

BASIC CONDITIONS STATEMENT

Neighbourhood Plan for the Parishes of
Cuckney, Norton, Holbeck & Welbeck

CHNW
Neighbourhood
Development Plan
2016 - 2031



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1 Introduction

What is the Cuckney, Norton, Holbeck & Welbeck Neighbourhood Plan?

- 1.1 The CNHW Neighbourhood Development Plan hereafter CNHW Neighbourhood Plan and has been prepared in accordance with the Plan area & 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 Plan area 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?

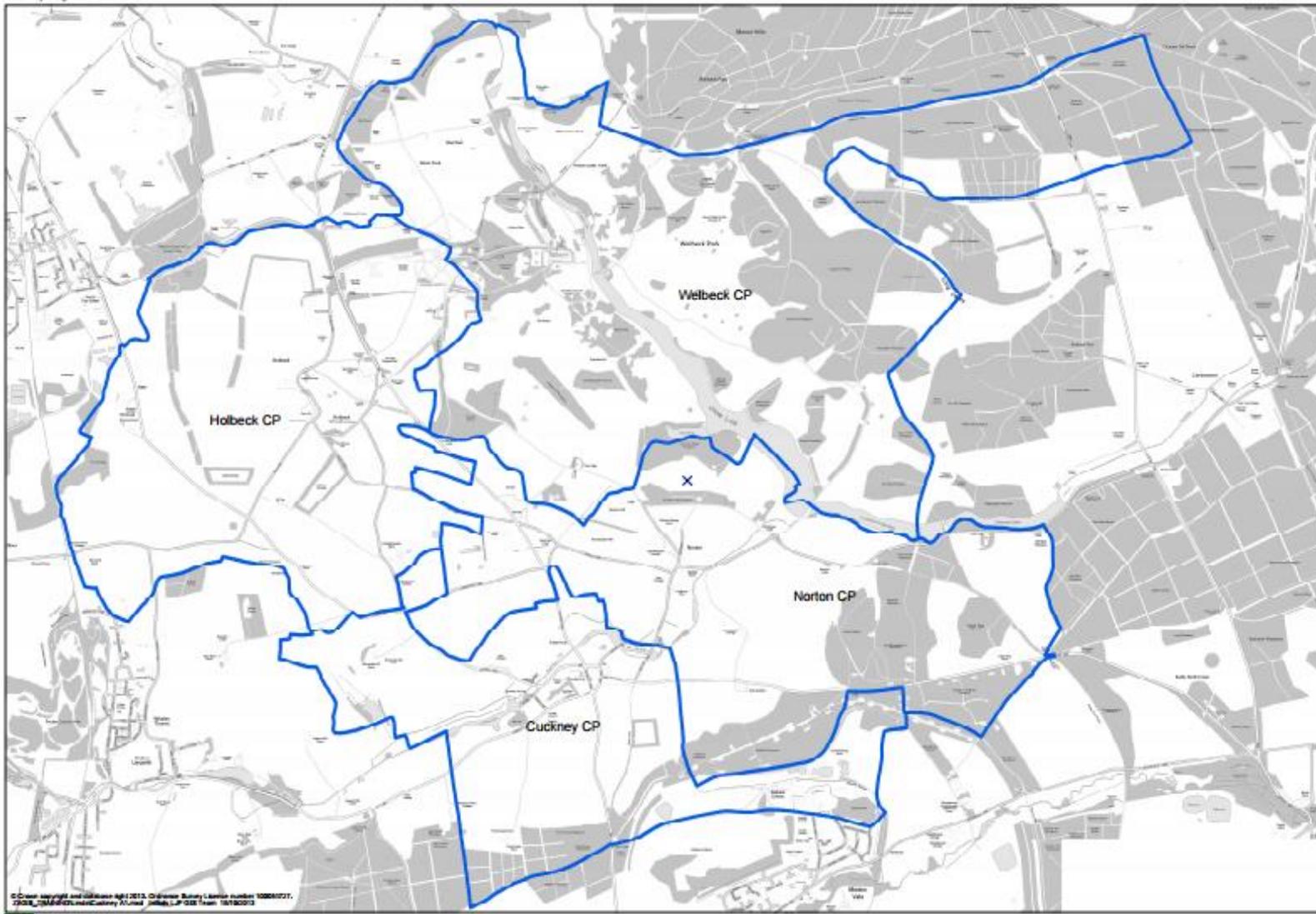
- 1.3 This Basic Conditions Statement has been prepared to accompany the CNHW Neighbourhood Plan. Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans must meet the following basic conditions:
 - I. have appropriate regard to national policies 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
 - IV. meet the relevant EU obligations.
- 1.4 This document will outline how the CNHW Neighbourhood Plan meets all of the above basic conditions.

2 Key Statements

- 2.1 The Plan area covers the parishes of Cuckney and Norton and Holbeck and Welbeck. Cuckney and Norton Parish Council is the qualifying body responsible for the preparation of this Neighbourhood Plan. The CNHW 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 Plan area boundary as shown on the map accompanying the neighbourhood designation application. For clarity the Plan area is shown at Figure 1.
- 2.3 The CNHW Neighbourhood Development Plan covers the period from 2016 to 2031 and is aligned with Bassetlaw District Council's Core Strategy which 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 Plan area and Country Planning Act 1990 as 'excluded development'.
- 2.5 The CNHW Neighbourhood Development Plan does not relate to more than one neighbourhood area. It is solely related to the area of CNHW area as designated by Bassetlaw District Council in March 2014.
- 2.6 There are no other neighbourhood plans in place for the CNHW neighbourhood area.
- 2.7 The Pre Submission Draft CNHW Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from 15th June until the 27th July 2015. Amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement'.

Figure 1: CNHW Neighbourhood Area



3 Conformity with National Policy

- 3.1 CNHW 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 CNHW 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 CNHW NP contains a Vision and Objectives. The objectives are summarised in **Table 1** alongside the NPPF goals they seek to address. **Table 2** provides a summary of how each of the Neighbourhood Plan policies conforms specifically to the NPPF.

Table 1: Summary of NP Objectives with NPPF Goal

NP Objective	Relevant NPPF Goal
<p>To bring forward sites for housing and community facilities to meet the current and future needs of local people</p>	<ul style="list-style-type: none"> • Delivering a wide choice of high quality homes • Promoting healthy communities
<p>Ensuring that development is designed in accordance with guidelines that reflect the areas distinctive character</p>	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment • Requiring good design
<p>To support development that promotes the tourist potential in the area.</p>	<ul style="list-style-type: none"> • Building a strong competitive economy • Supporting a prosperous rural economy • Ensuring the vitality of Plan area
<p>To support growth and innovation that provides more local jobs</p>	<ul style="list-style-type: none"> • Building a strong competitive economy • Supporting a prosperous rural economy • Ensuring the vitality of Plan area
<p>To protect, enhance and where possible extend existing open spaces and walking and cycling routes.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment. • Promoting healthy communities
<p>A positive approach to development to ensure the area remains attractive and vibrant.</p>	<ul style="list-style-type: none"> • Ensuring the vitality of Plan area

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

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. Embraces the core principle of planning being a creative exercise in finding ways to enhance the places where people live whilst also ensuring that the needs, particularly for suitable housing, are met.
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	Heritage at Risk	126,131, 132	Places great importance on the protection and enhancement of the heritage assets including those most at risk. Policy 3 sets out a clear framework within which heritage assets at risk can be brought back into use.
4	Housing Mix and Type	47, 50	The NPPF requires policies to be based on evidence of housing need. Policy 4 supports the provision of a mix of housing based on evidence provided in the plan about existing housing stock and local and district need up to 2031.
5	Allocation of Affordable Housing	50	Policy 5 ensures that new development meets the needs of different groups within the community and sets out a local connection criteria that prioritises people who have a specified local connection to the two parishes.

6	Design Principles for New Development	56,57,58,61	Policy 6 requires the design of all new development to evidence that it has drawn upon the area's heritage and to integrate new development with the existing.
7	Residential Car Parking in Cuckney along the A60 and A616	39, 56	Policy 7 accords with the NPPFs reference to setting local parking standards, reflecting the rural location of CNHW and also good design. The policy is justified based on evidence that in this part of the Plan area, due to the historic nature of the dwellings, there is already a shortfall of off street parking.
8	Creation of a Public Car Park in Cuckney	70	Policy 8 encourages the provision of a public car park in Cuckney recognising that within the village there are a range of services e.g. a school, play area and possibly in the future a village hall, all of which need some parking. This accords with the NPPF that requires planning policies to deliver the services and facilities the community needs.
9	Enhancing the Provision of Community Facilities	69, 70	A key part of ensuring CNHW Plan area continues to be a strong rural community is to ensure the area is equipped with those buildings that enable social interaction. This policy recognises the need to secure improvements to the existing facilities e.g. the village hall and Lady Margaret Hall.
10	Energy Efficiency and Renewable Energy in New Developments	97	30% of the Plan area is in fuel poverty. Policy 10 identifies encourages the use of on-site renewable energy solutions where appropriate.
11	Tourism Development	28	Encourages sustainable tourism including the provision of tourist accommodation and the development of a visitor centre as part of a wider economic strategy to maximise the considerable assets of the plan area.
12	Conservation and Enhancement of Cycling and Walking Routes	75	Seeks to ensure that cycling and walking across the Plan area is encouraged and that the limited network of foot paths is extended to create a network of routes that encourage easier access to the countryside.

13	Designating Local Green Spaces	76,77	Identifies particular areas of tranquillity and community value that will be protected from development.
14 - 19	All relate to site allocations for housing or provision of community facilities in accordance with the criteria based Neighbourhood Plan policies above		N/A
20	Provision of Business Space at Hatfield Plantation	19,20	Policy 20 promotes the creation of an employment site for B1 use to create local job opportunities and to maximise the impact from the development of the adjoining Welbeck Colliery. Policy 20 is a way of ensuring the Plan area has an economy fit for the 21C

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 CNHW NP 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 recognises that the very limited growth since the 1960s (4 dwellings have been built in that time) would continue given BDCs emphasis on conservation.
- 4.3 Local people feel strongly that extremely limited growth would not have met local needs or ensured Cuckney, Norton, Holbeck and Welbeck could remain a viable community. Hence the allocation of a number of sites for housing including, where possible, reusing listed buildings in the Neighbourhood Plan
- 4.4 The economic goals relate to the policies to support and where possible expand the existing business base particularly by allocating a site for employment use.
- 4.5 The environmental goals relate to the focus on protecting and improving access to the countryside. The Plan area is rich in environmental assets and improved access as part of a maintenance programme can enhance biodiversity and promote healthy communities by increasing activity and a respect for the rural landscape
- 4.6 There is also a significant emphasis on protecting and enhancing the historic built environment which reflects the dominance of heritage assets in the Plan area.
- 4.7 The CNHW 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.
- 4.8 Policy 1: Sustainable Development sets out the overarching approach of the Plan to new development across CNHW; 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 CNHW NP has been prepared by the own 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 CNHW 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 CNHW NP conforms to the Policies in Bassetlaw's Core Strategy

Policy No.	Policy Title	BDC Core Strategy 2011	Commentary
1	Sustainable Development	SO1, SO5, SO7, SO8, SO10, CS8	<p>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).</p> <p>CS8 relates to Rural Service Centres of which Cuckney is listed is one. CS8 requires development to be of a scale appropriate to the size and role of that settlement to sustain local services and facilities. Sustainable development is the premise that underlines all the housing and community development proposals in the Plan. Policy 1 provides more detail about what that means for CNHW.</p>
2	Pre Application Community Consultation		<p>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.</p>
3	Heritage at Risk	DM8	<p>DM8 is BDCs policy on the historic environment; it specifically supports Welbeck Estates in the re-use of heritage assets and generally heritage art risk. NP Policy 3 sets out the framework for the identification of heritage at risk and the criteria for supporting re-use in the Plan area.</p>

4	Housing Mix and Type	DM5	DM5 requires development to be informed by local housing studies and local market factors and supports houses for 'the elderly'. Policy 4 uses local studies commissioned for the Plan area and requires developers to demonstrate how development accords with these studies.
5	Allocation of Affordable Housing	Para 2.7	The CS recognises that a lack of affordable housing 'particularly two and three bedroom houses, remains a serious issue' and 'it is unlikely that future housing allocations will be sufficient to deliver the levels of affordable housing required for the District'. NP Policy 5 sets out a local connection criterion to require, in the first instance, affordable housing to be offered to anyone within the Plan area before tenants are sought from the District's housing waiting list.
6	Design Principles for New Development	DM4	DM4 sets out the policy framework for good design in BDC. NP Policy 6 identifies those particular aspects of good design that are especially important to the Plan area i.e. the heritage of the area and that new development should integrate with this character to ensure new development does not diminish the historic character of the place.
7	Residential Car Parking in Cuckney along the A60 and A616	DM13	DM13 requires development proposals to be in accordance with local parking standards. NP Policy 7 sets out the criteria for residential parking in specific parts of the Plan area where the evidence demonstrates that there is already limited on street parking and road safety issues.
8	Creation of a Public Car Park in Cuckney	CS8 section C	CS8 section C supports community infrastructure 'where they are of a scale appropriate to and accord with the role of the village. NP Policy 8 supports the provision of a car park for the village school, provides safe parking for the village play area and would be well located if funding can be secured for a village hall.

9	Enhancing the Provision of Community Facilities	CS8 Section C	CS8 section C supports community infrastructure 'where they are of a scale appropriate to and accord with the role of the village.' The justification text refers to the village hall and Lady Margaret's Hall both which require improvements. NP Policy 9 supports their refurbishment.
10	Energy Efficiency and Renewable Energy in New Developments	DM10	DM10 supports the utilisation of renewable energy to reduce CO2 emissions. NP Policy 10, based on evidence to show that the historic nature of the housing stock fuel poverty is higher than average also encourages the use of energy efficient materials (particularly for heating) in new development.
11	Tourism Development	DM1, DM3	The Core Strategy does not have a specific reference to tourism although policies DM1 and DM3 set out a positive framework for the replacement of buildings or the re-use of land in rural areas for tourist attractions. NP Policy 11 links to other policies on the reuse of heritage assets for tourism, it also supports the diversification of uses to attract tourists at Hatfield Business park.
12	Conservation and Enhancement of Cycling and Walking Routes	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. The justification to NP Policy 12 identifies a potential network of routes around the estate Policy 12 promotes the improvement and expansion of such non-vehicular routes subject to ensuring resident privacy and protecting landscape character and ecology.
13	Designating Local Green Spaces	SO8, DM9	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 areas of Local Green Space that will remain protected and will be a focus for environmental improvements over the Plan period.

14 - 19	All relate to site allocations for housing or provision of community facilities in accordance with the criteria based Neighbourhood Plan policies above		Site allocation was not a part of the Core Strategy however, the policy framework for each site allocation in the NP has been prepared in accordance with the development management policies DM1-DM13
20	Provision of Business Space at Hatfield Plantation	DM1	NP Policy 20 supports the creation of small B1 business units at Hatfield Plantation to complement the redevelopment of the former Welbeck colliery site. Policy 20 sets out how the scheme should be appropriate to its location and setting in accordance with DM1.

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/CNHW-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>

CNHW Neighbourhood Plan - <http://www.CNHWneighbourhoodplan.org/>

8 Conclusion

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