

DRAFT BASIC CONDITIONS STATEMENT

for the delivery of

Shobnall Neighbourhood Plan

Shobnall Parish Council

September 2016



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1. Basic Conditions Statement

1.1. This Basic Conditions Statement has been prepared in support of the Shobnall Neighbourhood Plan 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:

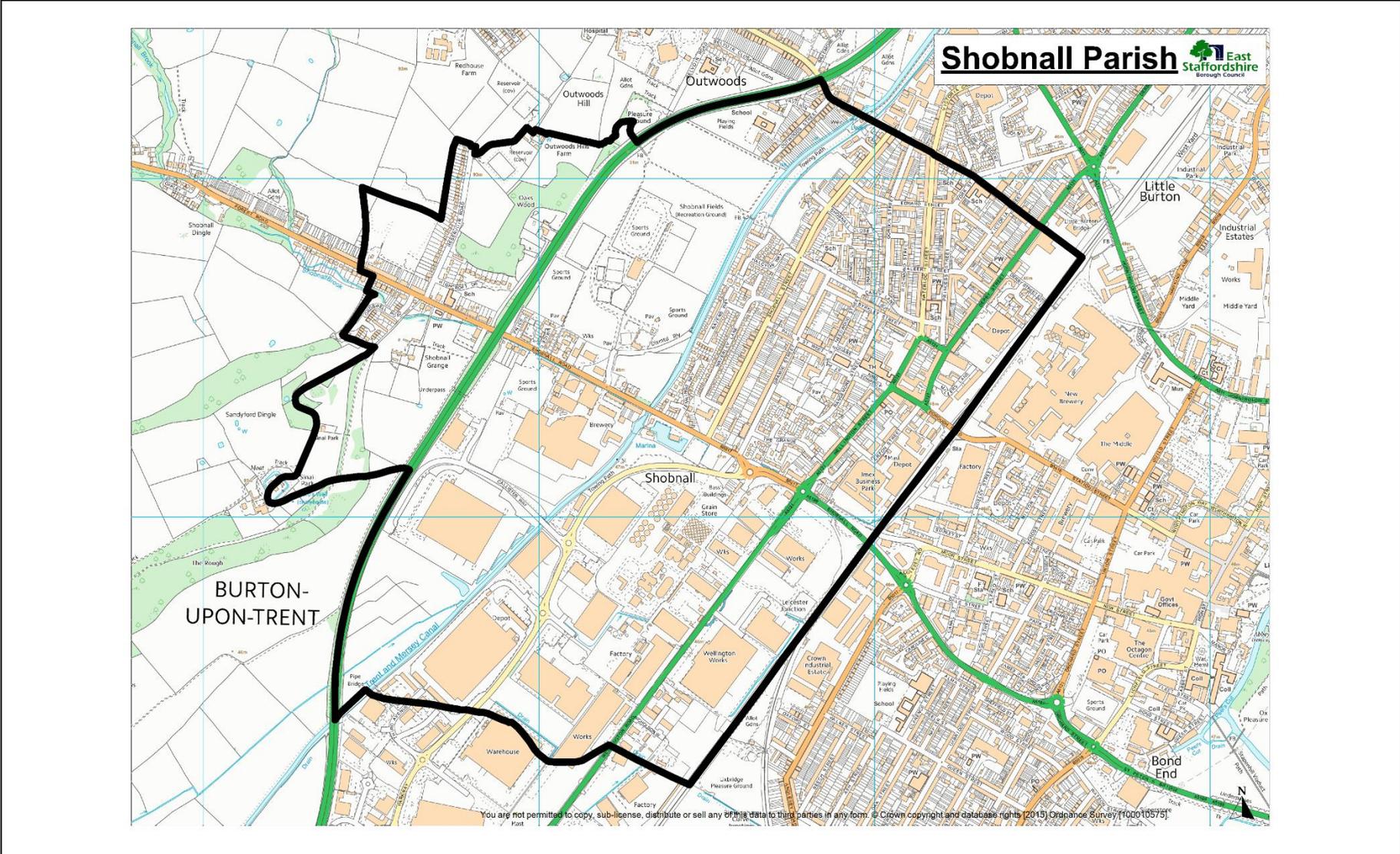
- Having regard to national policies and advice contained in the National Planning Practice Guidance.
- The making of the neighbourhood plan contributes to the achievement of sustainable development.
- The making of the neighbourhood plan is in general conformity with the strategic policies contained 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.

Basic Condition	Statement	Reference/Evidence
What is being proposed is a Neighbourhood Plan	The Shobnall Neighbourhood Plan relates to planning matters (the use and development of land) and 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 neighbourhood plan is being submitted by a qualifying body	The neighbourhood plan is submitted by Shobnall Parish Council, which is a qualifying body as defined by the Localism Act 2011.	
The neighbourhood plan covers a stated plan period	The neighbourhood plan covers a Plan Period from 2016 to 2027, a period of 12 years.	Section 1.7
The neighbourhood plan covers a designated Neighbourhood Area	The neighbourhood plan covers a Neighbourhood Area, as designated by East Staffordshire Borough Council in March 2015. The Neighbourhood Area relates only to the Parish of Shobnall and does not include in whole or part any other Neighbourhood Area. It is the only Neighbourhood Plan in the designated area and no other NDP exists or is emerging for any part of the designated area.	Appendix 1 – Designated Neighbourhood Area
The neighbourhood plan is in conformity with the NPPF	In order to ensure that the neighbourhood plan 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.	Appendix 2 – Assessment of Compliance table
The neighbourhood plan contributes to sustainable development as set out by the NPPF	<p>Objectives A, B, C, D of the neighbourhood plan set out the broad ways in which the plan seeks to achieve sustainable development in Shobnall.</p> <p>Multiple policies in the neighbourhood plan promote sustainable development as set out by the NPPF. Paragraph 7 of the NPPF sets out the role of the planning system in supporting sustainable development as being:</p> <p><i>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;</i></p>	Appendix 2 – Assessment of Compliance table

	<p><i>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; and</i></p> <p><i>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.</i></p> <p>The following policies in particular will support the fulfilment of these roles:</p> <p>Policy 1...</p> <p>Policy 2...</p> <p>Policy 3...</p>	
<p>The neighbourhood plan is in conformity with the East Staffordshire Borough Council Local Plan</p>	<p>In order to ensure that the neighbourhood plan conforms to the East Staffordshire Local Plan, an Assessment of Compliance has been undertaken. The table demonstrates how all of the final proposed policies link back into the core aims of the Local Plan, thus fully supporting the district level strategic plan.</p>	<p>Appendix 2 – Assessment of Compliance table</p>
<p>The neighbourhood plan is in conformity with the appropriate EU regulations</p>	<p>Habitats Regulations 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.</p> <p>Environmental Impact The scale of development for which the neighbourhood plan provides the framework for consent (further than that already allocated by East Staffordshire) is 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</p>	

	<p>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>The document has a 12 year lifespan (to 2027) and supports the delivery of community and leisure facilities, residential, retail and office development, low carbon energy schemes, and burial grounds. It is not envisaged that the level of development proposed would individually or cumulatively have a significant affect when measured against Article 3.5.</p> <p>Human Rights 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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Appendix 1 – Designated Neighbourhood Area



Appendix 2 – Assessment of Compliance Table

The proceeding table outlines the policy links and the general conformity of the Shobnall Neighbourhood Plan with the East Staffordshire Borough Council Local Plan and the NPPF, considered material considerations in the determination process.

Policies of the Shobnall Neighbourhood Plan	East Staffordshire borough council Local Plan (2012-2031)	National Planning Policy Framework (2012)
Transport and Highways Policies		
T1: Transport Assessment	page 162- specific policy 35	Chapter 4
T2: Highway Design and Traffic Calming	page 162- specific policy 35	Chapter 4
T3: Travel Planning	page 162- specific policy 35 Sp12	Chapter 4: paragraph 32,34, 35,36
T4: Traffic Management	page 162- specific policy 35 SP12	Chapter 4
T5: Parking	page 162- specific policy 35	Chapter 4, Paragraph 39,40
T6: Sustainable Transport	page 162- specific policy 35 SP12	chapter 4: paragraphs 29,30,32 ,35
T7: Cycling and Pedestrian Routes	page 162- specific policy 35 Sp12 Sp23	chapter 4, para 35 & 75
Housing and Development Policies		
HD1: Developer Contributions	SP1, SP3, SP12, SP11, DP1	chapter 12, Para 173,175 chapter 6, para 55, 52

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HD2: Housing Design Quality	SP8, SP12, DP1, DP2	chapter 7
HD3: Housing Mix	SP12, SP 16, SP17	Chapter 6, para 50
HD4: Development Sites	SP1, SP2, SP4, SP8, SP12, SP5, SP11, DP1	chapter 6: paragraph 49 &52
HD5: Character Areas	SP1, SP2, SP7, SP12	Chapter 7
Community Services Policies		
CS1: Sports, Leisure and Community Facilities	SP7, SP8, SP10, Sp12, sp11, sp32, SP33, SP34	Paragraph 70 ,73,74,89
CS2: Medical Facilities	SP 7, SP9, SP12, SP22	Chapter 3, para 28
Shops and Businesses policies		
SB1: Shopfront Design Quality	SP21, SP24	chapter 1: Paragraph 23
SB2: Empty Commercial Premises	SP21, SP13, SP14	
SB3: Business Development Areas	SP13, SP21, SP11	Chapter 1
Built Environment and Heritage Policies		
BH1: Protecting Shobnall's Heritage	sp21, sp23, SP25, DP1, DP5, DP6	Chapter 12
BH2: Sustaining Shobnall's Heritage	sp23, SP25, DP1, DP5, DP6	Chapter 12
Green Spaces and the Natural Environment Policies		
GN1: Local Green Spaces and the Natural Environment	Sp23, SP24, SP26, SP29, SP30, DP8	Chapter 8: paragraph 74 ,76, Chapter 9, Chapter 11

GN2: Allotments		paragraph 111
GN3: Open Space in New Development	Sp23, SP26, SP29, SP31 DP1	Chapter 11