



# Scotter Basic Conditions Statement

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## **Basic Conditions' Statement for Scotter Neighbourhood Plan**

### **1 What is the Neighbourhood Plan?**

- 1.1 The Scotter Neighbourhood Development Plan (NDP) has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future of the Plan area and sets out how that vision will be realised through planning and controlling land use development and future change.

### **2 Legal Requirements**

- 2.1 This Basic Conditions Statement has been prepared to accompany the Scotter Neighbourhood Development Plan.
- 2.2 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that NDP must meet the following basic conditions:
- i. the draft NDP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
  - ii. the draft NDP must contribute to the achievement of sustainable development;
  - iii. 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.
  - iv. the draft NDP must meet the relevant EU obligations.
- 2.3 This document will outline how the Scotter NDP meets all of the above basic conditions.
- 2.4 The Scotter NDP is being submitted by Scotter Parish Council for the Parish area of Scotter. The map in figure 1 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: Scotter NDP Area**



2.5 The Plan applies to the Parish of Scotter in the West Lindsey District of Lincolnshire.

2.6 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 Scotter Parish Council and advertised the designation for six weeks. The application was approved by the Prosperous Communities Committee of West Lindsey District Council on 14 July 2015.

2.7 The approved NDP designated area is shown in figure 1.

2.8 The Draft Scotter NDP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from the 18th of August 2016 until the 6th October 2016. 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**

- 2.9 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 proposed Neighbourhood Plan states the period for which it is to have effect**

- 2.10 The NDP for Scotter will cover the period 2017 until 2036 the same as the Central Lincolnshire Local Plan.

**The policies do not relate to excluded development**

- 2.11 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.

### **3 Basic Conditions**

**Have Appropriate Regard to National Policy**

- 3.1 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 NDPs for their area, and sets out how planning should help achieve sustainable development.
- 3.2 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'.
- 3.3 This section demonstrates that the Scotter NDP has regard to relevant policies within the NPPF in relation to:
- Delivering a wide choice of high quality homes
  - Requiring good design
  - Supporting a prosperous rural economy
  - Promoting healthy communities
  - Conserving and enhancing the natural environment
  - Conserving and enhancing the historic environment
  - Promoting sustainable transport



- 3.4 The Scotter NDP contains a Vision Objectives and Policies. The objectives are summarised in Table 1 alongside the NPPF goals they seek to address.
- 3.5 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**

Objectives in the Plan	NPPF
<b>Objective 1:</b> To ensure all new housing developments in the settlement are designed to the highest quality and provides a mixed tenure and types of properties suitable for existing and new residents	<ul style="list-style-type: none"> <li>• Delivering a wide choice of high quality homes.</li> <li>• Requiring good design.</li> </ul>
<b>Objective 2:</b> To ensure open spaces in the village should be protected and enhanced where ever possible for the current and future generations to enjoy.	<ul style="list-style-type: none"> <li>• Promoting healthy communities</li> <li>• Conserving and enhancing the natural environment.</li> </ul>
<b>Objective 3:</b> To ensure new development provides an adequate amount of parking and learn from the past mistakes where developments have not provided sufficient parking spaces.	<ul style="list-style-type: none"> <li>• Promoting sustainable transport</li> <li>• Requiring good Design</li> </ul>
<b>Objective 4:</b> To minimise the impact of new development on the surrounding countryside, landscape and eco systems.	<ul style="list-style-type: none"> <li>• Promoting healthy communities</li> <li>• Conserving and enhancing the natural environment.</li> </ul>
<b>Objective 5:</b> To ensure the flooding issues in the Parish are not exacerbated by new developments.	<ul style="list-style-type: none"> <li>• Requiring good Design</li> </ul>
<b>Objective 6:</b> To ensure the village centre and community hub is protected and enhanced to ensure it remains vibrant and viable.	<ul style="list-style-type: none"> <li>• Supporting a prosperous rural economy</li> </ul>
<b>Objective 7:</b> To preserve existing community assets whilst supporting the creation of new accessible facilities such as parks and other open spaces.	<ul style="list-style-type: none"> <li>• Conserving and enhancing the natural environment.</li> <li>• Supporting a prosperous rural</li> </ul>

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economy	
<b>Objective 8:</b> To maintain the green wedges between Scotter and the surrounding settlements of Scotton and Messingham.	<ul style="list-style-type: none"><li>• Promoting healthy communities</li><li>• Conserving and enhancing the natural environment.</li></ul>
<b>Objective 9:</b> To develop only the 10% growth in the settlement up to 2036 as stated in the Central Lincolnshire Local Plan	<ul style="list-style-type: none"><li>• Requiring good Design</li><li>• Supporting a prosperous rural economy</li></ul>

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

Policy Number	Policy Title	NPPF para Ref	Commentary
<b>H1 and H2</b>	Housing Allocation	29,32, 38,47, 54, 55, 50, 56, 15	This policy allocates two housing sites in the village for 93 dwellings in line with the Central Lincolnshire Local Plan.
<b>H3</b>	Housing Mix	47, 50, 51,55, 19	This policy supports new housing proposals that provide a housing mix that reflects the needs of the village.
<b>H4</b>	Small scale Residential Development	50, 51, 55	This policy support residential development small scale infilling, redevelopment of brownfield sites and conversion in addition to the two site allocations to achieve the 10 % housing growth target as set out in the Central Lincolnshire Local Plan.
<b>D5</b>	Design of New Development	55, 56, 57 ,58	This policy sets out the criteria for good design in Scotter. It is based on the Scotter Character Assessment undertaken in 2016 and presents a robust and comprehensive design standards based on an understanding of the settlements characteristics, the importance of reinforcing local distinctiveness and the integration of new development with the existing built and natural environment.
<b>R6</b>	New Development in the village Centre	23, 28	The Plan seeks to protect, enhance and extend its retail offer to residents in Scotter. It is important that the retail core of Scotter remains as it supports Scotter and the surrounding villages.
<b>T7–T10</b>	Transport	29,30, 32, 35	The purpose of the policy is to ensure traffic congestion in the village is not increased by new developments by ensuring developers demonstrate that new developments are located and designed to operate effectively within the local highway network and to provide adequate parking within the development. The policies also seek to ensure walking and



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			cycling routes are provided to link into the existing village centre.
<b>F11</b>	Flooding	94, 100	This policy seeks to ensure that new developments do not cause additional flood risk issues within the settlement
<b>L12</b>	Landscape and the Countryside	109, 114	The Policy seeks to protect and enhance the green infrastructure within the plan area by improving the connectivity between wildlife areas and green spaces. It also seeks to prevent the coalescence between Scotter and the surrounding villages.
<b>O13</b>	Open Space within New Developments	70,73, 74, 75, 76	The Policy seeks to ensure new development provide appropriate open space or contribute to the improvements of existing open spaces within the village.
<b>DLG 14</b>	Designating Local Green Spaces	77	The Policy aims to protect and enhance three open greens spaces by designating them as Local Green Spaces.
<b>C15</b>	Protecting Community Facilities	28	The Plan seeks to protect community facilities and the community hub area within the village and sets out the criteria for the replacement of community facilities.

## **4 Contribute to the Achievement of Sustainable Development**

- 4.1 The NPPF has a presumption in favour of sustainable development. According to the NPPF, Sustainable means ensuring that better life for local residents and making the quality of life better for future generations. The Scotter NDP echoes that of the NPPF and encourages positive sustainable growth in the village which will ensure economic, environmental and social progression for future generations.
- 4.2 The Scotter plan has been prepared with a central understanding that the key areas it addresses are that being the environment, economy and the community, which are all closely linked. The policies therefore aim to facilitate and encourage change within the community whilst protecting what is valued.

## **5 General Conformity with Strategic Local Policy**

- 5.1 The Scotter 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 Central Lincolnshire Plan 2017.
- 5.2 Table 3 below shows how the Scotter NDP is in general conformity with the strategic policies of Central Lincolnshire Local Plan 2017.

**Table 3: Development Management Policies Conforms with Policies in the Central Lincolnshire Local Plan.**

Policy Number	Policy Title	CLLP	Commentary
<b>H1 and H2</b>	Housing Allocations	LP1, LP2, LP52	<p>The Central Lincolnshire Local Plan identifies Scotter as a large village and allocates two development sites for 93 dwellings.</p> <p>The Scotter Plan supports these two sites but sets out a criterion for the development of these sites to ensure the development is built sustainably and integrates well with the existing development.</p>
<b>H3</b>	Housing Mix	LP10	<p>LP10 expects housing developments to provide housing solutions that contribute to meeting the housing needs of the housing market area in particular catering for the needs of less mobile occupants, including older people and disabled people.</p> <p>The NDP supports a mix of housing types and tenures that reflects the settlement population's needs now and in future generations.</p>
<b>H4</b>	Small Scale Housing Development	LP2	<p>The Central Lincolnshire Local Plan has set a housing target of 10% for Scotter and therefore to comply with this the NDP has sets out a criteria for where they believe it would be acceptable to see future housing development in addition to the two allocated sites.</p>
<b>D5</b>	Design of New Development	LP25, LP26	<p>The Central Lincolnshire Local plan sets out that all new development, including extensions and alterations to existing buildings must achieve high quality sustainable design that contributes positively to local character,</p>

landscape and townscape, and supports diversity, equality and access for all. The policy also sets out design principals for new developments.

The Scotter Plan sets out the criteria for how it would like to see new development design to ensure it reflects the setting and rural nature of the village.

<b>R6</b>	New Development in the village Centre	LP2	<p>The Central Lincolnshire Local Plan sets out in policy LP2 that it expects Large Villages “to maintain and enhance their role as large villages which provide employment, retail, and key services and facilities for the local area”</p> <p>Through the Retaining the Retail Provision policy the plan aims to protect and enhance its retailing facilities in order to facilitate its role as a large village and provide facilities to the surrounding villages and its own residents.</p>
<b>T7 –T10</b>	Transport	LP13, LP20	<p>LP13 states that new developments must not create adverse transport implications. It also supports schemes that promote walking and cycling.</p> <p>The Scotter NDP seeks to ensure that new developments do not create additional traffic or parking problems in the village. The NDP also promotes healthy life styles and encourages walking and cycling by providing non-vehicular routes.</p>
<b>F11</b>	Flood Risk	LP14	<p>The Central Lincolnshire Local Plan addresses the managing of water resources and flood risk within policy LP14.</p> <p>This is echoed in the Scotter Plan to ensure new developments do not increase flood risk in the area.</p>

<b>L12</b>	Landscape and the Countryside	LP9, LP17 LP21 LP23	<p>The Central Lincolnshire Local Plan seeks to protect and enhance landscape features, biodiversity, landscape character and the landscape amenity value of the area.</p> <p>The Scotter plan also seeks to ensure the protection and enhancement of the natural environment but also wishes to retain the countryside and rural nature of the village ensuring it does not merge with other surrounding settlements.</p>
<b>O13</b>	Open Space in New Developments	LP23, LP24	<p>The Central Lincolnshire Local Plan seeks to protect and enhance existing open space but also requires new open spaces and sporting facilities.</p> <p>LP23 sets out to ensure that all development protects, enhances the network of habitats and biodiversity.</p> <p>The Scotter plan also seeks to ensure new developments provide acceptable, high quality new open spaces onsite or that contributions are sought towards existing open spaces within the village.</p> <p>.</p>
<b>DLG 14</b>	Designated Local Green Spaces	LP23, LP24	<p>The Central Lincolnshire Local Plan identifies opens spaces and protects these through its policies.</p> <p>The Neighbourhood Plan seeks to take the identification of opens spaces further and seeks to designate three Open spaces in line with the NPPF guidance.</p>
<b>C15</b>	Protecting Community Facilities	LP2,LP15	<p>The Central Lincolnshire Local Plan sets out in policy LP15 seeks to protect and enhance community facilities and encourages local communities to register community assets of value.</p> <p>Through the protection of the community facilities and the community hub the</p>

policy aims to protect and enhance its community facilities that play a vital role in making the settlement sustainable.



## 6 Be Compatible with EU Obligations

- 6.1 The NDP supports the allocation of two housing site as identified within the Central Lincolnshire Local Plan. A combined Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) was undertaken in conjunction with West Lindsey District Council. This document formed part of the Draft Regulation 14 consultation and all statutory consultees agreed with its outcomes. However, the Central Lincolnshire Local Plan has subsequently been adopted (24 April 2017) which allocates the two housing sites and therefore it was deemed that Scotter NDP did not need to undertake any further SEA or SA work as the Central Lincolnshire Local Plan actually allocated the two housing sites. The Central Lincolnshire Local Plan carried out its own SA and SEA that can be viewed at <https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>.
- 6.2 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.
- 6.3 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.

## 7 Conclusion

- 7.1 It is the view of Scotter 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 considered to be met by the Scotter NDP.
- 7.2 The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained within the Central Lincolnshire Local Plan 2017 and meets relevant EU obligations.