

Basic Conditions Statement

- 1.1. This Basic Conditions Statement has been prepared in support of the Newborough Neighbourhood Development Plan (NNDP) and demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012. The regulations require that a Neighbourhood Plan deals with planning matters (i.e. the use and development of land), is submitted by a qualifying body, covers a stated Plan Period and identifies a designated Neighbourhood Area.
- 1.2. The core basic conditions for Neighbourhood Plans, as required by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), are as follows:
- having regard to national policies and advice contained in the National Planning Practice Guidance.
 - the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - the making of the neighbourhood 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).
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Newborough Neighbourhood Development Plan (NNDP)

Basic Condition	Statement	Reference/Evidence
<p>The plan related to the use and development of land and does not include excluded development</p>	<p>The NNDP relates to planning matters (the use and development of land) and does not deal with 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. Policies within the plan seek to control development of a variety of types including residential, leisure / tourism and employment uses. Where relevant policies within the plan make reference to permitted development, however, given the wealth of heritage assets within the area covered by the plan, in many cases these rights are not permitted on many of the properties.</p>	<p><i>See submission draft plan</i></p>
<p>The NNDP is being submitted by a qualifying body</p>	<p>The NNDP is submitted by Newborough Parish Council, which is a qualifying body as defined by the Localism Act 2011. Newborough Parish Council were confirmed by ESBC as the designated authority in December 2012.</p>	<p><i>See submission draft plan</i></p>
<p>The NNDP covers a stated plan period</p>	<p>The NNDP covers a Plan Period from 2016 to 2031, a period of 15 years. This period is commensurate with the East Staffordshire Local Plan (2015) which has an identical end date.</p>	<p><i>See submission draft plan</i></p>

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<p>The NNDP covers a designated Neighbourhood Area</p>	<p>The NNDP covers a Neighbourhood Area, as designated by ESBC in December 2012. The Neighbourhood Area relates only to the Parish of Newborough and does not include in whole or part any other Neighbourhood Area. It is the only Neighbourhood Development Plan in the designated area and no other NDP exists or is emerging for any part of the designated area.</p>	<p>Appendix 1– Designated Neighbourhood Area</p>
<p>The NNDP is in conformity with the NPPF</p>	<p>In order to ensure that the NNDP conforms to the NPPF an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies all link back into the core aims of the NPPF thus fully supporting the strategy established at the national level. As previously noted this document does not consider minerals and waste planning and as such there can be no contribution made by any policies to this topic. However, by the same effect, the plan is not considered to conflict with possible minerals and waste planning.</p>	<p>Appendix 2 – Assessment of Compliance table (Table 1)</p>
<p>The NNDP contributes to sustainable development as set out by the NPPF</p>	<p>The policies within NNDP promote sustainable development, as set out in the NPPF. Paragraph 7 of the NPPF sets out sustainable development as consisting of the following factors:</p> <ul style="list-style-type: none"> • to contribute to building a strong, responsive and competitive economy, 	<p>Appendix 2 – Assessment of Compliance table (Table 1)</p>

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	<ul style="list-style-type: none"> • to support strong, vibrant and healthy communities; and • to contribute to protecting and enhancing the natural, built and historic environment. <p>As demonstrated in Appendix 2 (Table 1) the NDP is compliant with the NPPF which has an overarching aim of promoting sustainable development in terms of economic, social and environmental issues. Policies all help deliver one or more element of the ‘sustainable development’.</p>	
<p>The NNDP is in conformity with ESBC Local Plan (2012-2031)</p>	<p>In order to ensure that the NNDP conforms to East Staffordshire Borough Council Adopted Local Plan an Assessment of Compliance has been undertaken. Neighbourhood Policy 1 of the Local Plan sets out, for the purposes of Neighbourhood Planning what are considered to be the strategic policies to meet this basic condition. The table (Appendix 2) demonstrates where the final proposed policies link back into the core aims of the Adopted Local Plan thus fully supporting the strategy established at the Borough level. It should be noted given the nature and location of the NNDP the plan is unable to contribute to policies pertaining to policy SP13 on Burton and Uttoxeter Employment Land and Policy SP20 Town Centres and Local Centres, but there is nothing within the plan that would undermine the primacy of the key retail and employment centres.</p>	<p>Appendix 2 – Assessment of Compliance table (Table 2)</p>

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<p>The NNDP is in conformity with the appropriate EU regulations</p>	<p><i>Habitats Regulations:</i></p> <p>It is not envisaged that any of the development that would be consented by this framework will have an effect on any habitats covered by Natura 2000 and therefore the subject of Articles 6 & 7 of the Habitats Directive. It is not envisaged that any of the proposals covered in this plan would affect either of these designated areas. This position is confirmed by the SEA Screening Opinion sought by the Borough Council based on the draft plan.</p> <p><i>Environmental Impact:</i></p> <p>The scale of development for which the NNDP provides the framework for consent is particularly small scale and as such it is unlikely that there would be any effects that could be described as ‘significant’ when measured against Article 3.5. The document is the lowest level of plan adopted within the LPA area, and does not influence the preparation of other plans. It is designed to promote sustainable development - in line with guidance contained in the National Planning Policy Framework.</p> <p>It’s not envisaged that over the 16 year life span (to 2031) that the supported development in the Development Plan would individually or cumulative have a significant affect when measured against the thresholds within Article 3.5.</p>	<p><i>See SEA Screening Opinion Report prepared by ESBC and submitted with this plan.</i></p> <p><i>Further details concerning the environmental impact are considered within the accompanying Sustainability Appraisal and the significance of likely effects have been tested as part of the SEA Screening Opinion sought by ESBC.</i></p>
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	<p><i>Human rights:</i></p> <p>The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.</p>	
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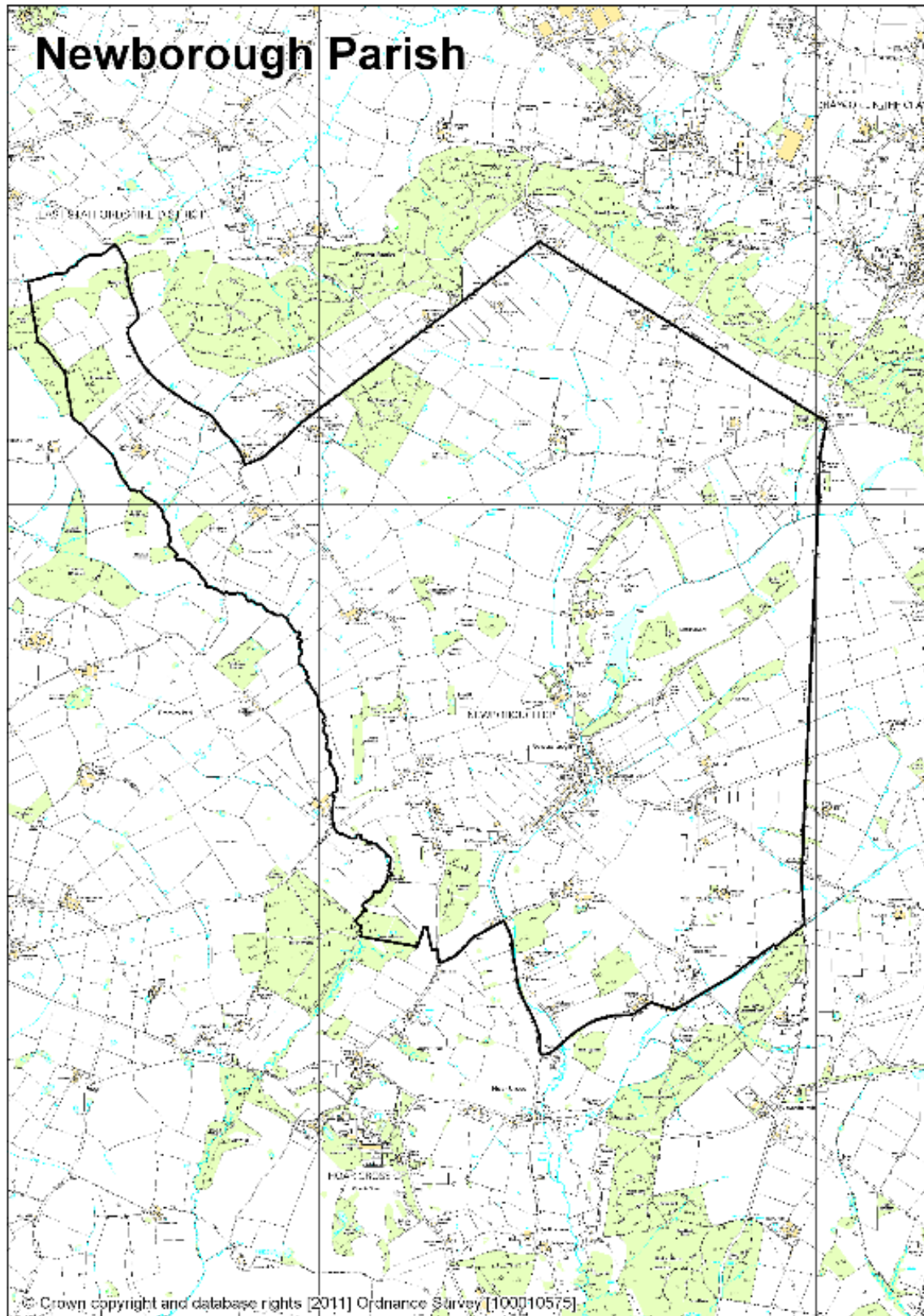
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Appendices:

Appendix 1– Designated Neighbourhood Area

Appendix 2 – Assessment of Compliance Table

Newborough Neighbourhood Development Plan (NNDP)



Appendix 1: Designated Neighbourhood Area of Newborough.

Appendix 2 - Assessment of Compliance Table

Table 1 - Assessment of Compliance Table - NPPF

	✓ Complies	~ Not applicable	x A conflict may occur											
National Planning Policy Framework	1 - Building a strong, competitive economy	2 - Ensuring the vitality of town centres	3 - Supporting a prosperous rural economy	4 - Promoting sustainable transport	5 - Supporting high quality communications infrastructure	6 - Delivering a wide choice of high quality homes	7 - Requiring good design	8 - Promoting healthy communities	9 - Protecting Green Belt Land	10 - Meeting the challenge of climate change, flooding and coastal change	11 - Conserving and enhancing the natural environment	12 - Conserving and enhancing the historic environment	13 - Facilitating the sustainable use of minerals	
Policies														
Strategic Policy														
SP1: Sustainable Development	~	~	~	~	~	~	✓	✓	✓	✓	✓	~	~	
SP2: Rivers Management and Flood Risk	~	✓	~	~	~	~	✓	✓	~	✓	✓	~	~	
SP3: Communication Infrastructure	~	✓	~	~	✓	~	✓	✓	~	~	~	~	~	
SP4: Heritage & Design	~	✓	~	~	~	~	✓	✓	~	~	~	✓	~	
Housing and Employment														
HE1: Employment	✓	✓	✓	✓	~	~	~	✓	~	~	~	✓	~	
HE2: Number and Type of New Housing	~	✓	~	~	~	~	✓	✓	~	~	~	✓	~	
HE3: Location of New Dwellings	✓	✓	✓	✓	~	~	~	✓	✓	✓	✓	✓	~	
HE4: Design for New Residential Devt	~	✓	~	~	~	✓	✓	~	~	✓	~	✓	~	
Community Facilities														
CF1: Community Facilities & Services	✓	✓	✓	✓	~	~	✓	✓	~	~	~	✓	~	
CF2: Open Space & Recreation	~	✓	~	~	~	~	✓	✓	~	~	~	✓	~	
CF3: Landscape & The National Forest	~	✓	~	~	✓	✓	~	✓	~	✓	✓	~	~	
CF4: Renewable Energy	~	~	~	✓	~	~	~	✓	~	✓	✓	~	~	
Transport and Access														
TA1: Public Transport	✓	✓	~	✓	~	~	✓	✓	~	~	~	~	~	
TA2: Public Realm & Traffic Management	~	✓	~	✓	~	~	✓	✓	~	~	~	~	~	
TA3: Footpaths & Leisure Routes	~	✓	~	✓	~	~	✓	✓	~	~	~	~	~	
TA4: Parking	✓	✓	~	✓	~	~	✓	✓	~	~	~	~	~	

Table 2 - Assessment of Compliance Table - ESBC Local Plan

	✓ Complies	~ Not applicable	x A conflict may occur											
East Staffordshire Local Plan Strategic Policies (as identified in Policy NP1)	P1 - Principle of Sustainable Development	SP1 - East Staffordshire Approach to Sustainable Development	SP2 - Settlement Hierarchy	SP3 - Provision of Homes and Jobs (2012-2031)	SP4 - Distribution of Housing Growth (2012-2031)	SP5 - Distribution of Employment Growth (2012-2031)	SP8 - Development Outside Settlement Boundaries	SP13 - Burton and Uttoxeter Existing Employment Land Policy	SP14 - Rural Economy	SP16 - Meeting Housing Needs	SP17 - Affordable Housing	SP18 - Residential Development on Exceptions Sites	SP20 - Town and Local Centres Hierarchy	SP32 - Outdoor Sports and Open space
Policies														
Strategic Policy														
SP1: Sustainable Development	✓	✓	✓	✓	✓	✓	✓	~	~	✓	✓	✓	~	~
SP2: Rivers Management and Flood Risk	✓	✓	✓	✓	✓	~	✓	~	~	✓	~	~	~	~
SP3: Communication Infrastructure	~	✓	~	~	~	~	✓	~	~	~	✓	~	~	~
SP4: Heritage & Design	✓	✓	✓	✓	✓	~	✓	~	~	✓	~	✓	~	~
Housing and Employment														
HE1: Employment	✓	✓	✓	✓	~	✓	✓	~	✓	~	~	~	~	~
HE2: Number and Type of New Housing	✓	✓	✓	✓	✓	~	~	~	~	✓	✓	✓	~	~
HE3: Location of New Dwellings	✓	✓	✓	✓	✓	~	✓	~	~	✓	✓	✓	~	~
HE4: Design for New Residential Devt	✓	✓	✓	✓	✓	~	~	~	~	✓	✓	✓	~	~
Community Facilities														
CF1: Community Facilities & Services	✓	✓	~	~	~	~	✓	~	✓	~	~	~	~	✓
CF2: Open Space & Recreation	✓	✓	~	~	~	~	✓	~	~	~	~	✓	~	✓
CF3: Landscape & The National Forest	✓	✓	~	~	~	~	✓	~	~	~	~	~	~	✓
CF4: Renewable Energy	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Transport and Access														
TA1: Public Realm & Traffic Management	✓	✓	~	~	~	~	✓	~	~	~	~	~	~	~
TA2: Footpaths & Leisure Routes	✓	✓	~	~	~	~	✓	~	~	~	~	~	~	~
TA3: Parking	✓	✓	~	~	~	~	✓	~	~	~	~	~	~	~