

# RAISING THE BAR – A NEIGHBOURHOOD PLAN FOR CHERRY WILLINGHAM BASIC CONDITIONS STATEMENT



## Contents

Legal Requirements .....	3
Basic Conditions .....	5
Contribute to the Achievement of Sustainable Development .....	16
General Conformity with Strategic Local Policy .....	16
Be Compatible with EU Obligations .....	17
Conclusion.....	17
Appendix 1: SEA Determination .....	18

## Legal Requirements

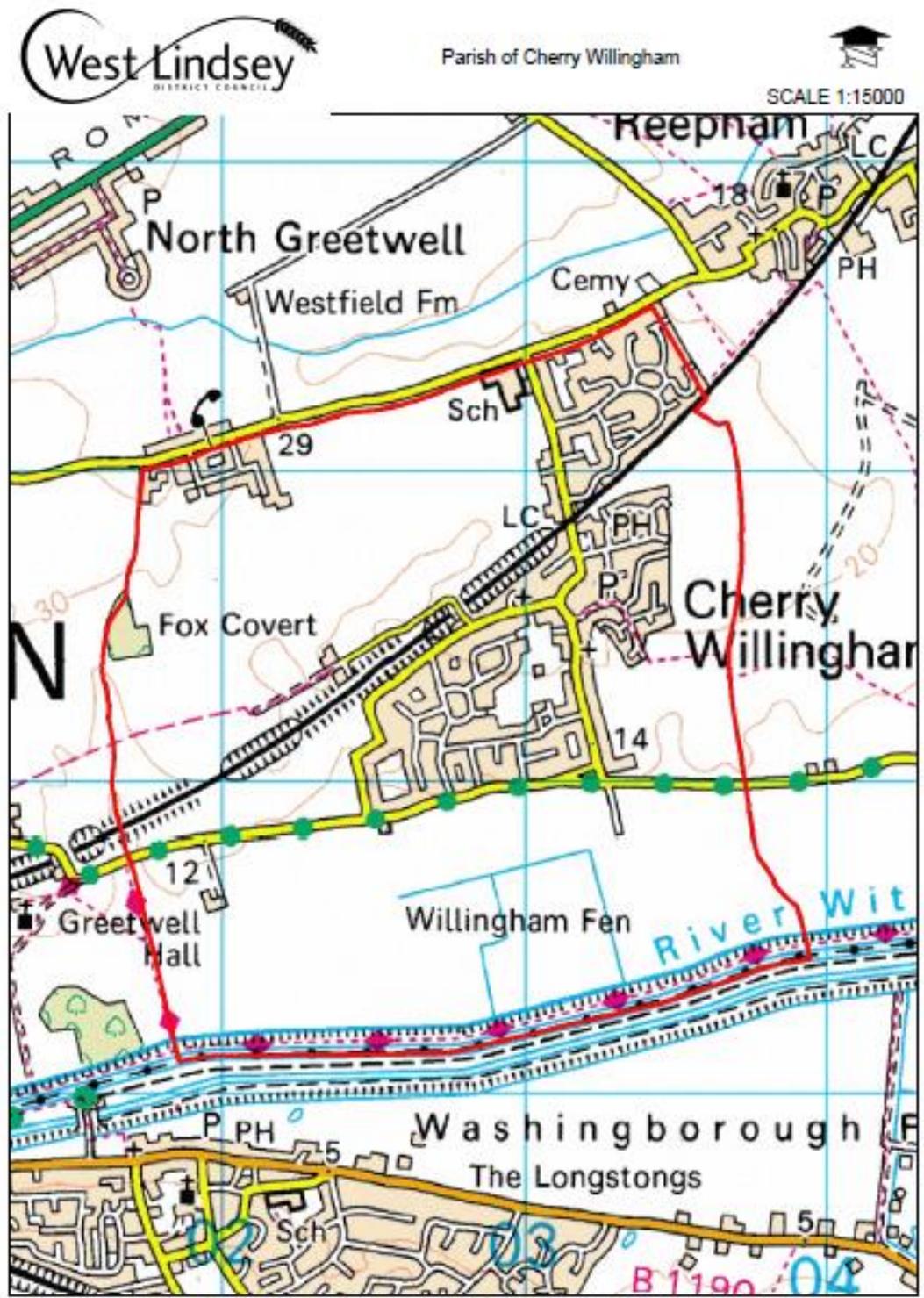
This Basic Conditions Statement has been prepared to accompany the Cherry Willingham Neighbourhood Development Plan (NDP).

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans must meet the following basic conditions:

- the draft NDP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
- the draft NDP must contribute to the achievement of sustainable development;
- the draft NDP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Central Lincolnshire Local Plan 2017.
- the draft NDP must meet the relevant EU obligations.

The Cherry Willingham NDP is being submitted by Cherry Willingham Parish Council for the Parish area of Cherry Willingham. The map below shows the extent of the NDP boundary. The proposed NDP does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

Figure 1: Cherry Willingham Neighbourhood Plan Area



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The Plan applies to the Parish of Cherry Willingham in the West Lindsey District of Lincolnshire. In accordance with the Neighbourhood Planning Regulations 2012 an application for designation was submitted to West Lindsey District Council. The District Council publicised the application for designation from Cherry Willingham Parish Council and advertised the designation for four weeks to allow any comments to be made on the application. The consultation period ended in March 2013. The application was approved by West Lindsey District Council in June 2013. The approved NDP designated area is shown in figure 1.

The draft Cherry Willingham NDP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from the 25th January 2018 and closed on the 20<sup>th</sup> March 2018. Some minor amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement'.

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

The plan proposal relates to planning matters (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 2012.

The NDP for Cherry Willingham will cover the period 2018 until 2036. The NDP proposal 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.

## **Basic Conditions**

### **Have Appropriate Regard to National Policy**

Regard to national policy and guidance: The National Planning Policy Framework (NPPF) was published in March 2012. The NPPF provides a framework within which local communities can produce neighbourhood development plans for their area, and sets out how planning should help achieve sustainable development.

Sections 183-185 of the NPPF refer to Neighbourhood Plans requiring them to have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the Local Plan. The Localism Act explains that this is the 'adopted Development Plan'.

This section demonstrates that the Cherry Willingham NDP has regard to relevant policies within the NPPF in relation to:

- Delivering new homes;
- Requiring good design;
- Preserving and enhancing our village centre;
- Preserving local open spaces, views and facilities;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

The Cherry Willingham NDP contains a Vision, Objectives and policies. The objectives are summarised in Table 1 alongside the NPPF goals they seek to address.

Table 2 provides a summary of how each of the development management policies conforms specifically to the NPPF.

**Table 1: Neighbourhood Plan Objectives and conformity with the NPPF**

Policy Theme	Objectives in the Plan	NPPF
Housing Land Allocations and Development Principles for Cherry Willingham	<p><b><u>Sustainable Development</u></b> To take a positive approach that reflects the presumption in favour of sustainable development. The Parish Council will work proactively with applicants to find joint solutions, wherever possible, to secure development that improves the economic, social and environmental conditions for the whole parish.</p> <p><b><u>Future housing development</u></b> To influence the location, scale, design and type of new housing to ensure that it safeguards or improves character of local areas, meets identified local housing needs, enhances the village setting and its connection/ relationship with the surrounding countryside.</p>	<ul style="list-style-type: none"> <li>- Delivering a wide choice of high quality homes.</li> <li>- Requiring good design.</li> <li>- Conserving and enhancing the natural environment.</li> </ul>
Housing Type, Mix and Density	<p><b><u>Sustainable Development</u></b> To take a positive approach that reflects the presumption in favour of sustainable development. The Parish Council will work proactively with applicants to find joint solutions, wherever possible, to secure development that improves the economic, social and environmental conditions for the whole parish.</p> <p><b><u>Future housing development</u></b></p>	<ul style="list-style-type: none"> <li>- Delivering a wide choice of high quality homes.</li> <li>- Requiring good design.</li> <li>- Conserving and enhancing the natural environment.</li> </ul>

Policy Theme	Objectives in the Plan	NPPF
	<p>To influence the location, scale, design and type of new housing to ensure that it safeguards or improves character of local areas, meets identified local housing needs, enhances the village setting and its connection/ relationship with the surrounding countryside.</p>	
<p>Infill Developments in Cherry Willingham</p>	<p><b><u>Sustainable Development</u></b>  To take a positive approach that reflects the presumption in favour of sustainable development. The Parish Council will work proactively with applicants to find joint solutions, wherever possible, to secure development that improves the economic, social and environmental conditions for the whole parish.</p> <p><b><u>Future housing development</u></b>  To influence the location, scale, design and type of new housing to ensure that it safeguards or improves character of local areas, meets identified local housing needs, enhances the village setting and its connection/ relationship with the surrounding countryside.</p>	<ul style="list-style-type: none"> <li>- Delivering a wide choice of high quality homes.</li> <li>- Requiring good design.</li> <li>- Conserving and enhancing the natural environment.</li> </ul>
<p>Enabling Employment Opportunities</p>	<p><b><u>Employment opportunities</u></b>  To support existing and encourage new local employment opportunities within the community. Support the use of home working within the village where this can be accommodated without unacceptable impact on neighbours.</p>	<ul style="list-style-type: none"> <li>- Supporting the rural economy</li> </ul>

Policy Theme	Objectives in the Plan	NPPF
Protecting the Historic Environment	<p><b><u>Historic Environment</u></b> To recognise the importance of our heritage assets and to encourage new developments to respect these.</p> <p><b><u>Landscape Character and Design</u></b> To manage development in a way that minimises any negative impact on our landscape, built environment and access to the open countryside.</p>	<ul style="list-style-type: none"> <li>- Conserving and enhancing the Historic Environment</li> </ul>
Provision of new Public Open Space	<p><b><u>Open space and recreation</u></b> To protect our green spaces for future generations. To ensure new development in and around Cherry Willingham further contributes to the open space and recreation needs of the community. Where possible we would seek to designate spaces as ‘local green spaces’ where they are deemed important to the community.</p> <p><b><u>Landscape Character and Design</u></b> To manage development in a way that minimises any negative impact on our landscape, built environment and access to the open countryside.</p>	<ul style="list-style-type: none"> <li>- Conserving and enhancing the natural environment.</li> <li>- Promoting healthy communities</li> </ul>
Local Green Spaces	<p><b><u>Open space and recreation</u></b> To protect our green spaces for future generations. To ensure new development in and around Cherry Willingham further contributes to the open space and recreation needs of the community. Where possible we would seek to designate spaces as ‘local green spaces’ where they are deemed important to the community.</p>	<ul style="list-style-type: none"> <li>- Conserving and enhancing the natural environment.</li> <li>- Promoting healthy communities</li> </ul>

Policy Theme	Objectives in the Plan	NPPF
	<p><b><u>Landscape Character and Design</u></b> To manage development in a way that minimises any negative impact on our landscape, built environment and access to the open countryside.</p>	
Footpaths and Cycleways	<p><b><u>Public access</u></b> To preserve and enhance our existing public rights of way and encourage new connections to other areas of the Parish and neighbouring communities. Support the need for safe and attractive walking and cycling routes throughout the Parish.</p> <p><b><u>Landscape Character and Design</u></b> To manage development in a way that minimises any negative impact on our landscape, built environment and access to the open countryside.</p>	<ul style="list-style-type: none"> <li>- Conserving and enhancing the natural environment.</li> <li>- Promoting healthy communities</li> </ul>
Design Principles for Cherry Willingham	<p><b><u>Landscape Character and Design</u></b> To manage development in a way that minimises any negative impact on our landscape, built environment and access to the open countryside.</p>	<ul style="list-style-type: none"> <li>- Delivering a wide choice of high quality homes.</li> <li>- Requiring good design.</li> <li>- Conserving and enhancing the natural environment.</li> <li>- Conserving and enhancing the Historic Environment</li> </ul>
Village Centre	<p><b><u>Employment opportunities</u></b> To support existing and encourage new local employment opportunities within the community. Support the use of home working within the village where</p>	<ul style="list-style-type: none"> <li>- Supporting the rural economy</li> </ul>

Policy Theme	Objectives in the Plan	NPPF
	<p>this can be accommodated without unacceptable impact on neighbours.</p> <p><b><u>Retail provision – ‘village centre’</u></b> To protect and enhance our existing retail provision within the village and seek to encourage new provision where appropriate.</p> <p><b><u>Community Facilities</u></b> To protect and enhance our existing community services and facilities and encourage new provision where appropriate.</p>	
Wider Retail Development	<p><b><u>Employment opportunities</u></b> To support existing and encourage new local employment opportunities within the community. Support the use of home working within the village where this can be accommodated without unacceptable impact on neighbours.</p> <p><b><u>Retail provision – ‘village centre’</u></b> To protect and enhance our existing retail provision within the village and seek to encourage new provision where appropriate.</p> <p><b><u>Community Facilities</u></b> To protect and enhance our existing community services and facilities and encourage new provision where appropriate.</p>	<ul style="list-style-type: none"> <li>- Supporting the rural economy</li> </ul>
Community Facilities	<p><b><u>Employment opportunities</u></b> To support existing and encourage new local</p>	<ul style="list-style-type: none"> <li>- Supporting the rural economy</li> </ul>

Policy Theme	Objectives in the Plan	NPPF
	<p>employment opportunities within the community. Support the use of home working within the village where this can be accommodated without unacceptable impact on neighbours.</p> <p><b><u>Community Facilities</u></b> To protect and enhance our existing community services and facilities and encourage new provision where appropriate.</p>	

**Table 2: Development Management Policies and conformity with the NPPF**

<b>Policy Number</b>	<b>Policy Title</b>	<b>NPPF para ref</b>	<b>Comment</b>
<b>H1</b>	Housing Land Allocations and Development Principles for Cherry Willingham	47, 50, 55, 56, 57, 76 and 159	This policy supports new housing proposals provided it delivers the number of houses identified in the Central Lincolnshire Local Plan. It also sets out a criterion in which new development should follow so it secures a sustainable and connected community.
<b>H2</b>	Housing Type, Mix and Density	47, 50, 55, 56, 57, 76 and 159	This policy seeks to encourage a mix of housing types and sizes and to encourage densities that are reflective to their surroundings.
<b>H3</b>	Infill Developments in Cherry Willingham	47, 50, 55, 56, 57, 76 and 159	This policy supports the development of infilling within the existing development footprint of Cherry Willingham.
<b>E1</b>	Enabling Employment Opportunities		This policy supports the development of new local businesses and the expansion of existing businesses in the area. It also encourages local employment.
<b>HE1</b>	Protecting the Historic Environment	126, 131, 132, 139	This policy seeks to preserve and enhance the historic environment within the plan area. It is identifying some buildings and spaces as non-designated heritage assets.
<b>OS1</b>	Provision of new Public Open Space	56, 70, 73, 74, 69	This policy seeks to encourage well-designed and usable new public open spaces within new developments.
<b>OS2</b>	Local Green Spaces	70, 73, 74, 76, 69	The policy seeks to protect important green spaces within the village from loss or development in the future.
<b>OS3</b>	Footpaths and Cycleways	75, 69, 109	This policy is intended to support the enhancement and further connection of existing public rights of way within the plan area. It is hoped that improving the connectivity in the village will encourage more people to use the green infrastructure network.
<b>D1</b>	Design Principles for Cherry Willingham	56, 70, 57, 58, 59, 109	This policy supports new development if it is of a good design and provides a locally distinctive set

<b>Policy Number</b>	<b>Policy Title</b>	<b>NPPF para ref</b>	<b>Comment</b>
			of development principles for applicants to follow.
<b>R1</b>	Village Centre	28	This policy seeks to preserve existing facilities within the village centre over the plan period. It also supports the expansion and enhancement of the village centre and its facilities.
<b>R2</b>	Wider Retail Development	28	This policy encourages the development, or expansion of existing facilities, outside the village centre designation.
<b>CF1</b>	Community Facilities	28	This policy seeks to preserve existing community facilities and encourage new ones through the plan period.

**Table 3: Development Management Policies and conformity with the Central Lincolnshire Local Plan**

<b>Policy Number</b>	<b>Policy Title</b>	<b>CLLP Objective</b>	<b>CLLP Policy</b>	<b>Comment</b>
<b>H1</b>	Housing Land Allocations and Development Principles for Cherry Willingham	A	LP1, LP2, LP3, LP4, LP26	This policy supports new housing proposals provided it delivers the number of houses identified in the Central Lincolnshire Local Plan. It also sets out a criterion in which new development should follow so it secures a sustainable and connected community.
<b>H2</b>	Housing Type, Mix and Density	A	LP10, LP11, LP26	This policy seeks to encourage a mix of housing types and sizes and to encourage densities that are reflective to their surroundings.
<b>H3</b>	Infill Developments in Cherry Willingham	A	LP1, LP4	This policy supports the development of infilling within the existing development footprint of Cherry Willingham.
<b>E1</b>	Enabling Employment Opportunities	B, C	LP5	This policy supports the development of new local businesses and the expansion of existing businesses in the area. It also encourages local employment.
<b>HE1</b>	Protecting the Historic Environment	H, I	LP17, LP25	This policy seeks to preserve and enhance the historic environment within the plan area. It is identifying some buildings and spaces as non-designated heritage assets.
<b>OS1</b>	Provision of new Public Open Space	E, F, G, H	LP9, LP20, LP21, LP23, LP24	This policy seeks to encourage well-designed and usable new public open spaces within new developments.
<b>OS2</b>	Local Green Spaces	E, F, G, H	LP9, LP20, LP21, LP23, LP24	The policy seeks to protect important green spaces within the village from loss or development in the future.

<b>Policy Number</b>	<b>Policy Title</b>	<b>CLLP Objective</b>	<b>CLLP Policy</b>	<b>Comment</b>
<b>OS3</b>	Footpaths and Cycleways	E, F, G, H	LP9, LP20, LP21, LP23, LP24	This policy is intended to support the enhancement and further connection of existing public rights of way within the plan area. It is hoped that improving the connectivity in the village will encourage more people to use the green infrastructure network.
<b>D1</b>	Design Principles for Cherry Willingham	E, F, G, H, I	LP17, LP26	This policy supports new development if it is of a good design and provides a locally distinctive set of development principles for applicants to follow.
<b>R1</b>	Village Centre	B, C	LP4, LP5, LP15	This policy seeks to preserve existing facilities within the village centre over the plan period. It also supports the expansion and enhancement of the village centre and its facilities.
<b>R2</b>	Wider Retail Development	B, C	LP4, LP5, LP15	This policy encourages the development, or expansion of existing facilities, outside the village centre designation.
<b>CF1</b>	Community Facilities	B, C	LP4, LP5, LP15	This policy seeks to preserve existing community facilities and encourage new ones through the plan period.

## Contribute to the Achievement of Sustainable Development

The NPPF has a presumption in favour of sustainable development. According to the NPPF, Sustainable means ensuring that better life for residents and making the quality of life better for future generations. The Cherry Willingham NDP supports the NPPF and encourages positive sustainable growth in the village which will ensure economic, environmental and social progression for future generations.

The plan has been prepared with a central understanding that the key areas it addresses that being the environment, economy and the community, are all closely linked. The policies therefore aim to facilitate change within the community whilst protecting what is highly valued.

## General Conformity with Strategic Local Policy

The Cherry Willingham NDP has been prepared with planning officers from the West Lindsey District Council as part of the neighbourhood planning and the central Lincolnshire planning team. This has ensured that the process of developing the policies for the plan has been scrutinised in terms of conformity with strategic policies contained within the Central Lincolnshire Plan 2017.

Table 3 on page 14 shows how the Cherry Willingham NDP is in general conformity with the strategic policies of the Central Lincolnshire Local Plan 2017.

## Be Compatible with EU Obligations

West Lindsey District Council considered that a Strategic Environmental Assessment was not required because the NDP is not likely to have a significant impact on the environment (See Appendix 1). This document was submitted to Historic England, Natural England and the Environment Agency who also agreed with this outcome.

The NDP has regard to the fundamental rights and a freedom guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

The NDP is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations so this has not been required by West Lindsey District Council.

## Conclusion

It is the view of Cherry Willingham Parish Council that the NDP has shown that it meets the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act are met by the Cherry Willingham NDP.

The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in general conformity with strategic policies contained in the Central Lincolnshire Local Plan 2017, whilst meeting relevant EU obligations.

## Appendix 1: SEA Screening Determination

See separate document.