

# Hemswell & Harpswell Neighbourhood Plan



## Basic Conditions Statement 2022 - 2036

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# 1. About the Hemswell & Harpswell Neighbourhood Plan

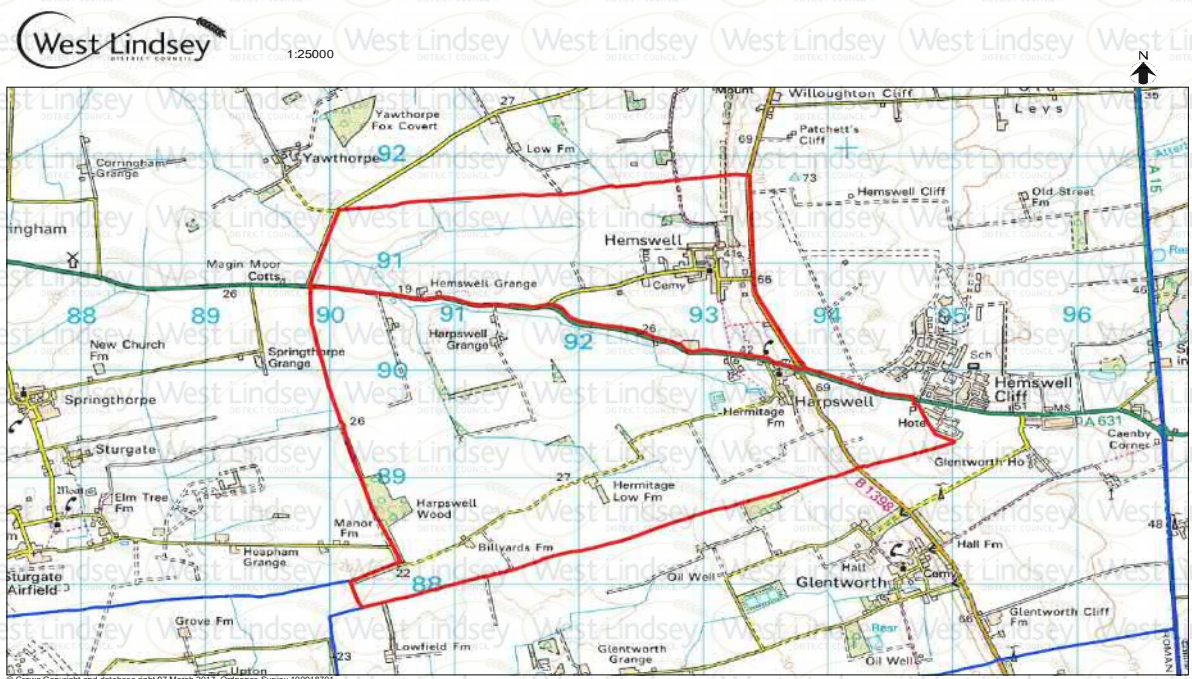
1.1 This Basic Conditions Statement has been prepared to accompany the Hemswell & Harpswell Neighbourhood Plan (NP).

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

- a. Have regard to national policies and advice contained in guidance issued by the Secretary of State.
- b. Have special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses.
- c. Have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.
- d. Contributes to the achievement of sustainable development.
- e. 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).
- f. Does not breach, and is otherwise compatible with, EU obligations.
- g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

1.3 The Hemswell & Harpswell NP is being submitted by Hemswell Parish Council and Harpswell Parish Meeting for the joint Parish areas of Hemswell & Harpswell. Map 1 below shows the extent of the NP boundary.

**Map 1: Hemswell & Harpswell Neighbourhood Plan Area.**



In accordance with the Neighbourhood Planning Regulations (as amended) 2012, an application for designation was submitted to West Lindsey District Council. The District Council publicised the application for designation from Hemswell Parish Council and Harpswell Parish Meeting and advertised (By West Lindsey District Council) the designation for four weeks to allow any comments to be made on the application.

- 1.4 The consultation period ended on the 7<sup>th</sup> April 2017. The application was approved by West Lindsey District Council on the 10<sup>th</sup> April 2017. The approved NP designated area is shown in figure 1 and information on the designation can be found in the Designation Statement on West Lindsey District Council's webpage:

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/hemswell-and-harpswell-neighbourhood-plan/>

- 1.5 The draft Hemswell & Harpswell NP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from the 17<sup>th</sup> January 2020 and closed on the 28<sup>th</sup> February 2020. Some minor amendments have been made to the Neighbourhood Plan based on the comments received and these are summarised in the document entitled 'Consultation Statement'.

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

- 1.6 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 (as amended) 2012.
- 1.7 The NP for Hemswell & Harpswell will cover the period 2022 until 2036. The NP 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.

## 2. The Basic Conditions

### Have Appropriate Regard to National Policy

- 2.1 Regard to national planning policy and guidance: The NPPF was 1<sup>st</sup> published in March 2012, and revised in 2018, 2019 and again in July 2021. 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.
- 2.2 Paragraphs 12-37 of the NPPF refer to Local and Neighbourhood Plans and requires 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'.
- 2.3 The definition of sustainable development employed in this assessment has been derived from the NPPF's definition (NPPF, paragraph 7)
- 2.4 This section demonstrates that the Hemswell & Harpswell NP has regard to relevant policies within the NPPF in relation to:
  - Achieving sustainable development.
  - Plan-making.
  - Delivering a sufficient supply of homes.
  - Building a strong, competitive economy.
  - Promoting healthy and safe communities.
  - Making effective use of land.
  - Achieving well-designed places.
  - Conserving and enhancing the natural environment.
  - Conserving and enhancing the historic environment.
- 2.5 The Hemswell & Harpswell NP contains a Vision, Objectives, and policies. The objectives are summarised in Table 1 alongside the NPPF goals they seek to address.
- 2.6 Table 2 provides a summary of how each of the development management policies conforms specifically to the NPPF.

**Table 1: Neighbourhood Plan Objectives, conformity with the NPPF, and relating plan policies.**

Plan Objectives	NPPF Chapter	Related Plan Policies
<p><b>Community Objective 1:</b> To deliver the development of the carefully selected housing sites within Hemswell Village. Development will only be accepted on the identified sites that are most suitable for sensitive development. The housing allocations will deliver the specified number of homes allocated to Hemswell within the Central Lincolnshire Local Plan.</p>	<p>2. Achieving sustainable development 3. Plan-making 5. Delivering a sufficient supply of homes 11. Making effective use of land 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 1:</b> Development of the Garden Area West of No.7 Church Street Hemswell <b>Policy 2:</b> Development of the Former Stud Buildings, Dawnhill Lane, Hemswell <b>Policy 3:</b> Windfall Development in Hemswell</p>
<p><b>Community Objective 2:</b> To protect, preserve and enhance wherever possible the character, landscape setting and the rich heritage of the Parish. The design of any new development or modification to existing building must be of the highest quality and must take into consideration the Hemswell &amp; Harpswell Character Assessment and the Hemswell Design Codes Principles evidence base documents.</p>	<p>2. Achieving sustainable development 3. Plan-making 11. Making effective use of land 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 1:</b> Development of the Garden Area West of No.7 Church Street Hemswell <b>Policy 2:</b> Development of the Former Stud Buildings, Dawnhill Lane, Hemswell <b>Policy 3:</b> Windfall Development in Hemswell <b>Policy 4:</b> Classification of Harpswell Parish as Open Countryside <b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets <b>Policy 8:</b> Designated Local Green Spaces</p>

Plan Objectives	NPPF Chapter	Related Plan Policies
<p><b>Community Objective 3:</b> To ensure that any new development, replacement buildings or extensions to existing buildings are carefully sited and designed to minimise their visual impact on the landscape</p>	<p>2. Achieving sustainable development 3. Plan-making 11. Making effective use of land 12. Achieving well-designed places 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 1:</b> Development of the Garden Area West of No.7 Church Street Hemswell <b>Policy 2:</b> Development of the Former Stud Buildings, Dawnhill Lane, Hemswell <b>Policy 3:</b> Windfall Development in Hemswell <b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets <b>Policy 8:</b> Designated Local Green Spaces</p>
<p><b>Community Objective 4:</b> To protect the identified views and vistas within the parish. In particular, the views from the west of both Hemswell and Harpswell which are read against the distinct and picturesque backdrop of the undeveloped, partially wooded escarpment.</p>	<p>3. Plan-making 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets</p>

Plan Objectives	NPPF Chapter	Related Plan Policies
<p><b>Community Objective 5:</b> To protect Hemswell Conservation Area, the listed buildings, and non-designated heritage assets which significantly contribute to the character of the settlements.</p>	<p>3. Plan-making 12. Achieving well-designed places 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 1:</b> Development of the Garden Area West of No.7 Church Street Hemswell <b>Policy 2:</b> Development of the Former Stud Buildings, Dawnhill Lane, Hemswell <b>Policy 3:</b> Windfall Development in Hemswell <b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets</p>
<p><b>Community Objective 6:</b> To protect and enhance the most valued open green spaces and ensure that residents and visitors can continue to take advantage of the public rights of way and access to the open spaces, woodlands and surrounding open countryside.</p>	<p>3. Plan-making 8. Promoting healthy and safe communities 11. Making effective use of land 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 8:</b> Designated Local Green Spaces <b>Policy 9:</b> Community facilities <b>Policy 10:</b> Public Rights of Way</p>
<p><b>Community Objective 7:</b> Support the retention of the existing local services and facilities, whilst promoting the creation of new and appropriate facilities to support the residents within the Parish.</p>	<p>3. Plan-making 6. Building a strong, competitive economy 8. Promoting healthy and safe communities</p>	<p><b>Policy 8:</b> Designated Local Green Spaces <b>Policy 9:</b> Community facilities <b>Policy 10:</b> Public Rights of Way</p>



Plan Objectives	NPPF Chapter	Related Plan Policies
<p><b>Community Objective 8:</b> Support the reinstatement of PRow and the development of footpath links to the surrounding villages.</p>	<p>3. Plan-making 8. Promoting healthy and safe communities 15. Conserving and enhancing the natural environment</p>	<p><b>Policy 9:</b> Community facilities <b>Policy 10:</b> Public Rights of Way</p>
<p><b>Community Objective 9:</b> To ensure all new development within the Parish utilises the existing trees, hedgerows, shrubbery and grass verges on site. The development of new tree and landscaping schemes should ensure the development blends into the rural nature of the settlements.</p>	<p>2. Achieving sustainable development 3. Plan-making 8. Promoting healthy and safe communities 12. Achieving well-designed places 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 1:</b> Development of the Garden Area West of No.7 Church Street Hemswell <b>Policy 2:</b> Development of the Former Stud Buildings, Dawnhill Lane, Hemswell <b>Policy 3:</b> Windfall Development in Hemswell <b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets</p>
<p><b>Community Objective 10:</b> To preserve the rustic and rural appearance of the access roads into both Hemswell and Harpswell.</p>	<p>3. Plan-making 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment</p>	<p><b>Policy 3:</b> Windfall Development in Hemswell <b>Policy 5:</b> Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area <b>Policy 6:</b> Design Principles <b>Policy 7:</b> Protecting Non-Designated Heritage Assets</p>

**Table2: Development Management Policies and conformity with the NPPF**

Policy Number	Policy Title	NPPF para ref	Comment
Policy 1:	Development of the Garden Area West of No.7 Church Street Hemswell	8, 9, 11, 13, 16, 18, 28,29, 60, 70, 79, 119, 120, 124, 126, 127, 129, 131, 132, 189, 190, 199, 200, 202, 203	This policy supports the allocation of the Garden Area West of No.7 Church Street Hemswell for the development of one dwelling within the conservation area and identifies the criteria which the development must follow to successfully gain planning permission.
Policy 2;	Development of the Former Stud Buildings, Dawnhill Lane, Hemswell	8, 9, 11, 13, 16, 18, 28,29, 60, 70, 79, 119, 120, 124, 126, 127, 129, 131, 132, 189, 190, 203	This policy supports the allocation of the Former Stud Buildings, (non-designated heritage asset), Dawnhill Lane, Hemswell for the development of up to 9 dwellings within the conservation area and identifies the criteria which the development must follow to successfully gain planning permission.
Policy 3;	Windfall Development in Hemswell	11, 16, 18, 28, 29, 119, 120, 124, 126, 127, 129, 131, 132, 189, 190, 199, 200, 202, 203	This policy seeks to ensure that any proposals for any additional new dwellings in Hemswell are judged against CLLP Policies including LP2 & LP4 and that they demonstrate that they have gained support from the community of Hemswell
Policy 4;	Classification of Harpswell Parish as Open Countryside.	78, 79, 80, 174, 189, 190, 199, 200, 202, 203	This policy seeks to clarify the classification of the settlement of Harpswell
Policy 5;	Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area	78, 79, 80, 129, 131, 174, 189, 190, 199, 200, 202, 203	This policy seeks to preserve the important historic landscape and buildings within the area.

Policy Number	Policy Title	NPPF para ref	Comment
Policy 6;	Design Principles	126, 127, 128, 129, 130, 131, 132, 134, 174, 199, 200, 202, 203	This policy supports new development if it is of a good design and provides a locally distinctive set of development design principles for applicants to follow.
Policy 7:	Protecting Non-Designated Heritage Assets	189, 190, 203	This policy seeks to preserve the important historic buildings within the area.
Policy 8;	Designated Local Green Spaces	92, 93, 98, 99, 100, 101, 102, 174	This policy seeks to protect green spaces which are important to the community, meet the criteria in the NPPF and have landowner agreement to their inclusion in the Neighbourhood Plan.
Policy 9:	Community Facilities	84, 99	This policy seeks to preserve existing community facilities and encourage new ones through the plan period.
Policy 10:	Public Rights of Way	92, 93, 98, 99, 100	This policy aims to protect existing footpaths and pedestrian routes with public right of way and access, while at the same time encouraging the creation of new recreational facilities.
Neighbourhood Plan	General	33	Consideration incorporated into the plan to review policies within 5 years or following the identification of unintended consequences.

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

Policy Number	Policy Title	CLLP Objective	CLLP Policy	Comment
Policy 1:	Development of the Garden Area West of No.7 Church Street Hemswell	A	LP4	This policy supports the development of the garden area west of No.7 Church Street Hemswell. This policy also identifies criteria which must be followed to successfully gain planning permission
Policy 2:	Development of the Former Stud Buildings, Dawnhill Lane, Hemswell	A	LP4	This policy supports the development of the former Stud Buildings, Dawnhill Lane Hemswell. This policy also identifies criteria which must be followed to successfully gain planning permission
Policy 3:	Windfall Development in Hemswell	H, I	LP2, LP4, LP17, LP26	This policy seeks to ensure that any 'windfall development' proposals are judged primarily against CLLP Policies LP2 & LP4 and that they have demonstrable support from the community of Hemswell Parish. This policy also details how the applicant should demonstrate "positive overall support" for their proposal from the community of Hemswell.
Policy 4:	Classification of Harpswell Parish as Open Countryside	H, I	LP2, LP55	This policy seeks to clarify the designation of Harpswell as 'Countryside' as defined in CLLP Policy LP2
Policy 5:	Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area	H, I	LP14, LP17, LP23	This policy seeks to protect the wider landscape character of the plan area and minimize any adverse impacts on the publicly accessible views

Policy Number	Policy Title	CLLP Objective	CLLP Policy	Comment
Policy 6:	Design Principles	G, H, I	LP9, LP14, LP17, LP26	This policy supports new development if it is of a good design and provides a locally distinctive set of design principles for applicants to follow.
Policy 7:	Protecting Non-Designated Heritage Assets	I	LP25	This policy seeks to preserve the important historic landscape and the buildings within the area.
Policy 8:	Designated Local Green Spaces	E, G	LP9, LP14, LP20, LP23	This policy seeks to protect green spaces which are important to the community, meet the criteria in the NPPF and have landowner approval to their inclusion in the Neighbourhood Plan
Policy 9:	Community Facilities	I	LP15	This policy seeks to preserve existing community facilities and encourage new ones through the plan period.
Policy 10:	Public Rights of Way	D, E, G	LP20	This policy seeks to retain and enhance existing Public Rights of Way within the plan area and support the provision of new Public Rights of Way

### 3. Contribution to the achievement of Sustainable Development

- 3.1 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 Hemswell & Harpswell NP supports the NPPF and encourages positive sustainable growth in the village which will ensure economic, environmental and social progression for future generations.
- 3.2 The plan has been prepared with a central understanding that the key areas it addresses namely, 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.

## **4. General Conformity with Strategic Local Policy**

- 4.1 The Hemswell & Harpswell NP 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 Local Plan 2017.
- 4.2 Table 3 shows how the Hemswell & Harpswell NP is in general conformity with the strategic policies of the Central Lincolnshire Local Plan 2017.
- 4.3 A review of the Central Lincolnshire Local Plan has started. Consultation took place on a draft plan between June and August 2021. However the submitted Hemswell and Harpswell NP has been prepared within the context provided by the adopted Local Plan.

## **5. Compatibility with EU Obligations and Legislation**

- 5.1 The Hemswell & Harpswell Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 A SEA/HRA Screening Report was carried out at the draft plan stage and concluded that a full SEA or HRA Assessment did not need to be undertaken. A copy is included as an attachment to the Plan.
- 5.3 Conclusion
- 5.4 The Basic Conditions as set out in Schedule 4B to the Town and County Planning Act 1990 are considered to be met by the Hemswell & Harpswell Neighbourhood Plan and all the policies contained within it.