

Basic Conditions Statement



*Prepared by Planning With People on behalf of the Neighbourhood Planning Group and
Misterton Parish Council*

22 August 2023

Table of Contents

1. Introduction.....	3
What is the Misterton Review Neighbourhood Plan?.....	3
What is the Basic Conditions Statement?	3
2. Key Statements	3
3. Conformity with National and District Policy.....	4
4. Contribution to the Achievement of Sustainable Development	11
5. Compatibility with Former EU Obligations post Brexit (SEA and HRA Screening)	12
Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening	13
Other EU obligations.....	13
6. General Conformity with Strategic Local Policy	14
7. Conclusion.....	19
8. Appendix A Sustainability Matrix	20

1. Introduction

What is the Misterton Review Neighbourhood Plan?

- 1.1 The Neighbourhood Plan for Misterton Parish Neighbourhood Area has been prepared in accordance with the Town and 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 for 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 (general) Regulations 2012.

What is the Basic Conditions Statement?

- 1.3 This Basic Conditions Statement has been prepared to accompany the Misterton Review Neighbourhood Plan (hereafter the MRNP). Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, requires that a Neighbourhood Development Plan meets each of the following Basic Conditions¹:
 - I. has regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan,
 - II. contributes to the achievement of sustainable development,
 - III. 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),
 - IV. does not breach and is otherwise compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations,
 - V. does not breach the requirements of chapter 8 part 6 of the Conservation of Habitats and Species Regulations 2017,
 - VI. having regard to all material considerations, it is appropriate that it is made.
- 1.4 This document outlines how the MRNP meets the Basic Conditions.

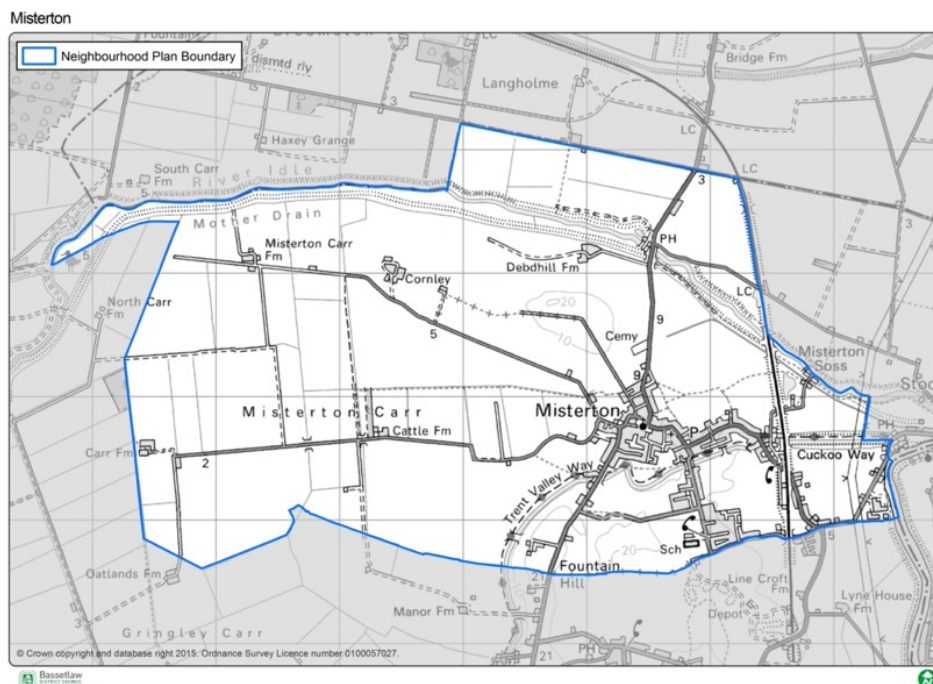
2. Key Statements

- 1.5 The Plan area covers the Parish of Misterton and the Parish was designated a neighbourhood plan area on 7th July 2016. Misterton Parish Council are the qualifying body for the purposes of neighbourhood planning.
- 1.6 The MRNP expresses policies that relate to the development and use of land only within the Neighbourhood Area.

¹ See national planning practice guidance Paragraph: 065 Reference ID: 41-065-20140306

- 1.7 The Neighbourhood Area is shown on the map accompanying the neighbourhood designation application and the designated area is contiguous with the Parish boundary.
- 1.8 The MRNP covers the period from 2022 to 2038.
- 1.9 The Plan proposals do not deal with 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'.
- 1.10 The MRNP does not relate to more than one neighbourhood area and covers only the Parish of Misterton as shown in figure 1 below.

Figure 1: Misterton Review Neighbourhood Plan Area



- 1.11 There are no other Neighbourhood Plans in place for this area.
- 1.12 The Pre-Submission Draft MRNP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from 31st October to 16th December 2022. Amendments have been made to the document based on all the comments received and these are summarised in the document entitled 'Consultation Statement'.

3. Conformity with National and District Policy

- 1.13 The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF)². Paragraphs 28 to 30 and footnote 18 of the NPPF refers to Neighbourhood Plans requiring them to have regard to the policies in the NPPF.

² All references are to the NPPF 2021

- 1.14 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).
- 1.15 The NPPF also refers to the need for Neighbourhood Plans to be in general conformity with strategic policies in any Development Plan that covers the area, here it is the Core Strategy 2011- 2028. Whilst the MRNP was being prepared the Core Strategy was being reviewed. The policies in the MRNP have been drafted to be in general conformity with the adopted policies in the Core Strategy and the Publication Version of the Bassetlaw Plan (including first and second addendums and main modifications that have resulted from the Examination process)³ and the evidence base supporting both the adopted Core Strategy and the emerging Bassetlaw Plan where applicable.
- 1.16 The Misterton Neighbourhood Plan was made in September 2019, this Review has been in preparation since 2020 and the scope was limited to providing more detail relating to landscape and design, adding a policy on renewable energy and updating the policy on housing mix and type.
- 1.17 In accordance with National Planning Guidance, documents commissioned by BDC have been used to guide the Neighbourhood Plan Review. These are available on BDCs website.
- Residential Design Successful Places: Supplementary Planning Document 2013
 - Landscape Character Assessment 2009 and Addendums 2020 and 2021
 - Housing and Economic Development Needs Assessment HEDNA 2020
 - Development Boundaries Background paper 2021
 - Rural Settlement Study Update 2021
 - Bassetlaw Strategic Flood Risk Assessment Appendix B-8 2021
- 1.18 The Environment Agency also provided updated flood risk maps which resulted in a minor amendment to the site boundaries NP11 and NP12.
- 1.19 The Parish Council also commissioned AECOM to produce a Design Code for the Parish, see <https://misterton-notts-pc.gov.uk/neighbourhood-plan/>
- 1.20 Table 1 sets out how the MRNP is in general conformity National Policy.

³ At time of writing the Bassetlaw Plan examination had been completed and the main modifications were out for Consultation August 2023.

Table 1: Assessment of how each policy in the MRNP conforms to the NPPF.

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
1R	Sustainable Development, and the Development Boundary	7,8, 124	<p>The NPPF enshrines sustainable development at the heart of planning. Policy 1 defines what sustainable development is in the context of the Plan Area and establishes a Development Boundary for Misterton. This provides certainty in respect of the extent of development and the need to protect valued open spaces, the areas of nature conservation and open countryside in accordance with the NPPF. The NPPF para 124 notes that planning policies should take into account <i>'the desirability of maintaining an area's prevailing character and setting (including residential gardens)'</i>. Policy 1 is based on analysis to provide a policy framework to ensure infill development is sensitive to the local character.</p>
2R	Infill Development and Density	125	<p>The NPPF notes that planning policies should achieve appropriate densities taking into account <i>'area based character assessments, design guides and codes'</i>. NPP2 is based on analysis to provide a policy framework to ensure infill development is sensitive to the local character based on the Misterton design Code analysis of the landscape and built form of the area.</p>
3R	Improving Green and Blue Infrastructure and Biodiversity		<p>The NPPF at para 186 identifies that planning policies should be used to provide green infrastructure provision and enhancement. (The NPPF glossary defines green infrastructure as including blue infrastructure). Policy 3R</p> <p>The NPPF at para 179 states that planning policies should <i>'pursue opportunities for securing measurable net gains for biodiversity.'</i> (This has been reinforced by the Environment Act that requires at least</p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			<p>10% biodiversity net gain on new development from Autumn 2023.) Policy 3R provides a clear policy framework to show how the impact on biodiversity of development will be assessed how the uplift will be measured and how it can be mitigated. NPPF para 180 d supports opportunities to improve biodiversity in and around development especially when this can secure measurable net gains.</p> <p>In accordance with para 179, areas of biodiversity value have been identified and Policy 3R protects them.</p>
4R	Protecting and Enhancing the Landscape Character	130, 174,179, 180	<p>The landscape character of the Plan Area is highly valued by the local community. The NPPF at para 130a requires planning policies to ensure that developments will <i>'function well and add to the overall quality of the area not just in the short term but over the life time of the development'</i>.</p> <p>The NPPF at para 174 requires planning policies to <i>'contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes'</i>.</p> <p>Policy 4R defines the overall approach to protecting landscape character and provides a framework to show how the allocated sites and any infill development should be designed to minimise the impact on the landscape. Policy 4R is based on an understanding and evaluation of the defining characteristics of the Plan Area undertaken for the Neighbourhood Plan. The Misterton Design Code combines an assessment of the surrounding built environment and landscape setting (in accordance with NPPF para 130c). The identification of the significant green gaps and the key views contributes to this analysis, providing local input in establishing where the landscape is locally valuable. Based on this detailed</p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			analysis Policy 4R provides a framework to identify and protect the landscape character.
5R	Local Green Spaces	99, 100	The NPPF encourages communities to identify, for special protection, green areas of particular importance. Policy 5R identifies 11 areas of tranquillity and/or community value that will be protected from development. LGS 11 is a new designation, all the others were designated in the made Neighbourhood Plan. The boundary of LGS 6 has been amended slightly, this amendment is explained in the text.
6R	Achieving High Quality Design	126, 127, 128, 129, 134 and 134b	<p>In accordance with NPPF para 127 Policy 4 provides <i>'a clear design vision and expectations, so that applicants have ... certainty .. about what is likely to be acceptable'</i>.</p> <p>The NPPF supports the production of Design Guides for neighbourhood areas and Policy 6R is underpinned by the Misterton Design Guide.</p> <p>NPPF para 130a) ensures that development <i>'adds to the overall quality'</i> of the Plan Area. The policy is based on the Misterton Design Code analysis and this provides a strong evidence base as the NPPF para 126 states <i>'Being clear about design expectations and how these will be tested is essential for achieving [good design]'</i>.</p>
7R	Renewable Energy, Energy Efficiency and Low Carbon Technologies		<p>The NPPF para 152 sees the planning system as crucial in supporting the transition to a low carbon future to <i>'shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience'</i>. New development should be planned in ways that <i>'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'</i> (para 154).</p> <p>NPPF para 155 notes that <i>'Plans should provide a positive strategy for energy from [renewable] sources.... While ensuring that adverse impacts are addressed satisfactorily</i></p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			<p><i>including cumulative landscape and visual impacts’.</i></p> <p>Policy 7R is proactive and encourages the development of low carbon homes and the use of renewable energy reflect statements of government policy.</p>
8R	Redevelopment of Newell’s Site	120	<p>The NPPF requires the planning system to <i>‘give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs’</i> but also to direct development away from areas of flood risk. (Para 159). Policy 8R seeks to strike this balance by promoting this visually prominent site that had a lot of community support for redevelopment in the consultation in 2018 (for the site allocations in the previous Neighbourhood Plan), whilst recognising the flood risk constraint identified in the SFRA.</p>
9R	Protecting and Enhancing Heritage Assets	189,190,194,197	<p>The NPPF places great importance on the protection and enhancement of heritage assets and that <i>‘these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance’.</i>(Para 189)</p> <p>Policy 9R sets out <i>‘a positive strategy for the conservation and enjoyment of the historic environment’</i> in accordance with NPPF para 190.</p> <p>Policy 9R (3) identifies the Canal for local listing, recognising the contribution it makes to the historic environment of the Parish.</p>
10R	Supporting Local Businesses	84	<p>The NPPF supports the growth and expansion of all types of businesses in rural areas to enable diversification and to enable access to local services. Policy 10R supports the expansion of existing businesses in the Parish where this does not harm the wider landscape. Policy 10R also supports the location of new businesses in the Parish where it is in accordance with Borough policies. Policy 10R also encourages the establishment of businesses within the</p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			village for more live/work set ups, where this does not harm residential amenity of the wider area.
11R	Improving Broadband and Mobile Connectivity	114	Policy 11R promotes the delivery of superfast broadband to the houses and businesses in the Parish in accordance with the NPPF recognising that <i>'high quality and reliable communications infrastructure is essential for economic growth and social well-being'</i> .
12R	A Mix of Housing Types	61,62	Policy 12R supports policies that meet local housing need in accordance with the HEDNA and reflecting the importance of having houses that can be adapted to meet the needs of people over their lifetime. The use of up-to-date evidence is in accordance with the NPPF. This creates a policy framework that identifies different house sizes and types and encourages a range of development to meet this need - (see NPPF para 62).
13R	Enhancing the Provision of Community Facilities	93	<p>The NPPF states that planning policies should <i>'plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship)</i>.</p> <p>The Plan Area has limited facilities and Policy 13R supports the need to protect and improve these community facilities.</p>
14R-18R	Site specific policies	73c	The NPPF requires planning policies to set clear expectations and to use tools such as design guides or codes. Analysis for each site in the Design Code has informed the site specific policies.

4. Contribution to the Achievement of Sustainable Development

1.31 The NPPF has a presumption in favour of sustainable development. The NPPF defines sustainable development as having 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).'*⁴ The MRNP recognises that this is a balancing act and the objectives of the Plan comprise a balance of social, economic and environmental objectives.

1.32 The **economic** goals relate to the emphasis on supporting sustainable economic development and highlighting and supporting the continuation of the existing businesses in the Parish. The MRNP recognises the contribution these businesses make, providing local employment and services to the community.

See Policies 1R, 10R, 11R

1.33 The **social** goals are to maintain a thriving community, recognising that the community and its needs change over time. The MRNP supports the provision of small scale housing on the allocated sites that meets local need. Community facilities are vital to provide social space and these are protected. The MRNP protects the community facilities, and recognises the value the community place on the quality of outdoor recreation as well. The MRNP identifies some outdoor areas of community value as Local Green Spaces (LGS). These Local Green Spaces have a social value (for leisure and recreation) as well as for their tranquillity and environmental value. The protection and enhancement of the green and blue infrastructure including the Canal (it is nominated for local listing) reinforces the value of the towpath as a walkway that provides direct access to the countryside and promotes healthy leisure activities.

1.34 The MRNP has included detailed analysis if the existing design of the area and the NPG has been actively involved in considering the policy framework for new development. This should ensure that growth is in keeping with the local character and that house types meet local need ensuring that the community remains cohesive as it expands.

1.35 The MRNP has been prepared on the basis that local people can inform planning policy in their neighbourhood at the pre-application engagement stage (see Key Principle). By enabling people to become more actively involved in the decision-making process the Neighbourhood Plan has assisted in building social capacity.

See key principle and policies 1R, 3R, 5R, 6R, 12R, 13R

1.36 The **environmental** goals are to protect the natural and built environment. The Neighbourhood Plan policies ensure that proposals protect and where possible enhance valued landscapes and the heritage of the Parish. The MRNP provides locally specific policies based on the Misterton Design Code to provide clarity to developers on what constitutes sustainable development. The identification of Significant Green Gaps and Key Views based on landscape analysis is an important part of this process to provide clarity to decision makers and developers about the sensitivity of these spaces within and adjoining the Development Boundary.

⁴ NPPF para 8

1.37 Reinforcing the protection of heritage assets within the Parish and enhancing green infrastructure will provide additional policy protection for these important attributes that contribute to the quality of Misterton's environment.

1.38 Promoting low carbon development and highlighting the large brownfield site for redevelopment (subject to overcoming flood risk constraints) will all assist in ensuring future development does not harm the local environment.

See policies 1R, 2R, 3R, 4R, 5R, 6R, 7R, 8R, 9R,

1.39 A sustainability matrix of the policies in the MRNP has been produced to assess the policies against sustainability criteria - see Appendix A. The Sustainability Matrix concluded that the Neighbourhood Plan policies would mostly have a positive benefit and occasionally a neutral impact.

1.40 There is no legal requirement for neighbourhood plans to have a Sustainability Appraisal. It is considered that this Sustainability Matrix is adequate in showing how the Neighbourhood Plan policies will deliver sustainable development.

5. Compatibility with Former EU Obligations post Brexit (SEA and HRA Screening)

1.41 The European Withdrawal Act 2018 (EUWA) provides a new constitutional framework for the continuity of retained EU law in the UK, replacing the EU treaties that had until that point applied in the UK. Section 7 of the EUWA 2018 states that *'Anything which was immediately before exit day, primary legislation of a particular kind, subordinate legislation of a particular kind or another enactment of a particular kind and continues to be domestic law on and after exit day continues to be domestic law as an enactment of the same kind'*⁵.

1.42 The references below are to EU directives and regulations because *'there is no official record of which EU treaty rights were incorporated into UK law'*⁶ but the EUWA accepts that the same environmental standards remain.

1.43 *'The EU (Withdrawal) Bill incorporates the existing body of EU environmental law into UK law, making sure the same protections have effect in the UK and laws still function effectively after the UK leaves the EU'*⁷.

1.44 On the basis of the foregoing the MRNP has been assessed in accordance with extant EU regulation that has been incorporated into UK law.

⁵ See <https://www.legislation.gov.uk/ukpga/2018/16/section/7>

⁶ See <https://www.pinsentmasons.com/out-law/guides/retained-eu-law-uk-after-brexit>

⁷ EU Withdrawal Bill Fact sheet 8 Environmental Principles. EU Withdrawal Bill came into force in January 2020

Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening

- 1.45 The environmental assessment of plans with a significant environmental impact is a requirement of the EC Directive on the assessment of plans and programmes on the environment (Directive 2001/42/EC), known as the Strategic Environmental Assessment (SEA) Directive.
- 1.46 A Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects on protected European Sites as a result of the Plan's implementation⁸.
- 1.47 A Strategic Environmental Assessment (SEA) Screening Report was undertaken by BDC in May/June 2023 to determine whether or not the MRNP (Submission Draft) required a SEA and HRA. In accordance with regulations BDC consulted Natural England, the Environment Agency and Historic England. BDCs Screening Statement of May 2022 concluded that neither a full SEA nor a HRA are necessary. The Screening Report is available on BDCs web site⁹.
- 1.48 The SEA and HRA screening outcomes are set out below¹⁰:

SEA Screening

- 1.49 *'On the basis of the SEA Screening Assessment set out in this document, the conclusion is that the Misterton Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations and, therefore, **does not need to be subject to a full SEA.**'*

HRA Screening

- 1.50 *'The HRA Screening Assessment concludes that no significant effects are likely to occur with regards to the integrity of the Hatfield Moor SAC, Thorne and Hatfield Moors SPA or the Sherwood Forest ppSPA as a consequence of the implementation of the Plan. As such, the Plan **does not require a full HRA to be undertaken.**'*

Other EU obligations

- 1.51 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.
- 1.52 The main issues for planning are the right to family life and in preventing discrimination. The MRNP makes positive contributions, such as protecting the heritage and landscape of the Plan area, protecting Local Green Spaces, supporting the improvement of walking and cycling routes and

⁸ Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

⁹ See document at <https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans/misterton-neighbourhood-plan/>

¹⁰ See SEA Screening Report page 21

promoting housing to meet local needs. The population profile has revealed that there are not significant numbers of people who do not speak English (as a first language) and it has not been necessary to produce consultation material in other languages.

1.53 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement.¹¹ There was consultation and engagement early on in the process and residents were encouraged to participate throughout. 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 Statement of Consultation. The Consultation Statement has been prepared by the Neighbourhood Plan Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

6. General Conformity with Strategic Local Policy

1.54 To meet the Basic Conditions, the Neighbourhood Plan is required to demonstrate general conformity with the strategic policies in the adopted Local Plan, here the Core Strategy 2011. The Core Strategy strategic policies provide detailed guidance on where new development can take place and sets out the factors that will be considered by BDC when considering all proposals for development.

1.55 The MRNP has been developed to be in general conformity with these strategic policies. Table 2 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with BDCs strategic policies.

Table 2: Assessment of how the policies in the MRNP are in general conformity with the Strategic Policies in the Core Strategy

Adopted Strategic Policies BDC Core Strategy 2011	How this is reflected in the Misterton NP
<p>CS1 ‘Settlement Hierarchy’ sets out the approach to sustainable development where development should be well related to existing patterns of development. Development should be restricted to sites inside the development boundary or on allocated sites or where it addresses a shortfall in the District’s 5 year housing supply, or provides local community services that have the community’s support.</p>	<p>Policy 1R requires a positive approach to sustainable development and requires development to be focused within the Development Boundaries to meet local housing need where it minimises the impact on the built and natural environment. The Development Boundary is drawn around the site allocations to ensure that sufficient land is included within it to meet the housing requirement figure (which is the growth figure that came out of the work on the review of the Core Strategy). Note the site allocations were done for the made Neighbourhood Plan in 2019 the MRNP did not seek to reconsider these site as they were well supported and provided the growth required based on BDCs housing assessment.</p>

¹¹ See Consultation Statement

<p>CS7 'Misterton' limits development to that necessary to support its role as a Local Service centre for the rural communities of north east Bassetlaw.</p>	<p>The MRNP continues to support the approach in the made MNP which was to work with the housing requirement figure provided by BDC which would form the basis of the emerging Bassetlaw Plan. This ensured the MNP planned for sufficient growth but allowed the community to influence the location of the growth. The MRNP allocates 4 sites that can accommodate approximately 152 dwellings. This is still in accordance with the Core Strategy that supports development to support Misterton's role as a Local Service centre.</p>
<p>DM1 Economic Development in the Countryside – supports rural diversification but only where the proposal requires a specific location (and there are no suitable sites in or close to settlements</p>	<p>Policy 10R is in accordance with this policy (and refers to NP Policy 1R which limits development outside the Development Boundary.)</p>
<p>DM4 Design and Character requires major development to make clear functional physical links to the existing settlement, that it is of an appropriate scale and that it provides a qualitative improvement to the existing range of houses, services, facilities and open spaces. New development should not have a detrimental impact on amenity and should minimise CO2 emissions.</p>	<p>Policy 6R requires development to reinforce existing character. The Misterton Design Code is the basis for the MRNP Policy 6R. Policy 1R,6R, 7R, requires development to make a positive contribution to the quality and quantum of housing, services and facilities whilst promoting low carbon homes. The site allocations have been selected to meet the housing requirement figure and because they provide good links to the existing settlement. Policy 7R supports low carbon development.</p>
<p>DM5 Housing Mix and Density requires the size and type of housing to be appropriate to the locality and to be informed by BDC's housing strategies and the SHMA.</p> <p>The density of development is expected to reflect the specific characteristics of the site and locality.</p> <p>DM5 sets out general design principals requiring proposals to respect the wider character, be of a high architectural quality and retain historic boundaries (walls and hedgerows).</p>	<p>Policy 12R requires housing to reflect local as well as the District need including that for smaller dwellings and that they should be adaptable to meet the needs of people over their lifetime.</p> <p>Policy 6R requires development to reflect local characteristics and defines what these characteristics are based on the Misterton Design Guide. The rural character and openness are also defined and protected in Policy 2.</p> <p>Policy 2R defines and limits infill to protect the rural character and low density of the village.</p> <p>Policy 1R provides the overarching policy approach that is in conformity with DM5 whilst Policy 6R defines what high quality design is in the context of the Plan Area referencing the Misterton Design Code thereby providing a clear framework to ensure that development proposals respond to the local character and history and promote or reinforce local distinctiveness.</p>

<p>DM7 Securing Economic Development 'existing employment sites will be protected for economic development purposes'</p> <p>DM2 'Consideration should always be given to the conversion of existing buildings before seeking to replace them with new units. Preference will always be given to conversion for economic development (which will include consideration of live/work units), community/service or affordable housing uses before proposals for conversion for market housing.'</p>	<p>Policy 10R supports existing businesses and encourages a mix of live/work units in addition to well designed new buildings to support the rural economy.</p>
<p>DM8 'The Historic Environment' support will be given to schemes that protect and enhance the historic environment</p>	<p>Policy 9R provides an over arching policy to cover all heritage assets, listed and non-designated, and nominates the Chesterfield Canal as a local heritage asset. It is in accordance with DM8 but highlights the heritage assets of local significance in the Parish.</p>
<p>DM9 'Green Infrastructure (GI); Biodiversity and Geodiversity; Landscape; Open Space and Sports Facilities' requires development to protect and enhance the District's green infrastructure through the establishment of a network of green corridors. Development is required to provide improvements to the GI where possible and to restore or enhance habitats and species and not adversely affect biodiversity. Development is expected to be sensitive to landscape setting and not adversely affect or result in the loss of open space.</p>	<p>The importance of protecting Green infrastructure runs throughout the MRNP policies and is the main focus of Policy 3R but it also referenced in 3R and 4R. The justification text to Policy 3R references Bassetlaw's Green Infrastructure Study and the significance of the Chesterfield Canal. The text provides detailed analysis of the landscape character areas from the NCC 2009 Landscape Character Assessment and analysis done by the NPG on key views and Significant Green Gaps. This local analysis (of the key views and Significant Green Gaps) provides a Misterton specific policy framework in</p> <p>Policy 3R and Policy 4R that protects these valued landscapes and the richness of the natural environment. Policy 3R requires development to aim to achieve a net biodiversity gain based on the Environment Act. The Plan supports the mitigation hierarchy approach.</p>
<p>DM10 'Renewable and Low Carbon Energy' encourages development that utilises renewable and low carbon energy.</p>	<p>Policy 7R supports the use of renewable materials, and the construction of low carbon development in accordance with DM10.</p>
<p>DM12 'Flood Risk, Sewerage and Drainage' sets out the requirement for development to be in areas that are at the lowest risk of flooding and that development should refer to BDCs SFRA</p>	<p>Policy 8R reflects the need to address flood constraints in any proposal for the redevelopment of Newell's Site. Policy 17R and 18R reflect the issue of flood risk and the site development boundary has been amended slightly based on the most up to date EA flood mapping and SFRA.</p>

The Bassetlaw Plan

1.56 Whilst the MRNP must be in general conformity with the adopted policies in the Core Strategy, where relevant, it is important that the Neighbourhood Plan is also in conformity with the evidence base of the emerging Local Plan 2020-2038. At time of submission of the Neighbourhood Plan the Bassetlaw Plan has been examined and the main modifications are being consulted on. Table 3 sets out how the Neighbourhood Plan policies are also in conformity with the emerging Bassetlaw Plan.

Table 3: Assessment of how each policy in the MRNP is in general conformity with the BDC’s draft Local Plan August 2021, First and Second Addendum and Main Modifications August 2023

Submission Version Local Plan and main modifications	Misterton Review Neighbourhood Plan
ST1 Bassetlaw’s Spatial Strategy and ST2 Residential Growth in Rural Bassetlaw	The MRNP reflects the scale of growth for Misterton as a Large Rural Settlement. The site allocations in the made Neighbourhood Plan meet the housing requirement figure. Following the Local Plan examination, the main modifications (out for consultation) have clarified that the HRF is a minimum number. The site allocations meet the bulk of the housing requirement figure and provide a policy framework for additional planning applications that may be submitted.
ST11 Rural Economic Growth and Economic Growth outside Employment Areas	<p>Policy ST11 supports new employment development that needs to be in the rural area as a result of operational and locational requirements, including the extension and intensification of existing employment sites, provided that the scale of the proposal is appropriate to the location, and the character of the countryside.</p> <p>The MRNP recognises that maximising the economic potential of the area will be crucial for the sustainability of the Plan Area in the future. The MRNP supports the continuation and expansion of local businesses.</p>
ST30 Housing Mix	The MRNP Policy 12R supports housing development that meets local need and requires development to reflect local character (which per se means being in keeping with existing density standards and the built form).
ST35 Design Quality	The MRNP is supported by the Misterton Design Code which provides local detail - an approach supported at para 8.1.11. ST35 provides an overarching

	<p>comprehensive policy for the District covering local character and settlement form, architectural quality and materials, landscaping, the environment, private amenity space and accessibility. Policy 6R provides the locally specific detail and translates ST35 into a Plan Area specific policy. ‘The Council encourages communities preparing neighbourhood plans to consider what the positive features are in their local area and identify them as part of a made Plan and/or design code. Where these local features have been identified as part of a made neighbourhood plan, proposals should demonstrate that they have been incorporated into the design.’</p>
<p>ST37 Landscape Character and ST38 Green Gaps</p>	<p>Para 8.3.7 notes that national policy provides strong support towards protecting valued landscapes. The landscape around Misterton is “valued” and the MRNP identifies areas of nature conservation, key views and significant green gaps to provide a robust evidence base to justify the policy approach taken.</p> <p>The MRNP takes a similar approach to ST37 but with the key views and significant green gaps analysis it provides an understanding of the landscape sensitivity at the parish level that is encouraged.</p> <p>The green gap definition at para 8.4.6 is ‘Green Gaps are intended to enable high quality development to continue to be proposed in appropriate locations in and adjoining these settlements, but to identify and protect the development of land which is integral to the character and identity of that settlement.’ This is the same approach taken for the significant green gaps. Policies 3R and 4R takes the same principles as ST38 but applies it to the Plan Area. (Note that the Local Plan does not identify green gaps in Misterton).</p>
<p>ST39 Green and Blue Infrastructure, ST40 Biodiversity and Geodiversity. ST 41 Trees, Woodlands and Hedgerows</p>	<p>The MRNP reflects the feedback from the community consultation about the high value people place on living in the Parish due to their access to a high quality natural and historic environment. Map 4 and 5 show the blue and green infrastructure and environmental assets in the Plan Area. The MRNP is in conformity with ST39-ST41 as policies 3R and 4R seek to minimise the harm to the natural environment caused by the location of development and requiring development to enhance</p>

	biodiversity. Tree planting as part of enhancing biodiversity is especially supported.
ST42 The Historic Environment and ST43 Heritage Assets	These Local Plan policies seek to conserve and enhance the historic environment. MRNP Policy 9R places the same weight on historic conservation and identifies the Chesterfield Canal for local listing.
ST45 Protection and Enhancement of Community Facilities	In accordance with the requirements of ST45, policy 13R of the MRNP identifies and protects the community facilities in the parish.
ST51 Reducing Carbon Emissions, Climate Change and Adaption	The MRNP Policy 7R focuses on energy efficiency in the design of new development. This is in conformity with ST51 which requires all proposals to consider how they will reduce carbon emissions. ST52 (A 1) identifies the opportunities for reducing emissions through design. The provision of renewable energy is supported subject to locally relevant criteria.

7. Conclusion

- 1.57 It is the view of Misterton Neighbourhood Plan Group that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the MRNP and all the policies therein.
- 1.58 The MRNP has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with the
- strategic policies contained in the Core Strategy (BDCs Development Plan)
 - the Submission Version and subsequent amendments and modifications to the Local Plan and
 - meets relevant EU obligations that have been transferred into UK Law.
- 1.59 On that basis, it is respectfully suggested to the Examiner that the MRNP complies with Paragraph 8(2) of Schedule 4B of the Act.

8. Appendix A Sustainability Matrix

Policy	Environmental Impact	Economic Impact	Social Impact
Policy 1R Sustainable Development and the Development Boundary	Positive impact Minimises the impact of development on the environment by requiring development to be sustainable and defining what that means for Misterton. Defines the extent of the Development Boundaries.	Positive impact Sets out clear guidelines for the location of new development. Ensures that the impact of new development avoids harm to the local character of the Parish as a place to live. Protecting the quality of the place will ensure the Parish remains a desirable and economically attractive place to live/work.	Positive impact Sets out clear guidelines for sustainable development to provide assurance to existing and future generations that the attributes that make the Parish special will be protected and that the scale of growth is in accordance with what the community supported.
Policy 2R Infill Development and Density	Positive impact Defines what constitutes infill (to avoid the over development of sites) so that the wider landscape character and natural environment is protected.	Positive impact Ensures that the impact of new development avoids harm to the local character of the Parish as a place to live. Protecting the quality of the place will ensure the Parish remains a desirable and economically attractive place to live/work.	Positive impact Sets out clear guidelines for sustainable development to provide assurance to existing and future generations that the attributes that make the Parish special will be protected and that the scale of growth is in accordance with what the community supported.
Policy 3R Improving Green and Blue Infrastructure and Biodiversity	Positive impact Requires development to enhance biodiversity to supports a tree planting programme.	Positive impact The rurality of the Parish is an attribute that attracts people to live and work in the Parish.	Positive impact The biodiversity of the Parish is a valuable attribute; residents cherish the quality and accessibility of nature. This policy provides assurance that the areas of designated nature conservation (which are often areas of leisure and recreation as well) will be protected and encourages their enhancement for the duration of the Plan period.

Policy	Environmental Impact	Economic Impact	Social Impact
Policy 4R Protecting and Enhancing the Landscape Character	Positive impact Requires development to protect the local landscape, recognizes the importance of the sense of openness provided by significant green gaps and key views and that this is a defining characteristic. Highlights the specific biodiversity quality of the Parish and requires development to make a net contribution to biodiversity. Identifying areas of nature conservation and specific actions that would enhance biodiversity in the Plan Area.	Positive Impact The rurality of the Parish is an attribute that attracts people to live and work in the Parish.	Positive impact The quality of the landscape around the Parish is a valuable attribute. This policy provides assurance that the quality and quantity of the landscape within and around the Parish will remain largely unchanged for the duration of the Plan period.
Policy 5R Designation of Local Green Spaces	Positive Impact The designation of Local Green Spaces highlights the value of these spaces to local people and affords them additional protection from development.	Neutral Impact	Positive Impact These Local Green Spaces have been put forward by local people and are very important to them; their designation provides assurance that they will be protected from development for the duration of the Plan period. The focus on them may enable improved maintenance of them to enhance their form and function.
Policy 6R Ensuring High Quality Design	Positive Impact Minimises the impact of development on the environment by setting out design guidelines that ensure development will blend with the existing built form and landscape. Ensures that development will	Positive Impact Ensures a high-quality design that will have community support and that will increase the attractiveness of the area as somewhere to live and work.	Positive Impact Ensures that new development integrates with the existing, creating high-quality buildings. Provides existing and future residents with confidence that future development will be of the highest design quality.

Policy	Environmental Impact	Economic Impact	Social Impact
	reinforce existing character.		
Policy 7R Renewable Energy, Energy Efficiency and Low Carbon Technologies	Neutral Impact Proposals are encouraged to use low carbon technologies and encourage the use of renewable energy improve air quality and reduce the use of scarce resources. This step change will assist in addressing the issues of climate change.	Positive Impact In the long-term addressing climate change is an economic necessity.	Positive Impact The community want a lower carbon neighbourhood.
Policy 8R Redevelopment of Newell's Site	Positive Impact If the flood risk can be mitigated, the redevelopment of this brownfield site will minimize the need to build on a green field site to meet the District need for housing.	Positive Impact At present the site is considered an eyesore. A well-designed housing development would increase the attractiveness of this part of the Parish.	Positive Impact The community are keen to see the redevelopment of this derelict site.
Policy 9R Protecting and Enhancing Heritage Assets	Positive Impact Protecting the historic environment is an important tenet of sustainable development. Policy 9R provides a policy framework to protect heritage assets in accordance with NPPF guidelines	Positive Impact Protecting the historic environment maintains the quality of the Ward – ensuring Sturton Ward remains an attractive economically vibrant place to live and work.	Positive Impact The community value the historic character of the Ward. Policy 9R is locally specific and reinforces this requirement to protect these assets.
Policy 10R Supporting Local Businesses and Policy 11R Improving Broadband and Mobile Connectivity	Neutral Impact Encourages job creation locally and the ability to work from home which reduces car usage which in turn will improve air quality and reduce environmental damage.	Positive Impact Policy 10R supports the growth of local businesses through the intensification of uses on the existing industrial estate and/or the conversion of buildings and new builds – this will allow existing businesses to continue to expand and to have premises that meet their needs.	Positive Impact A flourishing local economy provides job opportunities and investment in the Parish. Local employment reduces commuting, giving people more time for other activities.

Policy	Environmental Impact	Economic Impact	Social Impact
		Policy 11R recognises the importance of digital connectivity and seeks to ensure that new development	
Policy 12R A Mix of Housing Types	Neutral Impact	Positive Impact Seeks to address the need for smaller dwellings, and flexible housing design reflecting community feedback, findings from the HEDNA and an understanding of the existing housing stock.	Positive Impact Seeks to provide new houses that will meet local need and the changing needs of people of their life time.
Policy 13R Enhancing the Provision of Community Facilities and Services	Neutral Impact	Positive Impact A good range of community provision creates a more vibrant neighbourhood where people want to live and work.	Positive Impact Access to a range of indoor and outdoor community facilities is vital to foster a sense of community cohesion and well-being in the Parish.
Policy 14R- 18R Site- specific Policies	Positive Impact The site-specific policies assist developers by drawing together all the local information and identify issues on the sites relating to flooding, landscape or biodiversity and set out how development can minimize impact on the environment.	Positive Impact The MRNP supports the development of the sites so long as the proposals are in accordance with the MRNP policies.	Positive Impact The sites will provide housing to meet BDC's housing need and have been identified by the community.