

NOCTON AND POTTERHANWORTH NEIGHBOURHOOD PLAN 2016-2036

BASIC CONDITIONS STATEMENT

1 Legal Requirements

1.1 The Nocton and Potterhanworth Neighbourhood Plan ('the Neighbourhood Plan') has been prepared by the Nocton and Potterhanworth Neighbourhood Plan Steering Group on behalf of Nocton Parish Council and Potterhanworth Parish Council (together forming the qualifying body), for submission to the local planning authority, North Kesteven District Council ('NKDC'), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015 ('the Regulations').

1.2 The whole of the parishes of Nocton and Potterhanworth were together formally designated as a Neighbourhood Area under the Neighbourhood Planning Regulations 2012 (part 2 S6) by NKDC on 1 May 2014. The Neighbourhood Plan relates to the designated Neighbourhood Area and there are no other plans relating to that area.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan is from 2016 to 2036. These dates have been chosen to align with the dates of the Central Lincolnshire Local Plan: Proposed Submission (April 2016) ('the Draft Local Plan'). The Neighbourhood Plan does not contain policies relating to 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 (TCPA) 1990.

1.4 This Statement addresses the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that a Neighbourhood Development Plan will be considered to have met the basic conditions if:

- 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;
- The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- 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);
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

2 Demonstrating regard to national policies and advice

2.1 The Nocton and Potterhanworth Neighbourhood Development Plan has been prepared having regard to national policies as set out in the National Planning Policy Framework ('the NPPF') of April 2012. It has also taken account of the Planning Practice Guidance ('the PPG') published by the Government in March 2014 in respect of formulating neighbourhood plans.

NPPF Paragraph 16 Application of Presumption

2.2 The Neighbourhood Plan contains policies which support the needs of the Local Plan including housing and the economy.

NPPF Paragraph 183 Develop a Shared Vision

2.3 The communities of Nocton and Potterhanworth have taken an active part in developing a shared vision of the parishes, both recently and in the past, by responding to consultations and attending meetings. This shared vision has been taken into consideration throughout the production of the Neighbourhood Plan. In addition, account has been taken of the Nocton Community (Parish) Plan 2013 which was adopted formally by Nocton Parish Council on 7 May 2013.

NPPF Paragraph 184 General conformity with the strategic policies of the Local Plan

2.4 The Development Plan for Nocton and Potterhanworth is the North Kesteven Local Plan (2007) and the Neighbourhood Plan has been written to be in general conformity with its saved policies. However, throughout the production of the Neighbourhood Plan, the Steering Group has also been mindful of the developing Central Lincolnshire Local Plan. The Steering Group has most recently evaluated the Neighbourhood Plan against the Central Lincolnshire Local Plan: Proposed Submission (April 2016), that being the most recent version of the emerging Local Plan available, and has consulted with NKDC, the local planning authority, in order to ensure that the Plan is in general conformity with the Local Plan. How the Neighbourhood Plan is in general conformity with the Local Plan is described in more detail in Section 3.

2.5 Table 1 below summarises how each policy relates to the NPPF.

Table 1

Neighbourhood Plan Policy number	Relevant NPPF paragraphs (not an exhaustive list)	How conformity is achieved
Housing and the Built Environment		
Policy 1	34, 35, 50, 55	This Policy promotes sustainable development in appropriate locations which minimise the need for extra journeys and maintains the sense of community in the parishes
Policy 2	42, 56, 57, 58, 60, 61, 123	This Policy ensures good quality design in new housing that will benefit from high quality communication links and contributes to community cohesion and wellbeing
Policy 3	126, 129, 130, 132, 140	This Policy preserves the heritage of Nocton Hall and its setting and maintains public enjoyment of these
Quality of Life and Environment		
Policy 4	73, 74, 76, 77	This Policy retains the distinctiveness, setting and special character of the villages, to which the Local Green Spaces contribute significantly, and provides open accessible green space
Policy 5	109, 117, 118	This Policy ensures that the distinctive landscape and natural environment of the parishes are maintained
Policy 6	42, 43, 97	This Policy supports improvements in electronic communication, including mobile telephony and high speed broadband, and the

		use and supply of renewable energy from renewable and low carbon sources, while minimising the environmental impact
Transport and Access to Local Services		
Policy 7	30, 32, 34, 35	This Policy protects and promotes the use of non-motorised transport methods and ensure a safe road environment for all users
Local Economy		
Policy 8	28, 111	This Policy promotes local employment opportunities and supports the local economy
Community Well-being		
Policy 9	28, 70	This Policy encourages the development of facilities to enhance community well-being and protects those which currently exist

3 Demonstrating general conformity with the Local Plan

3.1 Until the Draft Local Plan is adopted, the Local Plan is the North Kesteven Local Plan (2007).

3.2 Table 2 below summarises how each policy relates to the North Kesteven Local Plan.

Table 2

Neighbourhood Plan Policy number	Relevant Local Plan paragraphs (not an exhaustive list)	How conformity is achieved
Housing and the Built Environment		
Policy 1	C1, DC4, HE7	This Policy supports development which is in keeping with the character, setting and appearance of the area, within the village curtilages (with the exception of the RAF Hospital Nocton Hall site) and ensures that such development has the necessary infrastructure
Policy 2	C5, C18, H2, HE7, T5	This Policy ensures good quality design in new housing that will not detract from the amenities of others and that has adequate off-street parking
Policy 3	HE5, HE10	This Policy preserves the heritage of Nocton Hall and ensures that development on the RAF Hospital Nocton Hall site will not adversely affect the contribution made by Nocton Hall to the character of its surroundings
Quality of Life and Environment		
Policy 4	C19	This Policy retains the distinctiveness, setting and special character of the villages, to which the Local Green Spaces contribute significantly, and provides open accessible green space
Policy 5	RST4, LW4, LW7	This Policy maintains and increases public access to the countryside, preserves and enhances the tree population and other

		features of the natural landscape, and supports wildlife habitats
Policy 6	C17, E9	This Policy supports improvements in electronic communication, including mobile telephony and high speed broadband, while minimising the environmental impact
Transport and Access to Local Services		
Policy 7	T1, T2, T3, T4	This Policy protects and promotes the use of non-motorised transport methods, supports the use of public transport as a travel option and ensures a safe road environment for all users. Promoting non-motorised transport methods offers a potential improvement in physical and mental well-being
Local Economy		
Policy 8	C5, E4, E7	This Policy supports the development of local employment opportunities in an appropriate and sustainable location and enhances local prosperity
Community Well-being		
Policy 9	R3	This Policy safeguards and supports existing community well-being facilities

4 Demonstrating contribution to sustainable development

4.1 A formal Sustainability Appraisal has not been undertaken. However, the Neighbourhood Plan has been written with regard to the need to contribute to the achievement of sustainable development.

4.2 Table 3 below summarises how each policy contributes to the three dimensions of sustainable development (economic, social and environmental). A scale of ++, +, 0, -, and -- has been used to indicate the impact of each policy as very positive, positive, neutral, negative or very negative.

Table 3

Neighbourhood Plan Policy number	Econ.	Soc.	Env.	Commentary on impact
Housing and the Built Environment				
Policy 1	++	++	++	Development in appropriate locations, of an appropriate scale and type, and with the necessary infrastructure, will retain the character of and quality of life in the parishes
Policy 2	0	++	++	New housing of appropriate design and materials, with safe and suitable access, will allow Nocton and Potterhanworth to continue to be attractive places to live as part of a safe community
Policy 3	++	++	++	Enabling development and the associated restoration of the immediate area will preserve the heritage of Nocton Hall and its setting, maintain public enjoyment of these and enhance the appearance and environment of the village
Quality of Life and Environment				
Policy 4	0	+	++	The Local Green Spaces contribute significantly to the distinctiveness, setting and special character of the villages and are highly valued by the local community, who wish to see them preserved
Policy 5	0	+	++	Public access to the countryside, the rural environment and local wildlife habitats contribute greatly to the attractive environment of the parishes and enhancing access will have a benefit on physical and

				mental well-being
Policy 6	++	++	0	Electronic communication, including mobile telephony and high speed broadband, is an essential part of modern day life and poor services have a significant adverse impact on business and social life. Development of the infrastructure for these and renewable energy sources which is appropriate in location and scale will be environmentally neutral
Transport and Access to Local Services				
Policy 7	0	++	+	Protection and promotion of public transport and non-motorised transport methods will lead to a reduction in car journeys and a safer road environment and offers a potential improvement in physical and mental well-being
Local Economy				
Policy 8	++	+	0	Promoting local employment opportunities will support the local economy and have a beneficial effect on social factors
Community Well-being				
Policy 9	+	++	0	Encouraging the development of facilities to enhance community well-being and protecting those which currently exist will improve community well-being

5 Producing a Neighbourhood Plan before a Local Plan is adopted

5.1 The PPG was issued on 6 March 2014. It clarifies several areas of the NPPF including the situation where a Local Plan is not up-to-date. Ideally, the Neighbourhood Plan would be produced after the adoption of the Draft Local Plan. However, due to significant pressure from developers in the Neighbourhood Plan area, it was considered appropriate to produce relevant, current and locally derived planning policies to assist developers in producing proposals which would have a beneficial impact on the local community.

5.2 The PPG states that it is permissible to bring into force a neighbourhood plan in advance of a local plan provided that, where a neighbourhood plan is brought forward before an up to date Local Plan is in place, the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in

- The emerging neighbourhood plan
- The emerging Local Plan
- The adopted development plan

with appropriate regard to national policy and guidance. The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans.

5.3 The Neighbourhood Plan has been prepared in close collaboration with NKDC. There has been regular contact during the drafting of the Neighbourhood Plan and NKDC to ensure that there is no conflict between the Neighbourhood Plan and the Draft Local Plan.

6 Compatibility with EU Obligations

6.1 The Neighbourhood Plan Steering Group submitted a formal screening request regarding the need for a Strategic Environmental Assessment to NKDC. NKDC considered that an assessment was not required because the Neighbourhood Plan is not likely to have a significant impact on the environment.

6.2 This document was submitted to Historic England, Natural England and the Environment Agency, who all agreed with this outcome.

6.3 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The main issues for planning are the right to family life and in preventing discrimination. There are virtually no residents in either village who do not have English as a first language and it has not been considered necessary to produce consultation material in other languages. Beeswax Dyson Farming, a major local farming concern, employs foreign nationals as seasonal workers, but they are present for relatively short periods only during the year.

6.4 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. The Submission Draft of the

Neighbourhood Plan has been subject to consultation as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012; the responses have been recorded and changes have been made as laid out in the Consultation Statement. The Consultation Statement has been prepared by the Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

6.5 The Neighbourhood Plan is not in sufficiently close proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations and this has therefore not been required by NKDC.

7 Conclusion

7.1 This Statement demonstrates how the Nocton and Potterhanworth Neighbourhood Plan meets the Basic Conditions as set out in Schedule 4B to the TCPA 1990.

7.2 The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained in the saved North Kesteven Local Plan and the Draft Local Plan policies and meets relevant EU obligations.

7.3 It is therefore the view of Nocton and Potterhanworth Parish Councils that the Nocton and Potterhanworth Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.