

# BILLEDON NEIGHBOURHOOD DEVELOPMENT PLAN

2013-2028

SUBMISSION DRAFT

SUPPORTING DOCUMENT: B

BASIC CONDITIONS STATEMENT



BILLEDON PARISH COUNCIL

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## BASIC CONDITIONS STATEMENT

### 1. Introduction

1.1 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, 2c and 3 to 5 as required by 38(C)] sets out that neighbourhood development plans must meet a number of 'Basic Conditions'. 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,
- 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.

1.2 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,
- d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- e) 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),
- f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
- g) 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.

1.3 The Examiner is not to consider any matter that does not fall within paragraph (1.2) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

1.4 How the draft Billesdon Neighbourhood Development Plan (the Plan) meets the 'Basic Conditions' is set out in this Basic Conditions Statement.

- 1.5 The draft Plan is submitted by Billesdon Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by the Billesdon Neighbourhood Development Plan Group, which is led by Billesdon Parish Council.
- 1.6 The whole parish of Billesdon has been formally designated as a Neighbourhood Area through an application made on 11<sup>th</sup> May 2012 under the Neighbourhood Planning Regulations 2012 (part2 S6) and approved by Harborough District Council on 29<sup>th</sup> October 2012.
- 1.7 The draft Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have 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.
- 1.8 The draft Plan identifies the period to which it relates as 2013 to 2028. The period has been chosen to align with the dates of the Harborough District *Core Strategy*.
- 1.9 The draft Plan 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.
- 1.10 The draft Plan relates only to the parish of Billesdon. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.
- 1.11 Billesdon Parish Council is satisfied that the draft Plan: (i) meets the basic conditions (as set out in Paragraph 8 (2) of Schedule 4B to the *Town & Country Planning Act (as amended)* (1990); and (ii) is compatible with the European Convention on Human Rights (1998) and European Union (EU) Obligations; and (iii) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the *Planning and Compulsory Purchase Act 2004*.

## 2. APPROPRIATE REGARD TO NATIONAL POLICY

- 2.1 The draft Plan has been prepared with regard to national policies as set out in the *National Planning Policy Framework (NPPF)*. Paragraphs 183-185 of the NPPF describe how Neighbourhood Planning can be used to give communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. To this end, the NPPF contains twelve core planning principles and they are

summarised below. The table shows how the draft Plan addresses each of these principles:

<b>NPPF Planning Principle</b>	<b>The Plan</b>
Led by local plans which set out a vision for the future of the area	Supporting Document A and Sections 2 and 3 of the Plan
Enhancing and improving the places where people live	Sections 2 and 3 of the Plan and Policies BP1-BP23
Drive sustainable development	Policies BP1-BP23
Secure a high-quality of design and a good standard of amenity	Policies BP7 and BP13
Protect the diversity of different areas	Policy BP7 and Policies BP19-BP23
Support the transition to a low-carbon future	Policies BP7, BP19-BP23
Help conserve and enhance the natural environment	Policies BP19-BP23
Encourage the re-use of land	Policies BP3 and BP10
Promote mixed-use developments	Not applicable
Conserve heritage assets	Policy BP22
Make full use of public transport, walking and cycling	Policy BP4 and BP18
Improve health, social and cultural well-being	Policies BP8, BP12, BP13, BP15, BP16-BP23

### 3. CONTRIBUTE TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

3.1 Paragraphs 14-16 of the NPPF set out the prescription in favour of sustainable development, which is at the centre of national policy. The draft Plan contributes to the achievement of sustainable development by addressing the five principles and three critical roles for sustainable development contained within the NPPF:

<b>Principle or Role</b>	<b>The Plan</b>
Living within the planet's environmental limits	Allocates sites for housing that minimise car use in accessing local services and facilities; reuses brown field sites for

	housing and employment; requires an enhanced level of the Code for Sustainable Homes; subjects the Plan to a Sustainability Audit; facilitates the greater use of public transport
Ensuring a strong, healthy and just society	Allocates land for affordable homes; provides for homes that can meet the needs of older people; provides additional recreational facilities for all age groups; subjects the Plan to an EqIA
Achieving a sustainable economy	Subjects the Plan to a Sustainability Audit; allocates land for additional housing, services and employment; provides for the reuse of buildings for retail and employment
Promoting good governance	Subjects the Plan to multiple consultations with the community and stakeholders
Using sound science responsibly	Bases the development of the Plan on a wide range of objective evidence
An economic role, contributing to a strong, responsive, competitive economy	Allocates land and the reuse of existing buildings for additional housing, services and employment; provides for the reuse of land and buildings for retail and employment
A social role, supporting vibrant and healthy communities	Subjects the Plan to multiple consultations with the community and stakeholders; provides for additional recreational facilities for all age groups; provides for improvements to the local infrastructure of services and facilities
An environmental role, protecting and enhancing our natural, built and historic environment	Provides for the protection and enhancement of Local Green Spaces and landscapes; provides for the enhancement of biodiversity; provides for the protection of heritage assets; facilitates the greater use of public transport

#### 4. IN GENERAL CONFORMITY WITH THE STRATEGIC POLICES IN THE DEVELOPMENT PLAN FOR THE LOCAL AREA

4.1 The draft Plan is written in conjunction with, and to conform to, the Harborough *Core Strategy* and its supporting statutory documents (Billesdon Plan Policy BP 1: Sustainable Development). The draft Plan follows the strategic policies of the *Core Strategy* with particular regard to the following:

##### **Harborough Core Strategy and the Plan**

###### **Policy CS2 - Delivering new housing**

The Plan allocates land for the delivery of sufficient new sites and houses for Billesdon to be compatible with its status as a Rural Centre and to enable HD to reach its required housing target

###### **Policy CS3 - Delivering housing choice and affordability**

The Plan provides for a range of housing types by size and tenure, including affordable homes, in its land allocation

###### **Policy CS5 – Providing sustainable transport**

The Plan underpins the existing provision of public transport and the opportunity to develop new transport services to surrounding urban centres

###### **Policy CS6 – Improving town centres and retailing**

The Plan provides for the maintenance of existing, and opportunities for the development of new, retail outlets, through the development of existing and the provision of new premises

###### **Policy CS7 – Enabling employment and business development**

The Plan allocates land for employment and business development and opportunities for the development of existing premises

###### **Policy CS8 – Protecting and enhancing green infrastructure**

The Plan protects existing green infrastructure (open spaces, landscape and biodiversity) and provides the opportunity for the development of these features

###### **Policy CS9 – Addressing climate change**

The Plan allocates land for housing so as to minimise the use of the car for accessing services and facilities; the Plan requires an enhanced level of the Code for Sustainable Homes

###### **Policy CS11 – Promoting design and our built environment**

The Plan revises Billesdon's *Village Design Statement* for application to new development

**Policy CS12 – Delivering development and supporting infrastructure**

The Plan allocates land for the delivery of sufficient new sites and houses for Billesdon to be compatible with its status as a Rural Centre; the Plan allocates land for employment and business development, and opportunities for the development of existing premises; the Plan provides for the maintenance of existing, and opportunities for the development of new, retail outlets, through the development of existing and the provision of new premises; the Plan provides for the development of infrastructure (health, recreation and education) to support development

**Policy CS17 – Countryside, rural centres and rural villages**

The Plan allocates sufficient land for housing and employment commensurate with Billesdon's status as a Rural Centre; the Plan ensures that the development of Billesdon is compatible with its countryside location; the Plan ensures that the character of Billesdon as a rural village is maintained.

## 5. COMPATIBLE WITH HUMAN RIGHTS REQUIREMENTS

5.1 The draft Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. Supporting Document C is an Equality Impact Assessment, which demonstrates that the Plan is compatible with the requirements of the Human Rights Act (1998).

## 6. COMPATIBLE WITH EUROPEAN UNION (EU) OBLIGATIONS

6.1 The draft Plan is in general conformity with the policies of HD's *Core Strategy*, which has been subject to a *Sustainability Appraisal* so as to be compatible with EU obligations.

6.2 The following advice was received from the Department for Communities and Local Government in 2012. Sustainability Appraisals apply only to Development Plan Documents; since Neighbourhood Plans are not Development Plan Documents, Neighbourhood Plans do not require a *Sustainability Appraisal* to be undertaken.

6.3 Notice was taken of the *Strategic Environmental Assessment Screening Report* for the Plan, as prepared by Harborough District Council (April 2013), so as to be compatible with EU obligations. The Report concluded that, under Habitat Regulations, there are no European sites that would be affected by the Plan proposals and that 'the Billesdon Neighbourhood Plan with its current proposals does not require a full SEA to be undertaken'.

6.4 The draft Plan has been subjected to a voluntary *Sustainability Audit*. This Audit approach has been reviewed and supported by English Heritage and Natural England. Supporting Document G shows how each issue identified by the Sustainability Audit has been addressed by the Plan.

## 7. ADDRESSING THE 'KEY ISSUES' OF THE NEIGHBOURHOOD PLAN

7.1 The following table shows how each Key Issue (Objective) identified by the Community has been addressed by the draft Plan:

<b>Key Issues (Objectives)</b>	<b>Policies</b>
The number of new houses	Supporting document E and Policy BP2
The number of sites for new houses	Supporting document D and Policy BP3
The sites for development	Supporting document F and G and Policies BP4 and BP5
The types and sizes of new housing	Supporting document D and Policy BP4- BP6
Housing design	Supporting document D and Policy BP7
Broadband	Policy BP9
New build floor space	Policy BP10
Redevelopment of existing buildings	Policy BP11
Recreational facilities	Policy BP13
The Coplow Centre	Policy BP13
Retail opportunities	Policies BP12 and BP15
The Village school	Policy BP13
Traffic Management	Policy BP16-BP18
Parking	Policy BP17
Footpaths	Policy BP4 and BP22
Protecting and enhancing the rural landscape	Supporting Document G and Policies BP19- BP20
Promoting healthy lifestyles	Supporting document G and Policies BP8 and BP13
Addressing climate change	Supporting document G and Policies BP7 and



	BP23
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