

North Kilworth Neighbourhood Plan

Statement of Basic Conditions

July 2016



Prepared by North Kilworth Parish Council

1.0 Introduction

This statement has been prepared by the North Kilworth Parish Council Neighbourhood Plan Steering Group to accompany its submission to the local planning authority (Harborough District Council) of the North Kilworth Neighbourhood Plan (NKNP) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

The policies described in the Neighbourhood Plan relate to development and the use of land in the designated Neighbourhood Plan area only. The plan period for the Neighbourhood Plan is 2015 to 2031 and it does not contain policies relating to excluded development, in accordance with the Regulations. The way in which the Neighbourhood Plan meets the Regulations and the Basic Conditions is set out below.

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38(C)] sets out in the following way how the Neighbourhood Plans must meet the basic conditions:

- 1) The examiner must consider the following:
 - (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
 - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L, as amended by s38C(5)(b)
 - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
 - (d) such other matters as may be prescribed.

- 2) A draft neighbourhood development plan meets the basic conditions if:
 - (a) 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
 - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
 - (c) 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)
 - (d) the making of the neighbourhood development plan does not breach,

- and is otherwise compatible with, EU obligations and
- (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

Section 2 of this Statement sets out how NKNP complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the NKNP meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

2.0 Summary of Submission Documents and Supporting Evidence

In addition to the Basic Conditions Statement, the following documents have been prepared to support the preparation of the Plan and meet the Basic Conditions:

- The neighbourhood plan for North Kilworth
- The North Kilworth Neighbourhood Plan Consultation Statement
- The North Kilworth Neighbourhood Plan Strategic Environmental Assessment Screening Report

3.0 Legal Requirements

The Plan complies with the provisions of sub-paragraph 1(b) as described below.

3.1 The Plan is being submitted by a qualifying body

The NKNP has been submitted by North Kilworth Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for its own Parish. The Neighbourhood Plan has been prepared by a Steering Group set up by North Kilworth Parish Council.

3.2 What is being proposed is a neighbourhood plan

The NKNP contains policies relating to the development and use of land within the neighbourhood area 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.

3.3 The proposed neighbourhood plan states the period for which it is to have effect

The NKNP states that the period which it relates to is from 2015 until 2031. The period has been chosen to align with that of the draft Harborough District Council Local Plan.

3.4 The policies do not relate to excluded development

The NKNP 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. The County Council has confirmed that the Neighbourhood Plan is compatible with the existing adopted Leicestershire Minerals Local Plan [to be confirmed following Regulation 14 consultation]

3.5 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood plans in place within the neighbourhood area.

The whole parish of North Kilworth was formally designated as a Neighbourhood Area by Harborough District Council on 29 January 2014. The proposed neighbourhood plan relates only to the parish of North Kilworth and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.

In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.

In relation to sub-paragraph 1(d), there are no other prescribed matters.

4.0 The Basic Conditions

This section addresses how the NKNP fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF) and to the strategic policies contained in the Harborough District Council Core Strategy 2011.

The Neighbourhood Plan has been prepared with reference to the emerging Local Plan which has been subject to consultation through the period of preparing the Neighbourhood Plan and which is scheduled to be Adopted in March 2017. Detailed references to relevant paragraphs in the NPPF and to relevant policies in the approved Core Strategy are given in the justification for each Neighbourhood Plan policy in the main text of the Plan.

4.1 Having regard to national policies and advice

NPPF Themes	NKNP regard for National Policy
Building a strong, competitive economy (NPPF paras. 18 - 22)	The Neighbourhood Plan proactively supports sustainable economic growth through its policy for Employment and the Economy. Policy NK13 safeguards existing employment sites and supports small scale employment proposals elsewhere where there is no adverse impact on the surrounding area.
Supporting a prosperous rural economy (NPPF para. 28)	The Neighbourhood Plan promotes a strong rural economy through policy NK13, which promotes employment and Policies NK15 and NK16 which support the retention, provision and enhancement of key community services, facilities and shops.
Promoting sustainable transport (NPPF paras. 29 – 41)	The Neighbourhood Plan's transport policies promote the use of sustainable transport. Policy NK3 proposes the allocation of housing within the Limits to Development; thereby supporting a pattern of development which facilitates the use of sustainable modes of transport. Policy NK26 seeks to improve connectivity within and around the village to allow easy and safe access for pedestrians and cyclists to key locations.
Supporting high quality communications infrastructure (NPPF paras 42 – 46)	Policy NK14 supports the improvement of electronic communications networks including super-fast broadband service and the mobile network.
Delivering a wide choice of high quality homes (NPPF paras. 47 – 55)	The Neighbourhood Plan's housing policies will deliver a wide choice of high quality homes and create a sustainable, inclusive and mixed community. Policy NK2 provides a positive contribution to meeting housing needs whilst Policies NK3 and NK4 describe the preferred location and type of housing. NK6 provides for a mix of market housing types and sizes to reflect local needs. Policies NK7 and NK8 support the provision of affordable housing, supporting shared ownership and prioritising local people.

NPPF Themes	NKNP regard for National Policy
Requiring good design (NPPF paras. 56 – 68)	Good design is integral to a range of Neighbourhood Plan policies. Policy NK9 requires new development to be in accordance with the North Kilworth Village Design Statement 2013-2020 in the design and quality of new housing developments, and the relevant sections

	are incorporated into the Plan. Policy NK11 protects important local buildings and their immediate surroundings from inappropriate development to ensure that design has regard to the local and historic context. Policy NK12 seeks to protect the character of the village by ensuring that signage is sympathetic in design and limited in number.
Promoting healthy communities (NPPF paras. 69 – 78)	A range of Neighbourhood Plan policies seek to ensure that North Kilworth is a healthy, inclusive community. Housing policy NK6 supports the provision of new housing to meet housing needs including those of older people, some of whom are in inappropriate housing through its size or condition. Policy NK9 requires new development to follow the existing Village Design Statement which includes reference to sport and leisure and open spaces for recreation. Policy NK15 and NK16 protect and support improvement of key community services, facilities and shops, drawing attention to their importance for good health. Accessibility to locally important green spaces as a fundamental pillar to health and wellbeing is recognized through policy NK18.
Meeting the challenge of climate change, flooding and coastal change (NPPF paras. 93 – 108)	Policy NK3 by proposing the allocation of housing within the Limits to Development; is supporting a reduction in greenhouse gas emissions through the reduced dependency on private motor vehicle. Policy NK10 seeks to actively support integration of energy and water efficiency in new development. Policies NK27 and NK28 supports sustainable drainage systems as a means of potential mitigation.

NPPF Themes	NKNP regard for National Policy
Conserving and enhancing the natural environment (NPPF	The Neighbourhood Plan’s environment policies contribute to and enhance the local natural environment by protecting valued landscape and minimising impacts on biodiversity. Policy NK19 seeks to conserve and enhance local ecological features and

paras. 109 – 125)	habitats and Policy NK20 supports the retention of important trees and hedges. Policy NK21 and NK22 seeks to protect the character of the local landscape and important views.
Conserving and enhancing the historic environment (NPPF paras. 126 – 141)	The Neighbourhood Plan has regard for the protection and enhancement of the local historic environment. Policy NK11 seeks to conserve and enhance buildings/structures and their settings of local historical and architectural interest.

4.2 Achieving sustainable development

The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, the North Kilworth Neighbourhood Plan has been drafted to conform generally with the approved Harborough District Council Core Strategy, for which a sustainability appraisal has been carried out to help deliver sustainable development across the District. This section of the Statement demonstrates how the North Kilworth Neighbourhood Plan fulfils the basic condition that the plan contributes to achieving sustainable development.

The NPPF sets out three dimensions to sustainable development:-

- 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; an
- 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.

The ways in which the North Kilworth Neighbourhood Plan contributes to achieving the economic, social and environmental aspects of sustainable development are set out below:

- contributing to building a strong and competitive economy by supporting small businesses, the retention of the designated employment site in the Parish and by supporting small scale economic development in appropriate locations.
- planning positively for housing growth to meet the needs of present and future generations in line with District-wide housing growth projections.
- supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people and promote a healthy and inclusive community.
- supporting new development where it relates well to the existing built up area of the village and incorporates pedestrian and cycle links which provide good connectivity with the rest of the village.
- promoting policies to protect locally important landscape features and biodiversity, which contribute toward the sense of community and quality of life in the area.

4.3 General conformity with the strategic policies of the development plan for the area

The Neighbourhood Plan has been developed in general conformity with the strategic policies contained in Harborough District Council’s approved Core Strategy adopted in 2011 as set out below:

Strategic Policy	Key elements	General Conformity with Strategic Policy
CS Policy 1: Spatial Strategy	<p>This strategy seeks to maintain the District’s unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services including:</p> <ul style="list-style-type: none"> • development of at least 7,700 dwellings across the District 2006 -2028; • support the provision of rural housing which contributes towards the 	<p>The Neighbourhood Plan is in general conformity with this strategic policy.</p> <p>Policy NK2 conforms to the proposal in the Draft Local Plan Housing Options Paper for a minimum of 31 new homes (maximum number amongst four options)to be located in North Kilworth over the development plan period. Policies NK3 and NK4 identify sites for development that are a part of the latest SHLAA or reflect windfall development. The housing target contained in the Neighbourhood Plan incorporates the proposed new housing sites from the Core Strategy net of commitments from</p>

	<p>provision of affordable housing where there is a demonstrable need and to protect existing services in smaller settlements</p>	<p>recent planning permissions. These amount to 30 dwellings at the end of March 2015, for which either building is already under way or planning consent has been granted or applied for. The Neighbourhood Plan does not seek to reduce this amount. However, it includes policies to influence housing mix, affordability, layout, design and connectivity in pursuit of overall sustainability.</p>
<p>CS Policy 2: Delivering New Housing</p>	<p>The aim of the strategy is to accommodate growth sensitively and within existing well-functioning places. The focus of this strategy is on the distribution and management of new housing development including:</p> <ul style="list-style-type: none"> • overall housing provision of at least 7,700 dwellings between 2006-2028 includes an allocation of at least 2,420 dwellings for rural centres and selected rural villages. • Limits to Development boundaries around settlements will be used to shape their future development. • All housing development should be of the highest design standard. A mix of housing types will be required on sites of 10 or more dwellings. 	<p>The Neighbourhood Plan identifies a site for housing development and addresses design issues through the incorporation into the Neighbourhood Plan of the North Kilworth Village Design Guide. The Core Strategy requirement for development to be in line with housing need locally is reflected in Neighbourhood Plan Policy NK6 which conforms with the general approach set out in the Core Strategy that residential development should contribute to a mix of housing tenures, types and sizes in order to create mixed and balanced communities.</p>
<p>CS Policy 3: Delivering Housing Choice and Affordability</p>	<p>This strategy aims to secure delivery of new homes that meet the requirements of all members of the community by such measures;</p>	<p>Affordable housing is addressed in Policies NK7 and NK8. The Neighbourhood Plan supports the requirement for 40% Affordable Housing across the Parish.</p>

	<ul style="list-style-type: none"> • All residential developments will be required to contribute towards meeting affordable housing needs. The threshold for the application of this policy is 3 dwellings. • A minimum of 40% of the total number of dwellings will be affordable within the two highest value sub-market areas of Harborough Rural South West and Harborough Rural North and Central. 	
CS Policy 5: Providing Sustainable Transport	<p>This strategy aims to deliver a number of key outcomes including:</p> <ul style="list-style-type: none"> • All residents have efficient, easy and affordable access to key services, particularly by public transport, bike and on foot. • More people walk, cycle and use public transport as part of their daily journeys. • The negative impact of our transport system on the environment and individuals is reduced. 	<p>The Core Strategy emphasis on safe pedestrian and cycling facilities is addressed in the Neighbourhood Plan through Policy NK26 which supports the improvement and increase in cycle ways; footways and footpaths to improve connectivity.</p>
CS Policy 7: Enabling Employment and Business Development	<p>The strategy aims to enable economic and employment development in support of the sub-regional growth of Leicester and Leicestershire through a number of means including designation of 'Key Employment Areas' in Rural Centres and protect them from changes of use which may limit future business development.</p>	<p>Policy NK13 safeguards existing employment sites and promotes small scale employment initiatives elsewhere in the Parish. Policy NK14 supports access to super-fast broadband service, facilitating local business and the opportunity to work from home. This is in line with CS7 which supports economic development in villages within the District.</p>

CS Policy 8: Protecting and Enhancing the Green Infrastructure	This policy seeks to secure a high quality, accessible and multi-functional green infrastructure network across both rural and urban areas of Harborough district, which contributes to healthy lifestyles and a rich, diverse natural environment.	Section 7.6 of the Neighbourhood Plan includes policies on protecting important Local Green Spaces; conserving bio-diversity; protecting trees, hedgerows and landscape character and safeguarding archeology and geology. This supports the emphasis within the Core Strategy of the importance of the Green Infrastructure.
CS Policy 9: Addressing Climate Change	This strategy supports development which adapts to climate change and helps to reduce the District's carbon emissions.	The Neighbourhood Plan Policy NK10 supports development that contributes to mitigating and adapting to climate change through the integration of sustainable design and construction techniques. Policies NK3, NK4, NK26 and NK27 and NK28 all further support a reduction in carbon emissions and/or climate change mitigation.
CS Policy 10: Addressing Flood Risk	This strategy aims to help deliver sustainable development including through the reduction of risk by measures such as location, layout and design and support for SuDS.	The Neighbourhood Plan is in general conformity with this policy. Neighbourhood Plan Policy NK27 requires development proposals to demonstrate the adoption of measures to minimise surface water and roof water run-off and NK26 requires full details of drainage schemes to be submitted and approved before development commences.
CS Policy 11: Promoting Design and Built Heritage	This strategy aims to ensure : <ul style="list-style-type: none"> • all new development in the District is of a high standard, well-designed and appropriate to its context; • safeguard and improve the character and distinctiveness of its settlements, heritage assets and natural environments. 	The Core Strategy stresses the importance of good design and the built heritage. This is reflected in the Neighbourhood Plan through the incorporation of the Village Design Statement which clearly describes the build standards required for new housing and is linked to the Plan through Policy NK9. Policy NK11 identifies important local buildings and their setting to be protected from inappropriate development.
CS Policy 17: Countryside, Rural Centres and Rural Villages	This strategy aims to provide a framework for protecting, enhancing and managing the character and appearance of the landscape, maintaining and	The Neighbourhood Plan is in general conformity with CS Policy 17 in that it; reduces the need to travel (Policy NK3, NK14 and NK15), seeks design consistent with the character of the Parish (NK9) and seeks to protect heritage

	<p>strengthening local assets (NK11). distinctiveness and providing for development which meets the local needs and helps retain local services. Support for rural development that;</p> <ul style="list-style-type: none"> • reduce the need to travel from rural areas; • is located and designed in a way that is sensitive to its landscape setting 	
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4.4 EU obligations

Strategic Environmental Assessment (SEA)

In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

In the case of the North Kilworth Neighbourhood Plan:

- the specific site allocated for development is contained within the latest SHLAA and subject to an assessment from Harborough District Council
- the neighbourhood plan area does not contain sensitive natural or heritage assets that may be affected by the proposals in the plan
- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programs Regulations 2004 and shown at Appendix 2
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Harborough District Council's Core Strategy.

Harborough District Council will screen the NP to determine whether an SEA is required.

Habitats Directive

The North Kilworth NP area does not include or is not close to a European site that would require a Habitat Regulation Assessment.

Convention on Human Rights

The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups. There was extensive consultation and engagement in identifying issues and objectives and the draft Neighbourhood Plan is being consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, responses have been recorded and changes have been made as per the schedule set out in the appendices to the Statement of Consultation. The Statement of Consultation has been prepared by the NKNP Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

5.0 Conclusion

This Basics Conditions Statement demonstrates that the NKNP:

- has regard to national policy;
- contributes towards the achievement of sustainable development;
- is in general conformity with the Harborough District Council Core Strategy 2011;
- does not breach, and is otherwise compatible with EU obligations; and
- has met the prescribed conditions and matters in connection with the proposal for the Neighbourhood Development Plan.

It is therefore respectfully suggested to the Examiner that the North Kilworth Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act. .