



Market Overton Neighbourhood Plan

Basic Conditions Statement

Market Overton Parish Council. 2022.

TABLE OF CONTENT

1 Introduction	2
2 Conformity with the Basic Conditions	3
<i>Conformity with National Policy Guidance</i>	3
<i>Conformity with the definition of Sustainable Development</i>	3
<i>Conformity with Strategic Local Policy</i>	4
<i>Conformity with the Rutland County Council Core Strategy 2011</i>	4
<i>Compatibility with EU Obligations and Legislation</i>	4
3 Conclusion	

TABLE OF FIGURES

Figure 1	Designation Neighbourhood Area for Market Overton	5
Table 1	Neighbourhood Plan conformity with the definition of Sustainable Development	6
Table 2	Neighbourhood Plan's Objectives' conformity with NPPF Goal	8
Table 3	Neighbourhood Plan conformity with NPPF provisions	10
Table 4	Neighbourhood Plan conformity with the Rutland County Council Core Strategy 2011	12

1 Introduction

- 1.1 This Basics Conditions Statement has been prepared in support of the Market Overton Neighbourhood Plan. It demonstrates how the Plan meets the statutory requirements set out with in the Town and country Planning Act 1990 (as amended by the Localism Act 2011), the Planning and Compulsory Purchase Act 2004, and the Neighbourhood Planning Regulations 2012. The Market Overton Neighbourhood Plan covers the Plan period between 2022 and 2036
- 1.2 The Plan was presented for regulation 14 Consultation between November 2020 and December 2021. The Plan has been produced by the Market Overton Neighbourhood Plan Steering Group on behalf of, and in collaboration with, Market Overton Parish Council. The Market Overton Parish Council is a qualifying body as defined by the Localism Act 2011, and refers to the designated area of the Parish Council. (See figure 1 below). The Neighbourhood Area and the Parish have the same boundary.
- 1.3 The Market Overton Neighbourhood Plan is confined to planning matters such as the use and development of land and does not deal with county matters such as mineral extraction and waste development. Further it does not deal with nationally significant infrastructure of any other matter set out in section 61K of the Town and Country Planning Act 1990.
- 1.4 This statement addresses individually the four basic conditions required by the Regulations and explains how the Market Overton Neighbourhood Plan satisfies the requirements of paragraph 8 of schedule 4B of the Town and Country Planning Act. The regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:-
 - i) 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;
 - ii) The creation of the Neighbourhood Development Plan contributes to the achievement of sustainable development;
 - iii) The creation of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the Local Authority Development Plan;
 - iv) The making of the Neighbourhood Development Plan does not breach and is other wise compatible with EU regulations.

2 Conformity with the Basic Conditions

- 2.1 An assessment of compliance as part of the Basic Conditions Statement has been created. This tests all the policies set out in the Market Overton Plan against the principles of Sustainable Development National Planning Policy Framework (NPPF) regulation, and the Local Plan Policies of RCC 2011 core strategy. The result of the assessment is summarised below.
- 2.2 The definition of sustainable development utilised in the assessment of compliance has been taken from the NPPF's definition February 2019, paragraph 8):

“Achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and needed to be pursued in mutually supportive ways (so that opportunities can be taken secure net gains across each of the different objectives):

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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 that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well designed and safely built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve bio-diversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

Conformity with National Policy Guidance

- 2.3 The Market Overton Neighbourhood Plan has been prepared with reference to the NPPF, February 2019. It has also taken account of the National Planning Policy Guidance (NPPG), April 2014.
- 2.4 The Market Overton Neighbourhood plan has been developed against the strategic policies of RCC local plan. It should, however be borne in mind that RCC withdrew its proposed local plan hence the specific conformity refers to the earlier 2011 plan. As proposed in paragraph 13 and 37 of the NPPF

- 2.5 The Market Overton Neighbourhood Plan has consulted the local planning authority to ensure that the plan is in general conformity with the 2011 RCC core strategy.
- 2.6 There has been many and varied activities in the community to develop the shared vision of the future of the parish. As proposed in paragraph 125 of the NPPF (See document on Market Overton community on consultation).

Conformity with Strategic Local Policy

- 2.7 The Market Overton Neighbourhood Plan has been prepared in collaboration with officers from RCC.
- 2.8 The Market Overton Neighbourhood plan was originally prepared with reference to the RCC core strategy 2011 as well as the local plan review 2020. As the local plan 2020 has been withdrawn the Market Overton Plan is in conformity with the RCC core strategy 2011.
- 2.9 There has been a close cooperation between the officers of RCC and the steering group responsible to the Market Overton Parish Council charged with the production of the neighbourhood plan. This ensures that under schedule 4b of the Town and Country Planning Act 1990, the neighbourhood plan is in general conformity with the strategic policies of RCC.
- 2.10 The relationship between the Market Overton proposed policies and the RCC policies is shown in table 4.

Compatibility with European Union Obligation and Legislation

- 2.11 The Market Overton Neighbourhood plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the UK Human Right Act.
- 2.12 The proposed plan does not require a Habitat Regulation Assessment under the EU Habitats Regulations as the area does not contain any European designated sites.

CONCLUSION

The basic conditions as set out in schedule 4b to the Town and Country Planning Act 1990 are considered to have been met by the Market Overton Neighbourhood Plan and all the associated policies

Figure 1

Market Overton Neighbourhood Parish Council Designated area which is also the area to which the Neighbourhood Plan applies

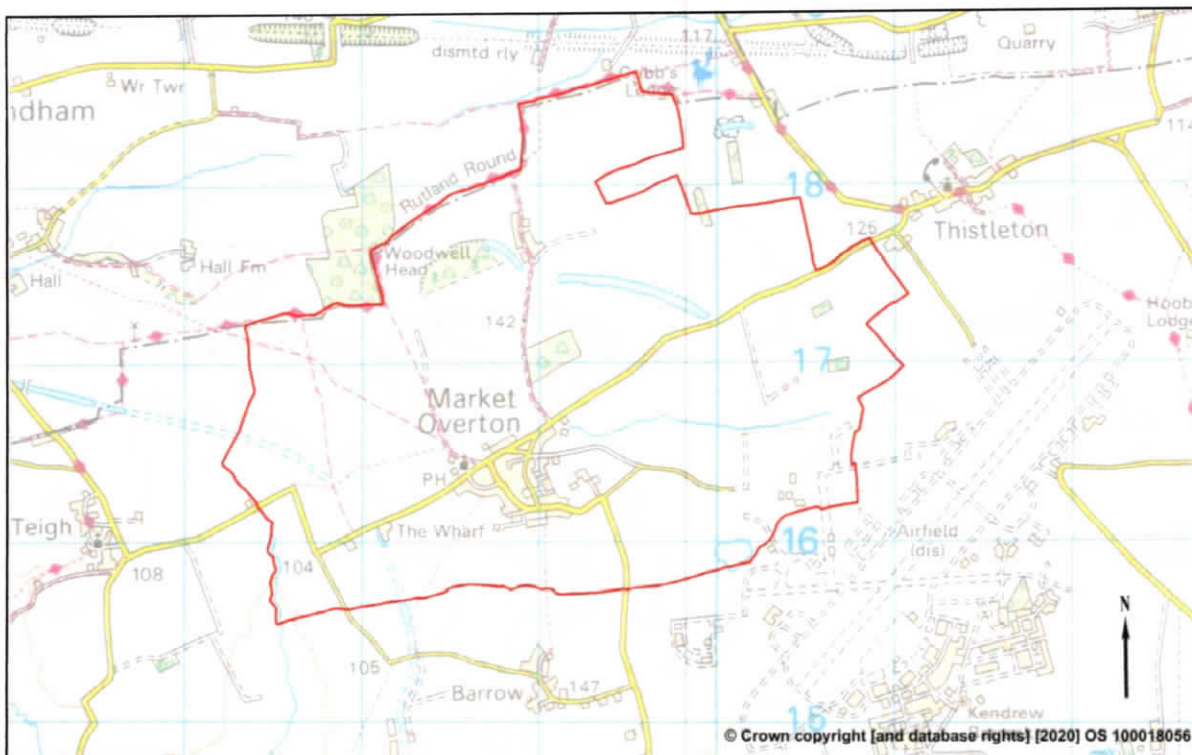


Table 1

Conformity with the definition of Sustainable Development

NP Policy	Economic Factors	Social Factors	Environmental Factors	How Conformity is Achieved
MOP 1 Dwelling sizes and types	Y	Y		This policy supports residential development to meet identified needs. Additional dwellings in the area will support the economic and social growth of the community, supporting additional commercial and community service.
MOP2 Landscape Character	Y	Y	Y	This policy seeks to conserve the distinctive landscape features and character within the NP area. It seeks to ensure that new development proposals protect, conserve and seek opportunities to enhance the environment. Maintaining the environment promotes the attraction of the area as a visitors' destination thus supporting the local commercial services.
MOP3 Developing a green infrastructure network MOP4 Local Green Space	Y	Y	Y	Policies MOP3 and MOP4 will protect existing green infrastructure and public green spaces will be positive in terms of protecting the natural environment, recreational facilities and improving biodiversity. It will have a beneficial social effect in terms of promoting healthy lifestyles and recreational opportunities. Maintaining the environment promotes the attraction of the area as a visitors destination thus supporting the local commercial services
MOP5 Design of new buildings		Y	Y	This policy ensures future development is designed sustainably in a way that respects the existing character of the area. It supports social and cultural well-being of the community through high-quality design. The policy protects and enhances historic and natural environment, protection green and traditional features

MOP6 Residential amenity & traffic management		Y	Y	The policy addresses concerns arising from lack of off road parking and consequence traffic safety issues. It also takes into account the result of leaving waste bins on the pavement needing wheelchairs users and those with prams to negotiate obstacles.
MOP7 Natural features & landscape works	Y	Y	Y	The protection of natural features, green infrastructure and public spaces will be positive in terms of protecting the natural environment, recreational activities and improving biodiversity. It maintains the attractiveness of the area and potential as a destination for tourists.
MOP8 Surface water flooding		Y	Y	This policy hopes to address the surface flooding in some parts of the village is the result of a shallow 'fall' on the drains causing occasional flooding of some property related destruction and related stress
MOP9 Market Overton Industrial Estate	Y	Y	Y	This policy provides a guidance for the development of industrial and employment provision on the estate while protecting the local environment and addressing health and safety issues raised by the community.
MOP10 Working from Home	Y	Y	Y	Support for the economic development within the community while being sensitive to health and safety for the community is taken into consideration by this policy.
MOP11 Fibre to the premises	Y		Y	This policy promotes the development of Market Overton as an area which encourages industrial and commercial development through the provision of appropriate facilities in line with the NPPF and RCC proposals.
MOP12 The retention of community facilities MOP13 The provision of new community facilities	Y	Y	Y	MOP12 and MOP13 address the protection of existing and development of new community facilities has a positive effect on the social and environment strands of sustainability. The social benefit of community facilities derives from their capacity to meet local residents' needs and thus to promote a cohesive community. Some community facilities are also businesses, offering employment opportunities whilst provision

Table 2

Conformity with the National Planning Policy Framework

The vision for Market Overton, developed by the community, provides the rationale for the policies. Market Overton will be a thriving community with housing, services and facilities to meet the evolving needs of all ages, remaining sensitive to the village's unique and distinct character. It will retain an aesthetically pleasing physical environment, which is sustainably maintained, and will have enhanced access to the natural environment. The policies provide aims (broadly what will be achieved) and objectives (broadly how the aims will be achieved).

MOP	NP Objectives	Relevant NPPF Goal
1	To provide a mix of house types to meet the most up-to-date evidence of housing needs in Market Overton in accordance with policies of RCC	Delivering a sufficient supply of homes Promoting healthy and safe communities Achieving sustainable development Achieving well designed places
2	To respect the positive features of the local landscape including important views	Promoting healthy and safe environments Conserving and enhancing the natural environment
3	To develop and enhance the quality and integrity of the green infrastructure	Promoting healthy and safe environments. Conserving and enhancing the natural environment
4	To protect land designated as 'special' to the local community	Promoting healthy and safe environments Conserving and enhancing the natural environment
5	To sustain and enhance the historic environment and achieve well-designed places grounded in an understanding of the characteristic of the area.	Conserving and enhancing the historic environment Achieving sustainable development Achieving well designed places
6	To address concerns relating to a lack of off street parking, off street storage for recycling and refuse bins and related health and safety issues	Promoting healthy and safe communities Achieving well designed places Building a strong, competitive community
7	To maintain, enhance and restore appropriate landscaping in achieving well-designed places	Promoting healthy and safe environments Conserving and enhancing the natural environment
8	To minimise the risk of flooding	Promoting healthy and safe environments Conserving and enhancing the historic environment Achieving sustainable development Achieving well designed places
9	To provide guidance for the development of the industrial estate which protects the natural environment and healthy and safety of the community.	Promoting healthy and safe communities Achieving well designed places Building a strong, competitive economy

10	To support development that enables working from home whilst being sensitive to the needs of the wider community including health and safety and traffic issues	Promoting healthy and safe communities Achieving well designed places Building a strong, competitive economy
11	To support the digital infrastructure across the village and thus contribute to aspects of home-based commercial industries.	Support high-quality communications infrastructure Building a strong, competitive economy
12	To protect the existing services and facilities within the community	Promote healthy and safe communities Building a strong, competitive economy Ensure the vitality of the community
13	To support the provision of new community facilities identified by community needs.	Promote healthy and safe communities Build a strong, competitive economy Ensure the vitality of the community

Table 3		How Conformity to NPPF is Achieved	
NP Policy	NPPF Paragraph		
MOP 1 Dwelling sizes & types	77, 78, 79 chapter 12	MOP 1 ensures that major development provides an adequate number of dwellings to meet the identified needs of the community making sure that growth contributes to sustainable development and additional demands on services.	
MOP 2 Landscape character	109, 116, 156	Views form part of the landscape character both natural and historical and are a key defining character of a settlement. The NPPF promotes the protection of valued landscapes.	
MOP 3 Developing green infrastructure	72, 81, 104, 121	MOP3 and MOP4 and MOP7 aim to protect existing green facilities, spaces and networks used for recreational and social purposes. The NPPF defines Green Infrastructure as "a network of multi-functional green spaces...which are capable of delivering a wide range of environmental and quality of life benefits for local communities". The protection as well as the enhancement and improvement of such infrastructure, is a key priority of the NPPF found in paragraphs indicated.	
MOP 4 Local green Spaces			
MOP 5 Design of new buildings	83, 85,110,122,185,192 Chapter 12	Delivering good design protects the special character and design of an area. Thus policies MOP 6 and MOP 8 are in line chapter 12 of the NPPF and relevant paragraphs protecting local heritage, important landscape, promoting high-quality design etc.	
MOP 6 Residential amenity & traffic management			
MOP 7 Natural features & landscape works	Chapter 12 & Chapter 15 72, 81, 104, 121	Protecting natural features and biodiversity through form and design of developments with in this policy supports MOP1, MOP3 and MOP5. As such it implements NPPF in paragraphs as indicated	
MOP 8 Surface water flooding	83, 85,110,122,185,192	Delivering good design that addresses issues such as surface water flooding, traffic management and residential amenities are aspects identified in the NPPF as mentioned above in Chapter 12, paragraphs 86	

<p>MOP 9 Market Overton Industrial Estate</p>	<p>72, 104, 81, 104, 121.</p>	<p>The identification of land and opportunities for employment are the principles underlining paragraphs 72, 104 and 121 of the NPPF. Protecting biodiversity by developing the estate within its present foot print also supports biodiversity. Such protection is a key priority of the NPPF found in paragraphs indicated.</p>
<p>MOP 10 Working from Home MONP 11 Fibre to the premises</p>	<p>81</p>	<p>In promoting accommodation that combines both living and working space in line with paragraph 81 of the NPPF, including the provision of appropriate facilities is supported by MOP 10 and 11</p>
<p>MOP 12 The retention of community facilities MOP 13 The provision of new community facilities</p>	<p>92, 182</p>	<p>MOP 12 and 13 refer to locally important facilities and guard against the unnecessary loss of valued facilities in line with paragraphs 92 and 182 of the NPPF community facilities and guarding</p>

How Conformity with the RCC Core Strategy 2011 is Achieved		
Market Overton NP Policy	2011 Core Strategy	How conformity is Achieved
Shared vision between Market Overton and RCC	RCC Vision 'sustainable, safer, healthier place to live, work and visit ... provide with access to homes and services... needs better met...' in a 'thriving community' where 'environmental quality of natural and historic heritage is maintained'..	Market Overton vision reflects that of RCC – Market Overton will be a thriving village community. It will have housing, services and facilities to meet the evolving needs of all ages, remaining sensitive to the village's unique and distinct character. It will remain an aesthetically pleasing physical environment, which is sustainably maintained and will have enhanced access to the natural environment.
MOP 1 Dwelling sizes and types	Objective 4 CS1, 2, 10, 11, CS19, 20 H7	Policy 1 identifies the need for developer contributions where increase in dwellings results in increase in population and the resulting demands on local services such as the medical centre and NHS costs.
MOP2 Landscape character	Objective 7 CS21, 22	Policy 2, MOP3 and MOP4 adds local interpretation of RCC policies by listing and mapping locally important green infrastructure and spaces.
MOP3 Developing Green Infrastructure	CS1, 21, 22	
MOP4 Local Green Space	CS1, 21, 22, 23	
MOP5 Design of new buildings & extensions	CS1, 2, 21, 22, 19, 20, 21,22	MOP5 endorses RCC SDS emphasising the need for high quality design that is sensitive to the local historical, built and natural environments.

MOP6 Residential amenity and traffic management	CS19, 21, 22	MOP6 endorses RCC SDS emphasis on the need for high quality design that is sensitive to the local historical, built and natural environments and result in safety. Lack of off road parking is a concern of residents, and the result of leaving waste disposal bins on the pavement adds to pedestrian safety concerns.
MOP7 Natural features and landscape works	CS1, EN9	MOP7 long with MOP 2, 3, and 4 expanding local needs and preferences. This policy emphasises the need to maintain, enhance and restore natural features and add to biodiversity in line with RCC policies
MOP8 Surface water flooding	CS1, 5	MOP5 focuses on the need for good design and how it relates to sustainable support for health and safety.
MOP9 Market Overton industrial estate	CS7, 13, 16,	MOP9 supports the opportunities for local employment while protection the natural environment and public health and safety.
MOP10 Working from home	E4, SP15	
MOP11 Fibre to the premises	CS3	MOP10 and MOP11 Supports RCC's vision for the development of small scale employment that reduces the need for travel and promotes rural economic development
MOP12 The retention of community facilities	CS7	MOP12 and MOP13 acknowledges the significance of services and facilities needed to create a sustainable and thriving community that supports the need for the whole community. As such it reflects RCC SDS.
MOP13 The provision of new community facilities	CS7	