

LILLESHALL PARISH NEIGHBOURHOOD PLAN
2017-2031

REGULATION 15
BASIC CONDITIONS STATEMENT

FEBRUARY 2018

Lilleshall Parish Council

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LILLESHALL NEIGHBOURHOOD PLAN BASIC CONDITIONS STATEMENT

INTRODUCTION

This Basic Conditions Statement has been produced to explain how the proposed Lilleshall Neighbourhood Plan (LNP) has been prepared in accordance with the Neighbourhood Planning General Regulations 2015 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.

The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 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 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); and
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Supporting documents and evidence

The LNP is supported by this Basic Conditions Statement, a Consultation Statement and a thorough evidence base.

Key statements

Lilleshall Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The LNP expresses policies that relate to the development and use of land only within the neighbourhood area.

The neighbourhood area is contiguous with the parish boundary, as shown in the map accompanying the neighbourhood area designation application.

The LNP covers the period from 2017 to 2031.

No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.

The LNP does not relate to more than one neighbourhood area. It is solely related to the area of Lilleshall as designated by Telford & Wrekin Council in June 2016.

There are no other Neighbourhood Development Plans in place for the Lilleshall neighbourhood area.

CONFORMITY WITH NATIONAL PLANNING POLICY

It is required that the Lilleshall Neighbourhood Plan (LNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF).

The NPPF in sections 183-185 refers to Neighbourhood Development Plans and seeks those plans to have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan.

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

- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Supporting a prosperous rural economy
- 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

The LNP has 13 principal objectives. We summarise them in Table 1 below and which NPPF goals each objective seeks to address.

Table 2 then provides a summary of how each policy in the LNP conforms specifically to the NPPF.

Table 1: Neighbourhood Plan objectives and NPPF goals

LNP Objective	Relevant NPPF Goal
With the exception of sites contiguous with the current urban area of Telford to only support future development of appropriately designed housing on infill sites.	Supporting a prosperous rural economy Requiring good design
To support delivery of a limited amount of appropriately designed and located affordable housing	Supporting a prosperous rural economy Requiring good design
To prevent the merging of built up areas to retain the rural character and identity of Lilleshall village and the wider Parish	Conserving and enhancing the natural environment
To ensure development preserves and enhances the traditional character and setting of the parish through support for sympathetic design	Conserving and enhancing the historic environment
To ensure that all development is based upon sound environmental sustainability principles; including energy sourcing and conservation, flooding/drainage and sewerage management, waste minimisation, wildlife conservation and	Conserving and enhancing the natural environment Requiring good design

habitat protection	
To protect and enhance the environment and landscapes such as the parish's designated and non-designated heritage assets, in particular the Strategic Landscape Areas.	Conserving and enhancing the natural environment
To protect and enhance green areas, natural habitats, wildlife and biodiversity throughout the Parish and to encourage appropriate management in particular of the disused limestone quarries.	Conserving and enhancing the natural environment Promoting healthy communities Supporting a prosperous rural economy
To seek and support improvements to utility infrastructure and digital connectivity	Supporting a prosperous rural economy
To protect and enhance existing community facilities and seek and support opportunities to expand provision in particular for allotments and recreational facilities	Promoting healthy communities Supporting a prosperous rural economy
To ensure that new developments have enough car parking to meet current and future needs.	Supporting a prosperous rural economy Requiring good design
To encourage the provision of alternative, safe and convenient means of travel so as to minimise the use of cars in and around the Parish and reduce the associated problems of noise, pollution and parking.	Supporting a prosperous rural economy Promoting healthy communities
To provide a safe, accessible and well maintained network of roads, pavements, cycle routes and rights of way whilst retaining a rural character to support a more sustainable environment, reduce reliance on the car and offer healthier lifestyle options.	Supporting a prosperous rural economy Promoting healthy communities
To support the local economy and employment by encouraging appropriate agricultural diversification, environmental farming initiatives, appropriate home working and tourism development.	Supporting a prosperous rural economy

Table 2: Conformity of Lilleshall Neighbourhood Plan policies with NPPF

Policy Ref	Policy	NPPF Paragraphs	Comments
DEV1	Infill housing in Lilleshall village	7, 16, 54, 55, and 126	Seeks to support an appropriate scale of new development on infill sites in Lilleshall village respecting the character and identity of the village
DEV2	Merging of Settlements	7, 9, 16, and 55.	Seeks to protect the open countryside beyond the settlements from inappropriate development and to prevent settlements joining together.
DEV3	Sites within Telford built-up area	7, 9, 16, 19, 47, 54, 55	Supports housing growth and sustainable development within Telford
D1	Sympathetic Design	9, 16, 17, 35, 56, 58, 65, 126, 128, 132, 133, and 134	Seeks to ensure that housing development is in keeping with the design of surrounding housing, without stifling good or innovative design. Recognises the importance of protecting and enhancing Lilleshalls unique historic character and the importance of its rural setting.
D2	Sustainable Design	9, 16, 56, 58, 65	Supports the provision of sustainable design elements into new development to reduce impact on natural resources, and capacity of infrastructure.
D3	Design of Residential Infill Development	9, 16, 35, 56, 58, 126, and 128	Seeks to ensure that housing development is in keeping with the design of surrounding housing, without stifling good or innovative design
LE1	Green Spaces	7, 9, 16, 70, 74, 76, and 77	Makes use of the provision for making a designation and addresses key criteria in terms of its accessibility, function and value to the community..
LE2	Ecology and Landscape	7, 9, 16, and 117	Recognises the important role environmental assets play within the Parish and seeks to protect and enhance these through the development process
LE3	Strategic Landscape Areas	7, 9, 109, and 118	Recognises the role played by the Strategic Landscape Areas and seeks to protect these areas from harmful development and promote development that contributes to their special characteristics.

INF1	Connecting the Parish	42, 45	Seeks improved ICT connectivity to support business and enterprise and help reduce car journeys.
INF2	Community Facilities	7, 9, 16, 28, and 70	Seeks to protect against the loss of community facilities that are important to the well-being of residents in the Parish
INF3	Developer Contributions	7, 9, 16, 28, and 70	Recognises the importance of community infrastructure and seeks improvements through appropriate developer contributions.
TA1	Linkages and Connections	7, 9, 35 and 75	Seeks to improve access to key facilities within the Parish and ensure that non-car users have alternative routes to the existing road network
TA2	Car Parking in Lilleshall	39	Seeks to reduce on street car-parking and subsequent traffic congestion in Lilleshall
EC1	Rural Diversification and Small Scale Employment Development	7, 9, 16, and 28	Strongly supports the development of appropriate small-scale, rural enterprise which will help suitable businesses to flourish in the Parish.

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.’

Table 3 below summarises how the objectives and policies in the LNP contribute towards sustainable development, as defined in the NPPF.

Table 3: Assessment of LNP objectives and policies against sustainable development

Deliver Economic Sustainability	
NPPF Definition – ‘Contribute to building a strong, responsive economy’	
LNP Objectives	8. To seek and support improvements to utility infrastructure and digital connectivity. 13. To support the local economy and employment by encouraging appropriate agricultural diversification, environmental farming initiatives, appropriate home working and tourism development.
LNP Policies	INF1: Connecting the Parish EC1: Rural Diversification and Small Scale Employment Development
Comments	The LNP seeks to promote rural enterprise. It seeks to support improved connectivity and appropriate small scale employment uses particularly through farm diversification or conversions and through support for appropriately located and scaled tourism development.

Deliver Social Sustainability	
NPPF Definition – ‘Support strong vibrant and healthy communities’	
LNP Objectives	2. To support delivery of a limited amount of appropriately designed and located affordable housing 5. To ensure that all development is based upon sound environmental sustainability principles; including energy sourcing and conservation, flooding/drainage and sewerage management, waste minimisation, wildlife conservation and habitat protection. 7. To protect and enhance green areas, natural habitats, wildlife and biodiversity throughout the Parish and to encourage appropriate management in particular of the disused limestone quarries. 8. To seek and support improvements to utility infrastructure and digital connectivity 9. To protect and enhance existing community facilities and seek and support opportunities to expand provision in particular for allotments and recreational facilities. 11. To encourage the provision of alternative, safe and convenient means of travel so as to minimise the use of cars in and around the Parish and reduce the associated problems of noise, pollution and parking. 13. To support the local economy and employment by encouraging appropriate agricultural diversification, environmental farming initiatives, appropriate home working and tourism development.
LNP Policies	DEV1: Infill housing in Lilleshall village D2: Sustainable Design LE1: Green Spaces

	<p>LE2: Ecology and Landscape LE3: Strategic Landscape Areas INF1: Connecting the Parish INF2: Community facilities TA1: Linkages and connections EC1: Rural Diversification and Small Scale Employment Development</p>
Comments	<p>The LNP seeks to maintain a thriving community within the parish, recognising that the community needs to maintain and if possible increase the range of community facilities available and that a vibrant successful community requires a range of housing, access to suitable employment opportunities and appropriate ICT connections. This it aims to achieve by supporting appropriate employment development and housing development and by seeking to protect existing local green spaces and environmental assets. The health of the community is supported by encouraging walking and cycling, reducing the impact of HGV's and protecting existing recreation facilities. It also seeks to maintain the character and identity of the Parish by protecting the open spaces and the countryside from inappropriate development.</p>

Deliver Environmental Sustainability	
NPPF Definition – ‘Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change’	
LNP Objectives	<p>1. With the exception of sites contiguous with the current urban area of Telford to only support future development of appropriately designed housing on infill sites.</p> <p>3. To prevent the merging of built up areas to retain the rural character and identity of Lilleshall village and the wider Parish.</p> <p>4. To ensure development preserves and enhances the traditional character and setting of the parish through support for sympathetic</p> <p>5. To ensure that all development is based upon sound environmental sustainability principles; including energy sourcing and conservation, flooding/drainage and sewerage management, waste minimisation, wildlife conservation and habitat protection.</p> <p>6. To protect and enhance the environment and landscapes such as the parish's designated and non-designated heritage assets, in particular the Strategic Landscape Areas. .</p> <p>7. To protect and enhance green areas, natural habitats, wildlife and biodiversity throughout the Parish and to encourage appropriate management in particular of the disused limestone quarries. .</p> <p>11. To encourage the provision of alternative, safe and convenient means of travel so as to minimise the use of cars in and around the Parish and reduce the associated problems of noise, pollution and parking.</p>
ENP Policies	<p>DEV1: Infill housing in Lilleshall village DEV2: Merging of settlements D1: Sympathetic design D2: Sustainable Design LE1: Green Spaces LE2: Ecology and Landscape LE3: Strategic Landscape Areas TA1: Linkages and connections</p>

Comments	The LNP seeks to protect the character of the Parish and Lilleshall village by requiring good design of new development and by designating certain spaces as local green spaces of importance to the local community. Particular emphasis is placed on the importance of the Strategic Landscape Areas and the character and identity they bring to the Parish. The value of biodiversity and environmental assets for health benefits and to mitigating the negative impacts of development is also recognised. The LNP also places a focus on reducing traffic congestion and travel by the private car to reduce carbon emissions.
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As demonstrated in Table 3, the strategic objectives of the Neighbourhood Development Plan are considered to comprise a balance of social, economic and environmental goals.

Lilleshall Parish Council considered that a Strategic Environmental Assessment (SEA) was not required because the LNP is not likely to have a significant impact upon the environment.

GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

The development plan currently consists of the following:

- The recently adopted Telford & Wrekin Local Plan 2011 – 2031

The LNP has been prepared alongside the new Telford & Wrekin Local Plan and conformity is judged very much against these policies as a pragmatic approach thus avoiding built in obsolescence for the LNP. It remains a requirement of the Basic Conditions however that general conformity must be with the **development plan** which is now just the Telford & Wrekin Local Plan 2011-2031 having superseded the Telford & Wrekin Core Strategy 2006 – 2016 and the saved policies of the Wrekin Local Plan 1995 – 2006, the focus of attention has been on conformity with policies in the emerging Telford & Wrekin Local Plan and NPPF.

The policies of relevance are shown in Table 4 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the LNP is in general conformity with them.

Any policy that is not identified in Table 4 is not considered to be relevant to the LNP because the LNP does not have any policies that directly relate to it.

It is confirmed that there are no policies in the 2000 Shropshire County Council and Telford & Wrekin Minerals Local Plan that the LNP policies have any relevance to.

Table 4: Conformity of Neighbourhood Plan policies with recently adopted T&W Local Plan 2011-2031

T&W Local Plan policy	LNP Policy
SP3: Rural Area	<p>DEV1: Infill housing in Lilleshall village DEV2: Merging of settlements EC1: Rural diversification and small-scale employment development</p> <p>The LNP is in conformity with and helps to deliver the T&W Local Plan approach for the rural area set out in policy SP3 by supporting appropriate limited housing development in Lilleshall village and suitable small scale employment development in the whole Parish whilst seeking to maintain the areas rural characteristics and community vitality and resilience.</p>
SP4: Presumption in favour of sustainable development	<p>DEV1: Infill housing in Lilleshall village DEV2: Merging of settlements D1: Sympathetic design D2: Sustainable design D3: Design of residential infill development LE1: Green Spaces LE2: Ecology and Landscape LE3: Strategic landscape areas TA1: Linkages and Connections EC1: Rural diversification and small-scale employment development INF1: Connecting the Parish INF2: Community facilities</p> <p>The T&W Local Plan sets out 13 criteria in policy SP4 that it considers contribute to sustainable development. The LNP is in conformity with these principles where relevant particularly through the policies listed supporting appropriately located, suitable and well designed new development, the improvement and protection of the valued natural and built environment of the Parish, the need to protect and improve community facilities and to reduce reliance on car journeys</p>
HO10: Residential development in the rural area	<p>DEV1: Infill housing in Lilleshall village DEV2: Merging of settlements D1: Sympathetic design D2: Sustainable design</p>

T&W Local Plan policy	LNP Policy
	<p>D3: Design of residential infill development</p> <p>The LNP is in conformity with the Local Plans approach to residential development in rural areas. Policy DEV1 supports the delivery of new rural housing and with DEV2 ensures the focus of new housing development is within Lilleshall village. Policies D1, D2 and D3 provide guidance on appropriate design with particular emphasis in D3 on design elements for residential proposals.</p>
BE1: Design criteria	<p>D1: Sympathetic design D2: Sustainable design D3: Design of residential infill development LE2: Ecology and landscape LE3: Strategic landscape areas TA1: Linkages and Connections</p> <p>The LNP is committed to promoting well designed appropriate new development with particular emphasis in D1 on the local historic character and rural setting of the village and in D2 on elements of sustainable design. Policies LE2 and LE3 focus on wider design issues for environmental assets and accessibility.</p>
C1: Promoting alternatives to the private car	<p>INF1: Connecting the parish INF2: Community facilities TA1: Linkages and connections</p> <p>The policies of the LNP generally seek to reduce reliance on car journeys but policies INF2 and TA1 actively seek the promotion of alternative forms of transport or traffic reduction/highway safety measures through developer contributions, whilst policy INF1 is specifically concerned with the provision of enhanced ICT infrastructure so helping to reduce the need to travel.</p>
C3: Impact of development on highways	<p>DEV3: Sites within Telford built-up area D3: Design of residential infill development INF3: Developer contributions TA1: Linkages and connections TA2: Car parking in Lilleshall EC1: Rural diversification and small scale employment development C2: Developer contributions</p>

T&W Local Plan policy	LNP Policy
	<p>The T&W Local Plan requires all development to mitigate site specific highway issues. The LNP recognises that traffic congestion, parking and highways safety are important issues in rural communities and seeks to ensure that new development does not adversely affect local road networks whilst also seeking the promotion of alternative forms of transport or junction improvements/highway safety measures through developer contributions.</p>
<p>C4: Design of roads and streets</p>	<p>D3: Design of residential infill development INF3: Developer contributions TA1: Linkages and Connections EC1: Rural diversification and small-scale employment development</p> <p>Policy C4 of the T&W Local Plan recognises the importance of the design and accessibility to the long term sustainability of new development. Whilst the scale of new development promoted in the LNP is modest it nevertheless promotes the importance of good design ensuring safe accessibility and compatibility with walking and cycling.</p>
<p>C5: Design of parking</p>	<p>TA2: Car parking in Lilleshall</p> <p>Policy TA2 of the LNP acknowledges the importance of off-street parking provision to well designed new development in Lilleshall and specifically references the use of conditions to control parking in residential developments.</p>
<p>EC3: Employment in the rural area</p>	<p>EC1: Rural diversification and small scale employment development</p> <p>The T&W Local Plan is supportive of a flexible approach to new employment development in the rural area. The LNP in policy EC1 promotes appropriate and suitable new employment and tourism development in the parish either as new build or conversion of existing buildings.</p>
<p>EC12: Leisure cultural and tourism development</p>	<p>EC1: Rural diversification and small scale employment development</p> <p>Although mostly concerned with developments within or adjacent to the borough's main centres T&W LP policy EC12 supports other development that cannot be accommodated in these centres such as rural tourist facilities and accommodation supported by LNP policy EC1.</p>
<p>NE1: Biodiversity and Geodiversity</p>	<p>DEV2: Merging of settlements LE1: Green Spaces LE2: Ecology and Landscape LE3: Strategic landscape areas</p>

T&W Local Plan policy	LNP Policy
	<p>In line with policy NE1 of the T&W Local Plan the LNP aims to protect and enhance biodiversity and landscape features, improve connectivity between green spaces, protect the countryside in the Parish and around Lilleshall village and Lilleshall Hill especially Lilleshall SLA in particular from inappropriate development. Local Green Space designation will also help to protect green spaces and their wildlife features.</p>
<p>NE2: Trees, hedgerows and woodlands</p>	<p>LE2: Ecology and Landscape LE3: Strategic Landscape Areas</p> <p>The T&W Local Plan recognises the contribution that trees, hedgerows and woodlands make to biodiversity, amenity and landscape value. Policy LE2 of the LNP makes specific reference to protecting and enhancing trees, hedgerows and existing woodlands in order to protect the biodiversity and landscape assets of the Parish whilst policy LE3 refers to similar steps for the Strategic Landscape areas.</p>
<p>NE3: Existing public open space</p>	<p>G1: Green Spaces</p> <p>The LNP seeks to protect valued open spaces in Lilleshall village through their designation as Local Green Spaces in line with paras 76 and 77 of the NPPF. By doing so the LNP is in conformity with policy NE3 of the T&W Local Plan which aims to protect both formal and informal open spaces.</p>
<p>COM1: Community facilities</p>	<p>G1: Green Spaces INF2: Community facilities INF3: Developer contributions</p> <p>T&W Local Plan policy COM1 seeks to preserve existing community facilities and the LNP applies this to a rural area where the protection of community facilities is especially important in rural communities to maintain social sustainability. Policies G1 and INF2 of the LNP seek to protect existing community facilities whilst INF3 seeks opportunities to improve community facilities through developer contributions.</p>

DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS

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

In November 2016 Lilleshall Parish Council submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and an Appropriate Assessment under the EU Habitats Regulations of the draft LNP. In January 2017 Screening Statements were produced in conjunction with Telford & Wrekin Council stating that neither an SEA nor an HRA ('Appropriate Assessment') was required. These original Screening Statements are included as part of the LNP submission and responses confirming the findings from Natural England, Environment Agency and Historic England are included in the Consultation Statement.

The original SEA and HRA were based upon and aligned with the Examination version of the Telford & Wrekin Local Plan. A revised Telford & Wrekin Local Plan containing a number of modifications following Examination was subsequently adopted on 11th January 2018.

The two principal modifications affecting the LNP were the removal of a large housing allocation within the neighbourhood plan area and the deletion of the Lilleshall Village Strategic Landscape Area (LVSLA). The removal of the housing allocation additionally supports and reinforces the conclusions of the original screening i.e. The removal of the allocation further reduces any potential environmental impact.

Although the adopted Telford & Wrekin Local Plan does not include the Lilleshall Village Strategic Landscape Area designation, the LNP believes that there is sufficient justification for its retention in the LNP. The continued inclusion of the LVSLA in the LNP means that this aspect (and conclusions) of the original screening remain the same. Revised versions of the SEA and HRA screening are provided as part of Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

Based on the screening statements and responses received, the Parish Council considers that the LNP does not require a Strategic Environmental Assessment under the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) nor a Habitats Regulations Assessment under The Conservation of Habitats and Species Regulations 2010 (as amended). This is because there will be no significant environmental effects arising from its implementation and that it supplements national guidance whilst for HRA purposes none of the proposed policies within the LNP has potential to lead to a Likely Significant Effect on a European Site. Therefore, the LNP can be 'screened out' of the HRA process and an 'Appropriate Assessment' is not required. Amendments made to the LNP following Regulation 14 are not significant in relation to SEA and HRA so the Parish Council considers the findings of the screening statements to be unaffected.

In summary, the removal of the housing site allocation from both the new Telford & Wrekin Local Plan and the Lilleshall Neighbourhood Plan as well as the continued designation of the Lilleshall Village Strategic Landscape Area has served to decrease the potential environmental impact of the neighbourhood plan and maintain environmental protection.

Since the screening of the previous version of the plan established that the LNP did not require an SEA or HRA and the current regulation 15 version of the Lilleshall Neighbourhood Plan is unchanged apart from the deletion of one Local Green Space and the removal of a large housing site allocation

(which had the potential for greatest environmental impact), it is presumed that the conclusion of the original screening remains unchanged.