



Nether-Langwith Parish Council

**Nether Langwith
Neighbourhood Plan
2022- 2038**

Statement of Basic Conditions

(September 2023)

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1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Nether Langwith Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3 Paragraph 8 (1) states that the examiner must consider the following:
 - (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
 - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
 - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
 - (d) such other matters as may be prescribed.
- 1.4 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
 - (a) 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
 - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
 - (c) 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)
 - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and
 - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.
- 1.5 Section 2 of this Statement sets out how the Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the Neighbourhood Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

2.0 Legal Requirements

- 2.1 The Plan complies with the provisions of sub-paragraph 1(b) as described below.

The Plan is being submitted by a qualifying body

The Neighbourhood Plan has been submitted by Nether Langwith Parish Council, which is a qualifying body and entitled to submit a neighbourhood Plan for the designated area.

What is being proposed is a neighbourhood plan

- 2.2 The Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood area 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.

The proposed Neighbourhood Plan states the period for which it is to have effect

- 2.3 The Neighbourhood Plan states that the period which it relates to is from 2022 until 2038. The period has been chosen to align with that of the review of the Bassetlaw Local Plan now subject to Major Modifications.

The policies do not relate to excluded development

- 2.4 The Neighbourhood Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood plans in place within the neighbourhood area.

- 2.5 The designated area was approved by Bassetlaw District Council on 24 September 2020. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the neighbourhood area.
- 2.6 In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated neighbourhood area.
- 2.7 In relation to sub-paragraph 1(d), there are no other prescribed matters.

3.0 The Basic Conditions

3.1 This section addresses how the Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework 2021 (NPPF) and to the strategic policies contained in the Bassetlaw Local Plan Adopted in November 2017.

Having regard to national policies and advice

3.2 The Neighbourhood Plan has been developed having regard to the NPPF. An explanation of how each of the Neighbourhood Plan policies have shown regard to the NPPF are outlined in table 1 below.

3.3 In broad terms the Plan:

- process has empowered the local community to develop the plan for their neighbourhood and has undertaken a thorough exercise in identifying ways to enhance and improve the area;
- policies are based on robust evidence and provide a practical framework within which decisions on planning applications can be made, with a high degree of predictability and efficiency;
- seeks to deliver locally appropriate homes, businesses and infrastructure through policies on windfall development, housing mix and affordable housing and employment policies;
- seeks to actively manage patterns of growth in the most sustainable locations through the designation of a Limits to Development;
- supports local strategies to deliver sufficient community facilities and services, to meet local needs;
- contributes to conserving and enhancing the natural environment through the protection of Local Green Spaces biodiversity and a range of environmental protections.

General conformity with the strategic policies of the development plan for the area

3.4 The Neighbourhood Plan has been prepared in general conformity with the strategic policies contained in the Bassetlaw Local Plan Adopted in November 2017.

3.5 Table 1 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the strategic policies contained in the Bassetlaw Core Strategy Adopted in November 2011 and have regard for the NPPF (2023).

<i>Nether Langwith Neighbourhood Plan policies</i>	<i>NPPF para</i>	<i>Regard to National Planning Policy</i>	<i>General Conformity with BDC Core Strategy 2011</i>	<i>General Conformity with emerging Local Plan 2022-2038</i>
Policy HBE1: Development Boundary	7, 10, 11	One of the core principles of the NPPF is to recognise and protect the intrinsic character and beauty of the countryside. Actively managing patterns of growth, within the Limits to Development seeks to support existing services and facilities and protect the countryside and setting of the settlements. Further, Limits to Development facilitate the use of sustainable modes of transport with both benefits to the environment and the health of the community, both underlying premises of the NPPF.	Policy CS1 establishes a settlement hierarchy and states that 'Development within the open countryside (i.e. beyond settlement boundaries) will be strictly controlled'. This reflects the words used in the NP which update the development boundary for NL. Development Boundaries are defined as 'lines that are drawn around settlements to identify the extent of the built-up area, beyond which it is no desirable to expand'.	The narrative before Policy ST2 allows parishes to establish development boundaries within neighbourhood plans.
Policy HBE2: Housing Mix	62, 91	The policy seeks to support a mix of housing that meets an identified need in the community. The NPPF advocates for inclusive and mixed communities, which will require a mix of housing types based on current and future demographic trends.	Policy DM5 states 'Proposals for new housing development will be expected to deliver, in discussion with the Council, housing of a size, type and tenure appropriate to the site and locality'. The NP Policy HBE2 is based on local evidence of housing need.	Policy ST30 requires development proposals to provide an appropriate housing mix based on evidence of housing need.
Policy HBE3: Affordable Housing	61, 62, 63, 64	This policy supports the provision of affordable housing and includes a policy	The Core Strategy support affordable housing. Policy CS9 requires	Policy ST29 establishes the policy on affordable housing. The NP

		prioritising allocation to local residents. This policy is consistent with the NPPF which outlines the need to widen opportunities for home ownership and create inclusive and mixed communities through amongst other things, supporting affordable housing where there is an identified need	all housing with a net gain of one or more dwellings to contribute towards the District's affordable housing targets.	Policy HBE2 adds local detail to this.
Policy HBE4: Windfall Housing	69, 71	The policy for small scale windfall sites has regard to the NPPF; by seeking to meet any future housing requirements for the area and maintain the vitality of the settlements, whilst protecting their character and setting. This is a positive policy for future housing provision given that this type of development has a proven track record in providing a good source of new housing over recent years in the Parish.	The Core Strategy allows development within the Development Boundaries, whilst Policy DM4 requires infill development to respect its wider surroundings 'in relation to historic development patterns or building/plot sizes and forms; density; and landscape character'.	The support of the Neighbourhood Plan for small scale windfall development is in general conformity with the Core Strategy ST2 which supports small-scale development in Service Centres.
Policy HBE5: Design	8, 28, 112, section 12	The policy outlines several design principles and supports the NPPF principle of requiring good design; and the need to respond to local character and history of the local surroundings. Importantly the policy does not impose architectural	Core Strategy Policy DM4 establishes design principles for development proposals which are consistent with those within the neighbourhood plan.	Policy ST35 states that all development must be of a high-quality design.

		styles and hence does not stifle an innovative approach.		
Policy ENV 1: Local Green Space	101-103	Protection of Local Green Spaces identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.	Policy DM9 requires development proposals to 'support the Council's strategic approach to the delivery, protection and enhancement of multi-functional Green	Policy ST39 identifies local green spaces as areas to be protected and enhanced whilst Policy ST46 seeks the protection and enhancement of open spaces and green
Policy Env 2: Important Open Spaces	Section 15	These policies seek to protect other open space with environmental and historic value on account of their natural and/or historical features. This has regard to the NPPF principles conserving and enhancing the natural and historic environment. It takes into account the designation hierarchy and the protection is commensurate with their status.	Infrastructure, to be achieved through the establishment of a network of green corridors and assets'.	infrastructure.
Policy ENV 3: Sites of natural environmental significance			The Core Strategy seeks to support developments that protect and enhance biodiversity (Policy DM9 B). The Neighbourhood Plan in identifying locally significant sites for protection, adds further detail and value at the neighbourhood level and is in general conformity with the Core Strategy overarching principles.	
Policy ENV 4: Biodiversity and Habitat connectivity		The policies seek to protect and enhance local biodiversity features and habitats. The policy has regard to the NPPF, which states that the planning system should contribute to enhancing the natural and local environment by minimizing impacts on biodiversity and providing net gains where possible.		
Policy Env 5:	Section	The NPPF requires	A key issue in the	Policy ST35 requires

<p>Sites of Historic Environment Significance</p> <p>Policy Env 6: Ridge and Furrow</p>	15	Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets	Core Strategy is to ensure that the provision of new development needs to be achieved whilst also paying due regard to the protection and enhancement of heritage assets. Planning Practice Guidance, updated in July 2019, confirms the ability of NPs to identify locally important heritage assets. The policy is in general conformity with Cors Strategy DM8 on the conservation and enhancement of the historic environment.	development to avoid an adverse effect on a heritage asset and to positively preserve heritage assets. ST42 seeks to conserve and enhance the historic environment
<p>Policy Env 7: Important Views</p>	130	The policy seeks to protect views identified as being significant to the community. In accordance with the NPPF, the planning system should contribute to and where possible; enhance the landscape. Views are a key component of the landscape	Policy DM9 supports the protection of the character the countryside. Important views are an important element of the character of the landscape and thus their identification and protection are consistent with the broad aims for the countryside and natural environment in the Core Strategy, which requires development to safeguard and enhance green infrastructure assets	Para 8.8.9 identifies how significant views towards or from a heritage asset may be important to the significance of its setting. Views are an important factor in Landscape Character, which is protected in Policy ST37
<p>Policy Env 8: Footpaths and other walking routes</p>	Section 9	This policy aims to protect the existing pedestrian network. In doing so, it has regard to the NPPF in terms of 'promoting sustainable	Policy DM13 seeks to minimise the need to travel by car and seeks to provide links or to develop new footpaths giving access to local	Policy ST55 promotes sustainable transport and active travel and seeks to encourage active travel through

		transport', reducing congestion and greenhouse gas emissions and 'promoting healthy communities', whilst also meeting requirements for promoting healthy communities.	facilities.	measures including connection to, and extension of, existing pedestrian and cycle networks.
Policy Env 11: Flood Risk Resilience, watercourses and Climate Change	Section 14	The NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.	Core Strategy Policy DM12 deals with Flood Risk. The Neighbourhood Plan policy is in general conformity with this policy.	Policy ST52 requires proposals to consider and where necessary mitigate the impact of flood risk on development.
Policy CF 1: The retention of Community Facilities and Amenities	20, 28, 84, 93, 186	These policies seek to protect and promote key community facilities. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss. In seeking new or improved community facilities, the policy supports the NPPF principle of promoting healthy communities.	Policy CF1 is in general conformity with the Core Strategy which recognises the importance of community facilities. This is expressed in the vision which calls for an appropriate range of community facilities.	Policy ST45 seeks to protect and enhance community facilities. NP Policy CF1 adds local detail to this policy.
Policy E1: Employment	20, 73, 106,	The policy supports new employment	Policy DM7 supports economic growth	Policy ST11 is on rural; economic

and Commercial Development	123	opportunities through small scale employment premises. Promoting access to employment is a key element in the pursuance of sustainable development as outlined in the NPPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy. Re-use of agricultural buildings for small businesses, recreation or tourism further support a prosperous rural economy and the transition to a low carbon future by encouraging the use of existing resources.	throughout the district and the provision of a diverse range of employment opportunities including the development of tourism and leisure. This policy establishes the criteria against which future development proposals will be considered and provides for the protection of existing sites, as does the neighbourhood plan.	growth and economic growth outside employment areas. It supports diversification of the rural economy.
Policy E4: Tourism	83	The policy in supporting development proposals for tourism and leisure facilities recognises the role that the area can play in 'building a strong, competitive economy' and 'supporting a prosperous rural economy' through sustainable rural tourism and leisure developments.'	Core Strategy policy DM3 supports the increase of tourism opportunities in the District and sets the conditions that need to be achieved.	Policy ST12 promotes Bassetlaw as a destination for visitors.
Policy E5: Broadband and Mobile Phone Infrastructure	42, 43	The NPPF advocates planning that supports high quality communications infrastructure.	The Core Strategy is silent on this issue.	Policy ST57 on the digital infrastructure requires broadband to be supplied to new dwellings
Policy T1:	Section	The policies seek to	Policy T1 is in	Policy ST55

Traffic Management	9	manage potential traffic issues arising from development and has regard for 'promoting sustainable transport' and supporting reductions in greenhouse gas emissions.	general conformity with Core Strategy Policy DM13 which seeks to minimise the use of travel by car.	promotes sustainable transport and active travel and seeks to encourage active travel through measures including connection to, and extension of, existing pedestrian and cycle networks.
Policy T2: Electric Vehicles	107, 112	The NPPF supports the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and that applications for development are designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.	Policy DM4 on design and character identifies the importance of carbon reduction. Policy DM10 supports proposals for carbon reduction.	Para 10.1.9 promotes the provision of electric charging points and NP Policy T2 is in general conformity with Policy ST50 on reducing carbon emissions.

Achieving sustainable development

- 3.7 The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Plan supports the strategic development needs in the emerging Local Plan, shaping and directing development in the area that is outside of the strategic elements of the Local Plan.
- 3.8 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 3.9 The policies contained in the Neighbourhood Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people's quality of life, including:
- supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing (including affordable housing) to meet local need.
 - supporting the transition to a low carbon future through actively managing patterns of growth within existing settlements, supporting sustainable modes of transport, renewable energy generation and local employment opportunities.
 - protecting and enhancing the distinctive character of the built and natural environment through high quality design, protection of important local green space and protection of important views.
 - conserving and enhancing the natural environment by protecting and supporting a net gain in biodiversity and important habitats.
 - supporting a strong economy through the protection of existing employment sites and support for new businesses including home working and farm diversification.
 - safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

EU obligations

Strategic Environmental Assessment (SEA)

3.10 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

3.11 A Screening opinion was issued by Bassetlaw District Council which determined that a full SEA would not be required.

Habitats Directive

3.12 Bassetlaw District Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan and concluded that an HRA was not required. The statutory consultees concurred with this conclusion.

Convention on Human Rights

3.13 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable 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.

3.14 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, 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 Advisory Committee and meets the requirements set out in Paragraph 15 (2) of the Regulations.

4.0 Conclusion

- 4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Nether Langwith Neighbourhood Plan.
- 4.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the saved strategic policies in the Bassetlaw Local Plan 2017 and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Nether Langwith Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.