

# Corby Glen Neighbourhood Plan

## BASIC CONDITIONS STATEMENT



**Submission Version (January, 2023)**

***The Basic Conditions are that the Neighbourhood Plan:***

- 1. Must have appropriate regard for national policies and guidance; issued by Secretary of State.*
- 2. Must contribute to the achievement of sustainable development.*
- 3. Must be in general conformity with the strategic policies contained in the Local Plan for the area.*
- 4. Does not breach, and is otherwise compatible with, EU Obligations.*
- 5. Must meet prescribed conditions, and comply with them, in relation to what is being proposed.*

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## 1. About the Corby Glen Neighbourhood Plan

1.1 This Basic Conditions Statement has been prepared to accompany the Corby Glen Neighbourhood Plan (NP). Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 requires that Neighbourhood (Development) Plans must meet the following basic conditions:

- the Draft NP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework July 2021 (NPPF);
- the Draft NP must contribute to the achievement of sustainable development;
- the Draft NP must be in general conformity with the strategic policies in the development plan for the area of the local planning authority, in this case the South Kesteven Local Plan (2020) and the adopted Minerals and Waste Plans of Lincolnshire County Council.
- the Draft NP must meet the relevant EU obligations; and
- The Draft Plan must meet prescribed conditions, and prescribed matters must be complied with, in relation to what is being proposed

1.2 The Corby Glen Neighbourhood Plan is being submitted by Corby Glen Parish Council as the qualifying body. It covers the whole of the parish, and the map overleaf shows the extent of the Neighbourhood Area and Plan boundary. The Neighbourhood Plan area includes the hamlet of Birkholme.

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

1.4 In accordance with the Neighbourhood Planning Regulations (as amended) 2012, an application for designation was submitted to South Kesteven District Council (SKDC) in January 2018.

1.5 The application was approved by SKDC on 24<sup>th</sup> January 2018 and the Neighbourhood Plan Area is shown in the figure below.



1.6 The Draft Corby Glen NP was made available for consultation to the community and external stakeholders for just over six weeks (in accordance with Regulation 14 of the Neighbourhood Plan Regulations) from Monday 7<sup>th</sup> February 2022 to Monday 21<sup>st</sup> March 2022. Amendments have been made to the Neighbourhood Plan based on the comments received and these are summarised in the separate Consultation Statement.

1.7 The plan proposal relates to planning matters (the use and development of land) 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 (as amended) 2012.

1.8 The Corby Glen NP covers the period 2022 until 2036. It does not deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61(k) of the Town and Country Planning Act 1990.

## **2. Conformity with National Planning Policies**

2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. The NPPF provides a framework within which local communities can produce Neighbourhood Development Plans for their area and sets out how planning should help achieve sustainable development.

2.2 Sections 12-37 of the NPPF refer to Local and Neighbourhood Plans and requires them to have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the Local Plan. The Localism Act explains that this is the ‘adopted Development Plan’.

2.3 This section demonstrates that the Corby Glen NP has had regard to the relevant sections of the NPPF. The Neighbourhood Plan sets out a Vision, eleven Issues/Objectives, twenty formal Planning Policies and a number of associated community aspirations. The latter are, however, informal and are not considered in this Basic Conditions Statement.

### **Vision and Objectives**

2.4 The Vision and Objectives are summarised in Table 1 below, alongside the NPPF paragraphs that they relate to.

**Table 1: Neighbourhood Plan Vision and Objectives - conformity with the NPPF**

<b>Neighbourhood Plan</b>	<b>NPPF (Paragraph Numbers)</b>
<p><b>Vision</b></p> <ul style="list-style-type: none"> <li>• To ensure that Corby Glen remains a thriving village which can meet the future needs of its residents, in terms of housing, economic growth and communal facilities.</li>   <li>• To protect the architectural heritage, community assets and rural setting of Corby Glen, such that it provides an attractive, healthy and sustainable environment in which to live, work and visit.</li> </ul>	<p>All, but in particular:</p> <p>8 Setting out the three principles of achieving sustainable development.</p> <p>126 to 136 Achieving well-designed places.            189 to 208 Conserving and enhancing the historic environment.            174 to 182 Conserving and enhancing the natural environment.</p>

<b>Objectives</b>	<b>NPPF (Paragraph Numbers)</b>
1. To develop maintain and enhance the amenities and services appropriate for a vibrant and sustainable large village.	126 to 136 Achieving well-designed places. 92 to 103 Promoting healthy and safe communities.
2. To ensure that future housing needs of the community are met through residential developments that are appropriate in location, size and character, and provide a range of housing types.	126 to 136 Achieving well-designed places. 189 to 208 Conserving and enhancing the historic environment
3. To support business development (including the visitor economy).	8 Achieving Sustainable Development 84 and 85 Supporting a prosperous rural economy.
4. To protect and enhance the built environment and open spaces of the village.	174 to 182 Conserving and enhancing the natural environment. 92 to 103 Promoting healthy and safe communities.
5. To protect the rural setting of Corby Glen and Birkholme and maintain access to the surrounding countryside.	174 to 182 Conserving and enhancing the natural environment.
6. To encourage sustainable development (in terms of carbon emission, resource use and impact on the natural environment).	8 Achieving Sustainable Development 174 to 182 Conserving and enhancing the natural environment.
7. To promote opportunities for a healthy lifestyle.	92 to 103 Promoting healthy and safe communities.

### Formal Planning Policies

2.5 Each of the Planning Policies (CG1 to CG20) has been considered in relation to the relevant sections of the NPPF as summarised in Table 2 below. This shows that the Neighbourhood Plan properly reflects national guidance as set out in the NPPF, thereby satisfying the Basic Conditions.

**Table 2: Planning Policies - conformity with the NPPF**

<b>Neighbourhood Plan Policy</b>	<b>NPPF Paragraphs</b>	<b>Comment on Conformity</b>
<i>General Principles</i>		
Policy CG1 - Sustainable Development	All, but in particular: 8 Setting out the three principles of achieving sustainable development. 28, 29 and 30 on Non-Strategic Policies and Neighbourhood Planning.	Achieves sustainable development. Neighbourhood Plans and strategic policies.
<i>Housing</i>		
Policy CG2 - Requirements for the Local Plan housing sites	126 to 136 Achieving well-designed places.	Well-designed places. Ensures infrastructure can accommodate development.

Policy CG3 - Criteria for other new housing sites including design and size	126 to 136 Achieving well-designed places.	Enables locally supported development of an appropriate scale and location. Ensures that design relates to local character.
Policy CG4 - House Extensions & Conversions	126 to 136 Achieving well-designed places.	Ensures that design relates to local character.
<i>Landscape</i>		
Policy CG5 - Landscape Character & Openness	174 to 182 Conserving and enhancing the natural environment.	Conserves and enhances natural environment.
Policy CG6 - Key Views	174 to 182 Conserving and enhancing the natural environment. 126 to 136 Achieving well-designed places.	Achieves well-designed places. Conserves and enhances the natural environment.
<i>Heritage</i>		
Policy CG7 - Designated heritage assets	189 to 208 Conserving and enhancing the historic environment.	Protects heritage assets.
Policy CG8 - The Market Place	189 to 208 Conserving and enhancing the historic environment.	Protecting and enhancing the cultural focal point for the community.
Policy CG9 - Local (non-designated) heritage assets	189 to 208 Conserving and enhancing the historic environment.	Protects heritage assets.
Policy CG10 - Archaeology	189 to 208 Conserving and enhancing the historic environment.	Protects heritage assets.
<i>Open Spaces</i>		
Policy CG11 - Open space and recreation	92 to 103 Promoting healthy and safe communities.	Protects facilities and enables recreation
Policy CG12 - Proposed Local Green Spaces (LGS)*	174 to 182 Conserving and enhancing the natural environment. 189 to 208 Conserving and enhancing the historic environment 92 to 103 Promoting healthy and safe communities.	Meets the criteria for LGS designation (Paras. 101 to 103)
<i>Countryside and Biodiversity</i>		
Policy CG13 - Countryside management	174 to 182 Conserving and enhancing the natural environment.	Recognises and protects the rural setting of Corby Glen.
Policy CG14 - Nature conservation and biodiversity	174 to 182 Conserving and enhancing the natural environment.	Protects the rural setting and valued natural habitats of the Parish.
<i>Community</i>		



Policy CG15 - Community facilities and local services	126 to 136 Achieving well-designed places. 92 to 103 Promoting healthy and safe communities.	Ensures that improved facilities are provided alongside new development.
Policy CG16 – Community Halls	92 to 103 Promoting healthy and safe communities.	Protecting locally important facilities
<i>Business</i>		
Policy CG17 - Local businesses and employment	8 Achieving Sustainable Development. 84 and 85 Supporting a prosperous rural economy.	Enabling appropriate local business development.
Policy CG18 - Telecommunications & broadband	8 Achieving Sustainable Development 84 and 85 Supporting a prosperous rural economy.	Supports business development and education.
<i>Transport</i>		
Policy CG19 - Transport & active travel	104 to 113 Promoting Sustainable Transport.	Improved access to village centre, school etc.
Policy CG 20 - Countryside access and rights of way	104 to 113 Promoting Sustainable Transport.	Enables local recreation

\*It should be noted that LGS and open spaces are different designations in their own right (i.e. LGS do not always have to be “open spaces” for example they can include areas of environmental interest, historical monuments etc.)

### 3. Contribution to the achievement of Sustainable Development

3.1 The NPPF has a presumption in favour of sustainable development i.e. ensuring a better life for residents and making the quality of life better for future generations. The NP supports the NPPF in enabling positive sustainable growth in the village, at the same time as protecting the heritage, landscape and community qualities which are valued by local people. The NP will ensure economic, environmental and social progression for future generations. It has been prepared with a central understanding that the key areas it addresses (the environment, economy and the community), are all closely linked. The policies aim to facilitate change whilst protecting what is highly valued in the community.

### 4. General Conformity with Strategic Local Policy

4.1 The Corby Glen Neighbourhood Plan has been prepared with advice from the planning officers of South Kesteven District Council. This has ensured that the process of developing the policies for the plan has been scrutinised in terms of conformity with strategic policies. The Development Plan is the South Kesteven Local Plan adopted in January 2020 (and the adopted Minerals and Waste Plans of Lincolnshire County Council).

Table 3 (below) shows how the Corby Glen NP is in general conformity with the strategic policies in the Local Plan. In accordance with the Regulations, the Neighbourhood Plan does not contain policies on minerals. Consequently, the Minerals and waste Local Plans are not included in the table.

<b>Neighbourhood Plan Policy</b>	<b>Local Plan Policy</b>	<b>Comments on Conformity</b>
<i>General Principles</i>		
Policy CG1 - Sustainable Development	SD1	Promotes the principles of sustainable development and sustainable buildings.
<i>Housing</i>		
Policy CG2 - Requirements for the Local Plan housing sites	H1: LV-H5	Promotes well-designed places. Requires investment in infrastructure alongside new development.
Policy CG3 - Criteria for other new housing sites including design and size	SP2, SP3 SP4 and DE1	Enables locally supported development of an appropriate scale and location. Ensures that design relates to local character.
Policy CG4 - House Extensions & Conversions	DE1 and SB1	Requires high quality sustainable design contributing to local character & amenity.
<i>Landscape</i>		
Policy CG5 - Landscape Character & Openness	EN1 and E7	Requires new development to respect landscape character (adding local/NP criteria).
Policy CG6 - Key Views	EN1 and E7	Requires new development to respect the character of the landscape and built environment (adding local/NP criteria).
<i>Heritage</i>		
Policy CG7 - Designated heritage assets	EN6	Protects nationally recognised heritage assets.
Policy CG8 - The Market Place	EN6	Includes specific, location based, requirements adding value to the general protection afforded to designated heritage assets.
Policy CG9 - Local (non-designated) heritage assets	EN6	Protects identified local heritage assets.
Policy CG10 - Archaeology	EN6	Protects and enhancing heritage assets, including archaeological sites.
<i>Open Spaces</i>		
Policy CG11 - Open space and recreation	EN3 and OS1	Protects existing Green open spaces and facilities.
Policy CG12 - Proposed Local Green Spaces	EN3 and OS1	Protects (with landowner agreement) important community spaces that satisfy the NPPF LGC criteria, recognising that LGS and open spaces are different designations in their own right.
<i>Countryside and Biodiversity</i>		



Policy CG13 - Countryside management	EN1 and EN2	Maintains landscape character and protects biodiversity and geodiversity.
Policy CG14 - Nature conservation and biodiversity	EN2	Protects biodiversity and geodiversity.
<i>Community</i>		
Policy CG15 - Community facilities and local services	SP6	Ensures that improved facilities are provided alongside new development.
Policy CG16 – Community Halls	SP6	Protects locally important facilities.
<i>Business</i>		
Policy CG17 - Local businesses and employment	E5, E7 and RE1	Enables appropriate local business expansion & to ensure rural development is sustainable and respects its setting.
Policy CG18 - Telecommunications & broadband	ID3	Enables the enhancement of information communications networks.
<i>Transport</i>		
Policy CG19 - Transport & active travel	ID2	Protects and enhances walking, cycling and horse riding routes. Improved access to village centre, school etc.
Policy CG 20 - Countryside access and rights of way	ID2	Protect and enhances walking, cycling and horse-riding routes.

## 5. Compatibility with EU Obligations (inc. SEA Screening) and other Prescribed Conditions

5.1 South Kesteven District Council have undertaken a screening and has concluded that a Strategic Environmental Assessment was not required because the Neighbourhood Plan is not likely to have a significant impact on the environment (See Corby Glen Neighbourhood Plan Sustainability Appraisal/ Strategic Environmental Assessment & Habitat Regulations Assessment Screening Report September 2022). The conclusion from the report is set out below and the full report is one of the documents submitted in support of the Neighbourhood Plan.

### 5.2 SEA Screening Outcome

The following is reproduced from the SEA Screening Report (see Section 7 of the report):

*7.1 Having reviewed the environmental characteristics of the CGNP area and the vision, objectives and policies against the criteria set out in Section 5 of this report, SKDC consider it is unlikely that there will be any significant environmental effects arising from the CGNP and thus the CGNP can be screened out for further SEA.*

*7.2 Section 5 of this report also indicates that there are unlikely to be any significant effects on a designated Natura 2000 site arising from the implementation of the CGNP, and therefore further HRA assessment under the Habitats Regulations can be screened out.*

*7.3 The CGNP does not allocate any land or sites for development but provides guidance to be used to determine applications should they come forward. The policies in the CGNP generally accord with the adopted South Kesteven Local Plan, the potential environmental effects of which were duly assessed during the plan-making process through SA/SEA and HRA assessments.*

*7.4 A number of the CGNP policies are particularly environmentally conscientious and address environmental issues positively by seeking to improve the quality of new development to reduce its impacts on the environment. For example, the CGNP includes policies that: encourage active travel and travel by modes other than the car, seek to protect the surrounding landscape character and setting of the parish area, seek to preserve or enhance heritage assets and their settings, and seek to protect and enhance biodiversity and open green spaces.*

*7.5 To take an alternative approach, such as preparing evidence bespoke to the CGNP, would be disproportionate and result in unnecessary duplication. This would be contrary to national planning policy.*

*7.6 In the event that the objectives, aims and/or policies covered by the CGNP should change significantly during the plan-making process, this screening process will be reviewed.*

5.2 The document was subject to a formal consultation with Historic England, Natural England and the Environment Agency and each of these organisations agreed with the conclusion reached by the South Kesteven District Council.

5.3 The Screening Report also considered the need (or not) for a Habitat Regulations Assessment. It was concluded that the Neighbourhood Plan is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations. Again, the consultees agreed with that conclusion and consequently such an assessment has not been required by South Kesteven District Council.

5.3 The Neighbourhood Plan has regard to the fundamental rights and a freedom guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

## **6. Conclusion**

6.1 It is the view of Corby Glen Parish Council that the Neighbourhood Development Plan has shown that it meets the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act.

6.2 The Plan has given appropriate regard to the NPPF and will contribute to the achievement of sustainable development. In addition, is in general conformity with strategic policies contained in the Development Plan (the South Kesteven Local Plan, adopted in 2020). It also meets the relevant EU obligations.