

# **Thurgarton Neighbourhood Plan 2016 -2026**

**Basic Conditions Statement**

December 2016

# 1. Legal Requirement

- 1.1. This Basic Condition Statement has been prepared in support of the Thurgarton Neighbourhood Plan (TNP). It demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 1.2. The plan presented for pre-submission consultation (draft TNP) has been produced by the Thurgarton Parish Council, a qualifying body as defined by the Localism Act 2011, and refers solely to the area within the Parish boundary (Figure 1). The TNP covers a Plan Period of 10 years, between 2016 and 2026.
- 1.3. The draft TNP refers only to planning matters (use and development of land) and 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.
- 1.4. This statement addresses each of the four “basic conditions” required of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. The Regulations state that a Neighbourhood 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. Submission of Supporting Documents and Evidence**

- 2.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the draft TNP against the principles of sustainable development, NPPF regulation, and strategic policies of the NSDC Core Strategy and Allocations & Development Management Development Plan Document. The result of the Assessment of Compliance has been summarised in the table at Appendix 1.
- 2.2. The definition of sustainable development employed in the Assessment of Compliance has been derived from the NPPF's definition:

*“There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

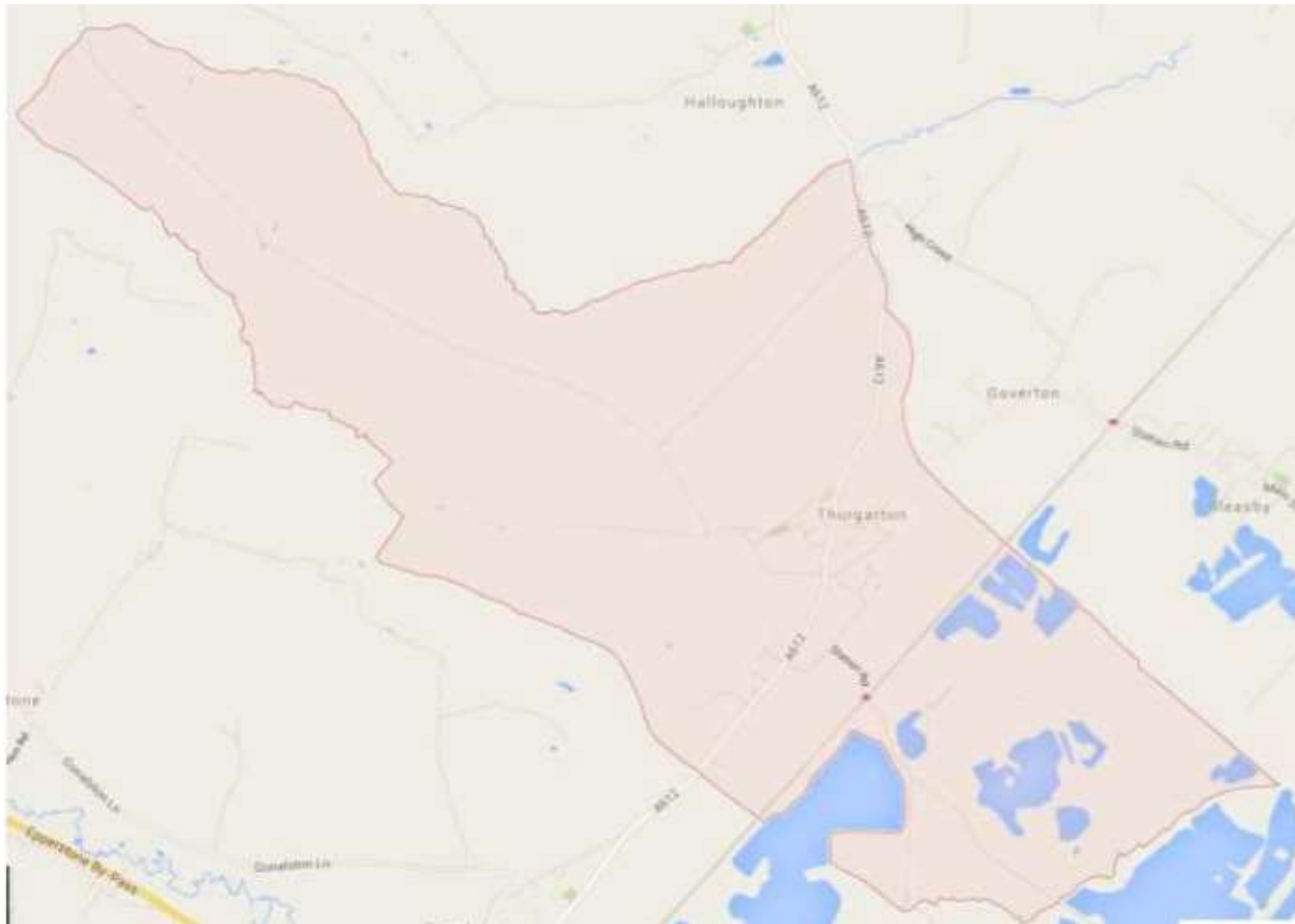


Figure 1: Thurgarton Designated Neighbourhood Area

*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; and*

*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.”*

(NPPF, paragraph 7)

### 3. Basic Conditions

Basic Condition	Commentary	Reference
The TNP is in conformity with the NPPF	In order to ensure that the TNP conforms to the NPPF an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies all link back into the core aims of the NPPF, thus fully supporting the strategy established at the national level.	Appendix 1 – Assessment of Compliance table
The TNP contributes to sustainable development as set out by the NPPF	Objectives 1-5 of the TNP set out the broad ways in which the plan seeks to achieve the three dimensions (economic, environmental and social) of sustainable development in Thurgarton. Each policy of the TNP is linked to these objectives (as demonstrated in Table 2 of the Plan) and the way in which each supports sustainable development, as described in paragraph 7 of the NPPF, is explained in the Assessment of Compliance.	Appendix 1 – Assessment of Compliance table
The TNP is in conformity with the Strategic Policies	In order to ensure that the TNP conforms to the strategic policies of the NSDC Core Strategy and Allocations & Development Management Development Plan Document, an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies all link back into the core aims of the NSDC Local Development Framework, thus fully supporting the strategy established at the national level.	Appendix 1 – Assessment of Compliance table
The TNP is in conformity with the appropriate EU regulations	<p><b>Habitats Regulations</b> A Habitat Regulation Assessment scoping study has been conducted by the District Council. It concludes that no significant effects are likely to occur with regards to any Special Protection Areas (SPA), Special Areas of Conservation sites (SAC), or Ramsar sites, as well as those considered as potential sites.</p> <p><b>Environmental Impact</b> An Strategic Environmental Assessment scoping study has been conducted by the District Council. It concluded that there are no significant environmental effects resulting from the Plan and that a Strategic Environmental Assessment is not required.</p> <p><b>Human Rights</b> The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.</p>	

## **4. Conclusion**

- 4.1. The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Thurgarton Neighbourhood Plan and all the policies contained within it.

## Appendix 1 Assessment of Compliance Table

NP Policies	Sustainable Development Obligation	Newark and Sherwood District Council Core Strategy DPD (2011) and Development Management DPD (2013)	NPPF Paragraph
<p>Policy 1: New Development</p>	<p>The policy permits new development on appropriate land, supporting economic growth in the village and Parish.</p> <p>The policy sets a preferential order favouring infill development within the village nucleus, with the declared intention of maintaining and supporting a strong, vibrant community, maximising access to local services, and promoting sustainable means of transportation (e.g. walking, cycling and public transport). Policy 1 ensures that development is not detrimental of any amenity or services the community is reasonably expected to enjoy, supporting societal well-being.</p> <p>It also gives priority to brownfield sites: brownfield redevelopment is in line with sustainability principles because it minimises waste and protects and retains existing open greenfield sites. Paragraph a of Policy 1 sets out requirements in terms of protection of the parish's natural, built and historical environment, ensuring development has not detrimental effect on the ecological biodiversity and toward the character and setting of the landscape. Specific references to the protection of the Green Belt and of the Conservation Area are present.</p>	<p>Newark and Sherwood's Strategic Objectives 6, 10,12, Spatial Policy 1, 3, 4A, 4B, Core Policy 14, Development Management Policy DM 5, DM6, DM9</p>	<p>¶ 17, 23, 32, 35, 51, 55, 79-92, 138,</p>



NP Policies	Sustainable Development Obligation	Newark and Sherwood District Council Core Strategy DPD (2011) and Development Management DPD (2013)	NPPF Paragraph
<p>Policy 2: Residential Development</p>	<p>The policy supports the delivery of a mix of affordable and market homes, providing appropriate level of economic support to the most vulnerable strata of society and maintaining vibrant and mixed communities.</p> <p>The policy encourages conversion and redevelopment of existing non-residential building, reducing development of greenfield site and thus the pressure on existing natural and semi-natural areas, while at the same time ensuring that development does not reduce economic activities and employment opportunities in the Parish or services and amenities for the community</p>	<p>Newark and Sherwood's Strategic Objectives 3, 6, 8, Spatial Policy 3, Core Policy 3, 9, Development Management Policy DM 6</p>	<p>¶ 17, 40, 47, 51, 109</p>
<p>Policy 3: Transport and Impact Development</p>	<p>The policy sets the requirement for development to encourage as much as possible sustainable means of transportation, in particular cycling, walking and use of public transportation. More environmental responsible means of transportation contribute not only to the quality of the natural environment but also to the improvement of community physical and mental wellbeing</p> <p>The policy emphasises the need to provide off-street parking, with the aim of reducing traffic congestion, ensuring road safety and protecting the character and setting of the village. These measures not only have a direct social beneficial effect, but they also boost the economic attractiveness of the village as a location to visit and to live in.</p>	<p>Newark and Sherwood's Strategic Objectives 9, Spatial Policy 7, Core Policy 11, Development Management Policy DM 5</p>	<p>¶ 17, 35, 40, 41</p>

NP Policies	Sustainable Development Obligation	Newark and Sherwood District Council Core Strategy DPD (2011) and Development Management DPD (2013)	NPPF Paragraph
Policy 4: Local Employment	<p>The policy demonstrates an active interest in supporting the local economy in a innovative way, maintaining and expanding existing economic activities and encouraging workers employed in a variety of sectors to work remotely from within the village.</p> <p>The policy also has a beneficial effect from an environmental and social point of view, reducing the need to commute and increasing the number of people present and active in the community during office hours (helping to alleviate “dormitory village” status).</p>	Newark and Sherwood's Strategic Objectives 5, Core Policy 6	¶ 17, 20, 28
Policy 5: Community Facility	<p>The policy sets out the requirement to maintain existing social and economic services and assets important to the community, or to replace existing assets with new ones of the same quality in case where loss of the previous one is unavoidable.</p> <p>Assets include the pub, which covers both an economic and social role, the Village Hall and Church, of both cultural and community importance, and several paths and open spaces, which contribute to the community physical and mental wellbeing and to the natural and biodiversity conservation.</p>	Newark and Sherwood's Strategic Spatial Policy 8, Core Policy 11	¶ 17, 28, 70, 74

NP Policies	Sustainable Development Obligation	Newark and Sherwood District Council Core Strategy DPD (2011) and Development Management DPD (2013)	NPPF Paragraph
<p>Policy 6: Historic and Natural Environment</p>	<p>The policy sets out the requirement to protect the existing natural, built and historic environment, as well as ensuring that development's detrimental effects on biodiversity and ecological assets is avoided or mitigated.</p> <p>On top of the environmental intentions and benefits, the policy demonstrates commitment to support community's health, social and cultural well-being and to create an high-quality environment. In fact, it protects open spaces, paths, views and bridleways, all elements that contribute to physical and mental wellbeing; and it protects historic buildings and high quality design, that represent a community amenity, generate sense of place and ignite community cohesion.</p>	<p>Newark and Sherwood's Strategic Objectives 4,10, Core Policy 14, Development Management Policy DM 5,9</p>	<p>¶ 17, 61,70, 73-75, 109, 118, 132, 133</p>