

# Leasingham and Roxholm Neighbourhood Plan

## BASIC CONDITIONS STATEMENT

This Basic Conditions Statement conforms to the National Planning Policy Framework (amended July 2021) henceforth referred to as National Planning Policy

This document is the Basic Conditions Statement to accompany the submission version of Leasingham and Roxholm Neighbourhood Plan (LRNP).

The submission of a Basic Conditions Statement alongside a neighbourhood plan is a statutory requirement and it has been compiled following guidance set out in *How to Write a Basic Conditions Statement* and *Approaches to writing a Basic Conditions Statement*, both published by Planning Aid England.

### **Purpose**

The purpose of the Basic Conditions Statement is to demonstrate how the LRNP meets specific legal requirements and satisfies five statutory basic conditions and that the plan is otherwise legally compliant:

1. Having regard to national policies and advice contained in guidance issued by the Secretary of State.
2. The 'making' of the Neighbourhood Plan (NP) contributes to the achievement of sustainable development.
3. The 'making' of the NP 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).
4. The 'making' of the NP does not breach and is otherwise compatible with retained EU obligations.
5. The 'making' of the NP is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) either alone or in combination with other plans or projects<sup>1</sup>.

**(All of the above conform to paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)**

<sup>1</sup> Paragraph 8 (2) of Schedule 4B to the town and Country Planning Act (as amended)

### **Introduction and Background.**

Leasingham and Roxholm Parish Council decided to develop a Neighbourhood Plan (NP) for the village of Leasingham and to include the area of countryside that is Roxholm as the best way of ensuring the Parish had a voice in future developments.

A Steering Group of residents together with three Parish Councillors have developed the LRNP. We engaged widely with residents, organisations and businesses, as set out in the Consultation Statement that accompanies the LRNP.

### **Our vision for 2036 is:**

*"To protect and enhance the character and identity of the Parish of Leasingham and Roxholm and to ensure any development opportunities are sustainable and appropriate to the scale and nature of the Parish, respecting its Rural Agricultural Character".*

### **The LRNP includes 9 policies:**

- Policy 1: Location of Development
- Policy 2: Maintaining Separation
- Policy 3: Character and Design of Future Development
- Policy 4: Heritage Protection
- Policy 5: The Green Environment
- Policy 6: Access to the Countryside
- Policy 7: Local Green Spaces
- Policy 8: Pedestrian Access, Bridleways and Public Rights of Way within Leasingham
- Policy 9: Community Assets

LRNP	COMMENTS SUMMARY OF POLICIES
Policy 1 Location of Development	Development proposals of up to and including 9 homes within the developed footprint of the village and the immediate environs, will be supported provided they meet the conditions contained in the current Local Plan (LP).
Policy 2 Maintaining Separation	Development proposals located in areas between Leasingham and Holdingham that would either visually or physically reduce the separation, or sense of separation, will not be supported.
Policy 3 Character and Design of Future Development	Development must deliver high quality design and be appropriate for the environment of the site and its location. Properties should adhere to single and two-storey designs as they are the predominant buildings in the parish. Plans should be robust and green landscaping appropriate for the site that link in with surrounding green infrastructure. Plans that exhibit outstanding design will be supported in principle where this is appropriate for the context of the site. New residential developments of up to 9 homes will be expected to demonstrate that they have assessed the likely needs of the future generation and have sought, where possible, to address those needs.
Policy 4 Heritage Protection	Proposed developments will be supported where they preserve or enhance the character or appearance of the Parish listed buildings, their setting and any features of special architectural, historic interest, heritage assets and other non-designated heritage assets.
Policy 5 Green Environment	Development proposals should be supported where they demonstrate positively that they retain landscape features, use natural boundaries, protect existing features, plan to enhance biodiversity and improve connectivity to green networks.

<p>Policy 6 Access to the Countryside</p>	<p>Support will be provided where developments show that they propose to maintain and enhance access to the countryside, links to existing footpaths, bridleways and Public Rights of Way (PRoW) as well as improvements to surfaces and signage. However, developments that may have an adverse impact on existing footpaths, bridleways and PRoW will not be supported.</p>
<p>Policy 7 Local Green Spaces</p>	<p>The neighbourhood plan designates 9 local green spaces and any applications for development on identified local green space which would adversely affect their function as an open green space will not be permitted. Development proposals on a local green space will not normally be permitted other than in very special circumstances, in line with national policy.</p>
<p>Policy 8 Pedestrian Access, Bridleways and Public Rights of Way within Leasingham</p>	<p>Development proposals that would obstruct or result in a significant negative impact on the enjoyment of Pedestrian Access and PROWs will not be supported. Proposals that enhance or extend the network should be considered favourably.</p>
<p>Policy 9 Community Assets</p>	<p>Proposals to develop, improve or expand facilities to support social, cultural, economic and physical well-being of the local community will be encouraged and supported provided they are consistent with other policies in this plan and the Local Plan. Note especially that applications that propose leisure facilities for young people will be viewed favourably.</p>

### Legal Requirements

LRNP is submitted by Leasingham and Roxholm Parish Council, which is the qualifying body entitled to submit a Neighbourhood Plan for the Neighbourhood Area.

The Leasingham and Roxholm Neighbourhood Plan Steering Group has prepared the LRNP. The Steering Group was set up by, and reports to, the Leasingham and Roxholm Parish Council.

The LRNP Parish Council applied to North Kesteven District Council on the 13<sup>th</sup> February 2017 to designate the whole parish as a Neighbourhood Plan Area under paragraph 5 of the Neighbourhood Planning Regulations (2012 as amended)

NKDC published our application for the statutory period and made the designation on the 24<sup>th</sup> March 2017.

The LRNP contains policies relating to the development and use of land within the Neighbourhood Area. Proposals relating to planning matters (the use and development of land) have 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 (General) Regulations 2012.

The LRNP identifies the period to which it relates as 2012 to 2036. That period was chosen to align with the dates of the Central Lincolnshire Local Plan (CLLP) 2017. The LRNP includes a process for review and revision.

The LRNP 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 draft Plan relates only to the Parish of Leasingham and Roxholm. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the Neighbourhood Area.

## Basic Conditions 1 – Assessment against National Policy

For the purpose of the NP the National Planning Policy Framework (NPPF) is considered to be the relevant National Policy.

The table below sets out a summary of how each LRNP policy has regard to the NPPF. The paragraphs referred to are the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

No	Policy	NPPF 2021 Ref	Commentary
1	Location of Development	<b>9 11 69 78 80</b>	Development proposals within the built environment and adjoining boundary will be supported provided they meet the conditions contained in LP55 of the local plan (2012-2036), concerning appropriate protection for the best agricultural land. Inclusion of a housing target supports the “presumption in favour of sustainable development” by planning positively, shaping and directing development in accordance with national policy.
2	Maintaining Separation	<b>28 29</b>	Policy 2 seeks to maintain separation between Leasingham and Holdingham as this is vital for the sense of place and maintaining separate village identities. The direction of development away from specific areas will provide sustainable locations and preserve locally important landscapes consistent with Neighbourhood Policy.
3	Character & Design of Future Development	<b>126 128 130-132 134</b>	This policy outlines several principles and supports the national policy principle requiring good design and the need to respond to local character and history. Properties should adhere to single and two storey designs as they are the predominant buildings in the Parish. Plans should be robust and green landscaping appropriate for the sites that link with surrounding green infrastructure.  Plans that exhibit outstanding design will be supported in principle where appropriate for the site. This policy is consistent with national policy contained within the “achieving well designed places” section of the policy framework and it allows for the local application of national policy.

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4	Heritage Protection	<b>190</b> <b>196</b> <b>198</b>	Proposed developments will be supported where they preserve or enhance the character or appearance of the Parish, listed buildings and their settings and any features of special architectural or historic interest and other heritage assets. This is commensurate with their non-designated status and is consistent with national policy.
5	Green Environment	<b>98</b> <b>174</b>	Development should be supported where it can be demonstrated that they retain landscape features and seek to enhance biodiversity features in accordance with national policy. Developers should recognise the intrinsic character of the countryside and protect and enhance existing green spaces. This has regard to the national policy principles of “conserving and enhancing the natural and historic environment”.
6	Access to the Countryside	<b>98</b>	Support will be provided where developments show that they propose to maintain and enhance access within the Parish. It is considered to be consistent with national policy.
7	Local Green Space	<b>99</b> <b>101-103</b>	Policy 7 designates 9 areas as local green spaces (LGS) within the parish. This is in accordance with NPPF policy of allowing communities to identify areas that hold particular significance e.g. recreational value, (including sports venues) wildlife habitats, beauty spots and meeting places that are not extensive tracts of land and are capable of enduring beyond the end of the plan period (2036). Any application which adversely affects the LGS function will not normally be permitted.
8	Pedestrian Access and Public Rights of Way within Leasingham	<b>92</b> <b>97</b>	Policy 8 seeks to protect and enhance PRow's in accordance with national policy. Most of Leasingham has adequate footpaths and pavements and any new development whatever size should provide pedestrian routes to link up with existing paths within the village, and in doing so supports the national policy aims of promoting sustainable transport and healthy communities.
9	Community Assets	<b>187</b>	Policy 9 Proposals to develop, improve or expand facilities to support social, cultural, economic and physical well-being of the local community will be encouraged and supported provided they are consistent with other policies in this plan and the Local Plan. In accordance with national policy, planning policies should ensure that new developments can be integrated effectively with existing businesses and community facilities.

## Basic Conditions 2 – Contributes to the achievement of Sustainable Development

The purpose of the planning system is to contribute towards the achievement of sustainable development.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform several roles:

- *An economic objective – to help build 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, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.*
- *A social objective – to support strong, vibrant and healthy communities, by ensuring the needs of present and future generations; and by fostering well-designed beautiful safe places, with accessible services and open spaces that reflect current and future needs and support communities health social and cultural well-being; and*
- *an environmental objective – to protect and enhance our natural, built and historic environment. Including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, mitigating and adapting to climate change including moving to a low carbon economy.*

The contribution of the LRNP to sustainable development is summarised below. At a strategic level the LRNP aligns with the CLLP and its Policy that reflects the National Planning Policy presumption in favour of sustainable development.

The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>. At a similarly high level, members of the United Nations – including the UK have agreed to pursue the 7 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic and wellbeing and environmental protection.<sup>5</sup>

<sup>4</sup> Resolution 42/187 of the United Nations General Assembly

<sup>5</sup> Transforming our World: the 2030 Agenda for Sustainable Development

**The following scoring is used in the assessment:**

\* \* Very Positive \* = positive = 0 = neutral/negligible, x = negative, xx = very negative

LRNP	Economic Sustainability	Social Sustainability	Environmental Sustainability	COMMENTS
<b>Policy 1</b> Location of Development	**	**	*	Policy 1 supports the delivery of growth in brownfield, infill and developments of up to and including 9 units in accordance with the adopted and emerging local plans. Affordable housing will be supported which will deliver both economic, environmental and social benefits.
<b>Policy 2</b> Maintaining Separation	0	*	*	By ensuring the gap between Leasingham and Holdingham is maintained, policy 2 will help maintain two distinctive communities giving local identity and help preserve an agricultural buffer zone between them, enabling improvements in bio-diversity and mitigating and adapting to climate change.
<b>Policy 3</b> Character and Design of Future Development	*	**	**	Policy 3 seeks to ensure that any development is well designed and takes appropriate account of context. This will make development more attractive to the market and ensure that community values are maintained. Well-designed developments will deliver environmental benefits for the built character of the area and be beneficial for both human and wildlife residents.
<b>Policy 4</b> Heritage Protection	0	*	*	Policy 4 seeks to preserve and enhance buildings heritage assets and other landmarks of significant importance to the parish, which will have a positive impact on the built environment and maintain the character of the area.

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<b>Policy 5</b> Green Environment	0	*	**	Policy 5 seeks to preserve well established landscape features and encourage biodiversity. This policy will have a positive effect on the natural environment and will also deliver social benefits to the communities' enjoyment of local wildlife.
<b>Policy 6</b> Access to the Countryside	0	**	*	Policy 6 seeks to maintain and enhance access to the countryside which will be socially beneficial to the community. This should not be compromised.
<b>Policy 7</b> Local Green Spaces	0	**	**	Policy 7 designates 9 areas of Local Green Space. The retention of these areas will deliver significant benefits to the community members who use them and to wildlife who inhabit them. Enjoyment of Local Green Space should not be compromised.
<b>Policy 8</b> Pedestrian Access and Public Rights of Way within Leasingham	0	**	**	Policy 8 looks to preserve the existence of PROWs in Leasingham and enhance them. It also seeks to ensure that new development is adequately connected to existing footpaths for pedestrians. This will deliver social benefits for all residents.
<b>Policy 9</b> Community Assets	*	**	0	Policy 9 will deliver significant social benefits through the protection of existing community facilities and its support of the provision of new facilities and change of use to community facilities.

### Basic Conditions 3 – General Conformity with the Strategic Policies of the Development Plan

The adopted development plan for Leasingham and Roxholm is the Central Lincolnshire Local Plan 2012-2036 (CLLP) and the Lincolnshire County Council Minerals and Waste Local Plan,

The LRNP has been prepared to ensure that it is in general conformity with the development plan.

In LP2 – medium villages do not have any development sites designated

Appendix A of the CLLP identifies the Strategic Policies.

**Table 3 below summarises how the 9 LRNP policies are in general conformity with the relevant CLLP strategic policies.**

**This does not purport to be an exhaustive list.**

<b>Table 3 General conformity with Strategic Policies of the Development plan</b>		
<b>LRNP Policy</b>	<b>CLLP Strategic Policies</b>	<b>Conformity</b>
<b>Policy 1 Location of Development</b>	<b>LP2</b>	Covers Level 5 (medium village) and Level 8 (countryside) of the CLLP. Adopts CLLP tests for size of development sites in Level 5; development footprint; appropriate locations; demonstration of clear local community support and exceptional circumstances. Adopts the specific conditions for development in the countryside (Level 8).
	<b>LP4</b>	Adopts permitted growth level of 15% and the sequential priority test for development in level 5 settlements. Since April 2012, 35 of the 108 homes have been built or have planning permission.
	<b>LP11</b>	Encourages affordable housing.
	<b>LP12</b>	Policy 1.4 provides for infrastructure to completed before new dwellings are occupied.
	<b>LP55</b>	Adopts the conditions set out for development in the countryside including protecting agricultural land. This policy is in general conformity with the CLLP.

<p><b>Policy 2 Maintaining Separation</b></p>	<p><b>LP26</b></p>	<p>Policy 2 seeks to maintain the visual and physical separation between Leasingham and the nearby Holdingham settlement as in LP26 (d).</p> <p>This policy is in general conformity with the CLLP.</p>
<p><b>Policy 3 Character and Design of Future Development</b></p>	<p><b>LP26</b>  <b>LP10</b></p>	<p>Policy 3 generally conforms with LP26, taking into consideration the character and local distinctiveness of Leasingham and Roxholm.</p> <p>Policy 3 seeks the provision of buildings and spaces which are accessible, inclusive, safe and the provision of high quality design using high quality materials throughout.</p> <p>This policy is in general conformity with the CLLP.</p>
<p><b>Policy 4 Heritage Protection</b></p>	<p><b>LP 25</b></p>	<p>Policy 4 seeks to protect, conserve and enhance the historic environment of the parish as outlined in LP25 for both designated and non-designated heritage assets and listed buildings.</p> <p>This policy is in general conformity with the CLLP.</p>
<p><b>Policy 5 Green Environment and</b>  <b>Policy 6 Access to the countryside</b></p>	<p><b>LP 20</b></p>	<p>LP20 encompasses Policies 5 and 6 in seeking to maintain the green infrastructure. These policies conform with the CLLP.</p>

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<p><b>Policy 7 Local Green Spaces</b></p>	<p><b>LP 23</b></p>	<p>LRNP designates 9 local green spaces which are in close proximity to the community they serve, not extensive tracts of land and are special to the local community as outdoor meeting spaces, leisure facilities or quiet spaces.</p> <p>This policy is in general conformity with the CLLP.</p>
<p><b>Policy 8 Pedestrian Access and Public Rights of Way within Leasingham</b></p>	<p><b>LP13</b></p>	<p>Promotes accessibility within and between settlements.</p> <p>This policy is in general conformity with the CLLP.</p>
<p><b>Policy 9 Community Assets</b></p>	<p><b>LP15</b></p>	<p>LRNP seeks new or improved facilities to support the social, cultural, economic and physical well-being of the local community.</p> <p>This policy is in general conformity with the CLLP.</p>

**Basic Condition 4 – The making of the LRNP does not breach, and is otherwise compatible with, retained EU obligations.**

**Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA)**

NKDC carried out a screening assessment of the pre-submission version of the LRNP to determine whether the LRNP required a full SEA or HRA

This assessment, which included consultation with the statutory agencies, confirmed that it is unlikely that there will be any significant environmental effects arising from policies in the pre-submission LRNP. As a result, they have confirmed that a full SEA or HRA are not required.

Whilst the submitted LRNP contains amendments in response to the Statutory Regulation 14 consultation, these amendments do not materially affect this conclusion.

**Conclusion**

Leasingham and Roxholm Neighbourhood Plan meets relevant legal requirements and meets the five 'Basic Conditions' applicable to Neighbourhood Planning.