

Neighbourhood Plan Submission
Town and Country Planning Act 1990 (as amended)
Paragraph 8(2) of Schedule 4B 'Basic Conditions' Statement

Submission Date – 16th May 2016

Heversham and Hincaster Neighbourhood Development Plan Proposal

Prepared by

Heversham Parish Council acting as Qualifying Body

1. Legal Requirements

1.1 This Statement has been prepared by Heversham Parish Council to accompany its submission to the local planning authority (South Lakeland District Council) of the Heversham and Hincaster Neighbourhood Development Plan 2015 to 2025 (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

1.2 The Neighbourhood Plan has been prepared by the Heversham Parish Council, a qualifying body, for the Neighbourhood Area covering Heversham and Hincaster Parishes, as designated by South Lakeland District Council in August 2013.

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

1.4 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan is from 2015 until 2025 and does not contain policies relating to excluded development in accordance with the Regulations.

1.5 The Statement addresses each of the four “basic conditions” required of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act

1.6 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 development plan;
- The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- 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);
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations

2. Introduction and Background

2.1 Heversham and Hincaster Parishes had no Parish Plans prior to the approval of the Neighbourhood Area for developing a joint Neighbourhood Plan and were therefore able to start with a clean sheet. Residents of both parishes had, in the recent past, expressed concerns about proposals for large areas of

housing and other commercial development being brought forward in the locality. The development of a Neighbourhood Plan would ensure that the community could shape their own destiny.

2.2 Since Hincaster does not have a Parish Council, Heversham Parish Council acts as the Qualifying Body for both parishes. Heversham Parish Council received full support, mentoring and encouragement from South Lakeland District Council. As a “Front Runner”, funding from Government sources was available for this project. A Steering Group with representatives from both parishes was formed in May 2012 as a Working Party of Heversham Parish Council.

2.3 The aims of the project

- To gather data, information and opinions.
- To consult with interested parties in the locality.
- To communicate to parishioners at regular intervals the developing ideas and outcomes.
- To amend and redraft in the light of feedback.
- To ensure that plans are congruent with legal requirements and national and local planning policies.
- To provide information to parishioners about what is possible and practical in relation to laws and policies.
- To encourage community involvement in formulating the Plan.

2.4 The Steering Group identified that concerns and interests expressed went wider than planning matters and thus it was agreed to include Community Objectives with the Plan. Responses to the Pre-Submission Draft document confirmed the validity of this approach.

3. Conformity with National Planning policy

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of April 2012. It is also mindful of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating neighbourhood plans.

3.2 The NPPF in section 16 states that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development. Section 184 also states that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. The strategic policies for South Lakeland District are set out in the Core Strategy.

3.3 Set out in Table 1 below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

3.4 Neighbourhood planning gives communities direct power to develop a shared vision for the neighbourhood and deliver the sustainable development they need. The Heversham and Hincaster Neighbourhood Plan 2015 to 2025 establishes a positive vision of what the parish should look like in 2025 and the policies within the Plan provide a practical framework to deliver those aspirations.

Table 1: Conformity of Neighbourhood Plan (NP) policies to the NPPF.

Policy Number and Title	NPPF Paragraph	Comment on conformity
HH1 General Conditions	NPPF 17 states that neighbourhood plans should set out a positive vision for the future of the area, and enhance and improve the places in which people live their lives.	The NP supports development of an appropriate scale that meets the needs of the community, particularly where it enhances the communities in Heversham and Hincaster.
HH2 Housing Provision and HH3 Housing Delivery	NPPF 50 refers generally to the delivery of a wide choice of housing to create sustainable, inclusive and mixed communities. NPPF 54 refers to housing in rural areas where housing should be responsive to local circumstances and reflect local needs, particularly for affordable housing.	The NP supports the phased delivery of a mix of dwellings in groups which are proportionate and reflect the scale of existing properties.
HH4 Employment Development	NPPF 28 states that policies should support economic growth in rural areas both through conversion of existing buildings and well-designed new buildings.	The NP supports employment growth when the location, scale and form are consistent with the vision. There is particular emphasis on ensuring that redundant farm buildings continue to be used for the benefit of the community.
HH5 Tourism	NPPF 28 refers to the support of sustainable tourism and leisure developments, including the provision and expansion of tourist and visitor facilities in appropriate locations.	The NP supports tourism developments which are of an appropriate scale that have no adverse impact on the local community.
HH6 Renewable Energy	NPPF 97 highlights the need to increase the use and supply of renewable and low carbon energy and the responsibility of all communities to contribute to energy generation from renewable or low carbon sources	The NP supports renewable energy developments if they are consistent with Policy HH1.
HH7 Parish Consultations	NPPF 184 identifies that Neighbourhood Planning gives communities direct power to develop a shared vision for their	The NP recognises that there may be proposals which constitute sustainable development, but where other

	<p>neighbourhood and provides for local people to ensure that they get the right types of development for their community</p> <p>NPPF 15 states that all plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies on how the presumption should be applied locally.</p> <p>NPPF 16 states that neighbourhoods should plan positively to support local development, shaping and directing development in their area</p>	<p>policies in the NP indicate that the default position would be to rule them out. HH7 seeks to allow the flexibility for such proposals to be supported provided they are consistent with the general conditions (HH1) and the NP Vision.</p>
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4. General conformity with the Strategic Policies of the Local Development Plan

4.1 Paragraph 184 of the National Planning Policy Framework states that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. The Local Plan for Heversham and Hincaster Neighbourhood Area is the South Lakeland Core Strategy.

4.2 The relevant strategic policies are set out in the Core Strategy and the Neighbourhood Plan has been prepared to ensure its general conformity with these strategic policies as highlighted by Table 2. Heversham and Hincaster are classified by the Core Strategy as “small villages and hamlets”.

Table 2: Conformity of Neighbourhood Plan policies with the strategic development plan policies

Policy Number and Title	Core Strategy Policy	Comment on conformity
HH1 General Conditions	CS8.1 to CS8.6	This Policy is in general conformity with the policies in the Quality Environment Section of the Core Strategy, but seeks to provide a degree of distinctiveness by emphasising those aspects which are particularly important in the Neighbourhood Area.
HH2 Housing Provision and HH3 Housing Delivery	CS1.2 and CS6.1 to CS6.6	Paragraphs 4.4 to 4.6 of the NP explain how the number of dwellings supported is in line with Policy CS1.2. Policy HH3 relaxes slightly the infill and rounding off wording in Policy CS1.2, but seeks to ensure that any development is in small groupings, of appropriate scale and is within or closely adjacent to existing settlements.

HH4 Employment Development	CS1.2 and CS7.1 to CS7.4	HH4 takes a positive approach to new employment development and any employment created would make a contribution towards the target for the small villages and hamlets set out in Policy CS1.2
HH5 Tourism	CS7.6	This Policy seeks to emphasise and appropriately interpret the aspects of Policy CS7.6 which are most important for the Neighbourhood Area.
HH6 Renewable Energy	CS7.7 and CS8.7	This Policy sets out a supportive approach and re-emphasises the need for development proposals to conform to Policy HH1.
HH7 Parish Consultations	No Core Strategy equivalent	As in Table 1, the NP recognises that there may be proposals which constitute sustainable development, but where other policies in the NP indicate that the default position would be to rule them out. HH7 seeks to allow the flexibility for such proposals to be supported provided they are consistent with the general conditions (HH1) and the NP Vision.

5. Contribution to Achieving Sustainable Development.

5.1 A Sustainability Appraisal has not been undertaken as this is not a requirement for a Neighbourhood Plan. However, the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development, and contributes to the achievement of a number of the strategic objectives set out in SLDC's Sustainability Appraisal Framework of November 2015.

5.2 The strategic objectives of the Neighbourhood Plan promote sustainable development. The policies plan positively to support local development specifically housing and economic development whilst providing a positive framework to enhance local service provision, tourism and to conserve and enhance local historic assets and protect the environment.

5.3 Table 3 assesses the NP Policies in terms of how they will deliver sustainable development in the economic, social and environmental aspects of sustainability. It also highlights the relevant Sustainability Appraisal Objectives in the SLDC Appraisal Framework.

Table 3: Assessment of sustainability of Neighbourhood Plan policies.

Policy Number and Title	Economic Factors	Social Factors	Environmental Factors	Comment	Relevant SLDC Sustainability Appraisal Objectives
HH1 General Conditions	Positive	Positive	Positive	The policy supports development on an appropriate scale that meets the needs of the community. There are positive effects on a range of economic and social benefits by providing development that sustains the community. There are positive benefits for the environment through the preservation of the unique character (including the heritage assets, and bio-diversity) of the Parishes and their surrounding landscape.	SP6 – To create vibrant active inclusive and open-minded communities with a strong sense of local history. EN1 – To protect, enhance and maintain habitats, biodiversity and geodiversity. EN2 – To conserve and enhance landscape quality and character for future generations.
HH2 Housing Provision, HH3 Housing Delivery	Positive	Positive	Positive	The NP supports the phased delivery of a mix of dwellings in groups which are proportionate and reflect the scale of existing properties. Will increase housing choice ensuring that new homes are available to different societal groups. Will also help younger families to live in the parishes and increase the supply of affordable homes. Will also enable people to live close to their own families or jobs.	SP3 – To provide everyone with a decent home. EN3 – To improve the quality of the built environment.
HH4 Employment Development	Positive	Positive	Positive	The NP supports employment development of an appropriate scale that meets the needs of the community. In particular it supports the development of redundant farm buildings for alternative employment use. The provision of local employment will reduce the need to travel, and will increase	EC1 – To retain existing jobs and create new employment opportunities. EC2 – To improve access to jobs. EC3 – To diversify and strengthen the local economy.

				the total number of and choice of employment opportunities.	
HH5 Tourism	Positive	Neutral	Neutral	Improving visitor experiences could have positive economic effects as it could lead to greater visitor numbers and visitor spend, which would help to strengthen the economy and create new jobs.	EC2 and EC3 as above.
HH6 Renewable Energy	Positive	Neutral	Positive	Renewable energy projects could give rise to employment opportunities, reduce natural resource use, reduce energy bills and increase energy security.	NR1 – To improve local air quality, reduce gas emissions, promote renewable energy and energy efficiency and reduce need to travel.
HH7 Parish Consultations	Positive	Positive	Positive	As in Table 1, the NP recognises that there may be proposals which constitute sustainable development, but where other policies in the NP indicate that the default position would be to rule them out. HH7 seeks to allow the flexibility for such proposals to be supported provided they are consistent with the general conditions (HH1) and the NP Vision. This policy seeks to give parishioners a say in deciding whether such proposals should be supported.	SP1 – To increase the level of participation in democratic processes

6. Compatibility with EU Obligations and legislation

6.1 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.

6.2 A Screening opinion (Annex 9) on the Neighbourhood Plan was prepared by South Lakeland District Council in consultation with Natural England, the Environment Agency and Historic England with regards to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment. This determined that a full SEA was not required and an Appropriate Assessment was not required under Habitat Regulations.