

AILSWORTH NEIGHBOURHOOD PLAN

2017 – 2036

BASIC CONDITIONS STATEMENT



AILSWORTH PARISH COUNCIL

MARCH 2017

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1. Introduction

1.1 Under the Localism Act 2011 Neighbourhood Plans (NP) must meet certain 'basic conditions' before they can come into force. These will be tested through an independent examination and be checked by the local planning authority prior to proceeding to referendum. The basic conditions are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- 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;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, including human rights requirements; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

1.2 When a neighbourhood plan is submitted to the local planning authority it must be accompanied by a basic conditions statement. The basic conditions statement needs to demonstrate how the NP meets each of the basic conditions. In addition, the statement needs to confirm that the Plan meets other legal requirements. The other legal requirements that a neighbourhood plan must satisfy are that:

- the qualifying body is authorized for the purpose of acting on behalf of the neighbourhood area;
- the proposal meets the definition of a Neighbourhood Plan (as defined in the Act);
- the proposed plan states the period which it is to have effect;
- the policies in the proposed plan do not relate to 'excluded development';
- the proposed plan does not relate to more than one neighbourhood area; and
- there are no other neighbourhood plans in place within the neighbourhood area.

1.3 The draft Ailsworth NP was made available for public consultation in accordance with Regulation 14 from 3 January 2017 to 17 February 2017. Amendments to the policies were made as appropriate following the feedback received. The Parish Council, as the qualifying body, submitted the plan proposal to Peterborough City Council as the Local Planning Authority for Regulation 16 consultation and then examination.

1.4 This basic conditions statement accompanies the submitted Ailsworth Plan and sets out how the Plan meets the basic conditions and other legal requirements including an assessment of the plan against each of the basic conditions.

2. Meeting Legal Requirements

2.1. The NP satisfies all additional legal requirements as required, specifically:

- the qualifying body is the parish council for the neighbourhood area, the boundary of which is the same as the parish administrative area;
- the neighbourhood plan relates to land use and planning matters and therefore meets the definition of a Neighbourhood Plan;
- the neighbourhood plan states that it will have effect from 2017 to 2036;
- the policies in the proposed plan do not relate to 'excluded development' such as minerals extraction or nationally significant infrastructure as defined in paragraph 1(1)(a) to (h) of Schedule 1 of the Town and Country Planning Act (1990);
- whilst the neighbourhood plan has been developed alongside the Castor Neighbourhood Plan, the Ailsworth Neighbourhood Plan does not relate to more than one neighbourhood area; and
- there are no other neighbourhood plans in place within the neighbourhood area.

3. Assessment against National Policy

3.1. For the purpose of the NP the National Planning Policy Framework (NPPF) is considered to be the relevant National Policy. Table 1 lists the NP policies and the NPPF paragraphs of relevance.

Table 1: Assessment of the Ailsworth Neighbourhood Plan against National Policy

Policy No.	NP Policy	NPPF Paragraph	Assessment of conformity
All	All	17 – Core planning principles	Paragraph 17 sets out the core planning principles for England, specifically being plan-led providing a positive vision for the area and providing a positive framework for decisions to be made; finding ways to enhance places; delivering growth; seeking high quality design; taking account of the roles of different areas; tackling climate change; conserving and enhancing the natural environment; encouraging the use of previously developed land where it is not of high environmental value; conserving heritage assets; making best use of public transport, walking and cycling; and improving health, and social and cultural wellbeing for all. The NP is a positive plan to provide for housing growth, ensuring good design, and economic, environmental and social sustainability. The Ailsworth NP delivers on a number of these core policies for the local context of the parish. The NP, taken as a whole, is considered to be aligned to these core planning principles.
		183-185 – Neighbourhood plans	These paragraphs of the NPPF set out the basic opportunities for producing Neighbourhood Plans. The NP is a specific response to the opportunity to provide a NP in accordance with these paragraphs.
AH1	Criteria for all building development within the parish	35 and 39 – Promoting sustainable 42 – Supporting high quality communications infrastructure 58, 61 and 66 – Requiring good design	Policy AH1 sets out a number of criteria that will be applied to all development proposals that come forward in the neighbourhood area. It sets out locally-defined criteria relating to locally distinctive character; impact on a local landmark and heritage asset; environmental sustainability of buildings; flood risk and drainage; traffic generation and its impacts; promotion of sustainable modes of transport; parking; and internet connectivity. The specific local issues in this policy

		97 – Meeting the challenge of climate change, flooding and coastal change	relate closely to the requirements of these paragraphs in the NPPF and will provide the local framework for delivering the national ambitions.
AH2	Housing Growth	50, 54 and 55 – Delivering a wide choice of high quality homes 35 – Promoting sustainable transport 58, 61 and 66 – Requiring good design 129 – Conserving and enhancing the historic environment	Policy AH2 sets a general growth level for the village to allow for a sustainable level of steady growth, being a proportionate share for a village of its size. It also sets out a number of criteria for considering proposals for schemes including new housing incorporating the relationship with the village; access and impacts on the road network; impact on open spaces; impact on character; and the scale of an individual scheme. This policy provides a framework for making decisions on relevant housing proposals to ensure that they will not result in an unacceptable impact on a number of important local attributes consistent with the policies in the NPPF.
ALU1	Environmental impact	109, 113, 117 and 118 – Conserving and enhancing the natural environment	In accordance with the NPPF, policy ALU1 seeks to protect a number of important wildlife sites and features, including protected and unprotected sites and features. Importantly it does also allow for impacts to be managed and mitigated where appropriate. The policy is aligned to the NPPF requirements for how to plan for the protection and management of the natural environment.
ALU2	Wildlife corridors	109, 113, 117 and 118 – Conserving and enhancing the natural environment	The Ailsworth Neighbourhood Area has a rich network of natural features which are important both for wildlife and for the wellbeing of the local population. Policy ALU2 seeks to promote linkages between key wildlife habitats and to protect them from being isolated. This brings the policies of the NPPF into the local context for Ailsworth by identifying the specific assets of relevance, providing clarity for decision makers.
ALU3	Open spaces	70, 73 and 74 – Promoting healthy communities	Policy ALU3 identifies a number of important open spaces that are of particular value to the community and seeks to prevent their loss. It provides some flexibility for proposals that relate to their use as open space and where the benefits of a scheme would outweigh the loss of the open space. This is in accordance with the NPPF.

ALU4	Protection of archaeological heritage	126, 128, 129, 131, 139 and 141 – Conserving and enhancing the historic environment	Following a substantial piece of work on the archaeological potential of the Castor and Ailsworth area, policy ALU4 seeks to ensure that any development proposals include the proper evaluation and documentation of archaeology to avoid any unacceptable impacts. This is aligned to a number of related paragraphs in the NPPF.
ASE1	Retail and business development	28 – Supporting a prosperous rural economy	Policy ASE1 seeks to protect a number of existing businesses in the area by providing support for proposals which would enhance their provision to the community. It also supports employment development within the B1 Use Class as it is considered that development within this use will normally be appropriate for the village context. This accords with paragraph 28 of the NPPF which requires policies to support economic growth in rural areas by expanding businesses and promoting the retention of local and community services.
ASE2	Working from home	19, 21 – Building a strong, competitive economy	Policy ASE2 promotes development needed to enable or enhance potential for people to work or to run a business from home, as a key component of the local economy, provided it does not result in any unacceptable impacts. This conforms to requirements in the NPPF.
ASE3	Health care	70 – Promoting healthy communities	Work on the neighbourhood plan identified a potential lack of capacity within the existing surgery which serves Castor and Ailsworth. Policy ASE3 provides a positive framework to enable the delivery of a new health care facility consistent with paragraph 70 of the NPPF.
ARV1	Rural recreation and sport	70, 73 and 74 – Promoting healthy communities	Policy ARV1 promotes the development of new recreational facilities in the area and also seeks to require that proposals for new residential development make suitable provision of recreational space. This positive approach to delivering open space is in accordance with the NPPF.
ARV2	Footpaths, cycleways and bridleways	35 – Promoting sustainable transport 70, 73 and 75 – Promoting healthy communities	Policy ARV2 seeks to ensure that new residential development includes adequate access for pedestrians and cyclists and that it does not impact on rights of way. It also supports proposals that will enhance a number of routes or connections which have a wider importance for leisure. This policy accords with paragraphs relating to leisure and sustainable transport in the NPPF.

ARV3	Visitor access	28 – Supporting a prosperous rural economy 34, 35 – Promoting sustainable transport	The Nene Park Estate is important for local residents and is also enjoyed by a wider catchment as well as having a regional tourism draw. Policy ARV3 promotes schemes that would enhance visitor access and also any support services needed by the estate, helping to ensure that its role will be preserved and enhanced. This accords with the NPPF.
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3.2. Table 1 shows how each of the policies in the NP reflects national priorities in the NPPF. In many cases the policies provide a local framework to deliver the goals within national policy. The Ailsworth NP is considered to have regard to the policies of the NPPF.

4. Assessment Against the Adopted Peterborough Local Plan

4.1. The basic conditions require that a NP must be in general conformity with strategic policies of the Development Plan for the area. For Ailsworth the Development Plan is made up of the Peterborough Core Strategy 2011, the Peterborough Site Allocations DPD 2012, the Peterborough Planning Policies DPD 2012, the Peterborough City Centre DPD 2015, the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 and the Minerals and Waste Site Specific Proposals 2012. It is important to note that Peterborough City Council are currently preparing a new Local Plan, but it is not envisaged that this will be adopted in advance of this NP being examined.

4.2. The NPPF defines what are considered to be strategic policies in paragraph 156, these are:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

4.3. Using these criteria as a basis it is possible to review the Development Plan for Peterborough to identify which policies are strategic and are relevant to Ailsworth. The Peterborough Site Allocations DPD allocated one site in Ailsworth which has now been completed, the City Centre DPD only relates to a geographic area that is not relevant to the NP, and there were no strategic policies affecting the neighbourhood area in the Minerals and Waste plans so these parts of the Development Plan have not been considered further in this assessment.

4.4. The assessment in Table 2 below, considers all policies that are considered to be strategic in the Development Plan against the policies in the Ailsworth Neighbourhood Plan for conformity.

Table 2: Assessment of the Ailsworth Neighbourhood Plan against Strategic Policies in the Local Plan

Policy No	NP Policy	Peterborough Local Plan Policy	Assessment of conformity
All	All	Overall Objectives OB3, Policy CS1 – The Settlement Hierarchy and the Countryside	Objective OB3 states that “In the rural areas, to safeguard and enhance local landscapes, archaeology and historic buildings and the historic character and integrity of the villages whilst ensuring that they remain thriving communities through appropriate provision of housing, jobs and services. In the urban fringe, to ensure that development contributes to enhancing its character and appearance and its recreational and/or biodiversity value, provides networks of accessible green infrastructure linking urban areas to the countryside and avoids harm to sites of wildlife importance.” Furthermore, the Settlement Hierarchy identifies Ailsworth as a Limited Growth Village which is defined as a village with some, but not all, of the services and facilities that are characteristic of settlements higher up the hierarchy.
AH1	Criteria for all building development within the parish	CS10 – Environment Capital, CS11 – Renewable Energy, CS14 – Transport, CS16 – Urban Design and the Public Realm, CS17 – The Historic Environment, CS20 – Landscape Character, CS21 – Biodiversity and Geological Conservation, CS22 – Flood Risk, PP2 – Design Quality, PP12 – The Transport Implications of Development, PP15 – Nene Valley, and	This policy sets out a number of criteria that all development proposals in the neighbourhood area should satisfy to ensure that they are suitable for the Ailsworth context. These criteria include the use of sensitive design and appropriate materials; incorporating a number of design features that will help a development to relate well to the existing village; avoiding unacceptable impacts on views of St Kyneburgha’s Church; the encouragement of environmentally sustainable buildings; achieving adequate drainage from the site; managing and mitigating any traffic impacts; promoting opportunities to encourage walking and cycling; delivering adequate car parking; and ensuring that high speed internet connections will be available to future users where these are available. These policy requirements echo a number of policies in the Core Strategy and also in the Planning Policies DPD, but provides a number of specific requirements that relate directly to Ailsworth within the framework set by the higher order policies in the Local Plan.

		PP16 – The Landscaping and Biodiversity Implications of Development, and PP17 – Heritage Assets.	As such, Policy AH1 is in general conformity with the strategic policies in the Local Plan.
AH2	Housing Growth	CS1 – The Settlement Hierarchy and the Countryside, CS2 – Spatial Strategy for the Location of Residential Development, CS8 – Meeting Housing Needs, CS14 – Transport, CS16 – Urban Design and the Public Realm, CS17 – The Historic Environment, CS20 – Landscape Character, PP2 – Design Quality, PP12 – The Transport Implications of Development, PP16 – The Landscaping and Biodiversity Implications of Development, and PP17 – Heritage Assets.	Policy AH2 sets a general level of growth for Ailsworth which equates to 20 new dwellings (or 10% growth in dwelling numbers) in the village. This growth level can be exceeded provided there is clear local community support. It also includes some set criteria for housing sites to be considered acceptable including: being located within or adjacent to the village envelope; having an appropriate access and not resulting in an unacceptable impact on the local road network; not impacting on protected open spaces; respecting the built and landscape character; and being of an appropriate scale for the context of the site. The growth level is broadly aligned to that required by Policy CS2 from the Limited Growth Villages. The Core Strategy highlighted that to meet the strategic housing requirements, Limited Growth Villages would need to deliver approximately 450 dwellings between the eight settlements in this tier of the hierarchy. In the subsequent Site Allocations DPD, it was clarified that between completed dwellings, dwellings with permission and other allocations 468 dwellings were identified, 18 more than the requirement. This number did include one allocated site in Ailsworth which has now been completed. Therefore the growth level of 20 dwellings will deliver some additional housing, but as this growth is incremental, it is broadly aligned to the Strategic Policy. All other elements of the policy, dealing with the detailed requirements for housing proposals conform to the wider strategic policies.
ALU1	Environmental impact	CS21 – Biodiversity and Geological Conservation, PP16 – The Landscaping and Biodiversity Implications of Development, and PP19 – Habitats and Species of Principal Importance.	Policy ALU1 seeks to protect ecological features, habitats, green corridors, and other protected and unprotected biodiversity features, including Castor Hanglands SSSI. The requirements of this policy align with the relevant strategic policies in the Local Plan which also seek to protect these features.

ALU2	Wildlife corridors	CS19 – Open Space and Green Infrastructure, and CS21 – Biodiversity and Geological Conservation.	Policy ALU2 seeks to protect wildlife corridors, particularly those linking key habitats. This accords with relevant strategic policies and provides for the specific situation within Ailsworth.
ALU3	Open spaces	CS18 – Culture Leisure and Tourism, CS19 – Open Space and Green Infrastructure, and PP3 – Impacts of New Development.	Policy ALU3 protects a number of defined open spaces within the neighbourhood area. The preference of protecting these areas, but allowing for occasions where the loss of some open space is in accordance with strategic policies in the Local Plan.
ALU4	Protection of archaeological heritage	CS17 – The Historic Environment, and PP17 – Heritage Assets.	Policy ALU4 seeks to protect the rich archaeological heritage of Ailsworth by ensuring that relevant proposals will not result in an unacceptable impact on these assets through proper evaluation and documentation. It requires reference to a significant piece of local research and evidence to ensure that these features receive proper analysis. This is aligned to the relevant strategic policies in the Local Plan and provides a locally specific requirement which is appropriate for the context.
ASE1	Retail and business development	CS3 – Spatial Strategy for the Location of Employment Development, CS15 – Retail, PP8 – The Rural Economy, and PP9 – Development for Retail and Leisure Uses.	Policy ASE1 seeks to encourage expansion to existing retail and other uses that provide for the community – this accords with strategic policies in the Local Plan. It also seeks to generally limit development for employment uses to B1 as this is considered to be the appropriate use class for development that may occur in the Ailsworth context. The Core Strategy, in Policy CS3, seeks to deliver employment use in a number of strategic allocations with relatively little employment development being identified for rural villages such as Ailsworth and the employment growth requirement has been satisfied through allocations in other villages. Therefore this policy is considered to be in general conformity with the Strategic Policies in the Local Plan.
ASE2	Working from home	CS3 – Spatial Strategy for the Location of Employment Development.	Policy ASE2 supports development to enable home working and home businesses, provided that it will not result in any unacceptable impacts. There are no policies in the Local Plan which restrict development for home working and there are no other areas of conflict and so this considered to be in conformity with the Local Plan.

ASE3	Health care	CS1 – The Settlement Hierarchy and the Countryside, and CS12 – Infrastructure.	Policy ASE3 seeks to enable the delivery of land for a new or enhanced medical centre in Ailsworth either within or adjacent to the village envelope. Whilst Policy CS1 of the Core Strategy limits development outside of village envelopes, it does allow for a number of exceptions. There are no policies in the Local Plan which specifically deal with the provision of health facilities, but Policy CS12 does recognize the importance of having adequate infrastructure to support development and Objective 5 in the Core Strategy recognizes the need to ensure adequate primary healthcare facilities. As such it is considered that this policy is in general conformity with the Local Plan strategic policies.
ARV1	Rural recreation and sport	CS18 – Culture Leisure and Tourism, CS19 – Open Space and Green Infrastructure, and PP14 – Open Space Standards.	Policy ARV1 supports proposals to develop facilities for rural recreation and sporting activities and also for new dwellings to be accompanied by a demonstration of how residents will have adequate access to recreational space. These policies are fully supported by the strategic policies in the Local Plan.
ARV2	Footpaths, cycleways and bridleways	CS14 – Transport , CS19 – Open Space and Green Infrastructure, and PP15 – Nene Valley.	Policy ARV2 promotes the protection and enhancement of rights of way, with specific reference to the Nene Park Trust’s rural estate. This accords with strategic policies in the Local Plan and applies an additional level of policy relevant to the neighbourhood area.
ARV3	Visitor access	CS18 – Culture, Leisure and Tourism, PP8 – The Rural Economy, and PP15 – Nene Valley.	Policy ARV3 specifically promotes development which would enhance visitor access to the Nene Park rural estate, provided there are no unacceptable impacts. This applies the wider policies in the Local Plan which support tourism and visitor development to the Ailsworth context.

4.5. Table 2 demonstrates that the policies in the NP are in general conformity with the Strategic Policies of the Local Plan, both individually and when considered as a whole. The policies in the NP build upon many of the Local Plan policies to identify what is appropriate for the Ailsworth context.

5. Sustainability Assessment

5.1. The NP is required to contribute to the achievement of Sustainable Development under the basic conditions. Table 3 lists the NP policies and measures them against the three strands of sustainable development. The following scoring is used in the assessment:

++ = very positive

+ = positive

N= neutral

X = negative

XX= very negative

Table 3: Assessment of the sustainability of the Ailsworth Neighbourhood Plan

Policy No	NP Policy	Economic sustainability	Social sustainability	Environmental sustainability
AH1	Criteria for all building development within the parish	N	++	++
AH2	Housing Growth	++	++	N
ALU1	Environmental impact	N	+	++
ALU2	Wildlife corridors	N	++	++
ALU3	Open spaces	N	++	++
ALU4	Protection of archaeological heritage	N	+	++
ASE1	Retail and business development	++	++	+
ASE2	Working from home	++	+	+
ASE3	Health care	++	++	+

ARV1	Rural recreation and sport	+	++	N
ARV2	Footpaths, cycleways and bridleways	N	N	+
ARV3	Visitor access	+	+	+

5.2. Table 3 shows that there are no anticipated negative effects of the policies in the NP, but that there are a number of positive or very positive effects anticipated. Therefore, it can be concluded that the NP will contribute to the delivery of sustainable development.

6. Compatibility with EU Obligations and Meeting Other Prescribed Conditions

6.1. Under the basic conditions, the NP must be compatible with four EU directives that may be of relevance. These are:

- Directive 2001/42/EC (Strategic Environment Assessment Directive),
- Directive 2001/92/EU (Environmental Impact Assessment Directive),
- Directive 92/43/EEC and
- Directive 2009/147/EC (Habitats and Wild Birds Directives).

6.2. It must also be unlikely that the making of the NP will have a significant effect on a European Protected site. A draft of the NP was screened by Peterborough City Council in September 2016, in consultation with the Statutory Consultees of the Environment Agency, Historic England and Natural England. The screening opinion, published in December 2016, concluded that the NP was unlikely to result in any significant environmental effects and that a full Strategic Environmental Assessment was not needed. This is still considered to be the case.

7. Conclusion

7.1. This Basic Conditions Statement demonstrates that the Ailsworth Neighbourhood Plan meets the basic conditions as required under legislation. It also satisfies the legal requirements and has followed the process as prescribed by legislation, including through thorough consultation with the community and other prescribed bodies. Further information about this consultation is available in the Consultation Statement which also accompanies the submitted NP.

8. Map of Ailsworth Neighbourhood Plan Area

