 which support the protection and enhancement of green infrastructure and encourage the growth of the GI network.
11	Develop Woodlands Country Park	SO8, SO10, DM1, DM3, & DM9	The objectives of SO8, SO10 and DM9 have been outlined above. DM1 and DM3 recognise the need to support proposals for recreation and tourism facilities that diversify the local economy. Policy 11, to develop Woodlands Country Park not only recognises the value of the area as a protected open space

Basic Conditions Statement

Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
			for nature conservation and recreation, but encourages the sensitive development of a visitor centre and improvement to access roads and parking to promote the area as a visitor destination.

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 that had not been already assessed as part of the Sustainability Appraisal for the Core Strategy. (See the SEA screening opinion at <https://www.bassetlaw.gov.uk/everything-else/planning-building/neighbourhood-plans/shireoaks-neighbourhood-plan.aspx>)
- 6.2 This document was submitted to Historic England, Natural England and the Environment Agency who also agreed with this outcome.
- 6.3 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. Whilst an Equality Impact Assessment Report has not been specifically prepared, great care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.
- 6.4 The main issues for planning are the right to family life and in preventing discrimination. The Plan makes positive contributions, such as through seeking to provide housing to meet local needs for older people and for young people wanting to buy their first home. The population profile has revealed that there are not significant numbers of people who do not have English as a first language and it has not been necessary to produce consultation material in other languages.
- 6.5 The inclusive nature of the preparation of the Plan is a further benefit. The consultation, (see below and in the Statement of Community involvement) has been inclusive, with particular efforts made to seek input via questionnaires and at 9 events (see table 1 in Neighbourhood Plan section) to discuss the emerging policies with a range of local people of all ages.
- 6.6 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 early on in the process and later in identifying issues and options. Finally, the draft Neighbourhood Plan has been consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, responses have been recorded and changes have been made as per the schedule set out in the appendices to the Statement of Consultation. The Statement of Consultation has been prepared by the Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.
- 6.7 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.

7 Useful Documents

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

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

Shireoaks Neighbourhood Plan –
<http://shireoaksneighbourhoodplan.weebly.com/>

8 Conclusion

- 8.1 It is the view of the Shireoaks Parish Planning Group 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 Shireoaks 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 Shireoaks Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.