



# Basic Conditions Statement

## September 2018

Misterton Parish Council

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# 1. Introduction

1.1. This Basic Conditions Statement has been prepared in support of the Misterton Neighbourhood Plan. It demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

1.2. This statement addresses each of the four “basic conditions” required by the Regulations and explains how the Misterton Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

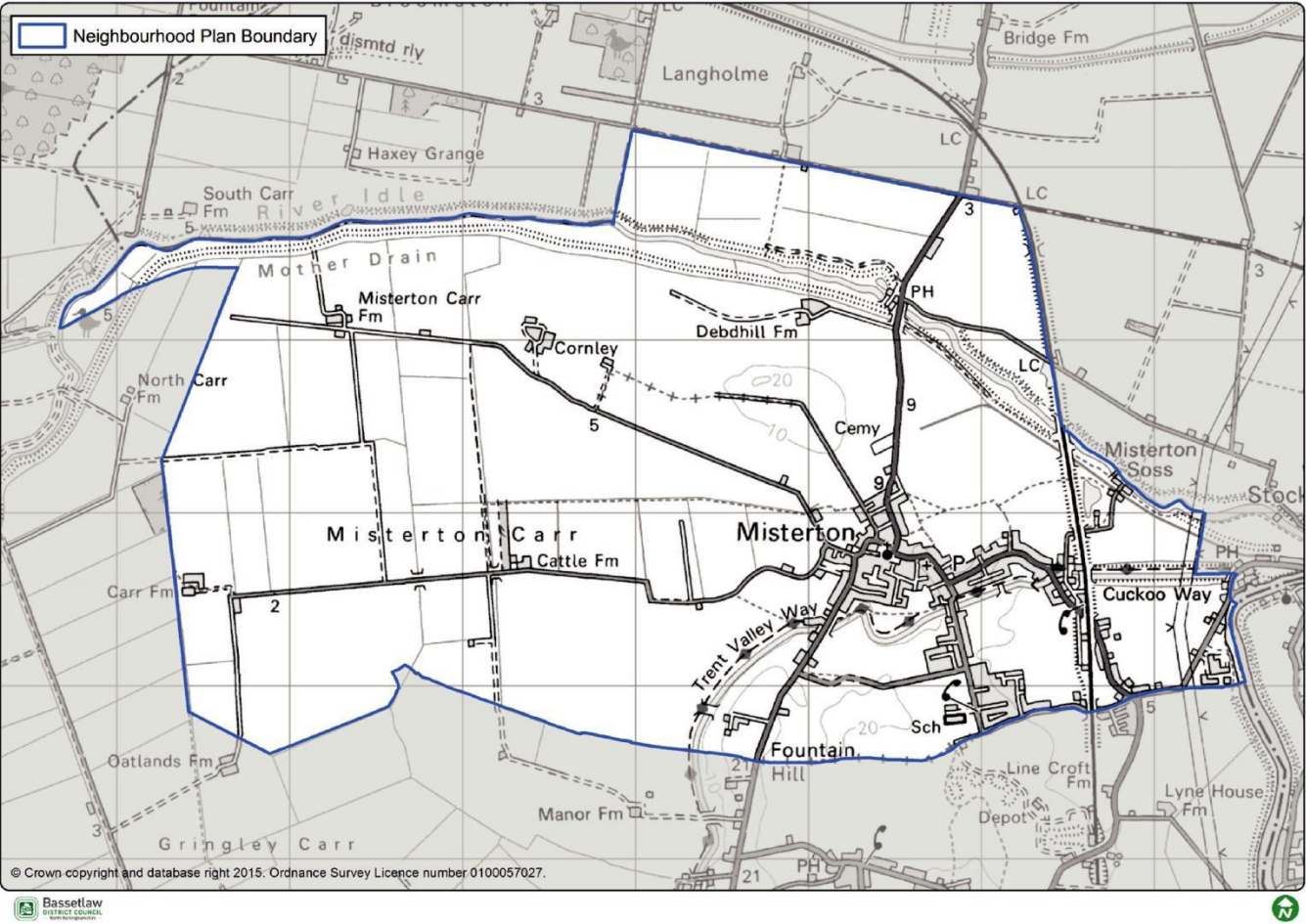
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- The making of the neighbourhood 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);
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

## 2. Key Statements

- 2.1. The Plan area covers the parish of Misterton. Misterton Parish Council is the qualifying body responsible for the preparation of this Neighbourhood Plan. The Misterton 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 Plan covers the period from 2018 to 2035 to align it with Bassetlaw District Council's emerging Bassetlaw Plan.
- 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 Planning and Country Planning Act 1990 as 'excluded development'.
- 2.5. The Plan does not relate to more than one neighbourhood area. It is solely related to the area of Misterton as designated by Bassetlaw District Council in June 2016.
- 2.6. There are no other neighbourhood plans in place for the Misterton neighbourhood area.
- 2.7. The Pre Submission Draft Misterton Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from Saturday 21st April and ended on Friday 8th June 2018. Amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement'.

Figure 1. Designated Neighbourhood Area for the Misterton Neighbourhood Plan

Misterton



### 3. Conformity with the Basic Conditions

- 3.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the Misterton Neighbourhood Plan against the principles of sustainable development, NPPF regulations, and strategic policies of the Bassetlaw District Council Core Strategy and Development Management Policies Document (Adopted December 2011). The result of the Assessment of Compliance are provided in this section of the document.

#### Conformity with the National Planning Policy Framework

- 3.2. The Misterton Neighbourhood Plan has been prepared having regard to national policies as set out in the Revised National Planning Policy Framework (NPPF) of July 2018. It also takes account of the National Planning Practice Guidance (NPPG) initially published by the Government in April 2014 in respect of formulating neighbourhood plans.
- 3.3. This section demonstrates that the 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 following table outline how each Policy included in the Plan is in conformity with national policy.

NP Policy	NPPF Paragraph	Commentary
<b>Policy 1: Sustainable Development</b>	11, 81, 91, 92,	Delivering sustainable development is an integral role of the Neighbourhood Plan. Policy 1 ensures that the social, economic and environmental aspects of bringing forward new development are balanced when developing proposals.
<b>Policy 2: Design</b>	91, 105, 125, 127	Policy 2 works to ensure that development brought forward is well designed, reflecting local character and integrating well into the existing settlement. The Policy also supports proposals that integrate sustainable design and provide suitable parking levels.
<b>Policy 3: Housing Density</b>	91, 122	Policy 3 works to ensure that residential development brought forward is of a suitable density in relation to the sites location, unless the development meets the identified local needs of affordable housing or housing suitable for the elderly.
<b>Policy 4: Housing Mix and Type</b>	61,	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 2035.
<b>Policy 5: Allocation of Affordable Housing</b>	11, 61	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 parish of Misterton.
<b>Policy 6: Windfall Development</b>	11, 69, 84	Policy 6 positively supports development on both infill and brownfield sites within the built area of Misterton subject to proposals meeting a number of criteria.
<b>Policies 7 – 12: Allocation of Residential Development Sites</b>	11, 69, 78, 108, 155, 158, 193	<p>A number of sites are identified in Plan and allocated for residential development, to deliver a total of approximately 195 new dwellings over the Plan period.</p> <p>These sites were taken through a thorough site assessment evaluation. Evaluating their sustainability and suitability. These Policies in the plan also incorporate a number of site specific additional criteria aimed at ensuring development proposals are sustainable, addressing known constraints with each site.</p>
<b>Policy 13: West Stockwith Industrial Park</b>	11, 81, 83, 84	A large existing employment site located in the Parish. Policy 13 offers support to proposals for its expansion and modernisation, subject to meeting a number of criteria focussed on addressing environmental impacts and accessibility.
<b>Policy 14: Small Businesses</b>	11, 81, 83, 84, 92	Supports the establishment and development of small businesses across the Plan area, as well as encouraging home/work proposals.



<b>Policy 15: Communication Connectivity</b>	81, 112,	Policy 15 seeks to improve digital infrastructure in the Plan area in suitable locations.
<b>Policy 16: Enhancing the provision of community facilities</b>	83, 91, 92, 96	A key part of ensuring Misterton continues to be a sustainable community is to ensure the area is equipped with those buildings that enable social interaction. This policy identifies those facilities and recognises the need to secure improvements to and protect them across the Plan area.
<b>Policy 17: Improving Green Infrastructure</b>	91, 92, 96, 98, 170, 174	Policy 17 seeks to both protect and enhance green infrastructure across the Plan area, and improve sustainable access to these.
<b>Policy 18: Local Green Space</b>	91, 92, 96, 99, 100, 170,	Identifies and designates a number of key green spaces across the Plan area that local people have identified as important.

Figure 2. Neighbourhood Plan conformity with NPPF.

## Conformity with the Core Strategy

NP Policy	Section of the Core Strategy:	Commentary
<b>Policy 1: Sustainable Development</b>	No specific	Policy 1 seeks to ensure that new development balances the competing demands of environmental, social and economic factors in Misterton. Despite the Core Strategy preceding the NPPF, achieving sustainable development has been a core principle of planning for some time resulting in its achievement being delivered by the application of the entire document.
<b>Policy 2: Design</b>	SO7, CS7: Misterton, DM4: Design and Character	Policy 2 seeks to ensure that new development is designed and built to the highest national standards and reflects and enhances the character of the Plan area in keeping with SO7 and DM4 and most notably CS7.
<b>Policy 3: Housing Density</b>	SO7, DM5: Housing Mix and Density	Providing support for residential developments of a suitable density taking into account its specific location, supporting the achievement of SO7 and DM5.
<b>Policy 4: Housing Mix and Type</b>	SO7, DM5: Housing Mix and Density	DM5 requires development to be informed by local housing studies and local market factors and supports houses for 'the elderly'. Studies undertaken for Misterton Neighbourhood Plan have provided a specific mix of housing needed for the Plan area which Policy 4 works to deliver.
<b>Policy 5: Allocation of Affordable Housing</b>	SO1, CS7: Misterton	The CS recognises that a lack of affordable housing, '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'. Policy 5 sets out a local connection criterion to require, in the first instance, affordable housing to be offered to anyone with a connection to the Plan area, both socially and economically, before tenants are sought from the District's housing waiting list.
<b>Policy 6: Windfall Development</b>	SO3, CS7: Misterton	Policy 6 positively supports development on both infill and brownfield sites within the built area of Misterton.
<b>Policies 7 – 12: Allocation of Residential Development Sites</b>	CS7: Misterton	Although figures used are now deemed to be out of date, CS7 indicates that a portion of the Districts housing needs should be delivered in Misterton, reflecting its role as a Local Service Centre. Policies 7 – 12 ensure that an appropriate level of development is delivered in Misterton across the Plan period ensuring its continued sustainability.
<b>Policy 13: West Stockwith Industrial Park</b>	CS7: Misterton, DM3: General Development in the Countryside, DM7: Securing Economic Development	Policy 13 supports economic development in the Plan area in the existing Industrial Park and actively encourages its expansion and modernisation. Although differing to the approach taken in CS7 as the site is outside the development boundary for Misterton, it is felt this Policy actively supports economic development in a suitable and sustainable location.

<b>Policy 14: Small Businesses</b>	SO5, SO10, CS7: Misterton	SO5 seeks to support the continued viability of rural locations, SO10 of the Core Strategy supports the provision of essential social infrastructure, and CS7 strongly supports the provision of developments helping to support the role of Misterton as a Local Service Centre. Policy 14 provides support for suitable developments that will support and enhance Misterton's key role in supporting the local and surrounding communities.
<b>Policy 15: Communication Connectivity</b>	SO10	Policy 15 seeks to improve digital infrastructure in the Plan area in suitable locations supporting the delivery of SO10.
<b>Policy 16: Enhancing the provision of community facilities</b>	S10, CS7: Misterton	SO10 of the Core Strategy supports the provision of essential social infrastructure, CS7 strongly supports the provision of community facilities in Misterton, both within and outside the existing developed area. Policy 16 both identifies existing facilities in the Plan area, supporting their improvement as well as the provision of additional facilities.
<b>Policy 17: Improving Green Infrastructure</b>	SO8, SO10, DM9: Green Infrastructure	Policy 17 promotes accessibility to green infrastructure, as well as protecting existing GI from unacceptable development and supporting its enhancement. 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 and restore or enhance biodiversity.
<b>Policy 18: Local Green Space</b>	SO8, DM9: Green Infrastructure	Policy 18 designates specific areas of land across the Plan area as Local Green Spaces, ensuring their protection over the Plan period. 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.

Figure 3. Neighbourhood Plan conformity with Core Strategy

## Conformity with the definition of Sustainable Development

- 3.5. The definition of sustainable development employed in the Assessment of Compliance has been derived from the NPPF's definition (*NPPF, paragraph 8*):

*“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”*

- 3.6. A Sustainability Appraisal has been undertaken on the Misterton Neighbourhood Plan, testing the Plan's Vision, Objectives and Policies against an established framework that incorporates the three objectives listed above. Tables 6 & 7 of the Sustainability Appraisal Report show that the Plan was assessed as either having no impact (neutral) or a positive impact and therefore is deemed to conform to the definition of sustainable development. The Sustainability Appraisal is available to view on the Neighbourhood Plan website.

## Compatibility with EU Obligations and Legislation

- 3.7. A screening opinion was issued by Bassetlaw District Council who considered it unlikely that there would be any significant environmental effects arising from the Misterton Neighbourhood Plan. As such a Strategic Environmental Assessment (SEA) was not required.
- 3.8. The Neighbourhood Area does contain a number of European designated nature sites, and is in close proximity to a number of other important designated sites. Consequentially, and due to the Plan allocating sites for future development, it was recommended that a Sustainability Appraisal was undertaken to ensure the Plan was contributing to sustainable development.
- 3.9. The Sustainability Appraisal is available on the neighbourhood plan web site. The report considers the objectives and policies against sustainability objectives. This is the framework that is used for BDC's District planning policies. Table's 6 & 7 of the Sustainability Appraisal Report show that each policy was assessed as either having no impact (neutral) or a positive impact.
- 3.10. The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. It was deemed that an Equality Impact Assessment Report was not necessary for the Plan. The process followed in preparing and drafting this Plan engaged and incorporated the views of the whole community to avoid any unintentional negative impacts on particular groups.

## 4. Conclusion

- 4.1. The Basic Conditions as set out in Schedule 4B to the Town and County Planning Act 1990 are considered to be met by the Misterton Neighbourhood Plan and all the policies contained within it.