
STATEMENT OF BASIC CONDITIONS

December 2016

WYMONDHAM AND EDMONDTHORPE
NEIGHBOURHOOD PLAN 2016 -2036

Contents

1.0	Introduction.....	Page 3
2.0	Summary of Submission Documents and Supporting Evidence.....	Page 4
3.0	Legal Requirements.....	Page 4
4.0	The Basic Conditions.....	Page 6
5.0	Conclusion.....	Page 17

1.0 Introduction

This statement has been prepared by Wymondham and Edmondthorpe Parish Council's Neighbourhood Plan Group Committee ("NPGC") to accompany its submission to the local planning authority (Melton Borough Council) of the Wymondham and Edmondthorpe Neighbourhood Plan ("the Neighbourhood Plan") under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

The policies described in the Neighbourhood Plan relate to development and the use of land in the designated Neighbourhood Plan area only. The plan period for the Neighbourhood Plan is 2016 to 2036 and it does not contain policies relating to excluded development, in accordance with the Regulations. The manner in which the Neighbourhood Plan meets the Regulations and the Basic Conditions is set out below.

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38(C)] sets out in the following way how the Neighbourhood Plans must meet the basic conditions:

- 1) 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.

- 2) 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.

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

2.0 Summary of Submission Documents and Supporting Evidence

In addition to the Basic Conditions Statement, the following documents have been prepared to support the preparation of the Plan and meet the Basic Conditions:

- The Wymondham and Edmondthorpe Neighbourhood Plan (WENP)
- The Wymondham and Edmondthorpe Neighbourhood Plan Consultation Statement

Screening opinions were issued by Melton Borough Council with regards to the potential need for a Strategic Environmental Assessment and Habitats Regulations Assessment. It was determined by Melton Borough Council that neither a full SEA nor an HRA were required.

3.0 Legal Requirements

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

3.1 The Plan is being submitted by a qualifying body

The WENP has been submitted by Wymondham and Edmondthorpe Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for its own Parish. The Neighbourhood Plan has been prepared by a Committee, which was appointed by and reports to the Wymondham and Edmondthorpe Parish Council.

3.2 What is being proposed is a neighbourhood plan

The WENP contains policies relating to the development and use of land within the neighbourhood 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.

3.3 The proposed neighbourhood plan states the period for which it is to have effect

The WENP states that the period which it relates to is from 2016 until 2036. The period has been chosen to align with that of the emerging Melton Borough Council Local Plan.

3.4 The policies do not relate to excluded development

The WENP 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 County Council has commented through Regulation 14 and has raised no concerns or conflict with the existing adopted Leicestershire Minerals Local Plan

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

The whole parish of Wymondham and Edmondthorpe was formally designated as a Neighbourhood Area by Melton Borough Council on 28 May 2015. The proposed neighbourhood plan relates only to the parish of Wymondham and Edmondthorpe and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.

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.

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

4.0 The Basic Conditions

This section addresses how the WENP 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 (NPPF) and to the saved strategic policies contained in the Melton Local Plan 1999.

The Neighbourhood Plan has been prepared with reference to the emerging Local Plan which has been subject to consultation through the period of preparing the Neighbourhood Plan and which is scheduled to be Adopted in 2017/18.

4.1 Having regard to national policies and advice

The WENP has been developed having regard to the National Planning Policy Framework. An explanation of how each of the neighbourhood plan policies have shown regard to the NPPF are outlined in table 1 below.

In general terms:

- The local community has been empowered to develop the plan for their neighbourhood.
- The WENP sets out a positive aim for the future of the area; *“to set out policies for the years up to 2036 that will ensure that our area develops and grows in a way that is sustainable economically, socially and environmentally, and which enhances and improves the community in which we live.”*
- The policies in the WENP provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- The development of the WENP has been a creative process and the aims and policies seek to enhance and improve the area.
- The WENP policies seek to retain and enhance the distinctive character and heritage assets of the area, support a diverse community, actively manage patterns of growth to support existing infrastructure, encourage high quality design to complement and enhance conservation areas, support a prosperous local economy and support local strategies to improve health, social and cultural wellbeing.

Table 1: WENP Policies regard to NPPF

Neighbourhood Plan Policy	NPPF Ref (para.)	Commentary
SD1: Presumption in Favour of Sustainable Development	Para 16	Supports the 'golden thread' of the NPPF; a presumption in favour of sustainable development. The WENP by shaping and directing development in the area, makes clear the type and location of development that will be supported.
Policy SD2: General Policy Principle	Para. 2	Supports the NPPF principle that applications for planning permission must be determined in accordance with the development plan (local plan and neighbourhood plan which has been made in relation to the area), unless material considerations indicate otherwise.
Policy SD3: Limits to Development	Para. 30 & 95	Actively managing patterns of growth, principally within the current built up area of Wymondham has regard for the NPPF, reducing the need to travel and facilitating the use of sustainable travel with both benefits to the environment and the health of the community.
Policy H1: Housing Provision	Para. 16	Inclusion of a housing target supports 'the presumption in favour of sustainable development' by providing for the strategic development needs set out in the emerging Local Plan.
Policy H2: Housing Allocations	Para. 16, 47, 50, 57 & 94.	Inclusion of housing allocations with support from the community supports 'the presumption in favour of sustainable development' by planning positively, shaping and directing development. Further, by identifying sites to deliver housing targets in the emerging local plan, it has regard for 'delivering a wide choice of housing.' Clear criteria for development attached to each allocation to outline expected design quality, landscaping and flood mitigation supports the NPPF principles of delivering a wide choice of high quality homes, requiring good design and meeting the challenge of climate change, flooding and coastal change.
Policy H3: Reserve Site	Para. 16 & 47	Inclusion of a reserve site as a further measure to ensure that the number of houses to meet current and potential future need again supports the principle of the presumption in favour of sustainable development' and 'delivering a wide choice of quality homes.'

Neighbourhood Plan Policy	NPPF Ref (para.)	Commentary
Policy H4: Housing Mix	Para 50	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.
Policy H5: Housing Provision Windfall Sites	Para 17 & 30	The policy for windfall sites has regard to the NPPF; being based on evidence (emerging local plan) and previous trends. This policy supports the transition to a low carbon future by encouraging the use of existing resources through redevelopment sites and facilitating the use of sustainable transport through infill.
Policy H6: Affordable Housing	Para. 50 & 159.	This policy is consistent with the NPPF which outlines the requirement to deliver a wide choice of quality homes, including affordable housing, where there is an identified need. The policy sets out a local-connection criteria that prioritise people who have a local connection.
Policy H7: Building Design Principles	Para 58, 60	This policy outlines a number of design principles and supports the NPPF principle of requiring good design; and in particular 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.
Policy H8: Nationally Designated Heritage Assets of Local Historical and Architectural Interest	Para 135	This policy recognises the value of heritage assets (both listed and non-designated). It has regard to the NPPF in seeking consideration of the impact of development on these heritage assets, based on the scale of harm or loss and their significance.
Policy H9: Use of Street Lighting	Para 95 & 125	A policy to limit the impact of light pollution from development is supported in the NPPF with regards its impact on local amenity, intrinsically and dark landscapes and nature conservation. Moreover, it further supports the transition to a low carbon future.
Policy ENV1: Protection of Local Green Spaces	Para. 76 & 77	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.
Policy ENV2: Other Sites of Environmental Significance	Para.109 & 135	This policy seeks to protect other open space with environmental 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.

Neighbourhood Plan Policy	NPPF Ref (para.)	Commentary
Policy ENV3: Ridge and Furrow Fields	Para. 139	This policy 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.
Policy ENV4: Woodland, Trees and Hedges	Para. 118	This policy adopts a positive approach to conserving woodland, trees and hedges through protection, incorporation into design proposals and support for the creation of woodland habitat sites. These aims are supported by the NPPF.
ENV5: Biodiversity	Para. 117	The policy adopts a strategic approach, seeking protection and enhancement of the natural environment by identifying and mapping components of the local ecological networks and planning on a landscape-scale to create linkages.
Policy ENV6: Footpaths	Para. 30 & 75	This policy aims to protect and where possible, enhance the existing network of footpaths. This has regard for a number of the NPPF sustainable principles including promoting sustainable transport, promoting healthy communities by providing opportunities for walking and cycling and meeting the challenge of climate change through a potential reduction on greenhouse gas emissions.
ENV7: Protection of Important Views	Para. 109	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
ENV8: Rivers and Flooding	Para. 100 & 103	The policy seeks to support initiatives for mitigating the effects of flooding and future sustainable management of rivers and surface water. This approach has regard to the NPPF and in particular directing development away from areas at highest risk and ensuring flood risk is not increased elsewhere.
CF1: The Retention of Community Facilities and Amenities	Para. 70	This policy seeks to protect key community facilities. This has regard for the NPPF principle of promoting health communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.

Neighbourhood Plan Policy	NPPF Ref (para.)	Commentary
CF2: New or Improved Community Facilities	Para. 70	In seeking new or improved community facilities, this supports the NPPF principle of promoting healthy communities.
Policy E1: Support for Existing Employment Opportunities	Para. 28	Retention of existing employment opportunities, where viable seeks to support a prosperous rural economy.
Policy E2: Support for New Employment Opportunities	Para. 28	Support for new employment opportunities, seeks to support a prosperous rural economy to grow and where possible, diversify the local economy, providing local employment opportunities.
Policy E3: Re-use of Agricultural and Commercial Buildings	Para. 17 & 28	Re-use of agricultural and commercial buildings for small businesses, recreation or tourism further support a prosperous rural economy. Further, it supports the transition to a low carbon future by encouraging the use of existing resources.
Policy E4: Broadband Infrastructure	Para. 42 & 43	This policy recognises the need for super-fast broadband service and improved mobile telecommunications network for sustainable economic growth in the area. The NPPF advocates planning that supports high quality communications infrastructure.
Policy E5: Working from Home	Para. 28	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 is a further strand in ensuring a prosperous rural economy and also supports the transition to a low carbon future by the reduced need to travel.
Policy T1: Traffic Management	Para.29, 30 & 69	The provision of traffic management solutions to address traffic issues including the extension and widening of footpaths and provision of pedestrian crossings have regard to the NPPF with regard to sustainable transport and promoting healthy communities.
Policy T2: Transport Requirements for New Developments	Para.29, 30, 69	The policy sets out transport requirements for new developments; incorporation of the development into the pedestrian and cycle network and maintenance of rights of way. This policy has regard to the NPPF with regards promotion of sustainable transport, promoting healthy communities and meeting the challenge of climate change.

4.2 Achieving sustainable development

The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development and seeking to manage development pressures to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.

The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The WENP has been developed with regard to these principles and the aims and policies comprise a balance of social, environmental and economic goals.

The principal ways in which the WENP contributes to achieving sustainable development are set out below:

- Placing a presumption in favour of sustainable development at the heart of the Plan including the allocation of housing sites.
- Actively managing patterns of growth to facilitate sustainable transport, support existing infrastructure and protect environmental assets.
- Planning positively for housing growth to meet the needs of present and future generations in line with borough-wide housing growth predictions, including housing allocations and a reserve site.
- Supporting the provision of a mix of housing types, including affordable housing, which meets identified needs in the community and promotes a healthy and inclusive community.
- Supporting good design of the built environment, making Wymondham and Edmondthorpe an even better place to live.
- Protecting and enhancing the natural, built and historic environment bestowing social, cultural, environmental and economic benefits now and for the future.
- Contributing to building a strong economy through the protection of existing employment sites, supporting small scale business development and expansion and encouragement of start-up businesses and home working.
- Safeguarding existing open space and community facilities for the health, social and cultural wellbeing of the community.
- Supporting the maintenance and enhancement of footpaths to provide better connectivity and opportunities to improve health and general wellbeing.

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

The Neighbourhood Plan has been developed in general conformity with the saved strategic policies of the Melton Local Plan 1999. To meet the basic conditions, the Neighbourhood Plan is only required to demonstrate general conformity with the adopted local plan. However, given how dated this local plan is, considerable regard has been paid to the evidence base and draft policies of the emerging local plan, particularly in relation to housing allocations.

Table 2: Assessment of how each policy of the Wymondham and Edmondthorpe NP conforms to the saved strategic policies of the Melton Local Plan

Neighbourhood Plan Policy	Local Plan Policies	Commentary
SD1: Presumption in Favour of Sustainable Development	General	The principal aim of the local plan is to contribute to sustainable development. Policy SD1 does not contradict any of the saved strategic policies in the local plan.
Policy SD2: General Policy Principle	General	Policy SD2 does not contradict any of the saved strategic policies in the local plan.
Policy SD3: Limits to Development	OS1	Policy is in general conformity with village envelopes and premise that development will be permitted therein when in compliance with a number of key criteria including not adversely affect the character, amenity and heritage assets.
Policy H1: Housing Provision	NA	The draft Local Plan will set the agenda for housing numbers. The WENP has been developed having regard to the evidence in the draft Local Plan, basing its housing target for the area on its settlement classifications and Housing Needs Survey.
Policy H2: Housing Allocations	OS1	The allocation of housing sites is in general conformity with the Local Plan policies and in particular, with regards to where new housing development can be located generally within the village envelope.
Policy H3: Reserve Site		The reserve site is in general conformity with the policies in the Local Plan and in particular, with regards to where new housing development can be located generally within the village envelope.
Policy H4: Housing Mix		There are no saved policies in the Local Plan that are contracted by the housing mix supported for the

		area, which is justified through sound research.
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Neighbourhood Plan Policy	Local Plan Policies	Commentary
Policy H5: Housing Provision Windfall Sites	H6	Support for small residential development on infill and redevelopment sites conforms with policy H6 which also advocates small groups of dwellings, single plots or change of use of existing buildings within the village envelopes.
Policy H6: Affordable Housing	H7	The requirements for affordable housing in the saved Local Plan policies are based on out of date data. However, policy H7 whilst limiting affordable housing to a select list of site allocations, it does support the principle of the provision of affordable housing. The WENP does not contradict the strategic intent of this policy.
Policy H7: Building Design Principles	BE1	Building design principles outlined in H7 are in general conformity with the criteria outlined in BE1.
Policy H8: Nationally Designated Heritage Assets of Local Historical and Architectural Interest	BE11	A policy seeking to conserve and enhance heritage assets of local historical and architectural interest is in general conformity with the strategic policies of the local plan and in particular BE11.
Policy H9: Use of Street Lighting	R4	H9 seeks to limit the impact of light pollution from artificial externally visible light resources. This is consistent with R4, which whilst granting permission for floodlighting if recreation grounds, does so with due consideration to common elements.
Policy ENV1: Protection of Local Green Spaces		There is nothing in the saved Local Plan that in any way contradicts policy ENV1.
Policy ENV2: Other Sites of Environmental Significance	C13, C15,	Identification and protection of sites of environmental significance conforms with the strategic policies of the local plan and in particular, C13 which outlines that planning permission will not be granted for development that adversely affects sites of ecological, geological or other scientific importance.
Policy ENV3: Ridge and	C13	Policy ENV3 has regard to C13 which outlines that planning permission will not be granted for

Furrow Fields		development that adversely affects sites of ecological, geological or other scientific importance.
Neighbourhood Plan Policy	Local Plan Policies	Commentary
Policy ENV4: Woodland, Trees and Hedges	C14, C16	A policy that does not give support to proposals that damage or result in the loss of woodland, trees and hedges of value, except in exceptional circumstances is in general conformity to policy C14
ENV5: Biodiversity	C13	Protection and enhancement of designated and non-designated ecological sites suitably conforms with the strategic policies of the local plan and in particular, C13 which outlines that planning permission will not be granted for development that adversely affects sites of ecological, geological or other scientific importance.
Policy ENV6: Footpaths	T6	ENV6 is in general conformity with policy T6 which advocates for the provision of cyclist and pedestrian routes as part of major new developments
ENV7: Protection of Important Views		There is nothing in the saved policies of the Local Plan that create any concerns with regards conformity of policy ENV7.
ENV8: Rivers and Flooding		There is nothing in the saved policies of the Local Plan that create any concerns with regards conformity of policy ENV8.
CF1: The Retention of Community Facilities and Amenities	CF4	CF1 seeks to support existing community facilities, an aim consistent with CF4 which states planning permission will not be granted for development that would result in the loss of local community facilities except in limited circumstances.
CF2: New or Improved Community Facilities		CF2 seeks to support new or improved community facilities. The strategic intent of this policy and associated provisions conform with that of the Local Plan.
Policy E1: Support for Existing Employment Opportunities		There is nothing within the Industry and Employment saved strategic policies that are contradicted by Policy E1 and the overall strategic intent of the policies is to support employment through the provision of adequate land.
Policy E2: Support for New Employment Opportunities	EM10, S6	Supporting additional employment development on the premise that is within existing buildings, on areas of previously developed land or within the limits to development is in general conformity with EM10 and

		S6 which significantly restricts the extension of existing employment sites outside of village envelopes but generally supports shopping facilities within village envelopes.
Neighbourhood Plan Policy	Local Plan Policies	Commentary
Policy E3: Re-use of Agricultural and Commercial Buildings	C2, C6	Re-use of agricultural and commercial buildings for small business, recreation or tourism is in general conformity with the local plan, most notably C2 which supports farm based diversification in order to local employment opportunities.
Policy E4: Broadband Infrastructure		There are no strategic policies within the Local Plan regarding communications infrastructure. However, the broad principles that any aboveground installations are required to be sympathetically located and integrate with the landscape conform generally with development principles in the Local Plan.
Policy E5: Working from Home	OS1	The general development principles of Policy E4 conform with those of OS1.
Policy T1: Traffic Management		Policies T1 and T2 conform generally with the transport policies in the Local Plan.
Policy T2: Transport Requirements for New Developments		

4.4 EU obligations

Strategic Environmental Assessment (SEA)

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 Local Plan.

In the case of the Wymondham and Edmondthorpe Neighbourhood Plan:

- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programs Regulations 2004 and shown at Appendix 2
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Melton Borough Council's Local Plan.

A Screening opinion was issued by Melton Borough Council with regards to the Strategic Environmental Assessment. This determined that a full SEA was not required. The consultation bodies were asked to comment and no concerns were raised.

Habitats Directive

The WENP area does not include or is not close to a European site that would require a Habitat Regulation Assessment.

A Screening opinion was issued by Melton Borough Council with regards to a Habitats Regulations Assessment. This determined that an Appropriate Assessment was not required under Habitat Regulations. The consultation bodies were asked to comment and no concerns were raised.

Convention on Human Rights

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. There was extensive consultation and engagement in identifying issues and objectives and the draft Neighbourhood Plan is being consulted on 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 NPGC, a Committee of Wymondham and Edmondthorpe Parish Council, and meets the requirements set out in Paragraph 15 (2) of the Regulations.

5.0 Conclusion

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 Wymondham and Edmondthorpe Neighbourhood Plan.

The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the saved strategic policies in the Melton Local Plan 1999 and meets relevant EU obligations.

It is therefore respectfully suggested to the Examiner that the Wymondham and Edmondthorpe Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.