

# THE BIG PLAN FOR BROUGHTON ASTLEY

## BROUGHTON ASTLEY NEIGHBOURHOOD PLAN 2013 - 2028

### BASIC CONDITIONS STATEMENT

Town and County Planning Act 1990 (as amended)  
Paragraph 8 (2) of Schedule 4B

Submitted by Broughton Astley Parish Council as the qualifying body for the Broughton Astley Neighbourhood Plan area; comprising of the parish of Broughton Astley shown on the plan below.



Produced by:

*Broughton Astley Parish Council*



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## LEGAL FRAMEWORK

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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 that Neighbourhood Development Plans must meet the following basic conditions:

7. Neighbourhood Development Plans must meet the following 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).
- d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- e) 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,
- d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- e) 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),
- f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
- g) 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.

(6) The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

Whether the draft Broughton Astley Neighbourhood Plan meets the basic condition as required by 1(a) and sub-paragraph 2 is set out in Sections of this basic conditions Statement.

The remainder of the Section addresses the requirements under paragraphs 1(b), 1(d) and 1(e)

## LEGAL REQUIREMENTS

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

The Broughton Astley Neighbourhood Plan has been submitted by Broughton Astley Parish Council. Broughton Astley Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish.

The Neighbourhood Plan has been prepared by the Broughton Astley Neighbourhood Plan Steering Group, which is led by Broughton Astley Parish Council.

### ***What is being proposed is a Neighbourhood Development Plan***

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

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

The Broughton Astley Neighbourhood Plan identifies that the period which it relates to is from 2013 until 2028. The period has been chosen to align with the dates of the Harborough District Core Strategy.

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

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

The whole parish of Broughton Astley has been formally designated as a Neighbourhood Area through an application made on 2 July 2012 under the Neighbourhood Planning Regulations 2012 (part2 S6) and approved by Harborough District Council on 29 October 2012.

The proposed neighbourhood plan relates only to the parish Broughton Astley no other area. It does not relate to more than one neighbourhood area. There are no other neighborhood development plans in place within the neighborhood area.

## **BASIC CONDITIONS**

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### ***Having Appropriate Regard to National Policy***

The Broughton Astley Neighbourhood Plan has been prepared with regard to national policies set out in the national Planning Policy Framework (NPPF) and is in general conformity with the strategic policies contained in the Harborough district Core Strategy, adopted in November 2011.

Paragraphs 183 – 185 of the NPPF describe how Neighbourhood Planning can be used to give communities “direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need”. It continues to state that “Neighbourhood Plans must be in general conformity with strategic policies of the Local Plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them.”

Paragraphs 14 -16 of the NPPF set out the presumption in favour of sustainable development which is at the heart of national policy. For Neighbourhood Planning this means that neighbourhoods should plan positively to support local development while at the same time respecting the local environment by seeking to protect valued green spaces and historic assets.

The Evidence Base submitted in support of the Broughton Astley Neighbourhood Plan includes a summary of key national and strategic policies (Section 3 – key policies) which demonstrates that the Neighbourhood Plan conforms to these strategic policies in relation to:

- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment.

### **Building a strong, competitive economy**

The Neighbourhood Plan supports this policy through positively allocating land for development including housing, employment and services and through protection of Broughton Astley’s key employment and shopping and business areas.

### **Ensuring the vitality of town centres**

The Neighbourhood Plan seeks to improve the retail offer within the village whilst protecting the existing shopping and business area. The Neighbourhood Plan (Policy S1) states that the principal village centre shopping and business area will be maintained, with retail and service provision in this area supported and proposals resulting in loss of local retail provision or services resisted.

### **Promoting sustainable transport**

The Neighbourhood Plan (Policy T1) provides a commitment to work with the Highway Authority, public transport providers, local schools and developers to develop a long term sustainable strategy for improvements to the highway network and the management of traffic in and around Broughton Astley to reduce the impact of development on the community.

Improved links within the existing built-up area for walking, cycling and bus provision will be encouraged, as will the creation of additional 'safe routes to schools' schemes.

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

The Neighbourhood Plan (Policy H2) states that to meet identified needs within the community, at least 30% of all new housing developments will be high quality affordable housing. Developments within Broughton Astley will also be expected to contribute to the provision of affordable homes that are suitable to meet the needs of older people and those with disabilities.

### **Requiring good design**

The Neighbourhood Plan outlines a development policy and requirements for each site allocated for development, and details design principles which should be applied to each site.

### **Promoting healthy communities**

The Neighbourhood Plan (Policy L1) seeks to improve both formal and informal leisure and recreational provision for its growing community via developer contributions. In addition improved and enhanced medical facilities will be provided within the village reducing the need for residents to travel in order to access medical services.

### **Meeting the challenge of climate change, flooding and costal change**

The Neighbourhood Plan (Policy H3) supports small developments on previously developed sites which do not have a detrimental effect on their surroundings. In addition (Policy EH1) seeks to preserve the existing heritage of the village and encourages the use of renewable energy solutions as part of new developments.

The 'site specific' development policies and design principles proposed for each site also support the reduction of the impact of increased traffic resulting from the development.

In addition the Neighbourhood Plan (Policy H1) states that new housing should not be constructed on land which is known to be on a floodplain within Environment Agency Zones 2 and 3. Developers will be required to demonstrate any additional flood modelling work that has taken place in order to supersede the Flood Zone maps.

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

The Neighbourhood Plan (Policy EH1) seeks to improve access to the countryside by improving the network of existing public rights of way through joint working with the Highway authority, developers and local environmental groups.

New development which would adversely affect existing green spaces will be strongly opposed, and designation of these spaces as local green space will be sought via the new Local Plan.

New additional public open spaces, including formal open space, walking routes and spaces for informal/formal community activities will be created at Site 1B and Site 2.

### **Conserving and enhancing the historic environment**

In order to protect existing heritage within the Neighbourhood Plan area, an area of separation will be maintained between Sutton in the Elms and Broughton Astley to ensure that the identity and distinctiveness of settlements is retained

The character and setting of the listed buildings of St Marys Church, Sutton in the Elms Baptist Church, Quaker Cottage and the Stone House will be protected from inappropriate development. In addition consideration will be given to the listing and preservation of The War Memorial, the Old Bakehouse, the Red Admiral and the disused railway line.

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### ***Contribution to the Achievement of Sustainable Development***

The keys ways that the Broughton Astley Neighbourhood Plan will help contribute to meeting the objectives of sustainable Development are detailed below:

- The Neighbourhood Plan has been produced to be in conformity with the spatial and sustainable community objectives of the Harborough District Core Strategy.
  - The Neighbourhood Plan sets out policies to ensure that any development in Broughton Astley is supported by additional facilities and infrastructure in order to make the village more sustainable. In setting out a co-ordinated approach to encouraging further retail, employment and service provision, it is hoped to reduce the number of trips out of the village which in turn will benefit the local community, economy and environment.
  - Requiring each developer to provide the Parish Council with a detailed design proposal to enable full consideration of the transport, heritage and open spaces issues, public benefits and other material planning
  - The Neighbourhood Plan indentifies the need for the provision of affordable homes that can meet the needs of older people and those with disabilities.
  - The Neighbourhood Plan indentifies the need for multi-agency working to address traffic, parking and public transport issues, and to ensure the preservation of the existing principal shopping and business area.
  - The Neighbourhood Plan indentifies and promotes the protection of green spaces and listed buildings in the parish.
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### ***General Conformity with Strategic Local Policy***

The Broughton Astley Neighbourhood Plan demonstrates in Section 1.3 that its policies assist with the delivery of the district-wide strategic objectives detailed in the Harborough District Core Strategy.

The Broughton Astley Neighbourhood Plan will follow the strategic policies of the Harborough District Core Strategy (HDCS) which was formally adopted in November 2011. The strategic policies relevant to the Broughton Astley Neighbourhood Plan are:

#### **Policy CS1: Spatial Strategy**

The Broughton Astley Neighbourhood Plan supports the aspirations of the Spatial Strategy for Harborough District as outlined in the Core Strategy.

The Neighbourhood Plan aims to contribute towards the requirement for housing development, developing the role of Broughton Astley as a key centre by allocating land for where additional housing, leisure facilities, employment and retail provision should go, whilst safeguarding its open spaces, heritage and character.

### **Policy CS2: Delivering New Housing**

Broughton Astley was allocated to provide at least 400 dwellings of the overall requirement of 7,700 new dwellings across Harborough District between the years 2006-2028. The Neighbourhood Plan (Policy H1) allocates a total of 500 dwellings, with an additional reserve site of 28 dwellings to be provided over the same period.

### **Policy CS3: Delivering Housing Choice and Affordability**

The HDCS requires all residential development within Harborough District to contribute towards affordable housing needs. The Neighbourhood Plan (Policy H2) states that to meet identified needs within the community, at least 30% of all new housing developments will be high quality affordable housing.

Developments within Broughton Astley will also be expected to contribute to the provision of affordable homes that are suitable to meet the needs of older people and those with disabilities.

### **Policy CS4: Providing for Gypsy, Traveller and Travelling Showpeople Needs**

Whilst there is no specific policy relating to the provision of needs of Gypsy, Travellers and Travelling Showpeople, the Neighbourhood Plan does not undermine the delivery of the HDCS policy.

### **Policy CS5: Providing Sustainable Transport**

In recognition of the HDCS policy to maximise the use and efficiency of existing transport facilities; the Neighbourhood Plan (Policy T1) provides a commitment to work together with the Highway Authority, public transport providers, local schools and developers to develop a long term sustainable strategy for improvements to the highway network and the management of traffic in and around Broughton Astley to reduce the impact of development on the community by:

- Encouraging better access to and increased use of public transport;
- Working with the District Council to refurbish the existing village centre car park in order to provide more spaces;
- Ensuring that new development takes place adjacent to the built up area where there are good travel choices;
- Improving links within the existing built-up area for walking, cycling and bus provision;
- Ensuring other vehicular traffic keeps to appropriate routes; and
- Encouraging 'safe routes to schools' schemes.

### **Policy CS6: Improving Town Centres and Retailing**

The HDCS identifies Broughton Astley as a key centre, and as such provides a commitment to the improvement and expansion of retail provision. The Neighbourhood Plan (Policy S1) states that the principal village centre shopping and business area will be maintained, with retail and service provision in this area supported and proposals resulting in loss of local retail provision or services resisted. A multi-agency 'village centre' strategy will be developed to improve and enhance the principal village shopping and business area by:

- Discouraging the change of use of ground floor premises to residential dwellings;
- Supporting and encouraging businesses to thrive through initiatives such as improvement grants and shop-front competitions;
- Encouraging a greater mix of shopping and additional facilities, for example a café, delicatessen and banking facilities;
- Attracting greater foot-fall through the village centre via clear and attractive signage and clear pedestrian routes; and
- Providing additional and safe parking facilities via a traffic management plan.

In order to improve retail provision and prevent additional shopping journeys the construction of an additional supermarket of between 20,000 - 30,000<sup>2</sup>ft which provides good links to the existing development and other community facilities will be supported.

### **Policy CS7: Enabling Employment and Business Development**

In support of the HDCS policy to enable economic and employment development within Harborough District the Neighbourhood Plan (Policy E1) protects the existing employment area at Swannington Road as a Key Employment Area, recognising that it provides the only significant employment opportunities at present.

An additional area of 1.7ha of employment land will be allocated adjacent to the existing Key employment Area, and land at Broughton Way will be allocated for mixed employment / service and leisure use; its purpose to create employment for local people and contribute towards the economy of Broughton Astley.

Employment opportunities on mixed-use development sites will be supported providing that the type of use proposed would not have a detrimental effect on the environment or wellbeing of people in neighbouring properties.

In the longer term a multi-agency working strategy will be developed to create a wider range of employment opportunities within Broughton Astley to meet local needs.

### **Policy CS8: Protecting and Enhancing Green Infrastructure**

The HDCS seeks to secure a high quality, accessible and multi-functional network of green infrastructure across the Harborough District. In support of this policy the Neighbourhood Plan (Policy EH1) seeks to improve access to the countryside by improving the network of existing public rights of way through joint working with the Highway authority, developers and local environmental groups.

New development which would adversely affect existing green spaces at: Frolesworth Road Recreation Ground, War Memorial, Cottage Lane, and the disused railway line will be strongly opposed, and the areas designated as local green space in order to protect their identity.

New additional public open spaces, including formal open space, walking routes and spaces for informal/formal community activities will be created at Site 1B and Site 2 and an area of separation will be maintained between Sutton in the Elms and Broughton Astley to ensure that the identity and distinctiveness of settlements is retained.

### **Policy CS9: Addressing Climate Change**

In support of the HDCS policy to support development which adapts to climate change and helps reduce carbon emissions, the Neighbourhood Plan (Policy H3) supports small developments on previously developed sites which do not have a detrimental effect on their

surroundings. In addition (Policy EH1) seeks to preserve the existing heritage of the village and encourages the use of renewable energy solutions as part of new developments.

The 'site specific' development policies and design principles proposed for each site also support the reduction of the impact of increased traffic resulting from the development, the improvement of connectivity within the village and the provision of bus stops to reduce the reliance on private cars.

### **Policy CS10: Addressing Flood Risk**

Recognising the HDCS policy that new development will be directed towards areas at the lowest risk of flooding within the District; with priority given to land within Flood Zone 1, the Neighbourhood Plan (Policy H1) states that new housing should not be constructed on land which is known to be on a floodplain within Environment Agency Zones 2 and 3; which has a moderate or significant flood risk where there are no flood defences or within the extent of extreme flood. Developers will be required to demonstrate any additional flood modelling work that has taken place in order to supersede the Flood Zone maps.

### **Policy CS11: Promoting Design and Built Heritage**

The HDCS seeks to ensure high standards of design in new development to create attractive places for people to live, work and visit whilst and protecting existing heritage assets and their settings within the District.

The Neighbourhood Plan outlines a development policy and requirements for each site allocated for development, and details design principles which should be applied to each site.

In order to protect existing heritage within the Neighbourhood Plan area, an area of separation will be maintained between Sutton in the Elms and Broughton Astley to ensure that the identity and distinctiveness of settlements is retained

The character and setting of the listed buildings of St Marys Church, Sutton in the Elms Baptist Church, Quaker Cottage and the Stone House will be protected from inappropriate development. In addition consideration will be given to the listing and preservation of The War Memorial, the Old Bakehouse, the Red Admiral and the disused railway line.

### **Policy CS12: Delivering Development and Supporting Infrastructure**

The HDCS sets out a schedule for the provision of infrastructure to support development within Harborough District. The Neighbourhood Plan (Policy C11) requires contributions to be made from each developer to mitigate the impact of the development on essential on essential infrastructure such as public utilities, libraries, policing, waste services and the highways network.

Financial contributions are also required from each developer to fund additional healthcare, education and leisure services within the village in accordance with the obligations detailed in the Harborough District 'Provision for Open Space, Sport and Recreation 2009 (or subsequent revisions).

### **Policy CS16: Broughton Astley**

The HDCS recognises Broughton Astley's developing role as a Key Centre, providing new housing and offering an improved range of services and facilities, including shopping and employment opportunities. Policy CS16 also provides for the existing shopping and business area and key employment area to be maintained, with proposals which could have a detrimental effect on these resisted.

The policies of the Neighbourhood Plan as described above largely support this specific policy and vision for Broughton Astley, whilst taking into account the views of its community where development should take place.

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### ***Compatibility with EU Obligations***

A Strategic Environmental Assessment (SEA) screening was undertaken by Harborough District Council. The screening confirms that a Strategic Environmental Assessment is not required for this Neighbourhood Plan. The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency).

A Habitat Regulation Assessment (HRA) screening opinion has been sought from Harborough District Council in order to confirm whether an HRA will be required to support the Neighbourhood Plan. The screening exercise undertaken for the Harborough District Core Strategy concluded that there were no European sites that would be affected by the proposals within the Broughton Astley Neighbourhood Plan.

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998.