

Tugby and Keythorpe Neighbourhood Plan 2021-2031 Statement of Basic Conditions

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1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Tugby and Keythorpe Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3 Paragraph 8 (1) states that 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.
- 1.4 Paragraph 8 (2) states that 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.

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

2.0 Legal Requirements

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

The Plan is being submitted by a qualifying body

The Neighbourhood Plan has been submitted by Tugby and Keythorpe Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan Area.

What is being proposed is a neighbourhood plan

- 2.2 The Neighbourhood Plan contains policies relating to the development and use of land within the Neighbourhood Plan 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.

The proposed Neighbourhood Plan states the period for which it is to have effect

- 2.3 The Neighbourhood Plan states that the period which it relates to is from 2021 until 2031. The period has been chosen to align with that of the Harborough Local Plan which was adopted on 30 April 2019.

The policies do not relate to excluded development

- 2.4 The Neighbourhood 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.

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

- 2.5 The designated Plan area was approved by Harborough District Council on 8 November 2017. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the Neighbourhood Plan area.

2.6 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.

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

3.0 The Basic Conditions

3.1 This section addresses how the Neighbourhood Plan 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 Local Plan.

3.2 The Neighbourhood Plan has been informed by the evidence base of the Harborough Local Plan, which was Adopted on 30 April 2019.

Having regard to national policies and advice

3.3 The Neighbourhood Plan has been developed having regard to the NPPF amended in 2021. An explanation of how each of the Neighbourhood Plan policies have shown regard to the NPPF are outlined in table 1 below.

3.4 In broad terms the Plan:

- process has empowered the local community to develop the plan for their neighbourhood and has undertaken a creative and thorough exercise in identifying ways to enhance and improve the area.
- policies are based on robust evidence and provide a practical framework within which decisions on planning applications can be made, with a high degree of predictability and efficiency.
- seeks to deliver homes, businesses and infrastructure through housing allocations, windfall sites, employment policies and developer contributions.
- seeks to actively manage patterns of growth in the most sustainable locations through the designation of Limits to Development.
- supports local strategies to deliver sufficient community facilities and services, to meet local needs.
- contributes to conserving and enhancing the natural environment through the protection of Local Green Spaces and biodiversity.

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

- 3.5 The Neighbourhood Plan has been prepared in general conformity with the strategic policies of the Harborough Local Plan 2011-2031.
- 3.6 The table below provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the Strategic Policies of the Harborough Local Plan 2011-2031 and the National Planning Policy Framework 2019.

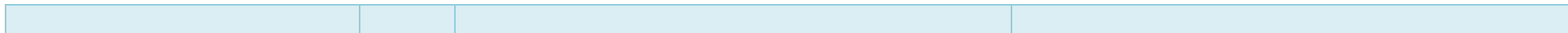
<i>Tugby and Keythorpe Neighbourhood Plan policies</i>	<i>NPPF para</i>	<i>Regard to National Planning Policy</i>	<i>General Conformity with Harborough Local Plan 2011-2031</i>
Policy H1: Residential Site Allocation	7, 10, 11	The inclusion of a housing allocation supports ‘the presumption in favour of sustainable development’ by planning positively, shaping and directing development and providing for, and exceeding, the strategic development needs set out in the Local Plan.	This policy is in general conformity with the settlement hierarchy identified in the Local Plan and the apportioned housing requirements for the parish, as outlined in policies GD1 and H1 which establishes the residential target for Tugby and Keythorpe.
Policy H2: Limits to Development	9, 11, 80	One of the core principles of the NPPF is to recognise and protect the intrinsic character and beauty of the countryside. Actively managing patterns of growth, within the Limits to Development seeks to support existing services and facilities and protect the countryside and setting of the settlements. Further, Limits to Development facilitate the use of sustainable modes of transport with both benefits to the environment and the health of the community, both underlying premises of the NPPF.	The new Local Plan has removed settlement boundaries which were present in the previous Local Plan. The Neighbourhood Plan satisfies the requirement of policy GD1 of a ‘presumption in favour of sustainable development’ and adds limits to development as a matter of local detail to help determine the most appropriate locations for development.
Policy H3: Windfall Sites	69, 71	The policy for small scale windfall sites has regard to the NPPF; by seeking to meet any future housing requirements for the area and maintain the vitality of the settlements, whilst protecting their character and setting. This is a positive policy for future housing provision given that this type of development has a proven track record in providing a good source of new housing over recent years in the Parish.	Support for small scale windfall development is in general conformity with the Local Plan (Policies H1 and H5) which identify the need for windfall development where there is evidence of demand.
Policy H4: Affordable Housing	61, 62, 63, 64	This policy supports the provision of affordable housing and includes a policy prioritising allocation to local residents. This policy is consistent with the NPPF which outlines the need to widen opportunities for home ownership and create inclusive and mixed communities	Policy HBE6 is in general conformity with Local Plan policy H2 which sets targets for affordable housing and establishes the need for an appropriate mix of affordable housing.

		through amongst other things, supporting affordable housing where there is an identified need.	
Policy H5: Design Standards	8, 28, 112, section 12	The policy outlines several design principles and supports the NPPF principle of requiring good design; and the need to respond to local character and history of the local surroundings. Importantly the policy does not impose architectural styles and hence does not stifle an innovative approach.	The Local Plan promotes good design and identifies the need for development to ‘achieve a high standard of design quality’. NP policy HBE1 adds local detail to Local Plan policy GD8.
Policy ENV1: Local Green Space	101-103	Protection of Local Green Spaces identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.	The principles underpinning the protection of Local Green Spaces are in general conformity to the Local Plan’s identification and conservation of ‘Local Green Spaces’ and adds local detail to policy G14.
Policy Env 2: Protection of Other Sites of Historic/environment Significance Policy ENV 3: Local Heritage Assets	Section 15	<p>Policy Env 2 seeks to protect other open space with environmental value on account of their historical features. This has regard to the NPPF principles conserving and enhancing the natural and historic environment. It takes into account the designation hierarchy and the protection is commensurate with their status.</p> <p>Policy Env 3 recognises Tugby and Keythorpe’s historic character as one of its most important assets and seeks to protect and enhance it. It has regard to the NPPF with regards to identifying non-designated heritage assets for protection. The policy supports the protection of heritage assets and their setting, a core principle of the NPPF.</p>	<p>The Local Plan supports development which safeguards green infrastructure assets and avoiding the loss of features of habitats of landscape, historic, wildlife or geological importance, whether of national or local significance.</p> <p>Policy ENV 3 is in general conformity with Local Plan policy HC1, the narrative to which states ‘the character, quality and diversity of the District’s extensive historic environment will be taken fully into account with a view to its conservation and enhancement in the context of the sustainable development of the District’.</p>

Policy ENV 4: Ridge and Furrow	189	This policy seeks to protect ridge and furrow fields and has regard for the NPPF, which considers that non-designated heritage assets of archaeological interest, of equivalent significance to scheduled monuments should be subject to the policies for designated heritage assets.	Policy ENV5 is in general conformity with the Local Plan vision which seeks to improve the diversity and quality of the countryside.
Policy ENV 5: Sites and features of Natural Environmental Significance Policy Env 7: Important Trees and Hedges Policy ENV 8: Important Open Spaces	Section 15	These policies seek to protect other open space with environmental value on account of their natural and/or historical features. This has regard to the NPPF principles conserving and enhancing the natural and historic environment. It takes into account the designation hierarchy and the protection is commensurate with their status.	The Local Plan seeks to protect sites of ecological and geological importance (policy EN2) and encourages the management of land for nature conservation. The Neighbourhood Plan in identifying locally significant sites for protection, adds further detail and value at the neighbourhood level and is in general conformity with the overarching principles contained in policies G12 ‘open space sport and recreation’ and G15 ‘Biodiversity and Geodiversity’
Policy ENV 6: Biodiversity	179	This policy seeks to protect and enhance local biodiversity features and habitats. The policy has regard to the NPPF, which states that the planning system should contribute to enhancing the natural and local environment by minimizing impacts on biodiversity and providing net gains where possible.	Protection and enhancement of designated and non-designated ecological sites suitably conforms with the strategic policies of the local plan and in particular, G15 which seeks to safeguard, protect and improve biodiversity in new development.
Policy ENV 9: Important Views	130	The policy seeks to protect views identified as being significant to the community. In accordance with the NPPF, the planning system should contribute to and where possible; enhance the landscape. Views are a key component of the landscape	Local Plan policy GD5 supports the location and design of development that is sensitive to its landscape setting including safeguarding important views.
Policy Env 10: Footpaths and Bridleways	Section 9	This policy aims to protect the existing cycle and pedestrian network. In doing so, it has regard to the NPPF in terms of ‘promoting sustainable transport’, reducing congestion and greenhouse gas emissions and ‘promoting healthy communities’.	Local Plan policy IN2 promotes the use of measures such as walking and cycling links.
Policy Env 11: Flood Risk Resilience.	Section 14	The NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk (whether existing or future).	Local Plan Policy CC3 requires development to take place in the areas at lowest risk of flooding

		Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.	
Policy CFA1: The Retention of Community Facilities and Amenities	20, 28, 84, 93, 186	This policy seeks to protect key community facilities. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.	Policy CFA 1 is in general conformity with Local Plan policy HC2 which supports proposals to protect community facilities. The Neighbourhood Plan provides further detail, by identifying those community facilities that are important to the local community.
Policy CFA2: New or Improved Community Facilities	8, 92, 119	In seeking new or improved community facilities, the policy supports the NPPF principle of promoting healthy communities.	Local Plan policy HC2 also seeks to promote new community facilities close to the communities they serve.
Policy CFA3: Tugby School	94 - 96	Policies to support expansion of schools will help deliver the local services required to enhance the sustainability of the community. The NPPF notes the importance the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.	Schools are covered by Local Plan policy HC2 as they are mentioned in the narrative as playing an important role in the life of villages
Policy TR1 Traffic Management	Section 9	The policy seeks to manage potential traffic issues arising from development and has regard for ‘promoting sustainable transport’ and supporting reductions in greenhouse gas emissions.	Local Plan policy IN2 supports the traffic management proposals contained in the Neighbourhood Plan policy TR1
Policy TR2: Electric Vehicles	107, 112	The NPPF supports the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and that applications for development are designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.	This policy is in general conformity with Local Plan policies IN2 which address issues concerning energy efficiency/low carbon development and energy generation from renewable and low carbon sources and specifically references the provision of electric vehicle recharging facilities where appropriate.
Policy TR3: Footpaths and Bridleways	Section 9	This policy aims to maintain and extend the existing cycle and pedestrian network. In doing so, it has regard to the NPPF in terms of ‘promoting sustainable transport’, reducing congestion and greenhouse gas emissions and ‘promoting healthy communities’.	Local Plan policy IN2 promotes the use of measures such as walking and cycling links.

Policy BE1: Support for Existing Businesses and Employment Opportunities	20, 73, 106, 123	The policy supports new employment opportunities through small scale employment premises. ‘Making it easier for jobs to be created in cities, towns and villages’ is a key element in the pursuance of sustainable development as outlined in the NPPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.	Supporting additional employment development on the premise that is within existing buildings, on areas of previously developed land is in general conformity with Local Plan policy BE1 which sets the conditions by which economic development in rural communities is achieved.
Policy BE2: Support for New and Expanding Businesses and Employment	9, 28	The policy supports new employment opportunities through small scale employment premises. ‘Making it easier for jobs to be created in cities, towns and villages’ is a key element in the pursuance of sustainable development as outlined in the NPPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.	
Policy BE3: Home Working	106	This policy supports the use of part of a dwelling for office or light industrial use in order to facilitate working from home. Working from home further supports employment activities; thus, contributing to a prosperous rural economy. It also supports the transition to a low carbon future by reducing the dependency of the car for journeys to employment sites outside of the Parish.	The growing trend for home working is highlighted on page 150 of the Local Plan which identifies the need for high speed broadband. NP policy BE3 is also in general conformity with Local Plan policy CC1 in helping to mitigate the effects of climate change by reducing carbon emissions caused by travel to work.
Policy BE4: Farm Diversification	20, 73, 106, 123	Re-use of agricultural buildings for small businesses, recreation or tourism further support a prosperous rural economy and the transition to a low carbon future by encouraging the use of existing resources.	Local Plan policy GD3 promotes the diversification of farm buildings and farm diversification more generally.
Policy BE6: Broadband and Mobile Infrastructure	Para. 42 & 43	The NPPF advocates planning that supports high quality communications infrastructure.	Local Plan policy IN3 supports adequate broadband infrastructure.
Policy INF 1: Infrastructure	8, 11, 34	The NPPF supports the provision of infrastructure as an economic objective and supports the alignment of growth and infrastructure.	Policy IN 1 supports the provision of infrastructure where required by development



Achieving sustainable development

- 3.7 The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Plan supports the strategic development needs in the Local Plan, shaping and directing development in the area that is outside of the strategic elements of the Local Plan.
- 3.8 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 3.9 The policies contained in the Neighbourhood Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people's quality of life, including:
- supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing (including affordable housing) to meet local need
 - supporting the transition to a low carbon future through actively managing patterns of growth within existing settlements, supporting sustainable modes of transport, renewable energy generation and local employment opportunities.
 - protecting and enhancing the distinctive character of the built and natural environment through high quality design, protection of important local green space and protection important views.
 - conserving and enhancing the natural environment by protecting and supporting a net gain in biodiversity and important habitats.
 - supporting a strong economy through the protection of existing employment sites, support for new businesses including home working and encouragement of superfast broadband.
 - safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

EU obligations

Strategic Environmental Assessment (SEA)

3.10 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.

3.11 A Screening opinion was issued by Harborough District Council which determined that a full SEA would not be required. The statutory consultees concurred with this conclusion.

Habitats Directive

3.12 Harborough District Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan and concluded that an HRA was not required. The statutory consultees concurred with this conclusion.

Convention on Human Rights

3.13 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.

3.14 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, 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 Advisory Committee and meets the requirements set out in Paragraph 15 (2) of the Regulations.

4.0 Conclusion

- 4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Tugby and Keythorpe Neighbourhood Plan.
- 4.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic policies in the Harborough Local Plan 2011-2031 and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Tugby and Keythorpe Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.