

Leicester Forest East
Neighbourhood Plan
2006-2028
Statement of Basic
Conditions

Contents

1.0	Introduction.....	Page 2
2.0	Legal Requirements.....	Page 3
3.0	The Basic Conditions.....	Page 4
4.0	Conclusion.....	Page 12

1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Leicester Forest East 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 Leicester Forest East 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 2006 until 2028. The period has been chosen to align with that of the Blaby Local Plan review.

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 Blaby District Council on 27 May 2016. 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 saved strategic policies contained in the Blaby Local Plan (Core Strategy) adopted in February 2013.

Having regard to national policies and advice

3.2 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.

3.3 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 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 Spaces and biodiversity.

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

- 3.4 The Neighbourhood Plan has been prepared in general conformity with the saved strategic policies of the Blaby Core Strategy adopted in 2013.
- 3.5 Table 1 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the saved Strategic Policies of the Blaby Core Strategy adopted in 2013 and have regard for the National Planning Policy Framework.

<i>Leicester Forest East Neighbourhood Plan policies</i>	<i>NPPF para</i>	<i>Regard to National Planning Policy</i>	<i>General Conformity with Blaby Local plan (core strategy) Adopted in 2013</i>
Policy H1: Residential Site Allocations	7, 10, 11	Inclusion of a housing target supports ‘the presumption in favour of sustainable development’ by providing for the strategic development needs set out in the Core Strategy and updated in the evidence being gathered for the emerging Local Plan.	The neighbourhood plan has considered the latest and up-to-date evidence of housing need used to inform the Core Strategy and delivery DPD. This policy is in general conformity with the delivery DPD which allocates sites within the parish at Grange Farm and Webb Close
Policy H2: Limits to Development	9, 11, 79,	<p>Actively managing patterns of growth, within the Settlement Boundary 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.</p> <p>One of the core principles of the NPPF is to recognise and protect the intrinsic character and beauty of the countryside. The policy accords with the NPPF in its control of development outside the defined Settlement Boundary (in the open countryside).</p>	<p>The Blaby delivery DPD includes ‘settlement boundaries, within which, subject to certain criteria, a general presumption in favour of development will be applied. The Neighbourhood Plan seeks to update this boundary to reflect housing allocations and thus is in general conformity with the Local plan.</p> <p>Policy H2 is in general conformity with the Core Strategy and the Site Allocations and Development Management Policies DPD which identifies Settlement Boundaries to prevent the unregulated encroachment of development into the countryside.</p>
Policy H3: Housing Mix	62, 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.	Core Strategy policy CS8 promotes a mix of housing based on local evidence of need, as demonstrated in the LFE Neighbourhood Plan.
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 through amongst other things, supporting affordable housing where there is an identified need	Core Strategy policy CS7 identifies a lower level of affordable housing provision than that within the Neighbourhood Plan .However, policy CS7 states a strategic objective to ‘optimise the provision of affordable housing to meet local needs’ which the Neighbourhood Plan seeks to achieve through providing for greater levels of affordable housing to address historic shortfalls in provision, where viable.
Policy H5: Design	8, 28, 110, 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	Core Strategy policy CS2 seeks to provide high quality in design, as does the neighbourhood plan.

		the local surroundings. Importantly the policy does not impose architectural styles and hence does not stifle an innovative approach.	
Policy ENV 1: Local Green Spaces	99 - 101	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 Core Strategy objective of protecting the district’s distinctive landscapes and green infrastructure (policy CS19) where it states ‘The District of Blaby has a number of sites of ecological and geological importance of national, regional and local level significance, which the Council will seek to safeguard and enhance’. Policy CS14 seeks to explore the use of local green space designations to identify areas for special protection.
Policy Env 2: Local heritage assets of historical and architectural interest	79, 184, 185		
Policy ENV 3: Biodiversity and Wildlife Corridor.	184	The policies seek 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.	The Local Plan seeks to support developments that protect biodiversity (policy CS 13). 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 Core Strategy overarching principles
Policy ENV 4: Sites of high Environmental Significance,	184	These policies seek to protect other open space with environmental and historic 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 support developments that protect biodiversity (policy CS 19). 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 Core Strategy overarching principles
Policy CF1: Retention of Community Facilities and Amenities	20, 28, 83, 92, 182,	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 CF1 is in general conformity with the Core Strategy which recognises the importance of community facilities in the provision of sustainable development and seeks (policy CS11) ‘to deliver the infrastructure, services and facilities required to meet the needs of the population’.

Policy CF2: New or Improved Community Facilities	8, 91, 117	In seeking new or improved community facilities, the policy supports the NPPF principle of promoting healthy communities.	
Policy BE1: Support for Existing Employment Opportunities	20, 72, 104 & 121,	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.	A key issue in the Core Strategy is the achievement of employment growth (page 12) and one of the economic objectives is to 'provide the appropriate quantity and mix of employment opportunities' to meet current and future needs
Policy BE2: Support for New Employment Opportunities	20, 72, 104 & 121,	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	104	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.	
Policy E6: Broadband Infrastructure	Section 10	The NPPF advocates planning that supports high quality communications infrastructure.	The Core Strategy recognizes that dependence on the car is an issue within the district (page 10). Policy E6 in supporting the growth of a high-speed communications infrastructure supports efforts to address this concern.
Policy T1: Transport Requirements for new Developments	Section 9	The policies seek to manage potential traffic issues arising from development and has regard for 'promoting sustainable transport' and supporting reductions in greenhouse gas emissions.	Policy T1 is in general conformity with Core Strategy Policy CS 10 which seeks to maximise the efficiency of the local and strategic road network. It supports the mitigation of traffic movements resulting from developments.

	<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 communities'.</p> <p>Protection of public car parking aligns with the NPPF aims of supporting a prosperous rural economy through the provision of safe and accessible developments which encourage the active and continual use of public areas by locals and visitors.</p>	<p>A strategic objective of the Core strategy is to increase the use of walking and to encourage this activity. This is reinforced in Policy CS 10 in promoting walking links to towns and villages.</p>
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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 emerging 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 and protection of important local green space.
 - 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 Blaby District Council with which determined that a full SEA would not be required. The statutory consultees concurred with this conclusion.

Habitats Directive

3.12 Blaby 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 Leicester Forest East 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 saved strategic policies in the Blaby Local Plan 2013 and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Leicester Forest East Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.