

Great Glen Neighbourhood Plan

# Statement of Basic Conditions

November 2016



Prepared by Great Glen Parish Council

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## 1.0 Introduction

This statement has been prepared by the Great Glen Parish Council Neighbourhood Plan Steering Group to accompany its submission to the local planning authority (Harborough District Council) of the Great Glen Neighbourhood Plan (“GGNP”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

The policies described in the Neighbourhood Plan relate to development and the use of land in the designated Neighbourhood Plan area only. The plan period for the Neighbourhood Plan is 2011 to 2031 and it does not contain policies relating to excluded development, in accordance with the Regulations. The way in which the Neighbourhood Development Plan meets the Regulations and the Basic Conditions is set out below.

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38(C)] sets out in the following way how the Neighbourhood Plans must meet the basic conditions:

- 1) 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.
  
  - 2) 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
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- 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.

Section 2 of this Statement sets out how the GGNP complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the GGNP meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

## **2.0 Summary of Submission Documents and Supporting Evidence**

In addition to the Basic Conditions Statement, the following documents have been prepared to support the preparation of the Plan and meet the Basic Conditions:

- The neighbourhood plan for Great Glen
- The Great Glen Neighbourhood Plan Consultation Statement
- The Great Neighbourhood Plan Strategic Environmental Assessment Screening Report

### **3.1 Legal Requirements**

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

#### **3.2 The Plan is being submitted by a qualifying body**

The GGNP has been submitted by Great Glen Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for its own Parish. The Neighbourhood Plan has been prepared by a Steering Group set up by Great Glen Parish Council.

#### **3.3 What is being proposed is a neighbourhood plan**

The GGNP 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.

#### **3.4 The proposed neighbourhood plan states the period for which it is to have effect**

The GGNP states that the period which it relates to is from 2015 until 2031. The period has

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been chosen to align with that of the emerging Harborough District Council Local Plan.

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

The GGNP 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 County Council has confirmed that the Neighbourhood Plan is compatible with the existing adopted Leicestershire Minerals Local Plan [to be confirmed following Regulation 14 consultation]

### **3.6 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.**

The whole parish of Great Glen was formally designated as a Neighbourhood Area by Harborough District Council on 4 June 2014. The proposed neighbourhood plan relates only to the parish of Great Glen and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.

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 Plan Area.

In relation to sub-paragraph 1(d), there are no other prescribed matters.

### **4.1 The Basic Conditions**

This section addresses how the GGNP 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 (NPPF) and to the strategic policies contained in the Harborough District Council Core Strategy 2011.

The Neighbourhood Plan has been prepared with reference to the emerging Local Plan which has been subject to consultation through the period of preparing the Neighbourhood Plan and which is scheduled to be Adopted in March 2017.

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## 4.2 Having regard to national policies and advice

The GGNP has been developed in consideration of the National Planning Policy Framework. An explanation of how each of the neighbourhood plan policies have shown regard to the NPPF are outlined in table 1 below.

In general terms:

- The local community has been empowered to develop the plan for their neighbourhood.
- The GGNP sets out a positive aim for the future of the area; *“to set out policies for the years up to 2031 that will ensure that the area develops and grows in a way that is sustainable economically, socially and environmentally, and which enhances and improves the community in which we live.”*
- The policies in the GGNP provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- The development of the GGNP has been a creative process and policies seek to enhance and improve the area.
- The GGNP policies seek to secure high quality design and good standard of amenity, recognise and seek to enhance the unique character of the area, support the transition to a low carbon future, contribute to conserving and enhancing the natural environment and heritage assets, actively manage patterns of growth to make the fullest use of public transport, walking and cycling and support local strategies to improve health, social and cultural wellbeing.

**Table 1: NP Policies regard to NPPF**

<b>NP Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
<b>GG1: General Policy Principle</b>	Para. 2	Supports the NPPF principle that applications for planning permission must be determined in accordance with the development plan (local plan and neighbourhood plan which has been made in relation to the area), unless material considerations indicate otherwise.
<b>GG2: Housing Provision</b>	Para. 14 & 16	Confirms that the housing target for Great Glen has been met, supports ‘the presumption in favour of sustainable development’. This is the underlying principle of the NPPF.

NP Policy Title	NPPF Ref.	Commentary
<p><b>GG3: Housing Provision Windfall Sites</b></p>	<p>Delivering a wide choice of high quality homes.</p> <p>Promoting sustainable transport.</p> <p>Requiring good design.</p>	<p>The policy for windfall sites has regard to the NPPF; being based on evidence (emerging local plan) and previous trends. Small infill and redevelopment sites support the facilitation in the use of sustainable modes of transport.</p> <p>The criteria for windfall sites is consistent with the sustainable principle of 'good design' which calls for developments that add to the overall quality of an area, establish and strong sense of place and respond to the local character.</p>
<p><b>GG4: Housing Mix</b></p>	<p>Delivering a wide choice of high quality homes.</p> <p>Promoting healthy communities.</p>	<p>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 based on current and future demographic trends.</p>
<p><b>GG5: Affordable Housing</b></p>	<p>Delivering a wide choice of high quality homes</p> <p>Para 159.</p>	<p>This policy supports the provision of affordable housing with a priority for starter homes and homes for younger and older people. Local people are prioritised for allocation. This is consistent with the NPPF which states the need to address the need for all types of housing, including affordable housing.</p>

NP Policy Title	NPPF Ref.	Commentary
<b>GG6: Design Quality</b>	Requiring good design. Meeting the challenge of climate change, flooding and coastal change. Conserving and enhancing the natural environment.	This policy seeks good quality design in order to make a positive contribution to the special character of the Parish. The criteria for development is in accordance with the approved Great Glen Village Design Statement. This policy has regard to the NPPF. The policy contributes positively to making places better for people and the environment through the protection and enhancement of biodiversity and incorporation of sustainable design and construction techniques.
<b>GG7: Non-Nationally Designated Heritage Assets of Local Historical and Architectural Interest</b>	Conserving and enhancing the historic environment.	This policy seeks to conserve and enhance buildings/structures and their settings of local historical and architectural interest.
<b>GG8: Employment and Business Development</b>	Building a strong, competitive economy. Supporting a prosperous and rural economy.	This policy safeguards existing employment sites and supports small scale employment proposals elsewhere where there is no adverse impact on the surrounding area. This has regard for the NPPF in terms of building a strong, competitive economy and supporting a prosperous and rural economy.
<b>GG9: Shops</b>	Support a prosperous and rural economy. Promotion of sustainable transport.	This policy supports the retention of local shopping facilities and in so doing seeks to support a prosperous and rural economy. It also has regard for the promotion of sustainable transport, through the minimization of journey lengths required for shopping.
<b>GG10: Community Buildings and Facilities</b>	Promoting healthy communities.	This policy seeks to protect and enhance key community services, facilities and shops. This has regard for the NPPF principle of promoting health communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.

<b>NP Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
<b>GG11: Assets of Community Value</b>	Promoting healthy communities.	This policy seeks to guard against the loss of important community assets. This has regard for promoting healthy communities.
<b>GG12: Protection of Local Green Spaces</b>	Promoting healthy communities.	Accessibility to green spaces as a fundamental pillar to health and wellbeing is recognized through this policy which seeks to protect locally important green spaces.
<b>GG13: Other Important Open Space</b>	Conserving and enhancing the natural environment. Conserving and enhancing the historic environment.	This policy seeks to protect other open space with environmental value. This has regard to conserving and enhancing the natural and historic environment.
<b>GG14: Ridge and Furrow Fields</b>	Conserving and enhancing the historic environment.	This policy seeks to protect ridge and furrow fields and has regard for the NPPF, which considers that non-designated heritage assets of archaeological interest, of equivalent to scheduled monuments should be subject to the policies for designated heritage assets.
<b>GG15: Public Open Space</b>	Promoting healthy communities.	This policy seeks to increase the current level of provision of public open space. This supports the promotion of healthy communities through planning positively for the provision of shared open space.
<b>GG16: Biodiversity</b>	Conserving and enhancing the natural environment.	This policy seeks to protect and enhance biodiversity and designate two wildlife corridors. This strategic approach contributes to the enhancement of the natural environment by planning positively for the creation and protection of biodiversity and green infrastructure.
<b>GG17: Important Trees and Hedges</b>	Conserving and enhancing the natural environment.	This policy seeks to protect and integrate significant trees and hedges into the design of development.



<b>NP Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
<b>GG18: Footpaths and Cycleways</b>	Promoting sustainable transport. Promoting healthy communities. Meeting the challenge of climate change, flooding and coastal change.	This policy aims to protect and where possible, enhance the existing network of footpaths and cycleways. This has regard for number of the NPPF sustainable principles including promoting sustainable transport, promoting healthy communities by providing opportunities for walking and cycling and meeting the challenge of climate change through a potential reduction on greenhouse gas emissions.
<b>GG19: Energy Efficiency</b>	Meeting the challenge of climate change, flooding and coastal change.	The aim of the policy is to encourage new development that incorporates sustainable design and water efficiency. This has regard for the NPPF and in particular the need to adopt proactive strategies to mitigate and adapt to climate change.
<b>GG20: Parking</b>	Promoting sustainable transport.	The aim of this policy is to minimize the use of roads for parking and therefore improve traffic flow and road safety through the use of parking standards.
<b>GG21: Parking Development</b>	Promoting sustainable transport.	This policy seeks to protect public car parking spaces in Great Glen to support the viability of the commercial area.
<b>GG22: Access Design for New Development</b>	Promoting sustainable transport. Promoting healthy communities. Meeting the challenge of climate change, flooding and coastal change.	This policy seeks to improve connectivity within and around the village to allow easy and safe access for pedestrians and cyclists to key locations. The policy has regard to the NPPF with regards to promoting healthy communities, sustainable transport and potentially reducing greenhouse gas emissions.
<b>GG23: Traffic Management</b>	Promoting sustainable transport.	This policy seeks to address traffic congestion and road safety through traffic management.
<b>GG24: Developer Contributions</b>	Para 173.	The prioritization of projects funded through developer contributions has regard to the NPPF in terms of ensuring viability and deliverability.

### **4.3 Achieving sustainable development**

The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, the GGNP has been drafted to conform generally with the approved Harborough District Council Core Strategy, for which a sustainability appraisal has been carried out to help deliver sustainable development across the District. This section of the Statement demonstrates how the GGNP fulfils the basic condition that the plan contributes to achieving sustainable development.

The NPPF sets out three dimensions to sustainable development:-

- an economic role– contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The ways in which the GGNP contributes to achieving the economic, social and environmental aspects of sustainable development are set out below:

- Contributing to building a strong economy through the protection of existing employment sites, supporting small scale business development and expansion and encouragement of start-up businesses and home working.
  - Planning positively for housing growth to meet the needs of present and future
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generations in line with District-wide housing growth predictions.

- Supporting good design of the built environment, making Great Glen an even better place to live.
- Supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people and promote a healthy and inclusive community.
- Safeguarding existing open space and community facilities for the health, social and cultural wellbeing of the community.
- Supporting new development where it relates well to the existing built up area of the village and incorporates pedestrian and cycle links which provide good connectivity with the rest of the village.
- promoting policies to protect locally important landscape features and biodiversity, which contribute toward the sense of community and quality of life in the area.

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

The Neighbourhood Plan has been developed in general conformity with the strategic policies contained in Harborough District Council’s approved Core Strategy adopted in 2011 as set out below:

**Table 2: Conformity with Strategic Policies**

<b>Strategic Policy</b>	<b>Summary of Relevant Requirement</b>	<b>General Conformity with Strategic Policy</b>
<b>CS Policy 1: Spatial Strategy</b>	<p>This strategy seeks to maintain the District’s unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services including:</p> <ul style="list-style-type: none"> <li>• development of at least 7,700 dwellings across the District 2006 -2028;</li> <li>• develop Great Glen as a Rural Centre as a focus for rural housing, additional employment, retail and community uses to serve each settlement and its catchment area.</li> </ul>	<p>The Neighbourhood Plan is in general conformity with this strategic policy.</p> <p>Policy GG2 provides a housing target for the term of the Plan based on evidence from the emerging local plan, discussion with the District Council and community and existing housing commitments.</p> <p>Policy GG10 supports the retention of local shops, further reinforcing the role of Great Glen as a Rural Centre with retail to serve the settlement and its catchment area.</p>

<b>Strategic Policy</b>	<b>Summary of Relevant Requirement</b>	<b>General Conformity with Strategic Policy</b>
<b>CS Policy 2: Delivering New Housing</b>	<p>The aim of the strategy is to accommodate growth sensitively and within existing well-functioning places. The focus of this strategy is on the distribution and management of new housing development including:</p> <ul style="list-style-type: none"> <li>• overall housing provision of at least 7,700 dwellings between 2006-2028 includes an allocation of at least 2,420 dwellings for rural centres and selected rural villages.</li> <li>• Limits to Development boundaries around settlements will be used to shape their future development.</li> <li>• All housing development should be of the highest design standard. A mix of housing types will be required on sites of 10 or more dwellings.</li> </ul>	<p>The Neighbourhood Plan seeks to accommodate housing requirements within the existing settlement through infill development. Policies GG5 and GG7 seek housing development that provides for a mix of housing types to meet the local need of the community and good design in accordance with the approved Great Glen Village Design Statement.</p>
<b>CS Policy 3: Delivering Housing Choice and Affordability</b>	<p>This strategy aims to secure delivery of new homes that meet the requirements of all members of the community by such measures;</p> <ul style="list-style-type: none"> <li>• All residential developments will be required to contribute towards meeting affordable housing needs. The threshold for the application of this policy is 1 dwelling.</li> <li>• A minimum of 40% of the total number of dwellings will be affordable within the two highest value sub-market areas of Harborough Rural South West and Harborough Rural North and</li> </ul>	<p>Affordable housing is addressed in Policies NK7 and GG6. The Neighbourhood Plan supports the requirement for 40% Affordable Housing across the Parish.</p>

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Strategic Policy	Summary of Relevant Requirement	General Conformity with Strategic Policy
<b>CS Policy 5: Providing Sustainable Transport</b>	<p>This strategy aims to deliver a number of key outcomes including:</p> <ul style="list-style-type: none"> <li>• All residents have efficient, easy and affordable access to key services, particularly by public transport, bike and on foot.</li> <li>• More people walk, cycle and use public transport as part of their daily journeys.</li> <li>• The negative impact of our transport system on the environment and individuals is reduced.</li> </ul>	<p>The Core Strategy emphasis on safe pedestrian and cycling facilities is addressed in the Neighbourhood Plan through Policy GG19 which supports the safeguarding and improvement of cycle ways; and footpaths to improve connectivity and GG23 which supports walking and cycling routes and access to public transport for development proposals of 10 units or more.</p> <p>In regards to reducing the negative impact of the transport system on the environment and individuals, policies GG21 and GG22 both are in general conformity with the Core Strategy.</p>
<b>CS Policy 7: Enabling Employment and Business Development</b>	<p>The strategy aims to enable economic and employment development in support of the sub-regional growth of Leicester and Leicestershire through a number of means including designation of 'Key Employment Areas' in Rural Centres and protect them from changes of use which may limit future business development.</p>	<p>Policy GG9 safeguards existing employment sites and promotes small scale employment initiatives elsewhere in the Parish.</p>
<b>CS Policy 8: Protecting and Enhancing the Green Infrastructure</b>	<p>This policy seeks to secure a high quality, accessible and multi-functional green infrastructure network across both rural and urban areas of Harborough district, which contributes to healthy lifestyles and a rich, diverse natural environment.</p>	<p>Section 7.6 of the Neighbourhood Plan collectively seeks to protect and enhance the green infrastructure through; the protection of Local Green Space and other important open space; safeguarding existing open space; conserving and enhancing biodiversity, the designation of two wildlife corridors and protecting import trees and hedges.</p>

<b>Strategic Policy</b>	<b>Summary of Relevant Requirement</b>	<b>General Conformity with Strategic Policy</b>
<b>CS Policy 9: Addressing Climate Change</b>	This strategy supports development which adapts to climate change and helps to reduce the District's carbon emissions.	The Neighbourhood Plan Policy GG20 supports development that contributes to mitigating and adapting to climate change through the integration of sustainable design and construction techniques. Policies GG4 (infill), GG7 (Design Quality), GG19 (footpaths and cycle ways also have the potential to contribute to reducing the District's carbon emissions.
<b>CS Policy 10: Addressing Flood Risk</b>	This strategy aims to help deliver sustainable development including through the reduction of risk by measures such as location, layout and design and support for SuDS.	There are no policies in the Neighbourhood Plan that impact adversely on flood risk. Policy GG7 supports development which incorporates sustainable drainage systems with maintenance regimes to minimize vulnerability to flooding.
<b>CS Policy 11: Promoting Design and Built Heritage</b>	This strategy aims to ensure : <ul style="list-style-type: none"> <li>• all new development in the District is of a high standard, well-designed and appropriate to its context;</li> <li>• safeguard and improve the character and distinctiveness of its settlements, heritage assets and natural environments.</li> </ul>	The Core Strategy stresses the importance of good design and the built heritage. This is reflected in the Neighbourhood Plan through the incorporation of the Village Design Statement which clearly describes the build standards required for new housing and is linked to the Plan through Policy GG7. Policy GG8 identifies important local buildings and their setting to be protected from inappropriate development.
<b>CS Policy 17: Countryside, Rural Centres and Rural Villages</b>	This strategy aims to provide a framework for protecting, enhancing and managing the character and appearance of the landscape, maintaining and strengthening local distinctiveness and providing for development which meets the local needs and helps retain local services. Support for rural development that;	The Neighbourhood Plan is in general conformity with CS Policy 17 in that it; reduces the need to travel (Policy GG4, GG9, GG10, GG19), seeks design consistent with the character of the Parish (GG7) and seeks to protect heritage assets (GG8) and (GG15).

	<ul style="list-style-type: none"> <li>• reduce the need to travel from rural areas;</li> <li>• is located and designed in a way that is sensitive to its landscape setting</li> </ul>	
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#### 4.5 EU obligations

##### **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;
- 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.

In the case of the Great Glen Neighbourhood Plan:

- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programs Regulations 2004 and shown at Appendix 2
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Harborough District Council's Core Strategy.

A Screening opinion was issued by Harborough District Council with regards to the Strategic Environmental Assessment. This determined that a full SEA was not required. The consultation bodies were asked to comment and no concerns were raised.

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## **Habitats Directive**

The Great Glen NP area does not include or is not close to a European site that would require a Habitat Regulation Assessment.

## **Convention on Human Rights**

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. There was extensive consultation and engagement in identifying issues and objectives and the draft Neighbourhood Plan is being 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 appendices to the Statement of Consultation. The Statement of Consultation has been prepared by the GGNP Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

## **5.0 Conclusion**

This Basics Conditions Statement demonstrates that the GGNP:

- has regard to national policy;
- contributes towards the achievement of sustainable development;
- is in general conformity with the Harborough District Council Core Strategy 2011;
- does not breach, and is otherwise compatible with EU obligations; and
- has met the prescribed conditions and matters in connection with the proposal for the Neighbourhood Development Plan.

It is therefore respectfully suggested to the Examiner that the Great Glen Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

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