

# Wing Neighbourhood Plan 2023 - 2038 Statement of Basic Conditions

MARCH 2023

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## 1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Wing Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3 Paragraph 8 (1) states that the examiner must consider the following:
- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
  - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
  - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
  - (d) such other matters as may be prescribed.
- 1.4 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
  - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
  - (c) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
  - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and
  - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

- 1.5 Section 2 of this Statement sets out how the Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the Neighbourhood Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

## 2.0 Legal Requirements

- 2.1 The Plan complies with the provisions of sub-paragraph 1(b) as described below.

### **The Plan is being submitted by a qualifying body**

The Neighbourhood Plan has been submitted by Wing Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan area.

### **What is being proposed is a neighbourhood plan**

- 2.2 The Neighbourhood Plan contains policies relating to the development and use of land within the Neighbourhood Plan area and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

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

- 2.3 The Neighbourhood Plan states that the period which it relates to is from 2023 until 2038.

### **The policies do not relate to excluded development**

- 2.4 The Neighbourhood Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **The proposed Neighbourhood Plan does not relate to more than one neighbourhood plan area and there are no other neighbourhood plans in place within the Neighbourhood Plan area.**

- 2.5 The designated Plan area was approved by Rutland County Council on 23 June 2017. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the Neighbourhood Plan area.

- 2.6 In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.

2.7 In relation to sub-paragraph 1(d), there are no other prescribed matters.

### 3.0 The Basic Conditions

3.1 This section addresses how the Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework 2021 (NPPF) and to the strategic policies contained in the Rutland Core Strategy Adopted in July 2011.

#### Having regard to national policies and advice

3.2 The Neighbourhood Plan has been developed having regard to the NPPF. An explanation of how each of the Neighbourhood Plan policies have shown regard to the NPPF are outlined in table 1 below.

3.3 In broad terms the Neighbourhood Plan:

- process has empowered the local community to develop the plan for their neighbourhood and has undertaken a thorough exercise in identifying ways to enhance and improve the area;
- policies are based on robust evidence and provide a practical framework within which decisions on planning applications can be made, with a high degree of predictability and efficiency;
- seeks to deliver locally appropriate homes, businesses and infrastructure through policies on a residential allocation; reserve site; windfall development, housing mix and affordable housing and employment policies;
- seeks to actively manage patterns of growth in the most sustainable locations through the designation of a Settlement Boundary
- supports local strategies to deliver sufficient community facilities and services, to meet local needs;
- contributes to conserving and enhancing the natural environment through the protection of Local Green Spaces biodiversity and a range of environmental protections.

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

3.4 The Neighbourhood Plan has been prepared in general conformity with the strategic policies contained in the Rutland Joint Core Strategy Adopted in July 2011.

3.5 Table 1 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the strategic policies contained in the Core Strategy and have regard for the NPPF.

**Table 1**

<b>Wing Neighbourhood Plan policies</b>	<b>NPPF para</b>	<b>Regard to National Planning Policy (2021)</b>	<b>General Conformity with the Rutland Core Strategy</b>
<b>HBE1: Settlement Boundary</b>	9, 11, 79,	<p>One of the core principles of the NPPF is to recognise and protect the intrinsic character and beauty of the countryside. Actively managing patterns of growth, within the Settlement Boundary seeks to support existing services and facilities and protect the countryside and setting of the settlements. Further, Settlement Boundary facilitate the use of sustainable modes of transport with both benefits to the environment and the health of the community, both underlying premises of the NPPF.</p> <p>The policy accords with the NPPF in its control of development outside the defined Settlement Boundary (in the open countryside).</p>	<p>The Core Strategy retains the planned limits to development as established in the 2005 Core Strategy. They are therefore now 18 years old.</p> <p>The Core Strategy is officially classed as being out of date following the withdrawal of the draft Local Plan at Examination and the weight to be afforded the Core Strategy is dependent on changes since adoption. The critical change sine the Core Strategy was adopted is the emergence of neighbourhood planning and across the country Parishes are taking the opportunity are updating their own settlement boundaries in line with local need.</p> <p>The proposed settlement boundary is in line with the Core Strategy methodology and therefore is in general conformity with the Core Strategy requirements. The Core Strategy comment that changes to the Planned Limits to Development should be updated on adoption of a new Core Strategy is outdated following the emergence of neighbourhood planning and should be afforded very limited weight.</p>
<p><b>HBE2: Residential Site Allocation</b></p> <p><b>HBE3: Reserve Site</b></p>	7, 10, 11	<p>Inclusion of a housing allocation and Reserve Site supports ‘the presumption in favour of sustainable development’ by planning positively, shaping and directing development.</p> <p>The policy in identifying a residential site to ensure housing delivery and a reserve site supports the NPPF aims of delivering sustainable development.</p>	<p>Policy CS2 of the Core Strategy sets out the spatial strategy and the criteria to be applied for development in smaller service areas such as Wing. This is reinforced in the Site Allocations and Policies DPD, adopted in October 2014.</p>

<b>HBE4: Housing Mix</b>	63, 92	The policy seeks to support a mix of housing that meets an identified need in the community. The NPPF advocates for inclusive and mixed communities, which will require a mix of housing types based on current and future demographic trends.	The core strategy Policy CS10 sets housing mix requirements on sites of 10 dwellings or more only. Objective 4 of the SAP DPD is ‘To ensure a range and mix of housing types to meet the needs of all the community ...’
<b>HBE5: Affordable Housing</b>	62, 63, 64, 65	This policy supports the provision of affordable housing and includes a condition prioritising allocation to local residents. This policy is consistent with the NPPF which outlines the need to widen opportunities for home ownership and create inclusive and mixed communities through amongst other things, supporting affordable housing where there is an identified need.	SAP DPD policies SP9 and SP10 set out the criteria for affordable housing, alongside Core Strategy Policy CS11.
<b>HBE6: Windfall Sites</b>	69, 71	The policy for small scale windfall sites has regard to the NPPF; by seeking to meet any future housing requirements for the area and maintain the vitality of the settlements, whilst protecting their character and setting. This is a positive policy for future housing provision given that this type of development has a proven track record in providing a good source of new housing over recent years.	<p>The support of the Neighbourhood Plan for small scale windfall development is in general conformity with the Core Strategy and SAP DPD which supports opportunities for new residential development the help sustain services and facilities</p> <p>The Neighbourhood Plan policy HBE6 helps to define the locally determined circumstances in which windfall development will be supported.</p>
<b>HBE7: Design</b>	8, 28, 112, section 12	The policy outlines several design principles and supports the NPPF principle of requiring good design; and the need to respond to local character and history of the local surroundings. Importantly the policy does not impose architectural styles and hence does not stifle an innovative approach.	<p>Core Strategy CS19 promotes good design as does Policy SP15 of the SAP DPD.</p> <p>NP Policy HBE7 adds local detail to these broad strategic policies.</p>
<b>ENV 1: Local Green Spaces</b>	101 - 103	Protection of Local Green Spaces identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.	The Core Strategy Policy CS21 sets out the overall strategy towards the natural environment and the general criteria relating to the protection and enhancement of the natural environment that will apply to new development proposals.

			NP Policy Env 1 is consistent with the Core Strategy vision which seeks to reduce ‘the impact of people and development on the environment and climate change, protecting and enhancing Rutland’s environment assets, providing more affordable housing, supporting economic activities and improving the quality of the built environment and infrastructure throughout the county’
<b>ENV 2: Important Open Spaces</b>	Section 15	These policies seek to protect other open space with environmental and historic value on account of their natural and/or historical features. This has regard to the NPPF principles conserving and enhancing the natural and historic environment. It takes into account the designation hierarchy and the protection is commensurate with their status.	The Core Strategy Policy CS23 says ‘the existing green infrastructure network will be safeguarded, improved and enhanced by further provision to ensure accessible multi-functional green spaces by linking existing areas of open space’. The policy also seeks to resist development that results in the loss of green infrastructure.
<b>ENV 3: Sites and Features of Natural Environmental Significance</b>			
<b>ENV4: Woodland, Notable Trees and Hedges</b>	Section 15	This policy seeks to prevent damage or loss to trees of arboricultural significance, in line with the NPPF which promotes policies which recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.	Core Strategy Policy CS21 requires development proposals to be appropriate to the landscape character within which it is situated, including protecting and, where possible, enhancing biodiversity.
<b>ENV 5: Biodiversity, Bat Conservation and Habitat Connectivity.</b>	109, 117	This policy seek to protect and enhance local biodiversity features and habitats. The policy has regard to the NPPF, which states that the planning system should contribute to enhancing the natural and local environment by minimizing impacts on biodiversity and providing net gains where possible.	Core Strategy Policy CS21 requires development proposals to be appropriate to the landscape character within which it is situated, including protecting and, where possible, enhancing biodiversity.
<b>ENV 6: Building for Biodiversity</b> <b>ENV 14: Renewable Energy Generation Infrastructure</b>	152, 156, 158	The policies support the NPPF aim of meeting the challenge of climate change by supporting the delivery of renewable energy development while ensuring that adverse impacts are addressed satisfactorily.	A key issue in the Core Strategy is the need to address issues relating to climate change and this is reflected in the vision which references a need for increased use of renewable energy.



			Policy CS2 identifies the need to promote renewable energy whilst CS19 seeks to maximise renewable energy within the policy on good design.
<b>ENV 7: Sites of Historical Environment Significance.</b>	Section 15	The NPPF requires Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets	Strategic Objective 12 of the Core Strategy is ‘To protect and enhance the built environment and open spaces, historic heritage and local townscape associated with the historic core of the market towns, listed buildings and conservation areas’.  Core Strategy Policy CS22 ensures the conservation and enhancement of the historic and cultural environment. It seeks to protect and if possible, enhance historic assets.
<b>ENV 8: Ridge and Furrow</b>		Policy ENV 7 seeks to protect ridge and furrow fields and has regard for the NPPF, which considers that non-designated heritage assets of archaeological interest, of equivalent significance to scheduled monuments should be subject to the policies for designated heritage assets.	
<b>ENV 9: Non-Designated Heritage Assets</b>		These policies recognise Wing’s historic character as one of its most important assets and seeks to protect and enhance it. They have regard to the NPPF with regards to identifying non-designated heritage assets for protection. The policies support the protection of heritage assets and their setting, a core principle of the NPPF.	
<b>ENV 10: Important Views</b>	Para. 130	The policy seeks to protect views identified as being significant to the community. In accordance with the NPPF, the planning system should contribute to and where possible; enhance the landscape. Views are a key component of the landscape	The Core Strategy supports the protection and enhancement of heritage assets and local landscapes.  Important views are an important element of the character of the landscape and thus their identification and protection is consistent with this aim.  Important views are an important element of the character of the landscape and thus their identification and protection is consistent with the broad aims for the countryside and natural environment in the Core Strategy, specifically policy CS22 which requires

			development to respect the historic landscape character and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.
<b>ENV 11: Footpaths and other Walking Routes</b>	8, 91,117	The policies support the extension of existing networks of footpaths and in so doing, supports the NPPF aims of promoting sustainable transport and promoting healthy communities.	The Core Strategy Spatial Vision identifies the need to improve walking facilities. Policy CS18 looks to improve sustainability, including walking.
<b>ENV 13: Flood Risk Resilience</b>	Section 14	The policy seeks to address potential flooding by making development safe without increasing flood risk elsewhere, therefore meeting the requirements of the NPPF which identifies the need to take full account of flood risk	The Core Strategy includes a policy on design (CS19). Criterion d states the requirement to ‘minimise water use and the risk of flooding to and from the development’.
<b>CF 1: Community Facilities and Amenities</b>	20, 28, 84, 93, 186,	This policy seeks to protect key community facilities. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.	Neighbourhood Plan Policy CF1 is in general conformity with the Core Strategy which recognises the importance of community facilities. The section on ‘Issues to be addressed’ includes recognition that ‘There is a need to remove barriers to access key services and facilities including education, health, social care, cultural, leisure, recreation, open spaces, woodland and other facilities to all groups in the community including disadvantaged/vulnerable groups and disabled people and consider how the gradual decline in some facilities such as village shops, post offices and pubs can be addressed’ (para 131).  This is expressed in Policy CS7 which describes the circumstances in which community services and facilities should be provided and safeguarded
<b>E 1: Employment and Business Development</b>	20, 72, 104, 121	The policy supports new employment opportunities through small scale employment premises. Promoting access to employment is a key element in the pursuance of sustainable development as outlined in the NPPF. The	The Core Strategy acknowledges that ‘New land for employment may be needed to meet the needs of existing employers or to attract new ones into in Rutland’. (para 1.37). Strategic Objective 7 seeks to ‘strengthen and

		<p>policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.</p> <p>Re-use of agricultural buildings for small businesses, recreation or tourism further support a prosperous rural economy and the transition to a low carbon future by encouraging the use of existing resources.</p>	<p>diversify the local economy in order to provide a greater range and quality of employment opportunities locally and reduce commuting out of the county ...’.</p> <p>Policy CS13 supports the provision of employment opportunities and seeks to safeguard local employment uses outside the employment areas where they are important to sustaining the role of the settlements and the local economy.</p>
<b>E 2: Working from Home</b>	104	<p>This policy supports the use of part of a dwelling for office or light industrial use in order to facilitate working from home. Working from home further supports employment activities; thus, contributing to a prosperous rural economy. It also supports the transition to a low carbon future by reducing the dependency of the car for journeys to employment sites outside of the Parish.</p>	<p>Paragraph 4.12 of the Core Strategy recognises the growth in home working. Policy CS13 includes support for ‘the introduction and development of the superfast broadband and information and communications technology networks to support local businesses and flexible working in particular in the rural areas’.</p> <p>NP Policy E2 is therefore in general conformity with the Core Strategy.</p>
<b>E 3: Farm Diversification</b>	20, 72, 104, 121	<p>The policy supports new employment opportunities through small scale employment premises. Promoting access to employment is a key element in the pursuance of sustainable development as outlined in the NPPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.</p> <p>Re-use of agricultural buildings for small businesses, recreation or tourism further support a prosperous rural economy and the transition to a low carbon future by encouraging the use of existing resources.</p>	<p>Core Strategy Policy CS16 specifically supports the rural economy including ‘farm diversification projects where this would be consistent with maintaining and enhancing the environment and contribute to local distinctiveness’.</p>
<b>E 4: Tourism</b>	83	<p>The policy in supporting development proposals for tourism and leisure facilities recognises the role that the area can play in ‘building a strong, competitive economy’</p>	<p>The Core Strategy recognises tourism as an important element of Rutland’s economy (para 1.39).</p>

		and ‘supporting a prosperous rural economy’ through sustainable rural tourism and leisure developments.’	Policy CS2 includes tourism uses within the policy on the spatial strategy. Policy CS15 specifically addresses the strategy for tourism and the circumstances where it will be supported.
<b>E5: Broadband Infrastructure</b>	Section 10	The NPPF advocates planning that supports high quality communications infrastructure.	Policy CS13 includes support for ‘the introduction and development of the superfast broadband and information and communications technology networks to support local businesses and flexible working in particular in the rural areas’.
<b>T 1: Traffic Management</b> <b>T2: Car parking</b>	Section 9	The policy seeks to manage potential traffic issues arising from development and has regard for ‘promoting sustainable transport’ and supporting reductions in greenhouse gas emissions.	Core Strategy CS 18 on sustainable transport and accessibility recognises the importance of appropriate mitigating measures and supports adequate levels of car parking.
<b>T2: Electric Vehicles</b>	107, 112	The NPPF supports the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and that applications for development are designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.	A key issue in the Core Strategy is the need to address issues relating to climate change.  The Neighbourhood Plan, by supporting measures to mitigate and adapt to climate change is consistent with the Core Strategy which outlines support for such development.

## Achieving sustainable development

- 3.7 The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Neighbourhood Plan supports the strategic development needs in the Core Strategy.
- 3.8 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has sought environmental, economic and social gains.
- 3.9 The policies contained in the Neighbourhood Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people's quality of life, including:
- supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing (including affordable housing) to meet local need;
  - supporting the transition to a low carbon future through actively managing patterns of growth within existing settlements, supporting sustainable modes of transport, renewable energy generation and local employment opportunities;
  - protecting and enhancing the distinctive character of the built and natural environment through high quality design, protection of important local green space and protection of important views;
  - conserving and enhancing the natural environment by protecting and supporting a net gain in biodiversity and important habitats;
  - supporting a strong economy through the protection of existing employment opportunities and support for appropriate new businesses including home working;
  - safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

## EU obligations

### Strategic Environmental Assessment (SEA)

3.10 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Part 2 Local Plan.

3.11 A Screening opinion was issued by Rutland County Council which determined that a full SEA would not be required.

### Habitats Directive

3.12 Rutland County Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan and concluded that an HRA was not required. The statutory consultees concurred with this conclusion.

### Convention on Human Rights

3.13 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

3.14 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the schedule set out in the appendices to the Statement

of Consultation. The Statement of Consultation has been prepared by the Wing Parish Council and meets the requirements set out in Paragraph 15 (2) of the Regulations.

## 4.0 Conclusion

- 4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Neighbourhood Plan.
- 4.2 The Neighbourhood Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic policies in the Core Strategy and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.