

Rearsby Neighbourhood Plan

2017-2028

SUBMISSION VERSION - JULY 2017

DOCUMENT 3: BASIC CONDITIONS STATEMENT

LEGAL REQUIREMENTS

- 1. Qualifying Body**

This Submission Plan is being submitted by a qualifying body, namely Rearsby Parish Council
- 2. Neighbourhood Development Plan**

The plan proposal relates to planning matters i.e. the use and development of land, and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990, as amended by the Localism Act 2011, and the Neighbourhood Planning Regulations.
- 3. Plan Period**

The plan period is from the time of being 'made' up to 2028, the same period as the Charnwood Local Plan.
- 4. Excluded Development**

The Neighbourhood Plan proposal does not deal with 'county matters', namely 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.
- 5. One Neighbourhood Area**

The Neighbourhood Plan proposal relates to the Rearsby Neighbourhood Area and no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

BASIC CONDITIONS

1. General

The Neighbourhood Plan must have regard to national policy. The Rearsby Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that, "The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan." Rearsby Neighbourhood Plan has been drafted with regard to the relevant policies for Charnwood, contained in Charnwood Local Plan, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood plans should, "not promote less development than set out in the Local Plan or undermine its strategic policies". The Rearsby Neighbourhood Plan does not undermine the strategic policies of the Borough Council. The Plan aims to support these policies by protecting community facilities, supporting walking and cycling, supporting an appropriate amount of new housing, promoting improvements in transport and managing traffic, protecting the character of the neighbourhood plan area and designating local green spaces.

2. NPPF Core Planning Principles and the Rearsby Submission Neighbourhood Development Plan

a) Plan Led Approach

NPPF-Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger and local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Rearsby NP Submission-The Parish Council has produced the Submission Plan in line with the above guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of local community in shaping its policies and proposals and through consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2028. The Neighbourhood Plan sets out a concise and practical suite of policies (10 in total) to guide development management decisions.

b) Creative Exercise

NPPF-Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve places in which people live their lives.

Rearsby NP Submission-The Submission Plan offers the local community the opportunity to shape the future development of Rearsby in a creative way, ensuring the quality and distinctiveness of local places is enhanced by protecting local green spaces, protecting community facilities, whilst at the same time supporting housing growth.

c) Sustainable Development

NPPF-Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet Housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land, which is suitable for development in their area, taking account of the needs of the residential and business communities.

Rearsby NP Submission-The Submission Neighbourhood Plan refines and amplifies strategic policies set out in the Charnwood Core Strategy. The Submission Neighbourhood Plan supports new housing within Rearsby village and sets out priorities for a range of housing types, tenures and styles to meet the needs of all sectors of the community. (R2,R3,R4)

d) High Quality Design

NPPF-Planning should always seek to ensure a high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Rearsby NP Submission-The Submission Neighbourhood Plan protects the character, form and setting of the village through the identification of a Limits to Development boundary (R2) indicates that proposals for new development should

make a positive contribution to the distinctive local character of the designated area by being of a size, density, layout and scale that is sympathetic to local character.

e) Character of Area

NPPF-Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Rearsby NP Submission-The Submission Neighbourhood Plan seeks to protect the surrounding countryside by identifying a settlement boundary, and area of local separation (R1,R2).

f) Climate Change

NPPF-Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage re-use of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).

Rearsby NP Submission-The Submission Plan promotes a low carbon approach through the criteria in R2,R3,R4.

g) Natural Environment

NPPF-Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.

Rearsby NP Submission-The Submission Plan is fully consistent with this principle. The Plan provides a policy framework for protecting local green spaces (R6) and, wherever possible, maintains existing trees and hedgerows. This should have a beneficial effect on the natural environment.

h) Re-use of Previously Developed Land

NPPF-Planning should encourage the effective use of land by re-using land that has previously been developed., provided that it is not of high environmental value.

Rearsby NP Submission-The Submission Plan seeks to safeguard locally important spaces for new development (R1) and encourages new housing within the village confines.

i) Mixed Developments

NPPF-Planning should promote mixed developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).

Rearsby NP Submission-The Submission Plan recognises that the open countryside that comprises much of Rearsby Parish can perform multiple functions through the suite of policies required.

j) Heritage

NPPF-Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to their contribution to the quality of life of this and future generations.

Rearsby NP Submission-Policy R8 seeks to protect the local character and distinctiveness of Rearsby Conservation Area.

- k) **Public Transport, Walking, Cycling**
NPPF-Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
Rearsby NP Submission-The Submission Plan seeks to focus development in sustainable location by promoting development within the village confines.

- l) **Wellbeing for All**
NPPF-Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs.
Rearsby NP Submission-The Neighbourhood Plan is in accord with this principle. Policies in the plan safeguard and seek to improve local green spaces (R6) and protect and improve local community facilities (R7).

3. Charnwood Core Strategy and Rearsby Submission Neighbourhood Plan

- a) **CBC Core Strategy Chapter 5 Meeting Our Housing Need**
Policies CS1, CS2, CS3, CS4, and CS5-these policies aim to deliver the right quantum of housing across Charnwood; the right sizes and types of homes. Rearsby plays the role of an "Other Centres" location with a housing target appropriate to a small village. The specific role for Rearsby within the borough strategy is examined in the Plan and appropriate policies have been devised.
Rearsby NP Submission-the Plan is in accordance with the Chapter, including its emphasis on meeting the local and social economic need for sustainable development. Policies R1, R2, R3, and R4 support a positive approach to development; supports that development should be focused within the Limits to Development; supports the protection of the surrounding countryside from inappropriate development. These policies articulate, and address locally, the borough wide housing needs reflected in the Core Strategy. Policy R4, and R5 support the provision of suitable housing, including affordable housing to meet local need.

- b) **CBC Core Strategy Chapter 6 Economy and Regeneration**
Policies CS6, CS7, CS8 and CS9-Charnwood is a large borough by population and is well connected to road and rail to the main regional centres of Leicester, Nottingham and Derby. The aim is to secure sustainable economic growth and to act as a catalyst for economic recovery. The CS makes note of the need to support rural employment zones.
Rearsby NP Submission-the parish is mainly rural but contains an important employment location in the form of Rearsby Business Park. The Plan has identified

this employment area as an Employment Zone on the Proposals Map with appropriate protective policies R5A and R5B.

- c) CBC Core Strategy-Chapter 7 Our Environment
Policies CS10, CS11, CS12, CS13, CS14, CS15 and CS16-the policies in the Core Strategy emphasise the importance of the good quality built and natural environment and the contribution this makes to the quality of life.
Rearsby NP Submission-This approach is also a major theme of the NP Submission. This is reflected in Policy R6, which protects important green spaces, biodiversity and trees and hedgerows. Policy 8 protects Rearsby Conservation Area.
- d) CBC Core Strategy-Chapter 8 Access and Travel
The emphasis of the policies in the Core Strategy promote sustainable travel and attempt to manage the road network, particularly travel by car.
Rearsby NP Submission-the sustainable transport objectives are supported by the Submission Plan in Policy R9.

4. Strategic Environmental Assessment (SEA)

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; a Neighbourhood Area contains sensitive natural or heritage assets; the Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Core Strategy.

In the case of Rearsby Neighbourhood Plan:

1. The Plan does allocate two sites for development
2. There are no sensitive natural or heritage assets that may be adversely affected by the policies in the Plan
3. The Plan does not have any significant as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004
4. The Plan does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Charnwood Borough Council's Core Strategy

Charnwood Borough Council is in the process of screening the Neighbourhood Plan to determine whether a Strategic Environmental Assessment is required.

5. Habitats Directive

Charnwood Borough Council is in the process of determining whether Habitats Regulations Assessment is required.

6. Other Basic Conditions

An additional basic condition prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 is that:-

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations (2010(2)) or a European offshore marine site.

Natural England, Environment Agency and Historic England have formally been consulted on the draft Neighbourhood Plan and did not raise any concerns that the Plan would adversely affect an internationally or nationally designated nature conservation sites in Rearsby or the surrounding area. The Parish Council therefore considers that the Neighbourhood plan meets the additional prescribed condition.

7. Consultation

The Neighbourhood Plan has been prepared with extensive engagement and input from the community and stakeholders as set out in the accompanying Statement of Consultation. There was extensive consultation in identifying issues and objectives and the draft has been the subject of Regulation 14 of Neighbourhood Planning (General) Regulations 2012 exercise. Responses have been recorded and changes have been made. The Statement of Consultation has been prepared and meets the requirements set out in Paragraph 15(2) of the regulations.