

Basic Conditions Statement

Tuxford Neighbourhood Plan

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1 Introduction

What is the Neighbourhood Plan?

- 1.1 The Tuxford Neighbourhood Development Plan hereafter Tuxford Neighbourhood Plan (TNP) and 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 Town 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 Tuxford 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 Tuxford Neighbourhood Plan meets all of the above basic conditions.

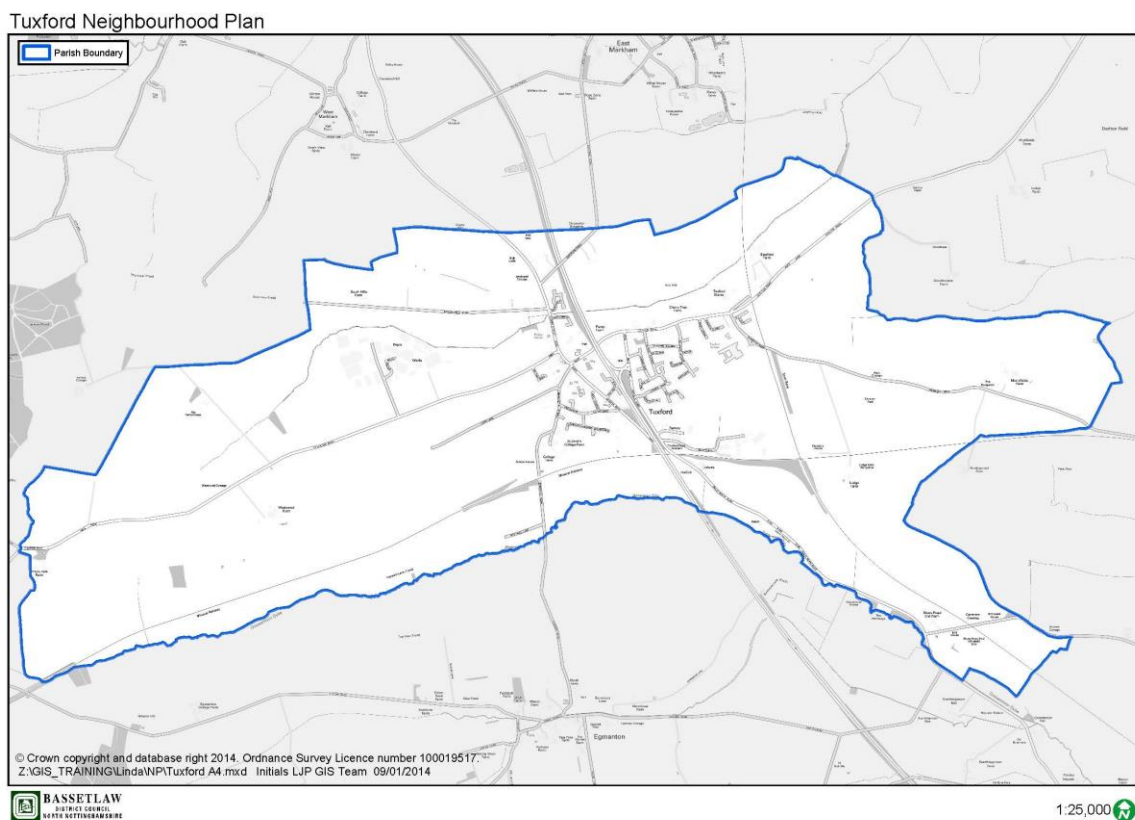
2 Key Statements

- 2.1 The Plan area covers the parish of Tuxford and Tuxford Town Council is the qualifying body responsible for the preparation of this Neighbourhood Plan. The Tuxford 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 Town boundary as shown on the map accompanying the neighbourhood designation application. For clarity the Plan area is shown at Figure 1.

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- 2.3 The Tuxford Neighbourhood Development 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 proposals do 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 Tuxford Neighbourhood Development Plan does not relate to more than one neighbourhood area. It is solely related to the area of Tuxford parish as designated by Bassetlaw District Council in April 2012.
- 2.6 There are no other neighbourhood plans in place for the Tuxford neighbourhood area.
- 2.7 The Pre Submission Draft Tuxford Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from 27th July until the 18th September 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: Tuxford Neighbourhood Area



3 Conformity with National Policy

- 3.1 Tuxford 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 Tuxford 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 Tuxford NP contains a Vision 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.

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Table 1: Summary of NP Objectives with NPPF Goal

NP Objective	Relevant NPPF Goal
To maintain and enhance the built heritage of the town	Conserving and enhancing the historic environment
Future housing growth to meet local needs	Delivering a wide choice of high quality homes
<p>To ensure development is sensitively located (to enhance the attributes of Tuxford) and is designed to be sympathetic to local styles and materials</p> <p>New development should integrate with the existing and should relate positively in form and function in particular with respect to materials, style and connections where it will adjoin the existing settlement.</p>	Requiring good design
Development should create an environment that makes it attractive for micro, small and medium sized businesses and shops to locate and flourish in the town and should particularly encourage proposals that create a more vibrant evening economy.	<p>Building a strong competitive economy</p> <p>Supporting a prosperous rural economy</p> <p>Ensuring the vitality of town centres</p>
To ensure easy access to the countryside and to protect, enhance and extend open spaces and cycling and walking routes.	<p>Conserving and enhancing the natural environment.</p> <p>Promoting healthy communities</p>
To encourage consultation with the community early in the planning application process so local people can inform the design, location or layout of a scheme before a planning application is submitted.	<p>Promoting healthy communities</p> <p>By delivering better informed planning decisions this objectives addresses helps to achieve sustainable development.</p>

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Table 2: Assessment of how each policy in the Tuxford 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	Pre Application Community Consultation	69		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). The NPPF promotes the principle that LPAs should involve all sections of the community in planning decisions. Policy 2 seeks to encourage consultation with the community before an application is submitted.
3	Design Principles for New Development	56,57,58,59, 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. Requires reference to the Tuxford Place Analysis that sets out design parameters for potential sites.
4	Residential Development Adjoining Tuxford	56,57,58,59, 60,61		Continues the principles of policy 3 relating to high quality design but makes it particularly specific to development adjoining the town. Requires reference to the Tuxford Place

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Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				Analysis that sets out design parameters for potential sites.
5	Protecting and Enhancing the Conservation Area	126,131		Places great importance on the protection and enhancement of the heritage assets in the Plan area the Conservation Area and identifies Reads Building for renovation.
6	Housing Type	47, 50		Supports the provision of a mix of housing to meet local need, in this case including smaller dwellings. The policy also encourages housing for older people to be located near amenities
7	Infill Development	47, 56, 57, 58		Extends previous themes regarding good design and housing type on infill and redevelopment sites. Seeks to get high design quality and to encourage the use of infill sites near amenities for smaller dwellings suitable for older people and/or starter homes
8	Strengthening the Retail Centre	23		Supports the expansion of the retail offer within the Local Centre Boundary and encourages shop front design that will enhance the vitality of the town. Promotes specific uses outside the Local Centre Boundary (reflecting the lack of a village hall and limited café/restaurant provision.)
9	Improving Access to the Countryside	75		Seeks to ensure that walking or cycling access to the countryside is improved and that the limited network of paths is extended to encourage easier access to the countryside.
10	Community Facilities	69, 70		A key part of ensuring Tuxford Town continues to be a strong rural community is to ensure the area is equipped with those buildings that

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Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				enable social interaction. This policy recognises the need to secure the rebuilding of the village hall and seeks to encourage the bringing forward of a viable scheme.
11	Town Centre Parking	23, 40		This policy supports the principle of promoting a competitive Town Centre environment in the NPPF. Retailers are concerned that limited parking capacity is putting people off shopping in the town and the Town Council have already partnered with a local working men's club to provide public access to a car park near the shops. The Town Council will seek further opportunities to extend car parking where possible. Policy 11 also seeks to provide improved quality parking.
12	Residential Parking on New Development	39, 56		Policy 12 accords with the NPPFs reference to setting local parking standards, reflecting the rural location of Tuxford and also good design. The policy is justified based on previous developments where parking has not been well integrated into the layout of the scheme.
13	Supporting Local Business	19, 20, 42, 43		Policy 13 promotes the expansion of employment sites within the Plan area and encourages a more flexible approach allowing small scale business uses adjoining the town subject to other planning requirements regarding not harming the setting of the Conservation Area etc. Policy 13 encourages the extension of super-fast broadband recognising that future

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Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				business growth at home as well as on employment sites will increasingly depend on access to this technology.

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 Tuxford 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 Tuxford is likely to get housing growth within the Town over the next 15 years. However, the Neighbourhood Plan policies will ensure that major development in the Plan area is designed to:

- a) provide smaller dwellings (as identified in the SHMA 2014 and in the consultation for this Plan) to meet local needs for housing for older people and some starter homes,
 - b) encourages the provision of an additional community facility to meet the needs of existing and future residents,
 - c) enhances the vitality of the Town, particularly promoting uses that will provide activity in the evening.
- 4.2 The **economic** goals relate to the policies to support and where possible expand the existing business base particularly on the existing industrial estates in the Town. There is also an emphasis on supporting the Town as a focus for a range of facilities to support the wider rural area.
- 4.3 The **environmental** goals are to protect the rural environment. This means ensuring that all development takes into account the topography of the land around the town. Development is expected to include high quality landscaping to minimise the impact of new development on the rural setting of the town and where possible to seek improved access to the countryside.
- 4.4 There is also an emphasis on protecting and enhancing the historic built environment recognising that a large part of the town is a Conservation Area.
- 4.5 The Tuxford 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.
- 4.6 Policy 1: Sustainable Development sets out the overarching approach of the Plan to new development across Tuxford; 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 Tuxford NP has been prepared by the Neighbourhood Planning Steering Group in close collaboration with officers from Bassetlaw District Council. This has ensured that the process of developing the policies in the Tuxford NP has been informed by the Strategic Policies in the Core Strategy.
- 5.2 **Table 3** provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the Strategic Policies of Bassetlaw District Council.

Table 3: Assessment of how each policy in the Tuxford 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, CS6	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) CS6 relates specifically to Tuxford and requires development to strengthen the role of the Town as a Local Service Centre providing housing, jobs and services. NP Policy 1 provides more detail about what that means for Tuxford.
2	Pre Application Community Consultation		Although Bassetlaw District Council has 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.
3	Design Principles for New Development	SO7, DM4: Design and Character	Policy 3 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 Town in keeping with the key tenets of SO7 and DM4.
4	Residential Development Adjoining Tuxford	SO7, DM4 Design and Character DM9 Green Infrastructure, Biodiversity & Geodiversity	Policy 4 considers the requirements that would make development acceptable on the edge of Tuxford. It extends the principles of design and character in DM4, requirements relating to protecting biodiversity and landscape character in

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Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
			Policy DM9 and the need to protect the setting of the Conservation Area in DM8.
5	Protecting and Enhancing the Conservation Area	SO9, DM8 The Historic Environment	Policy 5 requires development to protect or enhance the conservation area and encourages the renovation of listed buildings at risk so long as this does not damage their heritage attributes. This positive approach whilst ensuring heritage is protected is in accordance with SO9 and DM8.
6	Housing Type	SO1, DM5 Housing Mix	Policy 6 is the local expression of DM5 referencing local housing need and requiring development to show how it meets this need.
7	Infill Development	DM4 Design and Character, DM5 Housing Mix, DM8 The Historic Environment	Policy 7 takes the key principles in the generic policies in the Core Strategy and says how they should be applied to infill sites in Tuxford.
8	Strengthening the Retail Centre	SO4, CS6 Tuxford	CS6 promotes Tuxford as a retail centre and limits non town centre uses. Policy 8 specifies the uses that would be particularly encouraged in line with this approach particularly to encourage more night time leisure activities. Policy 8 also promotes the continued improvement of shop fronts in line with CS6.
9	Improving Access to the Countryside	SO8, SO10, DM9 Green Infrastructure	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 9 promotes the improvement and expansion of the existing footpath and cycle ways that run through the Plan area. (This approach is also supported by Policy 4 which requires development adjoining the Town to extend walking routes into the countryside and protect landscape character where possible.)

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Neighbourhood Plan Policy No.	Policy Title	Core Strategy Policy	Commentary
10	Community Facilities	SO10, CS6 Tuxford	SO10 supports the provision of essential social infrastructure, CS6 supports the provision of standalone community facilities 'where need is proven'. Policy 10 supports the provision of a new village hall on the old site recognising that a town requires places to enable people to meet to encourage friendship and social cohesion
11	Town Centre Parking	CS6 Tuxford	CS6 supports proposals that will enable the Local Centre of Tuxford to thrive. Policy 11 seeks to make better use of areas for public car parking as a key part of supporting the retailers in Tuxford.
12	Residential Parking on New Development	DM13 Sustainable Transport	DM13 requires proposals to be in accordance with local parking standards. Policy 12 sets out a criteria for considering additional local factors like the rural location of Tuxford for providing more unallocated parking. Policy 12 also encourages parking provision to be addressed as part of the good design of a scheme in accordance with BFL12 as set out in DM13.
13	Supporting Local Business	CS6 Tuxford	CS6 promotes economic development proposals within the development boundary and the extension to Ollerton Road and Lodge Lane employment sites.

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/Tuxford-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 various events 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>

Tuxford Neighbourhood Plan - <http://www.tuxfordneighbourhoodplan.org/>

8 Conclusion

- 8.1 It is the view of the Tuxford Town 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 Tuxford 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 Tuxford Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.