

Fiskerton Basic Conditions Statement

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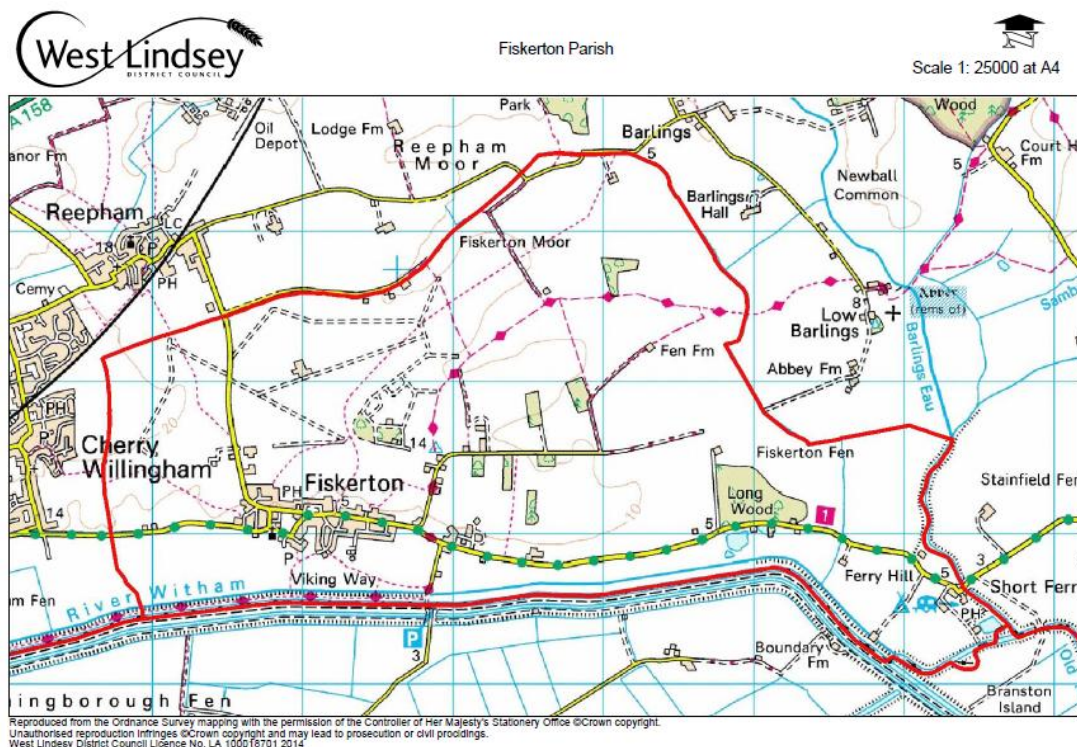
Basic Conditions' Statement for Fiskerton Neighbourhood Plan

1 Legal Requirements

- 1.1 This Basic Conditions Statement has been prepared to accompany the Fiskerton Neighbourhood Development Plan.
- 1.2 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans (NDP) 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 2018 (NPPF);
 - the draft NP must contribute to the achievement of sustainable development;
 - the draft NP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Central Lincolnshire Local Plan 2017;
 - the draft NP must meet the relevant EU obligations.
- 1.3 The Fiskerton NDP is being submitted by Fiskerton Parish Council for the Parish area of Fiskerton. The map in figure 1 shows the extent of the NDP boundary. The proposed NDP does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

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Figure 1: Fiskerton NDP Area



- 1.4 The Plan applies to the Parish of Fiskerton in the West Lindsey District of Lincolnshire.
- 1.5 In accordance with the Neighbourhood Planning Regulations 2012 an application for designation was submitted to West Lindsey District Council. The District Council publicised the application for designation from Fiskerton Parish Council and advertised the designation for six weeks. The application was approved by the Prosperous Communities Committee of West Lindsey District Council on 14 October 2014. A copy of the approval letter can be found on the below link:
[file:///C:/Users/owner/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/Fiskerton%20designation%20statement%20\(1\).pdf](file:///C:/Users/owner/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/Fiskerton%20designation%20statement%20(1).pdf)
- 1.6 The approved NDP designated area is shown in figure 1.
- 1.7 Prior to the draft NDP being published an extensive range of consultation activities were undertaken over a period of 5 years to gain the communities views on what should happen to Fiskerton over the plan period. Featured within all this consultation was a consistant discusiion over the requirement for 200 new housing over the plan period. These events are summaried in the document entitled

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'Consultation Summary', 'Consultation Summary' and within table 5 of the Submission Neighbourhood Plan. The draft Fiskerton NDP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from the 1st November 2018 until the 13th December 2018. Some amendments have been made to the document based on the comments received. The changes made to the NDP have been summarised in the document entitled 'Consultation Statement'. The plan was consulted upon again from the 7th January until the 25th January 2019 detailing the plan that was going to be submitted to West Lindsey District Council.

What is being proposed is a neighbourhood development plan

- 1.8 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 2012.

The proposed Neighbourhood Plan states the period for which it is to have effect

- 1.9 The NDP for Fiskerton will cover the period 2018 until 2036.

The policies do not relate to excluded development

- 1.10 The NDP proposal 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.

2 Basic Conditions

Have Appropriate Regard to National Policy

- 2.1 The revised NPPF was published in July 2018. The NPPF provides a framework within which local communities can produce neighbourhood 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 Fiskerton NP has regard to relevant policies within the NPPF in relation to:

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2.4 This section demonstrates that the Fiskerton NDP has regard to relevant policies within the NPPF in relation to:

- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Achieving well-designed places;
- Conserving and enhancing the natural environment; and
- Conserving and enhancing the historic environment.

2.5 The Fiskerton NDP contains nine objectives and twelve Policies. The objectives are summarised 1 – 9 below and shown in Table 1 alongside the policies they work alongside and the NPPF goals they seek to address.

1. To provide approximately 200 new high quality private and affordable homes over the plan period.
2. To minimise the impact of new development on the surrounding countryside, landscape and eco systems.
3. To allow planned and controlled development over the life of the plan to ensure the continued sustainability and prosperity of the village, community and amenities.
4. Allowing existing businesses to grow and encourage new small businesses to come into the village, providing local employment.
5. To provide existing and future residents and families with the opportunity to live in a home and area appropriate to their needs and enjoyment.
6. To reduce the need, where possible, to travel by car within the village and length of journeys to the community facilities.
7. To manage road traffic congestion through the village centre and promote road safety in and around the village and parish area.
8. To support national and local health and planning policies in promoting health and well-being in our village and local parish area for all residents and for all ages.
9. To secure the Manor Paddock for public open space.

2.6 Table 2 provides a summary of how each of the development management policies conforms specifically to the NPPF.

Fiskerton Neighbourhood Plan

Table 1: Neighbourhood Plan Objectives and conformity with the NPPF

| Theme | Objectives and Policies in the Plan | NPPF |
|--|-------------------------------------|--|
| Policy 1: Development to the North of Fiskerton | Objective 1, 2 & 3 | <ul style="list-style-type: none"> • Delivering a sufficient supply of homes • Building a strong, competitive economy • Promoting healthy and safe communities • Achieving well-designed places • Promoting sustainable transport |
| Policy 2: Design of New Development | Objective 5 | <ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment |
| Policy 3: Housing Mix & Type | Objective 1 & 3 | <ul style="list-style-type: none"> • Delivering a sufficient supply of homes • Building a strong, competitive economy • Promoting healthy and safe communities • Achieving well-designed places |
| Policy 4: Infill Development | Objective 1,3&5 | <ul style="list-style-type: none"> • Delivering a sufficient supply of homes • Promoting healthy and safe communities • Achieving well-designed places |
| Policy 5: Roads & Infrastructure | Objective 6 & 7 | <ul style="list-style-type: none"> • Promoting healthy and safe communities • Promoting sustainable transport • Achieving well-designed places • Conserving and enhancing the |

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| Theme | Objectives and Policies in the Plan | NPPF |
|---|-------------------------------------|---|
| | | natural environment |
| Policy 6: Non Vehicular Routes | Objective 7 &8 | <ul style="list-style-type: none"> Promoting healthy and safe communities Promoting sustainable transport Achieving well-designed places Conserving and enhancing the natural environment |
| Policy 7: Flood Risk | Objective 2&8 | <ul style="list-style-type: none"> Promoting healthy and safe communities Achieving well-designed places Conserving and enhancing the natural environment |
| Policy 8: Employment Development | Objective 4 Policy 8 | <ul style="list-style-type: none"> Building a strong, competitive economy Promoting healthy and safe communities Achieving well-designed places |
| Policy 9: Green Infrastructure | Objective 2 | <ul style="list-style-type: none"> Promoting healthy and safe communities Promoting sustainable transport Achieving well-designed places Conserving and enhancing the natural environment |
| Policy 10: Designated Green Spaces | Objective 2 & 9 | <ul style="list-style-type: none"> Promoting healthy and safe communities Achieving well-designed places Conserving and enhancing the natural environment Conserving and enhancing the historic environment |
| Policy 11: Community Facilities | Objective 2 | <ul style="list-style-type: none"> Promoting healthy and safe communities Promoting sustainable transport Conserving and enhancing the natural environment |

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| Theme | Objectives and Policies in the Plan | NPPF |
|---|-------------------------------------|--|
| Policy 12: Expansion and Development of Short Ferry Caravan Park | Objective 4 Policy 12 | <ul style="list-style-type: none">• Building a strong, competitive economy• Promoting healthy and safe communities• Achieving well-designed places |

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Table 2: Development Management policies and conformity with the NPPF

| Policy Number | Policy Title | NPPF para Ref | Commentary |
|-----------------|---------------------------------------|-----------------------------|---|
| Policy 1 | Development to the North of Fiskerton | 13, 15, 59, 69, 72, 78, 118 | This policy allocates one housing site to the north of Fiskerton for approximately 200 homes. The policy sets out the comprehensive development of the site to address the communities concerns and desires for the proposed development that have been discussed and set out over the last 4 years of consultation and discussion with the community, the District Council and statutory stakeholders. |
| Policy 2 | Design of New Development | 124-132, 170 | This policy sets out the criteria for good design within Fiskerton. |
| Policy 3 | Housing Mix & Type | 59, 61, 62 | This policy seeks to ensure all new residential development provides a range of housing types and a mixture of tenures based on identified housing needs of the Parish. In addition to this the policy supports the development of self-build properties and specifies the housing needs of the parish. |
| Policy 4 | Infill Development | 59, 70, 68 | This policy support small scale infill residential development in addition to the site allocation to the North of the settlement. |
| Policy 5 | Roads and Transport | 84 | This policy seeks to ensure that any new development submits a transport assessment to ensure that any related issues are dealt with at the planning application stage. |
| Policy 6 | Non Vehicular Routes | 91, 98 | The purpose of the policy is to ensure new development which is related to improving, extending or creating new non-vehicular routes will be supported where they do not detract from the landscape character or biodiversity of existing routes. |
| Policy 7 | Flood Risk | 118, 149, 155 -165 | This policy seeks to ensure new developments will be supported where they can demonstrate that appropriate measures will be put in place to ensure that the development proposals will not |

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| Policy Number | Policy Title | NPPF para Ref | Commentary |
|------------------|---|-----------------------|---|
| Policy 8 | Employment Development | 72 part b, 80, 83, 84 | Increase the flood risk. This policy supports proposals for new, expansion or redevelopment of existing businesses. |
| Policy 9 | Green Infrastructure | 91, 92, 96.97 | The Policy seeks protect, enhance and Create a network of biodiversity and Green Infrastructure. |
| Policy 10 | Designating Local Green Spaces | 92, 98, 99, 100, 170 | The Policy aims to protect and enhance six open greens spaces by designating them as Local Green Spaces. |
| Policy 11 | Protecting Community Facilities | 83,92,182 | The Plan seeks to protect community facilities and sets out the criteria for replacement community facilities. |
| Policy 12 | Expansion and Development of Short Ferry Caravan Park | 50, 61, 77, 78 | This policy supports the development of and expansion of Short Ferry Caravan Park for residential purposes and any use that supports the Caravan Park for this purpose. |

3 Contribute to the Achievement of Sustainable Development

- 3.1** The NPPF has a presumption in favour of sustainable development. According to the NPPF, Sustainable means ensuring a better life for local residents and making the quality of life better for future generations. The Fiskerton NDP echoes that of the NPPF it encourages and plans positively for sustainable growth within the village which will ensure economic, environmental and social progression for future generations.
- 3.2** The Fiskerton NDP has been prepared with a central understanding that the key areas it addresses that being the environment, economy and the community, are all closely linked. The policies therefore aim to facilitate and encourage change within the community whilst protecting what is valued.

4 General Conformity with Strategic Local Policy

- 4.1** The Fiskerton NDP has been prepared in conjunction with planning officers from West Lindsey District Council as part of the neighbourhood planning process and also with Officers within the former central Lincolnshire Local planning team. The officers have guided and been integral to advising and supporting the additional housing growth put forward within the Fiskerton NDP. This has been a lengthy 5 year process for the developing of the NDP. This process has ensured that the development of the policies within the Fiskerton plan has been scrutinised in terms of conformity with strategic policies contained within the Central Lincolnshire Plan.
- 4.2** Table 3 below shows how the Fiskerton NDP is in general conformity with the strategic policies of the Central Lincolnshire Local Plan 2016 -2036.

Table 3: How the Development Management Policies Conform with the Policies in Central Lincolnshire Plan .

| Policy Number | Policy Title | CLLP 2017 | Commentary |
|-----------------|---------------------------------------|--------------------|--|
| Policy 1 | Development to the North of Fiskerton | LP1, LP2, LP3, LP4 | <p>The Central Lincolnshire Local Plan identifies Fiskerton as a Medium sized village. It does not allocate any sites but suggest 15% housing growth should be located in the settlement up to 2036.</p> <p>The Fiskerton Plan has sought to allocate one housing site for approximately 200 homes to the North of the settlement (albeit this is more housing growth than identified in the CLLP but this has been meticulously discussed, planned and considered by the local community, the land owner local authority and statutory stakeholders). The policy also sets out a criterion for the development of the site to ensure the development is built sustainably and integrates well with the existing settlement.</p> |
| Policy 2 | Design | LP4, LP25 | <p>LP25 states that all new development, including extensions and alterations to existing buildings must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. The policy also sets out design principals for new developments.</p> <p>The Fiskerton Plan sets out the criteria for how it would like to see new development designed to ensure it reflects the setting and rural nature of the village.</p> |
| Policy 3 | Housing Mix & Type | LP10 | <p>LP10 expects housing developments to provide housing solutions that contribute to meeting the housing needs of the housing market area in particular catering for the needs of less mobile occupants, including older people and disabled people.</p> <p>The NDP supports a mix of housing types and tenures that reflect the settlement population needs now and in future.</p> |
| Policy 4 | Infill Development | LP4, LP25 | |

| Policy Number | Policy Title | CLLP 2017 | Commentary |
|-----------------|----------------------|------------|--|
| | | | <p>LP4 of the Central Lincolnshire local plan sets out what it classifies as small scale and infill development in rural areas.</p> <p>The Fiskerton NDP echoes the Central Lincolnshire Local Plan and sets out the criteria for how it would like to see new small scale and infill development built out within the settlement.</p> |
| Policy 5 | Roads and Transport | LP12, LP13 | <p>LP13 states that new developments must not create adverse transport implications.</p> <p>The Fiskerton NDP seeks to ensure new developments do not create additional traffic problems in the village. The NDP also promotes healthy life styles and encourages walking and cycling by providing non-vehicular routes</p> |
| Policy 6 | Non Vehicular Routes | LP13, LP20 | <p>The Central Lincolnshire Local Plan supports schemes that promote walking and cycling.</p> <p>The Fiskerton NDP also promotes healthy life styles and encourages walking and cycling by providing non-vehicular routes.</p> |
| Policy 7 | Flooding | LP14 | <p>The Central Lincolnshire Local Plan addresses the managing of water resources and flood risk.</p> <p>This is echoed in the Fiskerton Plan to ensure new developments do not increase flood risk in the area.</p> |
| Policy 8 | Employment | LP2, LP5 | <p>The central Lincolnshire Local Plan promotes the expansion of existing business premises and new small-scale businesses in sustainable locations.</p> |

| Policy Number | Policy Title | CLLP 2017 | Commentary |
|------------------|---|------------------------------|--|
| | | | The NDP also seeks to promote the expansion or redevelopment of existing employment sites in the Parish. |
| Policy 9 | Green Infrastructure | LP9, LP17 LP21 LP23, LP24 | <p>The Central Lincolnshire Local Plan seeks to protect and enhance existing open space but also requires new open spaces and sporting facilities.</p> <p>The Fiskerton plan also seeks to ensure the protection and enhancement of the natural environment and its important features.</p> |
| Policy 10 | Designated Local Green Spaces | LP23, LP24 | <p>The Central Lincolnshire Local Plan identifies opens spaces and protects these through its policies.</p> <p>The NDP seeks to take the identification of opens spaces further and seeks to designate six Open spaces in line with the NPPF guidance.</p> |
| Policy 11 | Protecting Community Facilities | LP2, LP15 | <p>The Central Lincolnshire Local Plan sets out in policy LP15 seeks to protect and enhance community facilities and encourages local communities to register community assets of value.</p> <p>The policy aims to protect and enhance the community facilities in the area that play a vital role in making the settlement sustainable.</p> |
| Policy 12 | Expansion and development of Short Ferry Caravan Park | LP1, LP2, LP5 | <p>The central Lincolnshire Local Plan supports a mix use of property tenures and accommodation for local residents this includes residential caravan parks.</p> <p>The policy supports the expansion or the redevelopment of Short Ferry, as a residential caravan park.</p> |

5 Be Compatible with EU Obligations –

5.1 The Sustainability Appraisal (SA) process was used to test the emerging plan, and included a particular focus on testing alternative spatial approaches to housing growth. On the basis of this testing, the Parish Council was able to reach the conclusion that the option of a 200 home extension to the north of the village best accords with principles of sustainable development on balance (albeit the option is not without its issues/impacts).

5.1 The Neighbourhood Plan was ‘screened-in’ as requiring Strategic Environmental Assessment (SEA), and hence a process of Sustainability Appraisal (SA), incorporating SEA, has been undertaken alongside plan-making. The SA process has involved consultation on a Scoping Report and preparation of two SA Reports for consultation alongside consultation versions of the Neighbourhood Plan. The SA Report submitted alongside the Neighbourhood Plan includes a ‘checklist’ within Appendix I, which explains how all procedural requirements (as understood from the Environmental Assessment of Plans and Programmes Regulations, 2004) have been along the course of the SEA process, and where, within the report, specific reporting requirements (as understood from Schedule II of the Regulations) are met. The SA and SEA documents are available on the Neighbourhood Plan Website – <http://fiskerton-lincs.org.uk/home/parish-council/neighbourhood-plan>

5.2 NDP 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 Fiskerton Parish Council that the NDP has shown that it meets the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act are considered to be met by the Fiskerton NDP.

6.2 The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained in the Central Lincolnshire Local Plan and meets relevant EU obligations.