



Hemswell Cliff Neighbourhood Plan 2021 – 2036

Basic Conditions Statement

Hemswell Cliff Parish Council

June 2022

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1. Introduction

- 1.1. This Basic Conditions Statement has been prepared in support of the Hemswell Cliff Neighbourhood Plan. It demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 1.2. The plan, which was presented for Regulation 14 consultation between 5 July and 13 August 2021, has been produced by the Hemswell Cliff Parish Council, the qualifying body as defined by the Localism Act 2011, and refers solely to the area within the Parish boundaries (Figure 1). The draft Hemswell Cliff Neighbourhood Plan covers a Plan Period of 15 years, between 2021 and 2036.
- 1.3. The draft Hemswell Cliff Neighbourhood Plan refers only to planning matters (use and development of land) and does not deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other development defined as “excluded development” in Section 61K of the Town and Country Planning Act 1990.
- 1.4. This statement addresses each of the four “basic conditions” required to be met by the Regulations, and explains how the Hemswell Cliff Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood plan;
 - the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
 - the making of the Neighbourhood 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);
 - the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.

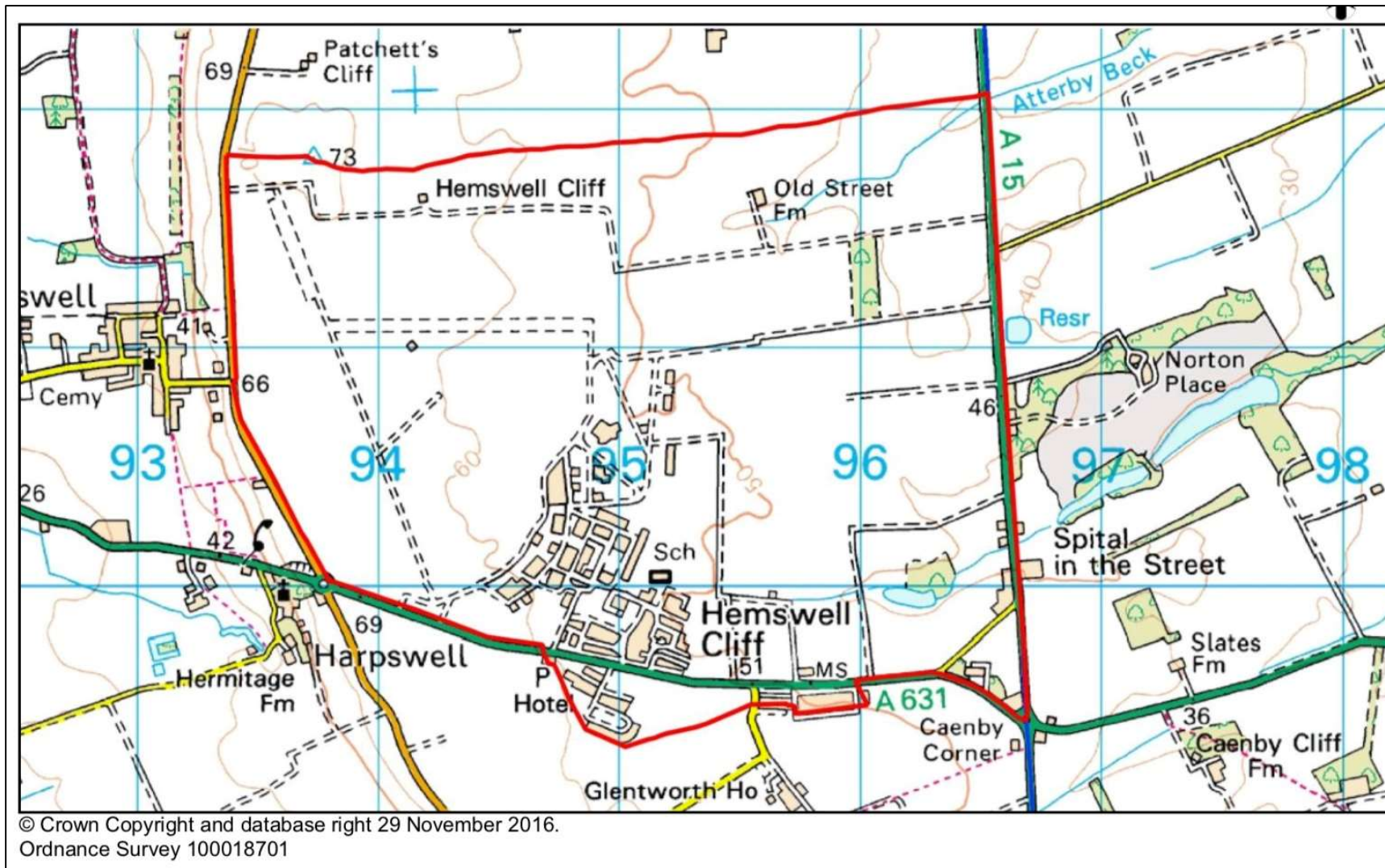


Figure 1. Hemswell Cliff Designated Neighbourhood Area (delineated by the dark blue line)

2. Conformity with the Basic Conditions

- 2.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the draft Hemswell Cliff Neighbourhood Plan against NPPF guidance, strategic policies of the Central Lincolnshire Local Plan 2011-2036 (Adopted 2020) and the principles of sustainable development. The result of the Assessment of Compliance has been summarized in the tables that follow.
- 2.2. The definition of sustainable development employed in the Assessment of Compliance has been derived from the definition in the National Planning Policy Framework 2021 (NPPF) (paragraph 8):

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

- a) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) ***an environmental objective*** – *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".*

- 2.3. The Hemswell Cliff Neighbourhood Plan has been prepared having regard to national policies as set out in the NPPF. It has also taken account of the most recent National Planning Practice Guidance (NPPG) relating to Neighbourhood Plans. In particular:

Paragraph 11 of the NPPF - The Presumption in Favour of Sustainable Development: the Hemswell Cliff Neighbourhood Plan contains policies which support the development needs of the Local Plan including housing and employment.

- 2.4. Paragraph 29 of the NPPF – Develop a Shared Vision: the community of Hemswell Cliff Parish has been actively engaged in developing a shared vision. The current Hemswell Cliff Neighbourhood Plan has used this shared vision as its starting point and updated it through a thorough engagement process.

- 2.5. Paragraph 29 of the NPPF - General conformity with the strategic policies of the Local Plan: during the production of the Hemswell Cliff Neighbourhood Plan the Committee has consulted with the local planning authority in order to ensure that the Plan is in general conformity with the approved Central Lincolnshire Local Plan. How the Neighbourhood Plan is in general conformity with the Local Plan is described in more detail in "Figure 3: Neighbourhood Plan conformity with Central Lincolnshire Local Plan" below. The Hemswell Cliff Neighbourhood Plan does not promote less development than the strategic policies of the Central Lincolnshire Local Plan and does not undermine those strategic policies.

Conformity with the National Planning Policy Framework

NP Policy	NPPF Paragraph	How Conformity is Achieved
Policy 1: Sustainable Development	11, 14, 15, 16, 17, 47, 49, 51, 55, 70, 77, 78, 79, 149, 184	This policy promotes sustainable development within and adjacent to Hemswell Cliff village's current built area, supporting development in appropriate and sustainable locations. The policy meets and goes beyond the residential development requirement set in the Local Plan because the scale of employment-creating development planned for Hemswell Cliff, as a strategic employment location, needs to be matched by substantial additional housing so as to achieve a sustainable relationship between homes and workplaces. The Policy aims to concentrate development in Hemswell Cliff, ensuring development in Hemswell Cliff supports services both for its own residents and for the nearby settlements.
Policy 2: Delivering Good Design	92 – 97, 126 – 136	<p>NPPF paragraph 126 explains that: "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".</p> <p>Delivering Good Design ensures future residential and business development is designed sustainably and in a way that respects the existing character of the settlement. In doing so, it supports the social and cultural wellbeing of the community through good design, while ensuring housing and other needs are met. The Policy sets out general principles without setting unnecessary prescriptions or stifling innovation and originality.</p> <p>The NPPF advises that: "Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents". The Design Code and Design policy for Hemswell Cliff have been produced in accordance with NPPF advice.</p>
Policy 3: Housing Development	28, 29, 34, 60, 62, 63, 64 – 73, 78 – 80	A substantial number of new houses are provided for in the Neighbourhood Plan. They are to be located immediately adjacent to the existing built area, and fully integrated with the existing residential areas. Additional houses in the area will support the large scale of planned economic growth and also support existing and additional commercial and community services in the village. This policy seeks to achieve sustainability and balance in the community.
Policy 4: Village Centre	93	This policy seeks to promote and support the development of a concentrated village centre in a location where its viability can be supported by both residents and people working in and visiting the businesses

		<p>at Hemswell Cliff. This approach is consistent with NPPF advice, particularly in paragraph 93: “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments...”</p>
Policy 5: Historic Environment	189-208	This Historic Environment policy aims to support development that conserves and enhances Hemswell Cliff’s heritage assets. In doing so, the policy has regard to conserving and enhancing designated and non-designated heritage assets in a manner appropriate to their significance, so that they can be appreciated for future generations.
Policy 6: Employment and Business Development	81 -85	This policy aims to support employment opportunities in the Parish and for the wider District. By also promoting substantial residential development, the Plan aims to promote Hemswell Cliff as a place to live and work.
Policy 7: Community Facilities	92, 93, 98	This policy supports the retention and development of local services and community facilities, and supports the delivery of social, recreational and cultural facilities and services in the community.
Policy 8: Green Space and Biodiversity	101 -103	This policy designates Local Green Spaces following the provisions set in paragraph 76, 77, and 78 of the NPPF, in order to protect valued landscape, local ecological corridor and biodiversity sites, recreation facilities, and green infrastructure. The policy confirms the importance of biodiversity and seeks to ensure net increases.

Figure 2. Conformity with NPPF Provisions

Conformity with the Central Lincolnshire Local Plan

NP Policy	NPPF Paragraph	How Conformity is Achieved
Policy 1: Sustainable Development	LP2, LP4, LP55	This Policy takes the criteria set in Policy LP2 and provides a local dimension for their application. This policy supports new housing proposals above the minimum number identified in the Central Lincolnshire Local Plan, because it seeks to provide a sustainable relationship between homes and workplaces. It also seeks to promote a more sustainable level of local service provision.
Policy 2: Delivering Good Design	LP10, LP26	This policy supports the requirement for high quality sustainable designs that make a positive contribution to the local community.
Policy 3: Housing Development	60 - 80, 28, 29, 34, 60, 62, 63, 64 - 73, 78 - 80	Additional houses in the area will support and complement the large-scale economic growth planned for the Strategic Employment Site (E6) allocation and create a viable and sustainable village. At the same time, the policy ensures that rural and environmentally valued sites in the countryside are protected from development pressure.
Policy 4: Village Centre	LP15	The policy seeks to support and add to community facilities in a viable and sustainable way.
Policy 5: Historic Environment	LP17, LP25	This policy seeks to preserve and enhance the historic environment within the plan area. It is identifying some buildings and spaces as non-designated heritage assets.
Policy 6: Employment and Business Development	LP5	This policy supports the expansion of existing businesses and the creation of new businesses planned on a substantial scale at this Strategic Employment Site – E6. The Neighbourhood Plan seeks to enhance the sustainability of this large employment site by providing for additional housing and supporting services and facilities in close proximity.
Policy 7: Community Facilities	LP15	The policy seeks to support and add to community facilities, giving a local dimension to the principle and provision of Policy LP15.

Policy 8: Green Space and Biodiversity	LP13, LP14, LP18, LP19, LP21, LP24	This policy seeks to protect and enhance green spaces including the connections between them which enhance the life benefits of residents. Protecting the environment is a key component of every level of development plan in order to underpin sustainability and is reflected in this policy. Protecting the natural environment is a key component of every level of development plan in order to underpin sustainability and is reflected in this policy
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Figure 3. Conformity with Central Lincolnshire Local Plan Provisions

Conformity with the Definition of Sustainable Development

NP Policy	Economic Factors	Social Factors	Environmental Factors	How Conformity is Achieved
Policy 1: Sustainable Development	+	+	0	Creating a balanced relationship between homes and workplaces, both in scale and location, whilst promoting better local service provision and social and recreational facilities, and protecting and enhancing the built and natural environment, makes strong contributions to sustainability.
Policy 2: Delivering Good Design	+	+	+	Getting designs correct from the outset; enhances local townscapes, reduces unsustainable environmental degradation, and prevents future costs.
Policy 3: Housing Development	+	+	0	Substantial residential development at Hemswell Cliff will support and balance the planned scale of economic growth in a sustainable way. The policy promotes housing that will provide for a more balanced local community..
Policy 4: Village Centre	+	+	+	Providing an appropriate range and scale of local services in a location that is readily accessible by foot and bike, and where exiting buildings can be reused productively, adds significantly to local sustainability.
Policy 5: Historic Environment	+	+	+	This policy protects and enhances the historic and built environment in the Designated Area, and in doing so it supports social and cultural wellbeing of the community through high quality design.
Policy 6: Employment and Business Development	+	+	0	This policy allows for additional employment, whilst promoting Hemswell Cliff as a place to live and work, thus supporting the social, economic and environmental well-being.
Policy 7: Community Facilities	+	+	+	Protection of existing and promotion of new community facilities has a positive effect in all components of sustainability. The social benefit of community facilities derives from their capacity to meet local residents needs and thus promote a cohesive community; from an economic point of view some of such community facilities are also commercial establishments, representing further local employment opportunities.
Policy 8: Green Space and Biodiversity	0	+	+	The Local Green Space designation aims to protect sites important for their environment value as ecosystems and biodiversity sites, or for their community value as sites used for recreation, tranquil contemplation, and for their value as beautiful sites. The protection of existing green infrastructures and public green spaces will be positive in term of protecting the natural environment, improve biodiversity, and will have social

				beneficial effects in term of promoting healthy lifestyles and recreational opportunities.
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- negative; 0 neutral; + positive

Figure 4. Neighbourhood Plan Conformity with the Definition of Sustainable Development

Compatibility with European Convention on Human Rights Obligations and Legislation

- 2.6. The Hemswell Cliff 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.
- 2.7. A screening opinion was issued by West Lindsey District Council who considered it likely that there would be some significant environmental effects arising from the Hemswell Cliff Neighbourhood Plan. As such a Strategic Environmental Assessment (SEA) was undertaken, see separate document.
- 2.8. The Neighbourhood Area does not contain any designated nature sites and WLDC concluded that the Plan does not require a Habitat Regulation Assessment under the (former-EU) Habitats Regulations, see separate document.

3. Conclusion

- 3.1. The Basic Conditions as set out in Schedule 4B to the Town and County Planning Act 1990 are considered to be met by the Hemswell Cliff Neighbourhood Plan and all the policies contained within it.