

# **Loggerheads Neighbourhood Plan** **Basic Conditions Statement**

January 2018

## Introduction

This is a 'Basic Conditions Statement', prepared to accompany the submission of the Loggerheads Neighbourhood Plan. This plan is being submitted by Loggerheads Parish Council, the qualifying body.

The Neighbourhood Plan proposal contains policies relating to 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 (as amended).

The Neighbourhood Plan proposal states the period for which it is to have effect. This is a period until the end of 2033.

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

The Neighbourhood Plan proposal relates to the *Loggerheads* Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that Neighbourhood Area.

The Neighbourhood Plan proposal meets the basic conditions set out in the Town and Country Planning Act 1990. This is covered in more detail in the next part of this statement.

## The Basic Conditions

The Basic Conditions that Neighbourhood Plans must meet are as follows:

- They must have appropriate regard to national policy;
- They must contribute to the achievement of sustainable development;
- They must be in general conformity with the strategic policies in the development plan for the local area; and
- They must be compatible with EU obligations.

In order to consider the requirements to be compatible with EU obligations, two further basic conditions are set out in regulations. They are that a plan or order must not have a significant adverse effect on a European site or a European offshore marine site and where a Neighbourhood Development Order proposes certain types of development, an assessment of the effects of the order on the environment must be undertaken and its findings taken into account. These additional basic conditions do not apply to the Loggerheads Neighbourhood Plan.

In addition, Neighbourhood Plans must be compatible with human rights law.

The outcome of the recent referendum on membership of the EU makes no immediate difference to the requirement on EU obligations, until such a time as Parliament passes relevant legislation.

In the context of sustainable development, the viability of the proposed multi-functional community sports facility should be considered. The allocation of the site is the first step towards the development of a viable proposition, and to support the construction of the facilities, resources and funding are available from a number of sources, including:

- Sport England; and
- The Football Foundation.

In addition, there would also be the potential to secure funding through s106/CIL contributions.

## Regard to National Policy

The Loggerheads Neighbourhood Plan (LNP) has been prepared against the context of national policy, in particular the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

The central theme of the NPPF is the presumption in favour of sustainable development. Sustainable development is described as having three dimensions: economic, social and environmental.

### NPPF Core Principles

There are 12 core principles put forward in the NPPF (Paragraph 17). The following table lists these core principles, against the LNP Key Aims.

<b>NPPF Core Principle</b>	<b>LNP Aims</b>	<b>Policies</b>
... be genuinely planned, empowering local people to shape their surroundings ...	All LNP aims apply.	The Plan has been developed to provide a vision, framework and policies to guide development in the village.
... creative exercise in finding ways to enhance and improve the places in which people live ...	All LNP aims apply.	The Plan seeks to accommodate housing growth in a sustainable manner (Policies LNPG1 and LNPG2), ensure good design (Policies LNPP1 and LNPP2), and improve green infrastructure and community facilities (Policies LNPP3, LNPS1, LNPS2, and LNPS3).
... proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs ...	All aims apply.	The Plan seeks to accommodate housing growth (Policies LNPG1 and LNPG2), address appropriately scaled economic growth (Policies LNPE1, LNPE2, and LNPE3) and improve infrastructure and community facilities (Policies LNPS1, LNPS2, and LNPS3).
... take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around	To promote, protect and improve access to natural and built heritage.  To provide a sustainable place to live with a range of housing that meets local needs.	The Plan seeks to accommodate growth in a sensitive manner (Policies LNPG1, LNPG2, LNPP1, LNPP2, and LNPP3), address local housing needs across the Parish (Policy LNPG2), while addressing local infrastructure

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them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it ...	To cultivate social cohesion and healthy lifestyles through the provision of public, recreational and community spaces.	and the local environment (Policies LNPT1, LNPP3, LNPS1, LNPS2, and LNPS3).
... take account of the different roles and character of different areas ... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it ...	To promote, protect and improve access to natural and built environment.  To cultivate social cohesion and healthy lifestyles through the provision of public, recreational and community spaces.	The Plan seeks to encourage high quality development (Policy LNPP1), and seeks to protect and enhance local green space and deliver and enhance green infrastructure (Policy LNPP3).
... support the transition to a low carbon future in a changing climate, taking full account of flood risk ...	To enhance and maintain local walking routes, access to public transport and connections to local towns and employment centres (without reliance on cars).  To provide a sustainable place to live with a range of housing that meets local needs.	The Plan seeks to accommodate growth in a sustainable manner (Policies LNPG1, LNPG2, LNPP1, and LNPP2), whilst addressing a range of environmental factors (Policies LNPP3, and LNPT1).
... conserving and enhancing the natural environment ...	To promote, protect and improve access to natural and built environment.	The Plan seeks to protect and enhance the natural environment (Policies LNPP3).
... promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production) ...	All aims apply.	The Plan recognises the need to provide for growth in a sustainable manner (Policies LNPG1, LNPG2, LNPE1, LNPE2, and LNPE3), whilst providing and improving a range of community infrastructure (Policies LNPT1, LNPS1, and LNPS2), and protecting and enhancing the natural environment (Policy LNPP3).
... conserve heritage assets ...	To promote, protect and improve access to natural and	The Plan seeks to ensure that natural and heritage assets are

	built environment.	preserved and enhanced (Policies LNPP1, LNPP2, and LNPP3), and high standards of design are achieved (Policy LNPP1).
... actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling ...	To enhance and maintain local walking routes, access to public transport and connections to local towns and employment centres (without reliance on cars).	The plan seeks to accommodate growth in a sustainable manner (Policies LNPG1, LNPG2, LNPE1, LNPE2, and LNPE3), and seeks to improve transport infrastructure (Policy LNPT1).
... to improve health, social and cultural wellbeing for all ...	All aims apply.	Collectively, the policies cater for growth and encourage a balanced mix of uses. At the same time they address character and environmental quality. In addition, they address connectivity, which is essential for both domestic and employment users.

## NPPF Policies

### 1. Building a strong, competitive economy

*NPPF Para. 19: The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.*

Policies LNPG1, LNPG2, LNPE1, LNPE2, and LNPE3 cater for growth.

### 3. Supporting a prosperous rural economy

*NPPF Para. 28: Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
- *promote the development and diversification of agricultural and other land-based rural businesses;*

- *support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*
- *promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*

Policies LNPG1 and LNPG2 cater for growth and identified local housing needs, Policies LNPE1, LNPE2, and LNPE3 address economic growth and connectivity, and Policies LNPT1, LNPS1, LNPS2, LNPS3, and LNPE3 address a range of infrastructure issues.

#### **4. Promoting sustainable transport**

*NPPF Para 29: Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.*

Policy LNPE3 seeks to encourage homeworking through improved broadband connectivity, and minimise issues associated with car usage.

Policy LNPT1 requires the needs of pedestrians to be considered, car parking to be well integrated into development proposals and secure storage to be provided for cycles, and sustainable transport measures to be considered.

#### **6. Delivering a wide choice of high quality homes.**

*NPPF Para. 55: To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.*

Policies LNPG1 and LNPG2 seek to accommodate housing growth in a sustainable manner, through promoting sustainable patterns of development, and addressing identified local housing needs.

#### **7. Requiring good design.**

*NPPF Para 56: Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*

*NPPF Para 57: It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.*

*NPPF Para 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

Policies LNPP1 and LNPP2 responds to these paragraphs by setting out clear expectations for new development to ensure that it is sustainable, responsive to its context, creates a clear sense of place and provides for the needs of the community.

## **8. Promoting healthy communities**

*NPPF Para. 69: The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.*

Policies LNPP1, LNPP2, LNPP3, and LNPS3 address a range of environmental factors which are key to enhancing Loggerheads' rural context, which will be vitally important to enabling recreational activities, and Policies LNPP1 and LNPP2 are designed to ensure that new development can enhance the local environment and ensure that it is responsive to the needs of the community. Policies LNPS1, LNPS2, and LNPS3, are designed to enable the provision and enhancement of community assets and facilities, and local infrastructure improvements.

## **9. Protecting Green Belt land**

The Neighbourhood Area does not include any designated Green Belt.

## **10. Meeting the challenge of climate change, flooding and coastal change**

The NPPF states:

*NPPF Para 93: Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*

Climate change is addressed through Policy LNPP1 which seeks to achieve good design, and Policy LNPT1 which seeks to promote sustainable transport measures.

## **11. Conserving and enhancing the natural environment**

*NPPF Para. 111: Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.*

The plan looks to encourage sustainable patterns of development (Policy LNPG1).

Policy LNPP3 addresses impacts on wildlife habitats, and the local environment generally.

**12. Conserving and enhancing the historic environment.**

Policy LNPP2 is focused on local heritage assets, and Policy LNPP2 is focused on local heritage assets and seeks to reinforce local character. Policy LNPP1 contains design requirements which will help to ensure that new development enhances the character and appearance of the settlement.

**13. Facilitating the sustainable use of minerals**

Mineral extraction is excluded development for Neighbourhood Plans.

## Achievement of Sustainable Development

The National Planning Policy Framework states a presumption in favour of sustainable development. The term is defined in the Ministerial Forward as:

*Sustainable* means ensuring that better lives for ourselves don't mean worse lives for future generations.

*Development* means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate.

In addition, the NPPF states:

International and national bodies have set out broad principles of sustainable development. Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

## Growth

The Loggerheads Neighbourhood Plan delivers growth by:

- Focusing development on sustainable sites within the village envelope, and encouraging appropriate infill housing (Policy LNPG1);
- Addressing identified local housing needs (Policy LNPG2);
- Encouraging sustainable economic growth (Policies LNPE1, LNPE2 and LNPE3);
- Ensuring a high-quality, well designed environment, which is essential to attracting investment and population (Policies LNPP1 and LNPP2); and
- Protecting and enhancing the local environment (Policy LNPP3).

## Sustainability

The Loggerheads Neighbourhood Plan will address sustainability in various ways. The plan goals and aims include:

Activity	Comment	Policy Ref.
Encourage the development of	The policy addresses the need for	Policy LNPG1

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sustainable sites within the village envelope.	housing growth.	
Rural character and context.	A range of environmental issues are addressed.	Policy LNPP3
Provision of additional community facilities, and enhancement of existing.	Helps to reduce car journeys by expanding local facilities.	Policies LNPS1, LNPS2 and LNPS3
Opportunities for sustainable economic growth.	Opportunities for sustainable economic growth are encouraged, alongside supporting infrastructure improvements	Policies LNPE1, LNPE2, and LNPE3
Sustainable transport considerations.	A range of sustainable transport measures are considered.	Policy LNPT1
Landscape and wildlife habitats.	New development must respond to landscape, trees and plants, and consider impact on wildlife habitats.	Policy LNPP3

## General Conformity with Strategic Local Policy

The Neighbourhood Plan will be tested against adopted strategic local policies.

Strategic local policy is contained within the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026.

Strategic local policies relevant to the Loggerheads Neighbourhood Plan are as follows:

### ***Policy ASP6 – Rural Area Spatial Strategy***

The Loggerheads Neighbourhood Plan responds to Policy SF1 by providing for new homes (Policies LNPG1 and LNPG2), sustainable local economic development (Policies LNPE1, LNPE2, and LNPE3), encouraging the improvement and enhancement of heritage and natural assets (Policies LNPP2 and LNPP3), encouraging high-quality design (Policies LNPP1 and LNPP2), and encouraging sustainable transport measures (Policy LNPT1).

### ***Policy CSP1 – Design Quality***

The Loggerheads Neighbourhood Plan responds to Policy CSP1 by encouraging high-quality design (Policies LNPP1 and LNPP2).

### ***Policy CSP2 – Historic Environment***

The Loggerheads Neighbourhood Plan responds to Policy CSP2 by seeking to improve and enhance local character and heritage assets (Policies LNPP2 and LNPP3), and secure high-quality design that will help to enhance the setting of local heritage assets (Policy LNPP1).

### ***Policy CSP3 – Sustainability and Climate Change***

The Loggerheads Neighbourhood Plan responds to Policy CSP3 by seeking to ensure that high-quality design is achieved (Policy LNPP1).

### ***Policy CSP4 – Natural Assets***

The Loggerheads Neighbourhood Plan responds to Policy CSP4 by looking to protect designated Local Green Spaces (Policy LNPP3).

### ***Policy CSP5 – Open Space/Sport/Recreation***

The Loggerheads Neighbourhood Plan responds to Policy CSP5 through making a site allocation for a new multi-sport facility (Policy LNPS2).

### ***Policy CSP6 – Affordable Housing***

The Loggerheads Neighbourhood Plan responds to Policy CSP6 through seeking to address identified local housing needs (Policy LNPG2).

## Compatible with EU Obligations

The Neighbourhood Plan was screened by Newcastle-under-Lyme Borough Council, and was subsequently subject to a Strategic Environmental Assessment (SEA) produced by AECOM.

The SEA is predicted to have two significant effects, both of which are anticipated to be positive, and these are:

- A positive effect on the built and natural environment; and
- A positive effect on health and well-being.

There are no European sites within the Neighbourhood Area.

## Human Rights

An Equalities Impact Assessment has been undertaken and this will be submitted alongside the Neighbourhood Plan.

## Appendix 1 – Strategic Environmental Assessment

This will be submitted as a separate document alongside the Neighbourhood Plan.

## Appendix 2 – Equalities Impact Assessment

This will be submitted as a separate document alongside the Neighbourhood Plan.

## Contact



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