

OSGODBY  
NEIGHBOURHOOD  
DEVELOPMENT  
PLAN  
2017-2036

Basic Condition  
Statement





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# 1. Introduction

- 1.1. This Basic Condition Statement has been prepared in support of the Osgodby Neighbourhood Development Plan. 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 regulation 14 consultation between 24<sup>th</sup> July 2017 and 4<sup>th</sup> September 2017, and has been produced by the Osgodby 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 draft Osgodby Neighbourhood Development Plan covers a Plan Period of 19 years, between 2017 and 2036.
- 1.3. The draft Osgodby Neighbourhood Development Plan 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 matter 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 by the Regulations and explains how the Osgodby Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. 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.



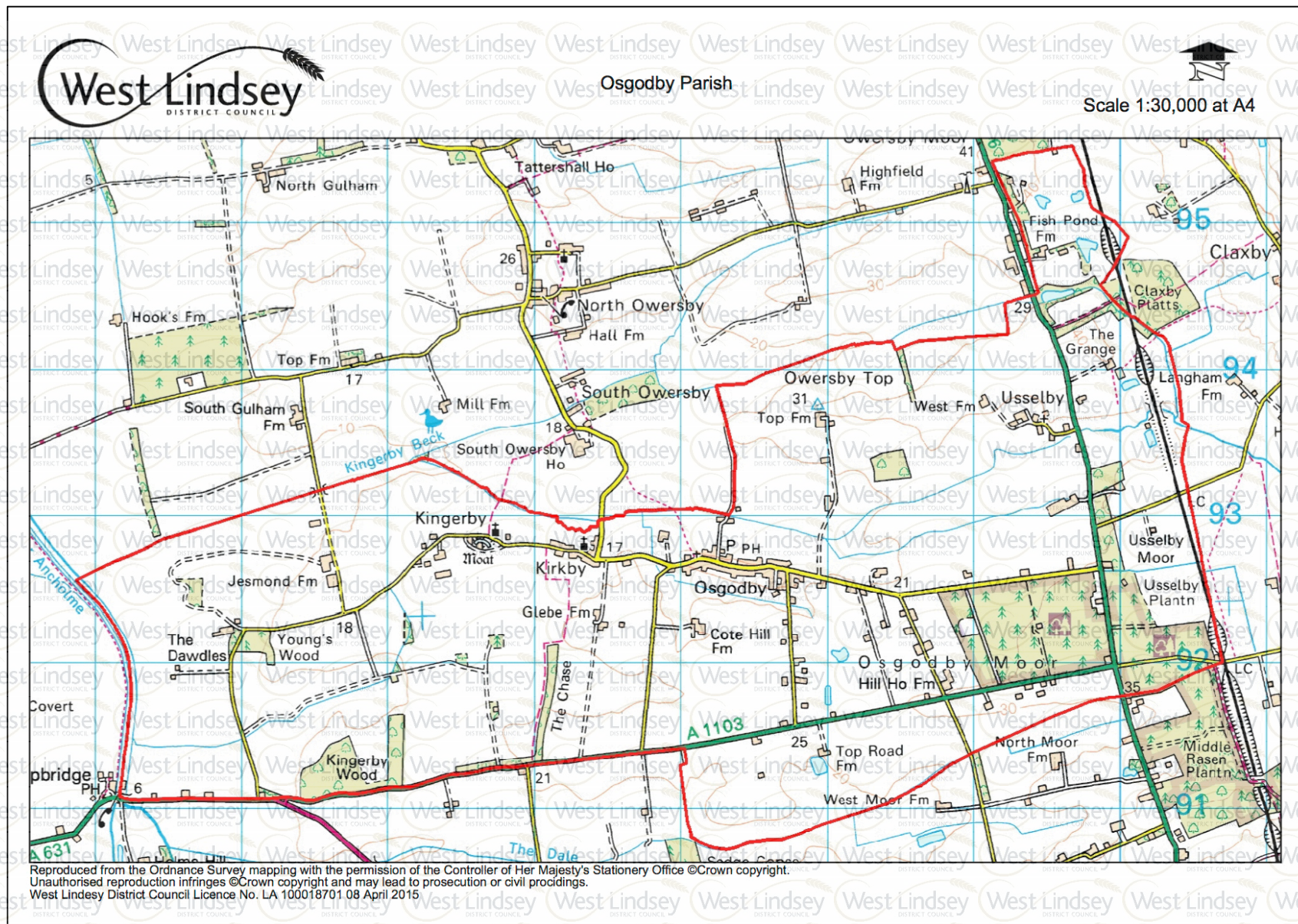


Figure 1. Designated Neighbourhood Area for the Osgodby Neighbourhood Development Plan

## 2. Conformity with the Basic Conditions

- 2.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the draft Osgodby Neighbourhood Development Plan against the principles of sustainable development, NPPF regulation, and strategic policies of the Central Lincolnshire Local Plan (Adopted April 2017). The result of the Assessment of Compliance has been summarized in the tables below.
- 2.2. The definition of sustainable development employed in the Assessment of Compliance has been derived from the NPPF's definition (NPPF, paragraph 7):

*"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:*

*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."*

- 2.3. The Osgodby Neighbourhood Development Plan has been prepared having regard to national policies as set out in the

National Planning Policy Framework (NPPF) of April 2012. It is also taken account of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating Neighbourhood Development Plans. Paragraph 16 of the NPPF - Application of Presumption in Favour of Sustainable Development: the Osgodby Neighbourhood Development Plan contains policies which support the development needs of the Local Plan including housing and employment.

- 2.4. Paragraph 183 of the NPPF – Develop a Shared Vision: the community of Osgodby Parish has been actively engaged in developing a shared vision in the past, which led to the production of a Village Plan published in October 2010. The current Osgodby Neighbourhood Development Plan has used this shared vision as a starting point and updated it through a thorough engagement process.
- 2.5. Paragraph 184 of the NPPF - General conformity with the strategic policies of the Local Plan: during the production of the Osgodby Neighbourhood Development Plan the Steering Group has consulted with the local planning authority in order to ensure that the Plan is in general conformity with the Central Lincolnshire Local Plan. How the Neighbourhood Development Plan is in general conformity with the Local Plan is described in more detail in “Figure 3: Neighbourhood Development Plan conformity with Central Lincolnshire Local Plan” below.

## Conformity with the National Planning Policy Framework

NP Policy	NPPF Paragraph	How Conformity is Achieved
Policy 1: Residential Development in Osgodby Village	¶ 14, 15, 16, 17, 47, 49, 51, 55, 70, 111, 184	<p>This policy promotes sustainable development within and adjacent to Osgodby Village's development footprint, supporting development in appropriate and sustainable locations. The criteria based policy meets the residential development needs as set in the Local Plan and promotes the reuse of empty houses and buildings for residential use.</p> <p>The Policy aims to concentrate development in Osgodby, the main village, to maintain the vitality of the rural community and ensuring development in Osgodby supports services in the nearby settlements, such as Kirkby</p>
Policy 2: Residential Development in Kirkby Village	¶ 14, 15, 16, 17, 47, 49, 51, 55, 70, 111, 184	<p>This policy promotes sustainable development within and adjacent to Kirkby Village's development footprint, supporting development in appropriate and sustainable location. The criteria based policy meets the residential development needs as set in the Local Plan and promotes the reuse of empty houses and buildings for residential use.</p> <p>The Policy allows for limited development in Kirkby to meet the local demand, but work in cooperation with Policy 1 to concentrate the majority of development in Osgodby, the main village, to maintain the vitality of the rural community and ensuring development in Osgodby supports services in the nearby settlements, such as Kirkby.</p>
Policy 3: Area of Separation Between Osgodby and Kirkby	¶ 17, 28, 55, 109	<p>The policy aims to maintain the rural gap existing between Osgodby and Kirkby, thus protecting this valued landscape and taking account of the role of this area in separating the two settlements and thus retaining their individual character.</p> <p>The policy is not a blanket restriction for development in the areas, allowing for small and proportionate development in this rural context, in line with paragraph 28 and 55 of the NPPF, provided that development does not unacceptably erode the area of separation between the settlements.</p>
Policy 4: Design and	¶ 17, 39, 56, 57, 58,	This Policy ensures that new developments in the Parish disclose high quality and appropriate design that promotes and reinforces local distinctiveness, discloses appropriate architectural features and landscaping



Character of Development	59, 60, 99, 126, 127	<p>solutions, and conserves heritage assets. The Policy set the general principles without setting unnecessary prescriptions nor stifle innovation and originality.</p> <p>The policy includes considerations for the increased vulnerability to climate change event such as flooding in the design of new development in the area. Design should consider the impact of climate change and flooding, incorporating SUDs where necessary.</p> <p>The Neighbourhood Development Plan considered the element of paragraph 39 when making provision for parking requirements contained in the Policy.</p>
Policy 5: Local Employment	¶ 20, 21, 28, 70	<p>This policy promotes residential development that enable business to operate from integrated home/work locations, meeting the development needs of an economy fit for 21st century.</p> <p>This policy supports tourism and the retention and development of local services and community facilities.</p> <p>This policy ensures that no loss in valued facilities and amenities results from commercial and employment development.</p>
Policy 6: Local Green Space	¶ 76, 77, 78, 109, 117	This policy designates Local Green Space following the provisions set in paragraph 76, 77, and 78 of the NPPF, in order to protect valued landscape, local ecological corridor and biodiversity sites, recreation facilities, and green infrastructures.
Policy 7: Green Infrastructure	¶ 69, 75, 109, 114	The Policy aims to protect existing footpaths and pedestrian routes with public right of way and access, while at the same time protecting important landscape areas, networks of biodiversity and recreational facilities.
Policy 8: Community Facilities	¶ 28, 70	This policy supports the retention and development of local services and community facilities, and support the deliver of social, recreational and cultural facilities and services in the community.
Policy 9: Dark Sky Policy	¶ 125	This policy aims to limit the impact of light pollution in the Parish, which is currently an area of dark landscape.

Figure 2. Neighbourhood Development Plan conformity with NPPF provisions.

## Conformity with the Central Lincolnshire Local Plan

NP Policy	Policy of the Central Lincolnshire Local Plan:	How Conformity is Achieved
Policy 1: Residential Development in Osgodby Village	LP2, LP4	This Policy takes the criteria set in Policy LP2 and provides a local dimension for their application. The Capacity Study which accompany this policy demonstrate that growth requirements for Osgodby can be delivered through this policy.
Policy 2: Residential Development in Kirkby Village	LP2, LP4	This Policy take the criteria set in Policy LP2 and provides a local dimension for their application. The Capacity Study which accompany this policy demonstrate that growth requirements for Kirkby can be delivered through this policy.
Policy 3: Area of Separation Between Osgodby and Kirkby	LP17, LP55	This policy protects the open space between Osgodby and Kirkby, which is considered an area of intrinsic value for the setting of the villages, from individual and cumulative impact. The policy does not act as a blanket restriction on development, but considers the need and opportunity for appropriate development in the countryside as set in Policy LP55.
Policy 4: Design and Character of Development	LP14, LP17, LP25, LP26	This Policy aims to protect the existing character of the Village, peculiar townscape and views, existing green features, positive visual impact of traditional walls and roofs, etc., in line with Policy LP17. In such a way, the Policy aims to protect the existing historic environment in Osgodby by setting locally distinctive Design Principles, in line with Policies LP25 and LP26. This Policy requires consideration of Sustainable Urban Drainage solutions in new developments when required, as mentioned in Policy LP14,
Policy 5: Local Employment	LP5, LP7	This Policy promotes employment opportunities in new sites as well as the expansion of existing ones, with specific support of rural tourism opportunities in the Parish.

Policy 6: Local Green Space	LP20, LP21, LP23, LP24	The Local Green Space Policy identifies open space that should be protected for their role in promoting community and environmental wellbeing due to their biodiversity, historic, landscape, recreation and tranquillity value. In doing so, the Policy gives a local dimension to typologies of sites mentioned in CLLP policies such as LP20 on Green Infrastructure, LP21 on biodiversity sites, LP24 open spaces. The Policy is in line with the provision of Policy LP23 regarding Local Green Spaces in line with the NPPF.
Policy 7: Green Infrastructure	LP13, LP20, LP24	The Policy protects existing walking and cycling infrastructures and promotes schemes that would enhance the existing network of public rights of way. The Policy supports the creation of additional green infrastructures (such as green corridors, green linkages, etc.) and public open spaces, being in line with Policies LP20 and LP24.
Policy 8: Community Facilities	LP15, LP24	The Policy define locally important community facilities and gives a local dimension to the principle and provision of Policy LP15. The Policy identify a number of community facilities that could be defined as Open Space, sports and recreational facilities under LP24, and give consideration to the provision and requirement of such policy as well.
Policy 9: Dark Sky Policy	LP17, LP21, LP26	This Policy aims to consider the increase of artificial light as part of proposed development. Although this amenity consideration is set as part of Policy LP26 of the CLLP, it is believed that a preservation of existing Dark Sky at night will have a positive impact in term of maintaining the character of the development and preserving nocturnal wildlife, thus complying with the provision of Policy LP21 in term of minimising impacts on biodiversity and intrinsic value of the landscape around Osgodby and Kirkby at night.

Figure 3. Neighbourhood Development Plan conformity with Central Lincolnshire Local Plan

## Conformity with the definition of Sustainable Development

NP Policy	Economic Factors	Social Factors	Environmental Factors	How Conformity is Achieved
Policy 1: Residential Development in Osgodby Village	+	+	+	This Policy supports sites for residential development infill or adjacent to the development footprint of Osgodby and Kirkby: additional houses in the area will support the economic and social growth of the community, supporting additional commercial and community services in the villages. At the same time, the sequential test ensures that rural and environmental valued sites in the countryside are protected from development pressure.
Policy 2: Residential Development in Kirkby Village	+	+	+	This Policy supports sites for residential development infill or adjacent to the development footprint of Osgodby and Kirkby: additional houses in the area will support the economic and social growth of the community, supporting additional commercial and community services in the villages. At the same time, the sequential test ensures that rural and environmental valued sites in the countryside are protected from development pressure.
Policy 3: Area of Separation Between Osgodby and Kirkby	0	+	+	This policy protects the rural area in between Osgodby and Kirkby, which is considered pivotal in maintaining the individual characters of the settlements and contributing to protect the natural environment in this area of separation.
Policy 4: Design and Character of Development	0	+	+	This policy protects and enhance the historic and built environment in the Parish, and in doing so it supports social and cultural wellbeing of the community through high quality design.
Policy 5: Local Employment	+	+	0	This policy allows for additional employment opportunities in the Parish, promoting in particular tourism. By promoting working from home, the Plan aims to promote Osgodby and Kirkby as places to live and work, thus supporting the social and economic growth of the Parish as a whole.
Policy 6: Local Green Space	0	+	+	The Local Green Space designation aims to protect sites important for their environment value as ecosystems and biodiversity sites, or for their community value as sites used for recreation, tranquil contemplation, and for

				their value as historical or beautiful sites. The Steering Group selected the most important sites whose protection will benefit the social and environmental wellbeing of the Parish.
Policy 7: Green Infrastructure	0	+	+	The protection of existing green infrastructures and public green spaces will be positive in term of protecting the natural environment, improve biodiversity, and will have social beneficial effects in term of promoting healthy lifestyles and recreational opportunities.
Policy 8: Community Facilities	+	+	+	Protection of existing and promotion of new community facilities has a positive effect in all components of sustainability. The social benefit of community facilities derives from their capacity to meet local residents needs and thus promote a cohesive community; from an economic point of view some of such community facilities are also commercial establishments (e.g. the public house), representing employment opportunities; finally, a number of such facilities are historic sites that contribute to the enhancement of the Parish built and historic environment.
Policy 9: Dark Sky Policy	0	+	+	The Dark Sky Policy ensures the character and landscape views toward, within and from Osgodby at night are not spoiled by inappropriate lighting schemes and retains their peculiar character as a Dark Sky area, valued by the local residents. Moreover, the Dark Sky policy protects nocturnal wildlife active in the area at night.

- negative; 0 neutral; + positive

Figure 4. Neighbourhood Development Plan conformity with the definition of sustainable development



## Compatibility with EU Obligations and Legislation

- 2.6. The Osgodby Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 2.7. A screening opinion was issued by West Lindsey District Council who considered it unlikely that there would be any significant environmental effects arising from the Osgodby Neighbourhood Development Plan. As such a Strategic Environmental Assessment (SEA) was not required. A Statement of Reasons for this determination is attached at Appendix A.
- 2.8. The Neighbourhood Area does not contain any European designated nature sites, and although it is in close proximity to a Site of Special Scientific Interest, WLDC concluded that the Plan does not require a Habitat Regulation Assessment under the EU Habitats Regulations (see Appendix A).

## 3. Conclusion

- 3.1. The Basic Conditions as set out in Schedule 4B to the Town and County Planning Act 1990 are considered to be met by the Osgodby Neighbourhood Development Plan and all the policies contained within it.