

# Treswell Neighbourhood Plan Review 2020 - 2038 Statement of Basic Conditions

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## 1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Treswell with Cottam 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 Review has been submitted by Treswell with Cottam 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 Review 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 Review states that the period which it relates to is from 2020 until 2038. The period has been chosen to align with that of the Bassetlaw Local Plan.

### **The policies do not relate to excluded development**

- 2.4 The Neighbourhood Plan Review 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 18 December 2015. 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 Review 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 December 2023 (NPPF) and to the strategic policies contained in the Bassetlaw Local Plan Adopted in 2024.

#### **Having regard to national policies and advice**

3.2 The Neighbourhood Plan Review 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 residential allocations, windfall development (additional residential development in Treswell) and a policy on local employment;
- 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 and the Lee Beck Green Corridor.

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

3.4 The Neighbourhood Plan Review has been prepared in general conformity with the strategic policies contained in the Bassetlaw Local Plan Adopted in 2024.

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 Local Plan adopted in 2024 and have regard for the NPPF (December 2023).

<b>Treswell with Cottam Neighbourhood Plan policies</b>	<b>NPPF para</b>	<b>Regard to National Planning Policy</b>	<b>General Conformity with Local Plan 2020-2038</b>
<b>Policy 1: Allocation of Site NP01</b> <b>Policy 2: Allocation of site NP09</b> <b>Policy 3: Allocation of site NP10</b> <b>Policy 4: Allocation of site NP12</b>	7, 10, 11	<p>Inclusion of a housing allocation supports 'the presumption in favour of sustainable development' by planning positively, shaping and directing development.</p> <p>The policy in identifying residential sites to ensure housing delivery supports the NPPF aims of delivering sustainable development.</p>	<p>Local Plan Policy ST1 establishes Treswell as a Small Rural Settlement, whilst Policy ST2 confirms the requirement of Treswell to accommodate a minimum of 5 dwellings to meet its housing requirement over the plan period.</p> <p>Policies in the NP Review achieve this minimum requirement.</p>
<b>Policy 5: Additional Residential Development in Treswell</b>	69, 71	The policy, establishing the criteria for additional residential development in the Parish 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 and helps to distinguish where future development will be appropriate.	The support of the Neighbourhood Plan Review for small scale residential development within the village of Treswell is in general conformity with the Local Plan Policy ST2 which supports small-scale development in Small Rural Settlements.
<b>Policy 6: Local Design Code</b>	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 styles and hence does not stifle an innovative approach.	Local Plan Policy ST35 states that all development must be of a high-quality design.
<b>Policy 7: Protecting Existing Community Facilities</b>	20, 28, 88, 97, 193	This policy seeks 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.	Local Plan Policy ST45 'Protection and Enhancement of Community Facilities seeks to protect and enhance community facilities. NP Review Policy 7 adds local detail to this policy.
<b>Policy 8: Local Green Space</b>	105-107	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 ST39 identifies local green spaces as areas to be protected and enhanced whilst Policy ST46 seeks the

<b>Policy 9: Lee Beck Green Corridor</b>	Section 15	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.	protection and enhancement of open spaces and green infrastructure.
<b>Policy 10: Local Employment Opportunities</b>	20, 74, 110, 127	The policy supports new employment 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.	Local Plan Policy ST11 is on rural economic growth and economic growth outside employment areas. It supports diversification of the rural economy.



## 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 Local Plan, shaping and directing development in the area that is outside of the strategic elements of the Local Plan.
- 3.8 The NPPF (December 2023) defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has 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 in the most appropriate locations to meet local need.
  - 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 the Lee Beck Green Corridor..
  - supporting a strong economy through the protection of existing employment sites and support for new businesses.
  - safeguarding and enhancing community 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 Treswell with Cottam Neighbourhood Plan Review.
- 4.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic policies in the Bassetlaw Local Plan 2020-2028, has regard for the NPPF (December 2023) and meets relevant EU obligations, now transferred into UK law.
- 4.3 It is therefore respectfully suggested to the Examiner that the Treswell with Cottam Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.