

Hoby with Rotherby Neighbourhood Development Plan

The settlements of Hoby, Rotherby, Brooksby,
Ragdale and the surrounding countryside

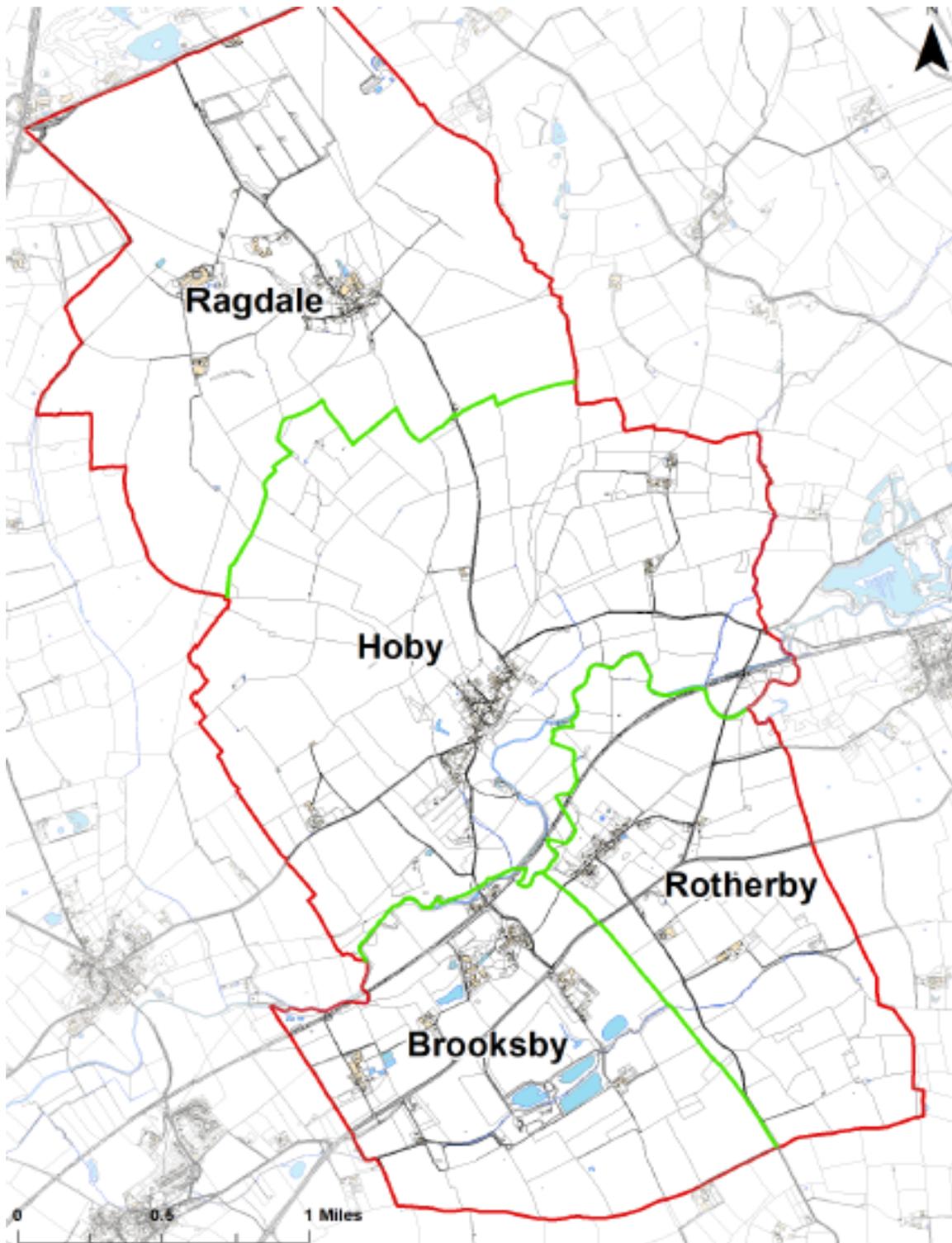
Basic Conditions Statement



1 About the Hoby with Rotherby Neighbourhood Plan

- 1.1 This Basic Conditions Statement has been prepared to accompany the Hoby with Rotherby Neighbourhood Plan (NP) and will cover a period between 2020 and 2037.
- 1.2 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans (NDP) must meet the following basic conditions:
 - the draft NP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework 2019 (NPPF);
 - the draft NP must contribute to the achievement of sustainable development;
 - the draft NP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Central Melton Local Plan 2018; and
 - the draft NP must meet the relevant EU obligations.
- 1.3 The Hoby with Rotherby NP is being submitted by Hoby with Rotherby Parish Council for the Parish area of Hoby with Rotherby. The map below shows the extent of the NP boundary. The proposed NP relates to the villages of Hoby, Rotherby, Brooksby and Ragdale and does not relate to more than one neighbourhood plan area. It should be noted that there are no other neighbourhood development plans in place within the neighbourhood area.

Figure 1: Hoby with Rotherby Neighbourhood Plan Area



1.4 In accordance with the Neighbourhood Planning Regulations (as amended) 2012, an application for designation was submitted to Melton Borough Council. The District Council publicised the application for designation from Hoby with Rotherby Parish Council and advertised (Melton Borough) the designation was advertised to allow any comments to be made on the application.

- 1.5 The Localism Act 2011 provided new powers for Parish Councils to prepare land use planning documents. The Parish area shown in Figure 1 below was designated as a Neighbourhood Plan area and Hoby with Rotherby Parish Council. The Parish Council were designated the “qualifying Body” – who can legally prepare the Plan – by Melton Borough Council on 17 June 2015. A group of residents from all settlements, including some Parish Councillors, volunteered formed a Working Group, subsidiary to the Parish Council, to produce the Plan.
- 1.6 Regulation 14 consultation was advertised by a notice from the 18th November 2019 until the 29th January 2020.
- 1.7 Some minor amendments have been made to the Neighbourhood Plan based on the comments received and these are summarised in the document entitled ‘Consultation Statement’.

What is being proposed is a neighbourhood development plan

- 1.8 The plan proposal relates 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 (as amended) 2012.
- 1.9 The NP for Hoby with Rotherby will cover the period 2020 until 2037. The NP 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.

2 The Basic Conditions

Have Appropriate Regard to National Policy

- 2.1 Regard to national planning policy and guidance: The NPPF was published in July 2018. The NPPF provides a framework within which local communities can produce neighbourhood plans for their area and sets out how planning should help achieve sustainable development.
- 2.2 Sections 12-37 of the NPPF refer to Local and Neighbourhood Plans and requires them to have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the Local Plan. The Localism Act explains that this is the ‘adopted Development Plan’.
- 2.3 This section demonstrates that the Hoby with Rotherby NP has regard to relevant policies within the NPPF in relation to:
 - Delivering a sufficient supply of homes;
 - Achieving well-designed places;
 - Designating local open spaces;
 - Building a strong and competitive economy;
 - Promoting sustainable transport;
 - Conserving and enhancing the natural environment; and
 - Conserving and enhancing the historic environment.

- 2.4 The Hoby with Rotherby NP contains a Vision, Objectives and policies. The objectives are summarised in Table 1 alongside the NPPF goals they seek to address.
- 2.5 Table 2 provides a summary of how each of the development management policies conforms specifically to the NPPF.
- 2.6 Table 3 provides a comparison on how the plans policies conform to those in the adopted Melton Local Plan.

Table 1: Neighbourhood Plan Objectives and conformity with the NPPF

Proposed Policy	Community Objectives in the Plan	NPPF Section
Relates to Policy 1: Design of New Development	Community Objective 1: To inform new developments of special and important local features such as the character of the villages, the distinctive vernacular styles, green open spaces and building materials used within the area. The Plan will produce local design principles related to the area's local distinctiveness.	Making effective use of land Achieving well-designed places Promoting healthy and safe communities Conserving the natural environment
Relates to Policy 2: Historic Environment	Community Objective 2: To preserve and enhance the historic quality of the buildings and landscape across the Parish. In particular, the Plan will support the enhancement of the two Conservation Areas within Hoby and Rotherby and the identified Listed Buildings and other Non-designated Heritage Assets across the parish.	Conserving and enhancing the historic environment. Achieving well-design places
Relates to Policy 4: Green Wedges between Hoby, Rotherby and Brooksby	Community Objective 3: To avoid developing in the Wreake Valley, between the villages of Hoby, Brooksby and Rotherby to reduce the impact or loss of the green space between the villages and to preserve local character and the open countryside.	Promoting healthy and safe communities Making effective use of land Conserving the natural environment
Relates to Policy 7: Dark Skies	Community Objective 4: To reduce the levels of future and current light pollution within the Parish to help maintain and enhance our view of the night sky.	Conserving the natural environment

Proposed Policy	Community Objectives in the Plan	NPPF Section
Relates to Policy 6: Designated Local Green Space	Community Objective 5: To protect our important public open spaces and formally designate these as Local Green Spaces to ensure they are retained for future generations.	Achieving well-designed places Conserving the natural environment Promoting a healthy and safe community
Relates to Policy 5: Key Views in the Landscape and Policy 8: Biodiversity and Nature Conservation.	Community Objective 6: To preserve and enhance our landscape, views, public green space, tree coverage, reduce our impact on the climate and to improve our relationship with the surrounding countryside.	Achieving well-designed places Conserving the natural environment
Relates to Policy 3: Public Rights of Way, Policy 9: Sustainable Transport, and Policy 10: Highway Safety and capacity.	Community Objective 7: To improve local infrastructure provision within the Parish by increasing the use of public transport, reducing traffic on local roads, improving road safety and establishing new public rights of way including cycle ways and bridleways between the villages and along the River Wreake.	Building a strong and competitive economy Achieving well-designed places Promoting sustainable transport Promoting a healthy and safe community
Relates to Policy 13: Community Facilities	Community Objective 8: The Plan will provide the necessary protection for our existing community facilities. The plan will also encourage the creation of new community facilities within our existing infrastructure over the plan period.	Building a strong and competitive economy
Relates to Policy 14: New Residential Development	Community Objective 10: The plan will support small-scale residential development. This could include the conversion and extension of existing buildings, that help to maintain and enhance the character and distinctiveness of each village, whilst also supporting the housing needs of the community.	Achieving well-designed places Conserving the natural environment Conserving and enhancing the historic environment.

Proposed Policy	Community Objectives in the Plan	NPPF Section
Relates to Policy 15: Design Brief for Brooksby Spinney	Community Objective 11: To positively influence the design of the residential development at the former Brooksby College Campus "Brooksby Spinney" site off the A607. This will include producing a development brief to maximise the development's potential in conjunction with the local community.	Achieving well-designed places Delivering a sufficient supply of homes

Table 2: Development Management Policies and conformity with the NPPF

Policy Number	Policy Title	NPPF para ref	Comment
Policy 1:	Policy 1: Design of New Development	124,125, 127	The policy outlines design principles and supports the NPPF. The principle of requiring good design; and the need to respond to local character and history of the local surroundings. A detailed Character assessment of the area also supports and adds further details on the character of the NP area.
Policy 2:	Policy 2: Historic Environment	184,185, 189,192, 194,197	The policy seeks to echo and support the NPPF to ensure no proposals affecting listed buildings and/or their settings along with non-designated heritage assets. The policy seeks to ensure these assets are preserved and, if possible, enhanced.
Policy 3:	Policy 3: Public Rights of Way	98	This policy seeks to protect and enhance existing public rights of way and also supports the development of new public rights of way.
Policy 4:	Policy 4: Green Wedges between Hoby, Rotherby and Brooksby	127,170,171,174,175	This policy seeks to protect the green wedge between Hoby, Rotherby and Brooksby; and Rotherby and Brooksby. Therefore, safeguarding the character and landscape for future generations in line with the NPPF.
Policy 5:	Policy 5: Key Views in the Landscape	127,171,172	This policy identifies the key views and designates these as Important views that should be safeguarded. These views have been identified through a landscape character

Policy Number	Policy Title	NPPF para ref	Comment
			study and follows the policies within the NPPF.
Policy 6:	Policy 6: Designated Local Green Space	99, 100	This policy seeks to protect green spaces that are considered important to the community, but also meet the criteria in the NPPF.
Policy 7:	Policy 7: Dark Skies	180	This policy seeks to limit the impact of light pollution in the neighbourhood plan area which is also outlined in the NPPF.
Policy 8:	Policy 8: Biodiversity, Nature Conservation and the Environment	92, 98, 99, 100, 124-132,149, 170, 174	This policy seeks protect and enhance the valuable natural assets that positively influence the character of the local area. The policy also seeks to enforce and address the risks of flooding within the area. This policy supports and adds the local context to the NPPF.
Policy 9:	Policy 9: Sustainable Transport	84,102-104	The policy seeks to ensure developments are located in sustainable locations within the Parish and close to existing public transport infrastructure. The policy is line with the NPPF on sustainable transport.
Policy 10:	Policy 10: Highway Safety and Capacity	102-104	This policy seeks to reduce and manage traffic within the plan area and new developments should provide off street parking. The policy is line with the NPPF on sustainable transport.
Policy 11:	Policy 11: Local Economy	83,84, 113	This policy supports Small-scale economic development in the area that supports existing businesses and boosts the visitor economy. The policy sets out a criteria in which develops would need to comply with to be supported by the plan. This policy echoes that of the NPPF supporting a prosperous rural economy.
Policy 12:	Policy 12: Brooksby Melton College Campus	83,84,92	The policy supports the continued use of the college campus at Brooksby but also requires that the community should be consulted upon the proposals. The policy supports the NPPF principles of supporting educational uses and the rural economy.

Policy Number	Policy Title	NPPF para ref	Comment
Policy 13:	Policy 13: Community Facilities	92,182	The policy seeks to retain existing community facilities for their intended purposes and also supports the development of new facilities. The policy is in line with the NPPF supporting sustainable and healthy communities.
Policy 14:	Policy 14: New Residential Development	61, 62, 77,78,124,125,128	This policy seeks to support appropriate small scale development within the identified settlement boundaries for each of the villages. Any new development proposals would also need to meet a set a criteria that contribute towards sustainable development and good quality design within the villages.
Policy 15:	Policy 15: Design Brief for Brooksby Spinney	77,78,101,124,125,128	The policy sets out a comprehensive design brief for the residential development for the Brooksby Spinney. The policy seeks to echo that of the NPPF to support a new sustainable development for 70 new homes.

Table 3: Development Management Policies and conformity with the Melton Local Plan.

Policy Number	Policy Title	Melton Local Plan	Comment
Policy 1:	Policy 1: Design of New Development	EN6, EN1, D1	The principle of requiring good design; and the need to respond to local character and history of the local surroundings is a fundamental part of this policy. A detailed Character assessment of the area also supports and adds further details on the character of the NP area. This policy in the neighbourhood plan buildings upon the elements within the Local plan making the policy more locally specific.
Policy 2:	Policy 2: Historic Environment	EN13	The policy seeks to take advantage of the

Policy Number	Policy Title	Melton Local Plan	Comment
			Melton Local Plan policy EN13 that affords neighbourhood plans to make lists taking account of the local heritage assets in the area. This policy seeks to protect and enhance heritage assets in the area and identified non designated heritage assets.
Policy 3	Policy 3: Public Rights of Way	C9, EN3	This policy seeks to protect and enhance existing public rights of way and also supports the development of new public rights of way. This is also set out to be achieved within the Melton Local Plan.
Policy 4	Policy 4: Green Wedges between Hoby, Rotherby and Brooksby	EN1, EN4, EN5, EN6	Policy 4 of the neighbourhood plan has identified a green wedge that should be protected this is encouraged by Melton Local plan through policy EN4.
Policy 5	Policy 5: Key Views in the Landscape	EN1, EN6	This policy identifies important local views as identified in the settlement specific character assessment. This policy buildings upon policy EN1 and defines the locally specific views within the neighbourhood plan area.
Policy 6	Policy 6: Designated Local Green Space	EN5, EN7, C9	The Melton Local plan encourages neighbourhood plans to designate additional Local Green Space through policy EN5 and this neighbourhood plans has taken this opportunity.

Policy Number	Policy Title	Melton Local Plan	Comment
Policy 7	Policy 7: Dark Skies	EN1	The policy in the neighbourhood plan has a specific policy on dark skies as this an issue within the area and this builds upon part 6 of policy EN1 of the Melton Local Plan.
Policy 8	Policy 8: Biodiversity, Nature Conservation and the Environment	EN1, EN2, EN3, EN12, EN11, EN5, EN6, EN7, C9	Throughout the local plan policies are designed to protect and enhance biodiversity and the natural environment. The policy in the neighbourhood plan echoes the Melton Local and makes it locally specific along with covering flood risk issues.
Policy 9:	Policy 9: Sustainable Transport	SSP1, IN1	The policy supports sustainable transport within the neighbourhood plan area which is echoed in the Melton Local Plan.
Policy 10	Policy 10: Highway Safety and Capacity	SSP1, IN1, IN12	The policy seeks to improve highways safety and reduce traffic speeds within the neighbourhood plan area which is supported in the Melton Local Plan.
Policy 11:	Policy 11: Local Economy	SSP1, EC2, IN4, D1, D2	Policy EC2 – Employment Growth in the Rural Area (Outside Melton Mowbray) is echoed in policy 11 and 12 of the neighbourhood plan. The plan seeks to build upon this policy and makes it locally specific to Hobby with Rotherby.
	Policy 12: Brooksby Melton College Campus		
	Policy 13: Community Facilities	C7	Policy 13 builds upon policy C7 in the Melton Local plan and also identifies the community facilities within the parish.

Policy Number	Policy Title	Melton Local Plan	Comment
	Policy 14: New Residential Development	SSP1, SS2, SS3, EN1, EN11, EN12, C2, C4, C9, D1	This policy seeks to support appropriate small-scale development within the identified settlement boundaries. This policy has been developed in accordance with Policy SS3 of the Melton Local Plan but adds the locally specific criteria.
	Policy 15: Design Brief for Brooksby Spinney	SSP1, EN11, EN12, C2, C4, C9, D1	The policy sets out a comprehensive design brief for the residential development for the Brooksby Spinney. The policy builds upon the Melton Local Plan across the majority of the themes such as developing a sustainable development, environment, health communities and housing.

3 Contribute to the Achievement of Sustainable Development

- 3.1 The NPPF has a presumption in favour of sustainable development. According to the NPPF, Sustainable means ensuring that better life for residents and making the quality of life better for future generations. The Hoby with Rotherby NP supports the NPPF and encourages positive sustainable growth in the villages which will ensure economic, environmental and social progression for future generations.
- 3.2 The plan has been prepared with a central understanding that the key areas it addresses that being the environment, economy and the community, are all closely linked. The policies therefore aim to facilitate change within the community whilst protecting what is highly valued.

4 General Conformity with Strategic Local Policy

- 4.1 The Hoby with Rotherby NP has been prepared with planning officers from the Melton Borough Council as part of the neighbourhood planning team. This has ensured that the process of developing the policies for the plan has been scrutinised in terms of conformity with strategic policies contained within the Central Melton Local Plan 2018.
- 4.2 Table 3 shows how the Hoby with Rotherby NP is in general conformity with the strategic policies of the Melton Borough Council Local Plan 2018.

5 Be Compatible with EU Obligations

- 5.1 Melton Borough Council carried out the SEA and HRA screening assessment in May 2020 and considered that a Strategic Environmental Assessment was not required because the NP is not likely to have a significant impact on the environment (See Hoby with Rotherby SEA HRA Screening Report). This document was submitted to Historic England, Natural England and the Environment Agency who also agreed with this outcome.
- 5.2 The NP has regard to the fundamental rights and a freedom guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.3 The NP is not considered to cause any demonstrable impact upon any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations so this has not been required by Melton Borough Council. A copy of the SEA HRA Screening Assessment can be found in a separate document as part of the submission documents to Melton Borough Council.

6 Conclusion

- 6.1 It is the view of Hoby with Rotherby Parish Council that the NP has shown that it meets the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act are met by the Hoby with Rotherby NP.
- 6.2 The Plan has appropriate regard to the NPPF and it will contribute to the achievement of sustainable development. The plan is in general conformity with strategic policies contained in the Melton Borough Local Plan, whilst meeting relevant EU obligations.