



# Market Bosworth Neighbourhood Development Plan Basic Conditions Statement

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## **1. Legal Requirements**

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38C(5)] sets out that Neighbourhood Development Plans must meet certain legal requirements.

### The Neighbourhood Development Plan is being submitted by a qualifying body

The Market Bosworth Neighbourhood Development Plan (MBNDP) is being submitted by Market Bosworth Parish Council.

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

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 2012.

### The proposed Neighbourhood Development Plan period

The MBNDP states on page 3 that it covers the period 2014 to 2026.

### Excluded development

The MBNDP 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.

### Neighbourhood area

The Neighbourhood Area is consistent with the parish boundary of Market Bosworth. The Neighbourhood Area was approved by Hinckley and Bosworth Borough Council on February 2013 please see map in Appendix 1.

The MBNDP does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The MBNDP relates to the Market Bosworth Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.

## **2. Basics Conditions Statement**

### **Appropriate regard to national policy**

It is required that the MBNDP has appropriate regard to the National Planning Policy Framework (NPPF).

The NPPF in sections 183-185 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the Strategic Policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

This section demonstrates that the MBNDP has regard to relevant policies within the NPPF in relation to:

- Building a strong, competitive economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Table 1 – Assessment of how each policy in the MBNDP conforms to the NPPF.

No.	Policy Title and Reference	NPPF reference (para)	Comment
1	CE1: Character and Environment	58 and 131	Reflects strong community views on the importance for new developments to be in keeping with the identified character areas to retain local distinctness and sense of place.
2	CE2: Local Green Space	76, 77, 78 and 131	Designates three areas / sites as Local Green Space to protect the setting, approach and character of the Market Bosworth.
3	CE3: Important Views and Vistas	58, 109 and 131	Identification of key views into Market Bosworth and recognition on the importance of protecting and retaining these views to the character, setting and distinctiveness of the town.
4	CE4: Trees	58, 109 and 131	Recognises the value and seeks the conservation of significant trees and woodlands to the setting, character and distinctiveness of Market Bosworth.
5	CE5: Landscape of the wider parish	58, 109 and 131	Recognises the value and importance of landscape outside of the settlement boundary and seeks to ensure any development does not have an adverse effect on the landscape and character of the rural area.

No.	Policy Title and Reference	NPPF reference (para)	Comment
6	BD1: Affordable Housing	021,	<p>Recognises and addresses findings with Housing Needs Survey (2013) identifying a requirement to provide affordable housing. The MBNDP proposes residential developments of 4 dwellings or 0.13 hectares provide affordable housing.</p> <p>Recognises the issue of affordability in Market Bosworth for members of the community (in particular younger members) and ensures that those with a local connection to Market Bosworth are prioritised for affordable housing.</p> <p>Proposes affordable housing is evenly spread in small clusters to ensure the affordable housing is integrated within a development.</p>
7	BD2: Site allocation south of Station Road and Heath Road	21 and 50	<p>Allocation of land to the south of Station Road and Heath Road for residential and employment uses. Positively addresses the housing need for the local community within the plan period (2014 -2026). Positively plans for the expansion of employment / commercial uses within Market Bosworth.</p>
8	BD3:Design guidelines for site allocation south of Station Road and Heath Road	21, 50, 54, 57, 58, 69, 70 and 73	<p>Positively addresses the housing need for the local community within the plan period (2014 -2026) and specifies a mix of housing types and sizes to meet the housing needs of the community in accordance with The Hinckley and Bosworth Local Plan.</p> <p>Positively plans for the expansion of employment / commercial uses within Market Bosworth.</p> <p>Plans positively for an integrated, accessible and sustainable development with the provision of connections to existing neighbouring residential areas, a legible street network and safe link to Station Street (main pedestrian route to village centre and bus services) in accordance with Manual for Streets 2.</p> <p>Reflects strong community views on the importance of character and identity to Market Bosworth i.e. building heights, landscape, views etc. to ensure a development that is sensitive and in keeping its surroundings.</p> <p>Ensures the development incorporates public open space i.e. play spaces and allotments as well as retaining access to existing open landscape for the enjoyment of the whole community providing health, wellbeing and social benefits.</p>

Table 2 – Assessment of how each policy in the MBNDP conforms to the NPPG.

No.	Policy Title and Reference	NPPG reference (para)	Comment
1	CE1: Character and Environment	Design - 006 and 007  Landscape - 001	Recognises and reflects the views of the community on the need for new developments to be in keeping and reinforce the distinctive townscape and landscape character of Market Bosworth including landscape to retain local distinctness and sense of place.
2	CE2: Local Green Space	Open space, sports and recreation facilities, public rights of way and local green space - 005, 006, 007, 009 and 013	Designates three areas / sites as Local Green Space which are special to the local community and protect the setting, approach and character of the Market Bosworth.
3	CE3: Important Views and Vistas	Design - 007	Identification and protection of key views and vistas into Market Bosworth and need for these to be carefully considered as part of the design process.
4	CE4: Trees	Design - 007	Recognises and values the contribution of significant trees and woodlands to Market Bosworth and seeks the conservation of these features to the setting, character and distinctiveness
5	CE5: Landscape of the wider parish	Design – 006 and 007  Landscape - 001	Recognises the value and importance of landscape outside of the settlement boundary to the local character and distinctiveness of Market Bosworth and seeks to ensure any development does not have an adverse effect on these features.
6	BD1: Affordable Housing	Housing and economic development needs assessments - 017  Design - 040	Recognises and addresses finding in the Housing Needs Survey which is considered an appropriate method to assess housing need in rural areas. Proposes affordable housing is evenly spread in small clusters to ensure the affordable housing is integrated within a development.
7	BD2: Site allocation south of Station Road and	Housing and economic development	The MPNDP allocates land to the of Station Road and Heath Road for residential and employment uses.

No.	Policy Title and Reference	NPPG reference (para)	Comment
	Heath Road	needs assessments - 017  Design - 040	Positively addresses the housing need for the local community within the plan period (2014 - 2026).
8	BD3:Design guidelines for site allocation south of Station Road and Heath Road	Design: 006, 007, 008, 009, 010, 012, 015, 017, 020, 022, 030, 031 and 040  Health and wellbeing – 001 and 005	<p>Positively addresses the housing need for the local community within the plan period (2014 - 2026) and specifies a mix of housing types and sizes to meet the housing needs of the community in accordance with The Hinckley and Bosworth Local Plan.</p> <p>Positively plans for a mixed use scheme including the expansion of employment / commercial.</p> <p>Promotes good design including the need for developers to produce a design brief to demonstrate how proposals meet the specified design guidelines to ensure a functional, safe, well connected, integrated and locally distinctive development.</p> <p>Encourage ease of movement for an integrated, accessible and sustainable development with the provision of connections to existing neighbouring residential areas, a legible street network, a safe link to Station Street (main pedestrian route to village centre and bus services) and well considered parking solutions in accordance with Manual for Streets 2.</p> <p>Reflects strong community views on the importance of character and identity to Market Bosworth i.e. building heights, landscape, views etc. to ensure a development that is sensitive and in keeping its surroundings.</p> <p>Ensures the development incorporates public open space i.e. play spaces and allotments as well as retaining access to existing open landscape for the enjoyment of the whole community.</p>

It is thereby concluded that the Market Bosworth Neighbourhood Development Plan has appropriate regard to the National Planning Policy Framework and National Planning

Practice Guidance, the Parish Council is not aware of any other relevant national policies and advice that the Neighbourhood Development Plan should have had regard too.

### Contribution towards Sustainable Development

The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and ‘should be seen as a golden thread running through both plan-making and decision-taking.’

In addition a Sustainability Appraisal has been carried out and this has helped to ensure that the principles of sustainable development have been considered throughout the plan-making process. The full appraisal is submitted as part of the documentation for independent examination.

The MBNDP contributes to the achievement of sustainable development by:

- Protecting and enhancing the built environment of Market Bosworth encouraging high quality development that responds to the distinctive character of Market Bosworth and protects approaches to the towns historic core;
- Protecting and enhancing the natural environment of Market Bosworth by identifying and protecting green spaces, views, vistas, trees and areas of woodland in the parish;
- Planning positively for housing growth to meet housing need for the plan period 2014 -2026;
- Identifying the need for the provision of affordable homes that can meet the needs of the local community;
- Allocates land to the south of Station Road and Heath Road for residential and employment use;
- Contributing to building a strong, diverse and competitive economy by allocating land for new employment and supporting existing employment; and
- Requiring developers of the Station Road and Heath Road site to provide a design brief to enable consideration of the scheme against specified design guidelines.

In addition the results summary table in the Sustainability Appraisal demonstrates that where there is an impact that the overall impact is positive, there are some policies that do have a neutral or uncertain impact when judged against some of the scoring criteria.

### General conformity with the strategic policies of the development plan for the area

No.	Policy Title and Reference	Local Plan Policies	Comment
1	CE1:CE1A&CE1B Character and Environment	Policy 11: Key Rural Centres Stand Alone (CS)	Policy 11: Key Rural Centres Stand Alone - The MBNDP reflects the requirement to respect the appearance and character of Market Bosworth Conservation Area.

No.	Policy Title and Reference	Local Plan Policies	Comment
		DM10 Development and Design (DMP)	DM10 - Development and Design. The MBNDP reflects the requirement for good design specifically local distinctiveness, respecting the character and layout of the area (including identification of Market Bosworth character areas), use of materials, respecting the scale, proportions and height of existing buildings specifically for Character D to ensure the skyline is unbroken and key views retained.
2	CE2: Local Green Space	DM4 Safeguarding the Countryside and Settlement Separation (DMP)	DM4 - Safeguarding the Countryside and Settlement Separation. The MBNDP designates three sites as Local Green Space to protect the value, beauty and open character of the countryside.
3	CE3: Important Views and Vistas	Policy 11: Key Rural Centres Stand Alone (CS)	There is no direct policy relating to views and vistas however the MPNP reflects the requirement to protect the fingers of green landscape with key vistas and views forming part of the approaches / fingers of landscape.
4	CE4: Trees	Policy 11: Key Rural Centres Stand Alone (CS)	There is no direct policy relating to views and vistas however the MPNP reflects the requirement to protect the fingers of green landscape with trees, coppices etc. contributing to the approaches / fingers of landscape.
5	CE5: Landscape of the wider parish	DM4 Safeguarding the Countryside and Settlement Separation (DMP)	DM4 - Safeguarding the Countryside and Settlement Separation. The MBNDP designates three sites as Local Green Space to protect the value, beauty and open character of the countryside.
6	BD1: Affordable Housing	Policy 15 Affordable Housing (CS)	Policy 15 – Affordable Housing requires a threshold of 4 dwellings or 0.13 hectares for seeking affordable housing in rural areas which is reflected in Market Bosworth Neighbourhood

No.	Policy Title and Reference	Local Plan Policies	Comment
		Policy 17 Rural Need (CS)	Plan. Policy 17 – Rural Need requires small scale developments to meet 'local need' with any affordable housing provided will be for the exclusive occupation of people with a local connection. The MBNDP seeks to ensure that those with local connection to Market Bosworth are prioritised for affordable housing.
7	BD2: Site allocation south of Station Road and Heath Road	Policy 7 Key Rural Centres (CS)  Policy 11: Key Rural Centres Stand Alone (CS)  SA2 - Land South of Station Road and Heath Road, Market Bosworth (DMP)	Policy 7 – Key Rural Centres – The MBNDP accords with the policy by providing housing development within the settlement boundary and the expansion and enhancement of the existing employment area.  Policy 11 – Key Rural Centres Stand Alone - The MBNDP accords with the policy by allocation of the site for the development of housing and employment.  SA2 - Land South of Station Road and Heath Road, Market Bosworth. The MBNDP positively plans and meets the requirements of the DMP.
8	BD3: Design guidelines for site allocation south of Station Road and Heath Road	Policy 7 Key Rural Centres (CS)  Policy 11: Key Rural Centres Stand Alone (CS)	Policy 7 – Key Rural Centres – The MBNDP accords with the policy by providing housing development within the settlement boundary and the expansion and enhancement of the existing employment area.  Policy 11– Key Rural Centres – The MBNDP accords with the policy by providing housing development within the settlement boundary, proposes a mix of housing types and tenures (in line with Housing Needs Survey and Local Needs) provides for the expansion and enhancement of the existing employment area

No.	Policy Title and Reference	Local Plan Policies	Comment
		<p>Policy 16: Housing Density, Mix and Design (CS)</p> <p>Policy 17 Rural Need (CS)</p> <p>DM1 Presumption in Favour of Sustainable Development (DMP)</p> <p>DM10 Development and Design (DMP)</p> <p>DM17 Highways Design (DMP)</p> <p>DM18 Vehicle Parking Standards (DMP)</p>	<p>and provides an area of play space to address deficiencies of play provision.</p> <p>Policy 16 - Housing Density, Mix and Design The MBNDP accords with the policy by providing a mix of housing types and sizes to meet local needs</p> <p>Policy 17 – Rural Need requires small scale developments to meet 'local need' with any affordable housing provided will be for the exclusive occupation of people with a local connection. The MBNDP seeks to ensure that those with local connection to Market Bosworth are prioritised for affordable housing.</p> <p>DM1 - Presumption in Favour of Sustainable Development. The MBNDP positively plans for the growth and needs of Market Bosworth.</p> <p>DM10 - Development and Design. The MBNDP has reflected the requirement for good design specifically local distinctiveness, respecting the character and layout of the area, respecting the amenity of new and existing residents and incorporates a high standard of landscaping.</p> <p>DM17- Highways Design. The 6’C’s Design Guide used by Leicestershire County Council is being updated to meet Manual for Streets 2 specifications / standards and the revised document will accord with proposals in the MBNDP.</p> <p>DM18 - Vehicle Parking Standards. The 6’C’s Design Guide used by Leicestershire County Council is being updated to meet Manual for Streets 2 specifications / standards and the revised document will accord with proposals in the MBNDP.</p>

No.	Policy Title and Reference	Local Plan Policies	Comment
		DM19 Existing Employment Sites (DMP)	DM19 - Existing Employment Sites. The MBNDP positively seeks to safeguard and expand existing employment use.

Whilst not a basic condition, the Neighbourhood Plan has also had regard to the emerging Site Allocations DPD currently being prepared by Hinckley and Bosworth Borough Council.

**Does not breach, and is compatible with, EU obligations and Human Rights requirements**

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.

A formal screening opinion by Hinckley and Bosworth Borough Council, following consultation with the Environment Agency, English Heritage and Natural England considered that a strategic environmental assessment (SEA) was not necessary. However the Parish Council has chosen to prepare a Sustainability Appraisal.

The Neighbourhood Area is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations and so this has not been required.

**6. Conclusion**

The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the MBNDP and all the policies therein. It is therefore respectfully suggested by the Parish Council that the MBNDP complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

## Appendix 1 – Market Bosworth Neighbourhood Area

