

Shearsby Neighbourhood
Plan
2024-2041
Statement of Basic Conditions

JUNE 2026

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1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Shearsby 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 A further basic condition related to the new environmental assessment framework is commenced however, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this basic condition cannot be assessed.
- 1.6 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 Shearsby Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Neighbourhood 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 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 2024 until 2041. The period has been chosen to align with that of the draft Harborough Local Plan.

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.
- 2.5 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.

- 2.6 The Neighbourhood Area was designated by Harborough District Council on 16 January 2015. The Plan does not relate to more than one Neighbourhood Area. There are no other neighbourhood plans in place within the Neighbourhood Area.
- 2.7 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 Area.
- 2.8 In relation to sub-paragraph 1(d), there are no other prescribed matters.

Levelling up and Regeneration Act

- 2.9 Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 come into force on 25 March 2026 by virtue of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, which were made on 2 March 2025. Sections 98 and 99 amend the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 in respect of the legal compliance and the basic conditions requirements. The further legal compliance requirements are as follows:
- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
 - so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area. This is achieved through the Environmental policies in the NP.
- 2.10 The Neighbourhood Plan has been designed to secure that the development and use of land in the neighbourhood area contributes to the mitigation of, and adaptation to, climate change, particularly through the policies on design (H3), flood risk resilience (Env 10), working from home (E5), renewable energy infrastructure (Env 11) and

broadband Infrastructure (E4).

- 2.11 The Neighbourhood Plan takes account of the Leicestershire Local Nature Recovery Strategy that relates in general terms to the Neighbourhood Area.

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 December 2023 (NPPF) and being in general conformity with the strategic policies contained in the Harborough Council Local Plan 2011-2031 Adopted in April 2019.

- 3.2 The Neighbourhood Plan review has been informed by the evidence base of the Harborough Local Plan, which was Adopted in April 2019 and the emerging Harborough Local Plan which is at Regulation 19 stage.

Having regard to national policies and advice

- 3.3 The Neighbourhood Plan has been developed having regard to the NPPF. 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 Neighbourhood Plan:

- process has empowered the local community to develop the plan for their neighbourhood and has undertaken a 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 locally appropriate homes, businesses and infrastructure through policies on residential allocations; windfall development, housing mix and affordable housing and employment policies;
- seeks to actively manage patterns of growth in the most sustainable locations through the designation of a 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 areas, biodiversity and a range of environmental protections.

Local Plan policies

- 3.5 Whilst the former Basic Condition that the neighbourhood plan be ‘in general conformity with the strategic policies contained in the development plan for the area’ has been replaced by the ‘making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made’, it is nevertheless helpful to consider the relationship between the Neighbourhood Plan policies and the Local Plan policies for the Area, contained within the Harborough Local Plan, 2011 – 2031.
- 3.6 Table 1 sets out the comparison of Neighbourhood Plan policies with policies from the Local Plan alongside a commentary on the regard the Neighbourhood Plan has for the NPPF (2024). The Qualifying Body considers that the Neighbourhood Plan is in general conformity with the strategic policies of the Local Plan and the policies have been designed to add local context to the development plan policies of the area. In addition, new basic condition E is fulfilled because i) the making of the Neighbourhood Plan would not have the effect of preventing development from taking place which is proposed in the development plan for the neighbourhood area because it includes an allocation for residential development which exceeds the identified housing requirement figure for the area, and ii) the NP also has policies which will guide housing to be sustainable and appropriate for Scraftoft. This is also demonstrated in table 1.

Table 1				
Shearsby Neighbourhood Plan policies	NPPF para Policy (2024)	Regard to National Planning	Assessment of how the policies in the NP do not prevent development as set out in the Local Plan and support sustainable development.	General Conformity with the Local Plan (2019)
H1: Limits to Development	7, 10, 11	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 settlement. 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 establishment of a Limits to Development helps to ensure that development is in a sustainable location and minimises the impact on the countryside.	<p>The new Local Plan has removed settlement boundaries which were present in the previous Local Plan.</p> <p>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.</p> <p>The policy is in general conformity with CS17 which supports development in Other Villages where development will be strictly controlled.</p>
	70 d, 72	The policy accords with the NPPF in its control of development outside the defined Limits to Development (in the open countryside).		
		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.		
H2: Housing Mix	61, 91	The policy seeks to support a mix of housing that meets an identified need in the community. The NPPF advocates for inclusive and mixed communities, which will require a mix of housing types based on current and future demographic trends.	The policy on housing mix draws on the latest evidence of housing need locally and helps to ensure a balanced and sustainable community by promoting housing that meets this local need.	The Local Plan supports development that provides for the varied housing needs of the community, as identified in the Neighbourhood Plan and based on current data. (H5)
H3: Building Design Principles	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 design policy incorporates standards identified as meeting local needs and reflects local and national design standards.	The Local Plan promotes good design and identifies the need for development to 'achieve a high standard of design quality'. These NP policies add local detail to Local Plan policy GD8.
ENV 1: Local Open Areas Env 2: Open Space Sports and Recreation Sites ENV 3: Significant Natural Environment Sites ENV 4: Biodiversity across the Neighbourhood Area, Woodland, Trees and Hedgerows.	Section 15, 192-193	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 environment. It takes into account the designation hierarchy and the protection is commensurate with their status. Policy Env 4 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	The protection of the most important environmental areas locally helps to direct development to more sustainable locations. These policies help to ensure that development takes important local environmental features into account.	The Local Plan safeguards green infrastructure assets and promotes avoiding the loss of features of habitats of landscape, wildlife or geological importance, whether of national or local significance. The policies are in conformity with the strategic policies in the Local Plan which seek to protect habitats and species and further develop the green infrastructure asset of the District. They are also in general conformity with GI 1 which seeks to protect and enhance green infrastructure which contribute to

		<p>minimizing impacts on biodiversity and providing net gains where possible.</p>		<p>healthy lifestyles and a rich, diverse natural environment, including support for proposals that mitigate against climate change.</p>
<p>Env 5: Significant Historic Environment Sites.</p> <p>Env 6: Non-Designated Heritage Assets</p> <p>Env 7: Ridge and Furrow fields</p>	<p>Section 15</p>	<p>The NPPF requires Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets</p> <p>Policy ENV 7 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.</p> <p>These policies recognise Shearsby’s historic character as one of its most important assets and seeks to protect and enhance it. They have regard to the NPPF with regards to identifying non-designated heritage assets for protection. The policies support the protection of heritage assets and their setting, a core principle of the NPPF.</p>	<p>These policies recognise the importance of local heritage assets and ensure that development proposals take this into account and provide mitigation where appropriate.</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>These policies are 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>
<p>ENV 8: Footpaths and Bridleways</p>	<p>Section 9</p>	<p>This policy aims to protect the existing 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</p>	<p>The promotion of sustainable transport measures is in line with local and national priorities and encourages development proposals meet these requirements.</p>	<p>Local Plan policy IN2 promotes the use of measures such as walking and cycling links.</p>

		communities’, whilst also meeting requirements for promoting healthy communities		
ENV 9: Important Views	135	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	The policy does not prohibit development but helps to ensure that the impact on locally important views is mitigated where necessary.	The Local Plan recognises the importance of landscape character. Important public views are an important element of the character of the landscape and thus their identification and protection is consistent with the aims of Policy GD5.
Env 10: Flood Risk Resilience	Section 14	The policy seeks to address potential flooding by making development safe without increasing flood risk elsewhere, therefore meeting the requirements of the NPPF which identifies the need to take full account of flood risk	The policy helps to direct development to the most appropriate places.	Local Plan Policy CC3 requires development to take place in areas at lowest risk of flooding
Env 11: Renewable Energy Infrastructure.	Section 14	The policy supports the NPPF aim of meeting the challenge of climate change by supporting the delivery of renewable energy development while ensuring that adverse impacts are addressed satisfactorily.	The policy supports appropriate renewable energy infrastructure in appropriate locations.	The Neighbourhood Plan, by supporting measures to mitigate climate change is consistent with the Core Strategy which outlines support for such development (CS9)
CF 1: Community Facilities CF2: New or Improved Community Facilities	20, 29, 88, 98, 200	This policy seeks to protect and enhance 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. In seeking new or improved community facilities, the policy supports the NPPF principle of promoting healthy communities.	By protecting important local community facilities and promoting new ones, the neighbourhood area is better able to meet the needs of its existing community and accommodate additional development.	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 HC2 also seeks to promote new community facilities close to the communities they serve.

<p>E1: Support for existing employment opportunities</p> <p>E2: Support for new employment opportunities</p> <p>E3: Re-use of agricultural and commercial buildings</p> <p>E4: Working for Home</p>	<p>20, 77, 111, 128</p>	<p>The policy supports new employment opportunities through small scale employment premises. Promoting access to employment 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.</p> <p>The policy on Home Working 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.</p>	<p>Protecting existing businesses, promoting new ones and supporting farm diversification helps to ensure that local employment opportunities are available for the local community, thereby improving sustainability.</p>	<p>These policies are in general conformity with the Local Plan which supports employment which diversifies the rural economy or enables the expansion of business. (BE1)</p>
<p>E4: Broadband Infrastructure</p>	<p>Section 10</p>	<p>The NPPF advocates planning that supports high quality communications infrastructure.</p>	<p>Better communications promotes working from home and enhances the offer available to people wishing to move into the area.</p>	<p>Policy IN3 on electronic connectivity promotes telecommunications development.</p>

4.0 Achieving sustainable development

- 4.1 The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Neighbourhood Plan supports the strategic development needs in the Local Plan, shaping and directing development in the area that is outside of the strategic elements.
- 4.2 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 sought environmental, economic and social gains.
- 4.3 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 of 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 and support for new businesses including home working;
 - safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

5.0 EU obligations

Strategic Environmental Assessment (SEA)

5.1 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. MHCLG 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 Part 2 Local Plan.

5.2 A Screening opinion was issued by Harborough District Council which determined that a full SEA would not be required.

Habitats Directive

5.3 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

5.4 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.

5.5 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 Shearsby Parish Council and meets the requirements set out in Paragraph 15 (2) of the Regulations.

6.0 Conclusion

- 6.1 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 Neighbourhood Plan.
- 6.2 The Neighbourhood Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the saved strategic policies in the Core Strategy and meets relevant EU obligations.
- 6.3 It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.