

Nettleham Neighbourhood Plan

2014-2031



Regulation 15

Basic Conditions Statement

May 2015

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NETTLEHAM PARISH COUNCIL

Nettleham Neighbourhood Plan 2014 - 2031

Basic Conditions Statement pursuant to Regulation 15

1. Legal Requirements

1.1 This Statement has been prepared by Nettleham Parish Council (the Parish Council) to accompany its Submission to the local planning authority, West Lindsey District Council (WLDC), of the Nettleham Neighbourhood Development Plan (the Neighbourhood Plan) under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012 SI No 637 (the Regulations).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, being a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Nettleham, as designated by WLDC on the 8th January 2013 (the Neighbourhood Area).

1.3 The policies contained in the Neighbourhood Plan relate to the development and use of land but only in the designated Neighbourhood Area. The period covered by the Neighbourhood Plan is from the 2nd October 2014 to the 31st December 2031 and it does not contain policies relating to “excluded development” within the meaning of Section 61K of the Town & Country Planning Act 1990 as amended (the 1990 Act).

1.4 This Statement is made in accordance with Regulation 15 (1) (d) of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act (in particular the four relevant “basic conditions” set out in paragraph 8 (2)).

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met these 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 relevant planning authority (or any part of that area); and

- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in early 2013. The main driver behind the decision to produce such a Plan being the desire to properly manage the way in which the Village would develop over the time span of the Plan (up to 2031). The Parish Council recognised that the Village would inevitably have to change over that period, but in its view it was essential to ensure that any such development would be sustainable and in keeping with the intrinsic character of the Village, which is essentially rural in nature. On that basis, the Parish Council established a Neighbourhood Plan Steering Committee (the NP Steering Committee) to undertake the required task of producing a Neighbourhood Development Plan.

2.2 Nevertheless, the Parish Council has itself made all the major decisions in relation to the Neighbourhood Plan as the project reached specific approval stages.

2.3 In connection with the preparation of the Neighbourhood Plan, the Parish Council has worked closely with officers of WLDC as well as those of the Joint Planning Unit (the latter are involved with the preparation of the Emerging Central Lincolnshire Local Development Plan). Progress on the new Central Lincolnshire Local Plan (CLLP) has been delayed several times; the Plan is not expected to be adopted until late 2016 at the earliest.

2.4 In the interim, a number of saved policies of the adopted 2006 WLDC Local Plan, covering the whole Parish, continues to provide a valid policy framework for the Neighbourhood Plan and where appropriate have been incorporated within its policies. However, the Neighbourhood Plan addresses other locally important planning issues in the Parish; in particular it identifies four specific sites that are considered to be suitable for development during the Plan period.

3. Condition 1: Conformity with National Policies & Guidance

(A) General

3.1 The Neighbourhood Plan has been prepared having regard to national policies, in particular those set out in the National Planning Policy Framework (NPPF) of April 2012. Regard has also been had to the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formulation of

neighbourhood development plans.

3.2 In particular, there are five NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded, namely -

Paragraph 16

3.3 The Parish Council considers that the Neighbourhood Plan will positively support the strategic development needs of the District of West Lindsey over the Plan period by making housing allocations. It also seeks to protect and enhance leisure and community assets for the benefit of the local community.

Paragraph 17

3.4 The policies contained in the Neighbourhood Plan take fully into account the 12 core planning principles. In particular the first, (empowering local people to shape their own surroundings) and the third, (objectively identifying and then meeting the housing and business needs of the area).

Paragraph 183

3.5 The Parish Council considers that the Neighbourhood Plan establishes (Section 4 in the Plan refers) a Vision for the village that reflects the views of the majority of the local community.

Paragraph 184

3.6 The Parish Council considers that the Neighbourhood Plan, as is particularised in Table 3 below, is in general conformity with all the relevant saved policies of the WLDC 2006 Local Plan; but it also anticipates the Emerging CLLP with its strategic housing and other policies. Most specifically, the Neighbourhood Plan makes provision for the quantum of housing development sought by the Emerging CLLP. This quantum - 180 new homes (excluding infill) - is considered by the Parish Council to be realistic in terms of the capacity of the Village to absorb the same without undue detriment to the overall character of the Village. Moreover, the quantum is considered to represent a reasonable supply total to allocate land for, given that the Village will inevitably continue to benefit from infill housing developments over the Plan period.

Paragraph 185

3.7 The Neighbourhood Plan avoids duplicating development plan policies by

focusing on to specific policies that relate directly to the needs of the Parish. Once made, the Neighbourhood Plan can be readily considered alongside the main development plan and any other material considerations in determining planning applications.

(B) Specific

3.8 Table 1 below is a summary of how each policy in the Neighbourhood Plan conforms to the NPPF. The particular paragraphs in the NPPF referred to in the Table are those considered to be the most relevant to each such policy but are not intended to be an exhaustive list of all possible references in the NPPF.

Table 1
(Conformity with NPPF)

No.	Policy ref:	Policy Title	NPPF para's	Comments
1	E1	Protect the Green Wedge	17, 58, 61, 117	Identifies and maps the local ecological networks of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation. Also seeks to be sensitive to the defining characteristics of the local area, the sense of place and separate identity of Nettleham to the City of Lincoln.
2	E2	Local Green Spaces	76 & 77	Protects green areas that are special to the local community from the threat of development.
3	E3	Heritage Sites	129, 132	Specific heritage sites of value are identified
4	E4	Buildings of Local Character	61 & 135	Protects non-designated heritage assets from unnecessary loss.
5	E5	Nettleham Beck Green Corridor	17, 58, 118	Identifies opportunities to incorporate biodiversity and footpath enhancements in and around developments.
6	D1	Access	30,37	Supports reductions in congestion particularly in the Conservation Area.
7	D2	Pedestrian & Cycling Distances	30, 35, 37	Gives priority to pedestrian and cycle improvements.
8	D3	Parking Provision (New Housing)	39	Sets appropriate parking standards for this rural community.
9	D4	Drainage Strategy	100	Seeks to minimize surface water flood risk.
10	D5	Sustainable Urban Drainage	100	Seeks to minimize surface water flood risk on new developments using on-site sustainable urban drainage systems.
11	D6	Nettleham Beck	17, 99, 100, 103	Seeks to minimize flood risk from surface water discharge into Nettleham Beck from new developments.

12	D7	Residential Development in the Open Countryside	17, 28, 55, 58	Sustainability determines that new homes should not be built in the open countryside apart from the case of rural exemptions. Housing is promoted where it is adjacent to the existing built footprint.
13	D8	Residential Development on Approach Roads into Nettleham	17, 55, 58	Avoiding urban sprawl establishes a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
14	D9	Design of New Development	47, 59, 61	Identifies local housing density and development design standards.
15	H1	Managed Housing Growth	47, 55,	Allocates a combination of deliverable and developable housing sites throughout the plan period, including in its first five years, as well as the key site selection criteria for housing site allocations.
16	H2	Housing Mix	47, 50	Establishes a supply of a variety of open market and affordable housing to be allocated by the Neighbourhood Plan in the plan period.
17	H3	Housing for Older People	47, 50, 54	Future housing needs of older people is a major concern and this policy seeks to address this matter.
18	H4	Affordable Housing Element	50, 54	The low level of affordable housing provision in the village is addressed by this policy.
19	H5	Affordable Housing Criteria	50, 54	The criteria relates to local need.
20	H6	Site A – Land behind Deepdale Lane	50, 55, 58, 75, 118	Sustainable location identified with detailed biodiversity and footpath enhancements proposed.
21	H7	Site B – Land off Scothern Road	50, 55, 58, 75, 118	Sustainable location identified with detailed biodiversity and footpath enhancements proposed.
22	H8	Site C – Land behind The Hawthorns	50, 55, 58, 75, 118	Sustainable location identified with detailed biodiversity and footpath enhancements proposed.
23	B1	Business Sites	21 & 28	Strengthens the future economic growth of the village by promoting employment uses within the built up area boundary.
24	S1	Services & Facilities	28 & 132	Promotes a competitive village centre environment of a mix of retail and other complementary uses. The policy recognises the importance of local facilities and services.

4. Condition 2: Contribution to Achieving Sustainable Development

4.1 The Neighbourhood Plan is accompanied by a Strategic Environmental Assessment Report (SEA Report) of its environmental and other effects. The SEA Report demonstrates that the Neighbourhood Plan will not have any significant

adverse social, economic or environmental impacts.

4.2 The Neighbourhood Plan has fully taken into account the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of social, economic and environmental benefits for the community.

4.3 The strategic aims of the Neighbourhood Plan comprise a balance of social, economic and environmental objectives. Its social objective is to secure the long term future of its range of valued community facilities and at the same time to meet local housing needs; its economic objective is to maintain a thriving Village. On the other hand, its environmental objective is to reduce harmful impacts (especially those resulting from road traffic and parking), to promote bio-diversity and pedestrian/ cycle networks and enhance local amenity areas.

4.4 In particular, too little growth would be in direct conflict with the NPPF and the Emerging CLLP and, in any event, would undermine the important social objectives of the Neighbourhood Plan. On the other hand, too much growth would result in significant adverse impacts on the Village and its surrounding natural environment and exacerbate the current traffic congestion problems.

4.5 Consequently, the selected policies contained in the Neighbourhood Plan are intended to translate these strategic objectives into viable and effective development management policies and deliverable proposals.

4.6 Table 2 below summarises the various sustainability outcomes of each policy in the Neighbourhood Plan

Table 2
(Sustainable Development Outcomes)

Key ** moderate positive * positive - neutral x negative xx very negative

No.	Policy Ref	Policy Title	Social	Economic	Environmental	Comments
1	E1	Protect the Green Wedge	*	-	**	Implications beyond parish if Central Lincs acts to protect the green wedge as a regional ecological asset
2	E2	Local Green Spaces	*	-	**	Moderate positive for heritage and landscape character of local value
3	E3	Heritage Sites	*	-	*	Minor positive for heritage and landscape character
4	E4	Buildings of Local Character	*	-	-	Positive for heritage value
5	E5	Nettleham Beck Green Corridor	**	-	**	Positive for amenity and recreation, green infrastructure and ecosystems, heritage and landscape, community health and wellbeing

6	D1	Access	*	-	-	Minor positive for traffic and transport
7	D2	Pedestrian & Cycling Distances	*	-	-	Minor positive for traffic and sustainable transport
8	D3	Parking Provision (New Housing)	*	-	x	Minor positive for housing design but minor negative if seen as promoting car usage
9	D4	Drainage Strategy	-	x	*	Positive for climate resilience and flooding but could be negative for housing, local employment and business
10	D5	Sustainable Urban Drainage	-	-	*	Positive for climate resilience and flooding, green infrastructure and ecosystems
11	D6	Nettleham Beck	-	x	*	Positive for climate resilience and flooding but could be negative for housing, local employment and business
12	D7	Residential Development in the Open Countryside	*	x	-	Positive for village vitality, viability, community infrastructure, but negative for housing
13	D8	Residential Development on Approach Roads into Nettleham	*	x	-	Positive for village vitality, viability, community infrastructure, but negative for housing
14	D9	Design of New Development	*	-	*	Moderate positive for heritage and landscape, character and village viability and vitality, minor positive on ecosystems
15	H1	Managed Housing Growth	**	*	*	Moderate positive for community infrastructure, character and village viability and vitality due to CIL contributions, minor positive on ecosystems
16	H2	Housing Mix	*	-	-	Minor positive for village viability and vitality
17	H3	Housing for Older People	*	-	-	Minor positive for short term village vitality
18	H4	Affordable Housing Element	*	-	-	Minor positive for village vitality
19	H5	Affordable Housing Criteria	*	-	-	Minor positive for village vitality
20	H6	Site A – Land behind Deepdale Lane	*	*	**	Moderate positive for green infrastructure and wellbeing, minor positive for traffic and sustainable transport
21	H7	Site B – Land off Scothern Road	*	-	*	Minor positive for community infrastructure, vitality and viability
22	H8	Site C – Land behind The Hawthorns	**	-	*	Moderate positive for community infrastructure, with minor positive for green infrastructure, ecosystems, the Beck
23	B1	Business Sites	-	**	-	Moderate positive for village vitality and viability
24	S1	Services & Facilities	*	*	-	Positive for community infrastructure

5. Condition 3: General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan that relates to Nettleham.

5.2 The current development plan is the WLDC 2006 Local Plan (“2006 WLLP” in Table 3 below) but this will, in the foreseeable future, be replaced by the 2015 Emerging CLLP (“2015 ECLLP” in Table 3 below). At the outset (late 2012), the Parish Council considered the alternative option of awaiting the adoption of the new CLLP but concluded that would result in an unacceptable risk of uncontrolled development within the Village, particularly given the uncertain five year housing land supply position in West Lindsey; consequently, the Parish Council decided to press ahead with the production of a Neighbourhood Plan as soon as practicable.

5.3 The 2006 WLLP could not, of course, have anticipated the enactment of the Localism Act 2011 and so made no provision for translating generic planning policy into a distinct Parish-based plan. However, the Neighbourhood Plan policies are in general conformity with the strategic intent of the WLLP and its saved policies.

Table 3
(Conformity with Development Plan)

Key: Y = Yes, N = No

No.	Policy Ref:	Policy Title	2006 WLLP Policy	2015 ECLLP Policy	Comments
1	E1	Protect the Green Wedge	Y	Y	WLDC Strat 13 Undeveloped breaks between settlements and green wedges around Lincoln. Policy NBE 13 Nature conservation on wildlife corridors. ECLLP Policy LP30 Protecting Lincoln’s setting and character. LP18 Green Infrastructure Network. This policy accords with the need to conserve the green space between the village and the city of Lincoln as a wildlife corridor and protect the setting of Lincoln as well as the character of Nettleham.
2	E2	Local Green Spaces	-	Y	WLDC - Policy designation introduced after development plan was adopted. ECLLP Policy LP25 Local Green Spaces. ECLLP 7 Health and Wellbeing. This policy accords with the provisions of emerging development plan protecting public open spaces.

3	E3	Heritage Sites	Y	Y	<p>WLDC Policy NBE7 Ancient monument sites and remains of archeological importance.</p> <p>ECLLP Policy LP20 The Historic Environment.</p> <p>This policy recognises that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.</p>
4	E4	Buildings of Local Character	Y	Y	<p>WLDC –NBE3 Alterations or change of use of listed buildings and their settings</p> <p>ECLLP Policy LP20 The Historic Environment.</p> <p>This policy recognises, and seeks to conserve, local buildings and their settings which form the character of the settlement.</p>
5	E5	Nettleham Beck Green Corridor	Y	Y	<p>WLDC Policy CRT20 Watercourse Corridors.</p> <p>ECLLP Policy LP25.</p> <p>This policy seeks to enhance the ecological and recreational value of the Nettleham Beck corridor.</p>
6	D1	Access	Y	Y	<p>WLDC- Policy Core 2 Highway Development Standards</p> <p>ECLLP Policy LP11 Transport.</p> <p>This policy accords with the need to contribute towards an efficient and safe transport network.</p>
7	D2	Pedestrian & Cycling Distances	Y	Y	<p>WLDC Policy SUS 4 Cycle and Pedestrian Routes in Development Proposals.</p> <p>ECLLP Policy LP11 Transport, and Policy LP 7 Health and Wellbeing.</p> <p>This policy seeks to enhance sustainable travel by delivery of linked networks of walk and cycle ways around the village from any new housing developments.</p>
8	D3	Parking Provision (New Housing)	Y	Y	<p>WLDC Appendix 9</p> <p>ECLLP Policy LP11 Transport</p> <p>This policy seeks to ensure that appropriate car parking is provided with new housing developments, taking into account local needs.</p>
9	D4	Drainage Strategy	Y	Y	<p>WLDC Policy NBE14 Waste Water Disposal.</p> <p>ECLLP Policy LP12 Managing Water Resource and Flood Risk.</p> <p>This policy seeks to support the need for Strategic Flood Risk Assessment to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies.</p>
10	D5	Sustainable Urban Drainage	Y	Y	<p>WLDC Policy NBE14 Waste Water Disposal.</p> <p>ECLLP Policy LP12 Managing Water Resource and Flood Risk.</p> <p>This policy seeks to contain surface water within the area of a new</p>

					development by the incorporation of SuDS into proposals.
11	D6	Nettleham Beck	Y	Y	WLDC Policy NBE14 Waste Water Disposal. WLDC Policy SUS14 Flood Risk Areas. ECLLP Policy LP12 Managing Water Resource and Flood Risk. This policy recognises that there is potential for a combination of new developments to impact the water level of the Beck leading to flooding elsewhere and that this must be considered as a concern for the wider area.
12	D7	Residential Development in the Open Countryside	Y	Y	WLDC Strat 12 Development in the Open Countryside. ECLLP Policy LP2 The Spatial Strategy and Settlement Hierarchy. This policy recognises that, in general, housing development in the open countryside cannot be considered sustainable.
13	D8	Residential Development on Approach Roads into Nettleham	Y	Y	WLDC Policy NBE 20 Developments on the Edge of Settlements. ECLLP Policy LP21 Design Principles. This policy recognises that linear development along approach roads is not the most sustainable way for a community to develop.
14	D9	Design of New Development	Y	Y	WLDC Res 1 Housing Layout and Design ECLLP policy LP21 Design Principles. This policy seeks to set key criteria for the design of new houses in the village to ensure that the local character of the village is retained.
15	H1	Managed Housing Growth	Y	Y	WLDC Strat 6 Windfall and Housing Development in Primary Rural Settlements. ECLLP- LP24 Threshold Test for Locally Supported Growth in Villages. This policy establishes the location and appropriate housing numbers for various sites around the village
16	H2	Housing Mix	Y	Y	WLDC Res 2 Range of Housing Provision. ECLLP Policy LP8 Meeting Accommodation Needs. This policy recognises that new housing needs to meet a range of demonstrated needs.
17	H3	Housing for Older People	Y	Y	WLDC Policy RES 1 Housing Layout and Design. ECLLP Policy LP8 Meeting Accommodation Needs. This policy recognises that we have a particular issue with the needs of the large number of older people in the community.
18	H4	Affordable Housing Element	Y	Y	WLDC Res 6 Affordable Housing ECLLP Policy LP9 Meeting Housing Needs. This policy relates to the low percentage of affordable houses available in the

					village and how the shortfall should be addressed.
19	H5	Affordable Housing Criteria	Y	Y	WLDC Res 6 Affordable Housing ECLLP Policy LP9 Meeting Housing Needs. This policy identifies the criteria to be applied to allocation of affordable homes.
20	H6	Site A - Land behind Deepdale Lane	Y	Y	WLDC Policy Core 10 Open Space and Landscaping within Developments. ECLLP Policy LP22 Open Space, Sports and Recreational Facilities. This policy seeks to promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.
21	H7	Site B - Land off Scothern Road	Y	Y	WLDC Policy Core 10 Open Space and Landscaping within Developments. ECLLP Policy LP22 Open Space, Sports and Recreational Facilities. This policy seeks to promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.
22	H8	Site C - Land behind The Hawthorns	Y	Y	WLDC Policy Core 10 Open Space and Landscaping within Developments. ECLLP Policy LP22 Open Space, Sports and Recreational Facilities. This policy seeks to promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.
23	B1	Business Sites	Y	Y	WLDC Strat 15 Employment Locations. ECLLP policy LP4 Delivering Prosperity and Jobs. This policy supports the need and location for small local enterprise parks previously identified by WLDC.
24	S1	Services & Facilities	Y	Y	WLDC Policy CRT3 Retailing and village use areas in Primary Rural Settlements. CRT 4 Protection of community post offices, convenience stores and public houses ECLLP Policy LP13 Community Facilities. This policy recognises the need to encourage and conserve local community facilities and services as an integral component of maintaining a sustainable, well integrated and inclusive community.

6. Condition 4: Compatibility with EU Legislation

6.1 The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR); in particular, Article 1 First Protocol (“protection of property”) and Article 8 (“right to private and family life”). Moreover, the Plan complies with the requirements of the Human Rights Act 1998.

6.2 The Neighbourhood Plan is also compatible with all relevant EU Legislation. In particular, with the under-mentioned –

- The Habitats Directive (92/43/EEC).
- The Water Framework Directive (2000/60/EC).
- The Environmental Assessment of Plans & Programmes Directive (2001/42/EC) [commonly referred to as the SEA Directive]. A comprehensive SEA Report dated 1st December 2014 accompanies the Neighbourhood Plan.
- The Floods Directive (2007/60/EC).

Finally, the Neighbourhood Area is not in close proximity to any European designated nature site so does not require an “Appropriate Assessment” to be undertaken under the EU Habitats Directive (see above).

Cllr. Terry Williams
Chairman
Nettleham Parish Council

Cllr. John Evans
Chairman
NP Steering Committee