



Barrowden and Wakerley Neighbourhood Development Plan

BASIC CONDITIONS STATEMENT

NOVEMBER 2018

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1.0 Introduction

- 1.1 This 'Basic Conditions Statement' (the Statement) has been prepared on behalf of Barrowden Parish Council and Wakerley Parish Meeting to accompany the submission of the Barrowden and Wakerley Neighbourhood Development Plan (the BWNP) as required under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (the Regulations).
- 1.2 The BWNP must meet certain 'basic conditions' and other legal requirements before it can come into force. The basic conditions, set out in paragraph 8(2) of schedule 4B of the Town and Country Planning Act 1990 (as amended), are met if:
 - i. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
 - ii. the making of the Plan contributes to the achievement of sustainable development;
 - iii. the making of the Plan is in general conformity with the strategic policies of the development plan for the area (or any part of that area); and
 - iv. the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
- 1.3 The other legal requirements indicate that the Plan must:
 - Have been developed and submitted for examination by a 'qualifying body';
 - Not relate to more than one neighbourhood area;
 - Specify the period for which it is to have effect;
 - Not include provision relating to 'excluded development';
 - In addition, the policies must relate to the development and use of land for the designated neighbourhood area.
- 1.4 Compliance with the basic conditions and legal requirements is tested through an examination undertaken by an independent examiner. The purpose of the Basic Conditions Statement is to explain how, in the opinion of Barrowden Parish Council and Wakerley Parish Meeting, the BWNP meets the above requirements and basic conditions.

2.0 Legal Requirements

- 2.1 This section sets out how the BWNP complies with the requirements listed in paragraph 1.3, above.

The Plan must have been developed and submitted for examination by a 'qualifying body'.

- 2.2 A parish council is a ‘qualifying body’ as defined by Section 38A of the Town and Country Planning Act 1990 (as amended). At a local government level, the parish of Barrowden is within an area administered by Rutland County Council, which is a unitary authority. The parish of Wakerley forms part of East Northamptonshire within the county of Northamptonshire. The National Planning Practice Guidance (NPPG) on [Neighbourhood Planning](#) (paragraph 27) enables a single parish council to apply for a multi-parished neighbourhood area to be designated as long as it includes all or part of that parish council’s administrative area and it secures the consent of the other parish council.
- 2.3 The NPPG (paragraph 30) further indicates that the neighbourhood area does not have to follow administrative boundaries but that the area application must be made to each of the local planning authorities which has part of its administrative area within the proposed neighbourhood area (i.e. Rutland County Council and East Northamptonshire Council). However, paragraph 31 of the NPPG advises the local planning authorities to agree a lead authority in a particular neighbourhood area.
- 2.4 Barrowden Parish Council and Wakerley Parish Meeting considered that the preparation of a neighbourhood plan would provide an opportunity to shape future development whilst safeguarding and enhancing valued elements of the built and natural local environment. The parishes established a Neighbourhood Plan Group to oversee the process of preparing the BWNP with key decisions mutually agreed with Barrowden Parish Council and Wakerley Parish Meeting. Rutland County Council is the lead local planning authority for the purposes of preparing the BWNP and meetings of the Neighbourhood Plan Group have been attended by an officer from the County Council.
- 2.5 Barrowden Parish Council, acting with the agreement of Wakerley Parish Meeting, applied on 25th January 2015 for designation of the two parishes as the Neighbourhood Area. Subsequently, Rutland County Council and East Northamptonshire Council undertook a 6-week consultation from 13 February to 27 March 2015, as required by section 6 of the Regulations. No representations were made in response to the consultation and a formal decision notice designating the Neighbourhood Area with effect from 27th April 2015 was issued. The decision notice is included at Appendix 1 and the Neighbourhood Area is shown on the map in Appendix 2. The BWNP has now been submitted by Barrowden Parish Council, acting with the agreement of Wakerley Parish Meeting.

[The Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the Neighbourhood Area.](#)

- 2.6 The Neighbourhood Area, shown on the map in Appendix 1, is coterminous with the parishes of Barrowden and Wakerley. The BWNP does not relate to more than

one neighbourhood area and there are no other neighbourhood development plans in place within the Neighbourhood Area.

The Plan states the period for which it is to have effect

- 2.7 The BWNP specifies that it relates to the period from 2016 until 2036. This is clearly shown on the front cover of the BWNP and is further stated at paragraph 1.6 of that document.

The policies do not relate to excluded development

- 2.8 The policies in the BWNP do not relate to ‘excluded development’ (e.g. minerals extraction, waste development or nationally significant infrastructure) as defined in the Town and Country Planning Act 1990 (as amended).

The policies must relate to the development and use of land for the designated neighbourhood area.

- 2.9 The Town and Country Planning Act 1990 (as amended) defines a “neighbourhood development plan” as a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan. Each land use policy of the BWNP is contained within a box with a blue background and should be used in the determination of planning applications, where relevant.
- 2.10 However, during public consultation a number of community aspirations were identified which are not directly related to the development and use of land but which, nevertheless, would help to improve the Neighbourhood Area. Where appropriate, these aspirations have been included in Appendix 2 of the BWNP. It is clearly stated in Appendix 2 that the community aspirations do not form part of the BWNP. It is also explained at paragraph 5.3 of the BWNP that the aspirations are not tested as part of the independent examination of the BWNP and will not be used in the determination of planning applications.

3.0 The Basic Conditions

Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan.

- 3.1 The BWNP must have regard to national policies and advice. Government policy is set out primarily in the National Planning Policy Framework (NPPF) with guidance set out in National Planning Practice Guidance (NPPG). The NPPF was

originally published in 2012 and was recently updated in 2018. However, Annex 1: Implementation (paragraph 214) of the updated NPPF states that ‘*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24th January 2019*’. A footnote further states that ‘For neighbourhood plans, ‘submission’ in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012’.

- 3.2 The 2012 NPPF includes, at paragraph 17, a list of core planning principles. The following table replicates each of the core principles and demonstrates how the Plan has regard to each principle.

Table 1. NPPF Core Planning Principles and the Submission Plan.

| NPPF Core Planning Principle | How does the BWNP have regard to the NPPF Core Planning Principle? |
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| <p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p> | <ul style="list-style-type: none"> • The BWNP sets out a positive vision and objectives for the Neighbourhood Area during the period up to 2036 (section 4 of the BWNP) to provide opportunities for small, sustainable and timely developments which meet the needs of the local community while retaining the unique, distinctive character of the villages and rural landscape. • Preparation of the BWNP has involved the local community from the outset through various phases of consultation and stakeholder engagement as outlined in the Consultation Statement. • The policies of the BWNP are all focused on land use related issues and seek to respond to the unique characteristics and planning context of the Neighbourhood Area, thereby complementing policies in the NPPF and wider Development Plan. • Additionally, the BWNP outlines several wider, local community aspirations which, as recommended in NPPG (see para 2 of ‘what is neighbourhood planning?’), are set out in an appendix to the Plan. |
| <p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p> | <ul style="list-style-type: none"> • The BWNP process has identified a number of key issues (see section 4 of the BWNP). In response, a clear vision, key objectives and a total of 16 policies promote development that will enhance the Neighbourhood Area and deliver the vision of meeting local needs whilst retaining the distinctive, positive character of the villages and rural landscape. |
| <p>Planning should proactively drive and support sustainable</p> | <p>The BWNP does not include site allocations for new housing or employment. However, commensurate</p> |

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| <p>economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p> | <p>with the status of Barrowden and Wakerley in the Local Plans, the BWNP includes the following policies to enable the development of small scale business and housing proposals:</p> <ul style="list-style-type: none"> • Policy BW12 and BW13 support appropriate proposals for home working and bed and breakfast accommodation respectively; • Policy BW16 supports the provision of ducting to facilitate fibre to the premises technology. A high quality fibre-network is of vital importance in enabling working from home and in operating businesses. • Policy BW9 enables the development of appropriate small scale housing sites within Barrowden while Policy BW2 enables the re-use and conversion of buildings in Wakerley. • Policy BW10 reflects the need for small dwellings at a local level while Policy BW11 promotes the provision of affordable housing where there is an identified need. |
| <p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p> | <ul style="list-style-type: none"> • Policy BW6 includes a range of key principles to conserve and enhance the positive architectural characteristics of the Area. • This is supported by Policy BW9 which is essentially focused on ensuring that proposals will not result in a significant loss of amenity in Barrowden. • Policy BW1 is focused on ensuring that development proposals conserve and enhance the local landscape. |
| <p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p> | <ul style="list-style-type: none"> • The intrinsic character and beauty of the countryside is recognised in Policy BW1, its supporting text and the Barrowden and Wakerley Character and Landscape Assessment. The policy promotes the conservation and enhancement of the positive characteristics and features of the local landscape, including important views, and emphasises the function of the Welland Valley as a key green infrastructure corridor. • Policy BW4 protects the open character of sensitive areas which are important in maintaining the close visual relationship between the village of Wakerley and the surrounding countryside. • Various BWNP policies support the needs of the Barrowden and Wakerley community. In particular, Policy BW14 and Policy BW15 provide support for the protection of community facilities and additional |

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| | <p>provision; Policy BW12, Policy BW13 and Policy BW16 support employment opportunities and facilitate fibre broadband improvements; and Policy BW2, Policy BW9, Policy BW10 and Policy BW11 enable small scale housing developments to meet the needs of the local community.</p> |
| <p>Planning should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p> | <ul style="list-style-type: none"> • Policy BW8 and the supporting text outline the local flood risk issues and support the provision and management of sustainable drainage systems. • Policy BW2 promotes the re-use and conversion of existing buildings in Wakerley. • Policy BW6 (4) promotes the retention of buildings which contribute to the positive character of a Conservation Area. |
| <p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p> | <p>Commensurate with the status of Barrowden and Wakerley in the Local Plans, the BWNP does not allocate land for development. However, it includes the following policies to assist in conserving and enhancing the natural environment and reducing pollution:</p> <ul style="list-style-type: none"> • Policy BW1 is focused on ensuring that development conserves and enhance the positive characteristics and features of the local landscape. • Policy BW5 highlights the importance of the Welland valley and extends an existing local green corridor identified in the NNJCS into Rutland. Within the corridor opportunities to enhance the landscape, biodiversity and recreational value of the corridor will be promoted. • Policy BW7 supports the implementation of mitigation measures to manage pollution during the construction phase of development. |
| <p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p> | <ul style="list-style-type: none"> • Within the villages there is very limited availability of brownfield land. • Policy BW9 encourages the development of small sites, including previously developed land, within the Planned Limits of Development for Barrowden. • In respect of Wakerley, the emphasis in Policy BW2 is on the re-use or conversion of buildings which may include the re-development of previously developed land as defined in the NPPF. |

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| <p>Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p> | <ul style="list-style-type: none"> • The emphasis in the BWNP is on small scale developments which, realistically, are unlikely to provide significant opportunities for multiple benefits. Notwithstanding this: • Policy BW5 provides support for proposals which enhance the landscape, biodiversity and recreational value of the Local Green Infrastructure Corridor; and • Policy BW8 seeks the inclusion of sustainable drainage systems which offer additional benefits such as amenity and biodiversity enhancements. |
| <p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> | <ul style="list-style-type: none"> • As described in section 3 of the BWNP, the Plan Area includes the Conservation Areas of Barrowden and Wakerley together with over 70 listed buildings and 2 scheduled monuments. • Policy BW6 is directed at maintaining and enhancing the quality of the built environment, emphasising the traditional character of buildings; the use of local, indigenous materials; and the retention of buildings which contribute to the positive character of the Conservation Areas. • In addition, Policy BW1 provides for the protection and enhancement of the distinctive features and characteristics of the local landscape. |
| <p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.</p> | <ul style="list-style-type: none"> • Wakerley is insufficient in size by itself to support sustainable services and facilities and the BWNP therefore largely directs development to the more sustainable village of Barrowden which has a range of services and facilities outlined in section 3 of the BWNP. In particular, Policy BW9 supports the development of small sites within the Planned Limits of Development for Barrowden. |
| <p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs.</p> | <ul style="list-style-type: none"> • Policy BW5 identifies a Local Green Infrastructure Corridor. Measures to enhance the recreational value of the corridor will be supported where these are compatible with the character of the area. • Policy BW7 supports the implementation of mitigation measures to manage traffic, noise and dust during the construction phase of development. • Policy BW14 and Policy BW15 provides support for the retention of community facilities, where feasible, and additional provision. • Policy BW16 supports the delivery of ducting to enable fibre to the premises technology. A high quality fibre-network is of vital importance in enabling working from home. |

The making of the Plan is in general conformity with the strategic policies of the development plan for the area (or any part of that area).

- 3.3 The Development Plan for land within the parish of Barrowden currently consists of the following:
- The Rutland Core Strategy Development Plan Document (RCS);
 - The Rutland Site Allocations Development Plan Document (RSA); and
 - The Rutland Minerals Core Strategy and Development Control Policies Development Plan Document.
- These documents, which cover the period to 2026, can be viewed at: <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/planning-policy/local-plan/>
- 3.4 The Development Plan for land within the parish of Wakerley currently consists of the following:
- The North Northamptonshire Joint Core Strategy (NNJCS). This covers the period 2011-2031;
 - The Rural North, Oundle and Thrapston Plan (RNOTP). This covers the period to 2021; and
 - The Northamptonshire Minerals and Waste Local Plan which covers the period 2011-2031.
- 3.5 However, all of the existing Development Plan documents for Rutland are currently under review and are to be replaced by a single Rutland Local Plan (RLP) to cover the period 2016-2036. A consultation draft of the RLP was published in July 2017 (see <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/planning-policy/local-plan-review/>) and a Pre-Submission version is expected to be published early in 2019. In addition, East Northamptonshire Council is preparing a district-wide Local Plan Part 2 (ENLP) to cover the period 2011-2031. That document will replace the RNOTP and supplement the policies in the NNJCS. A consultation draft of the ENLP was published in November 2018 (see https://www.east-northamptonshire.gov.uk/info/200193/adopted_local_plan/65/development_plan_documents).
- 3.6 While the draft Neighbourhood Plan is not tested by the examiner against the policies in an emerging Local Plan, National Planning Policy Guidance on Neighbourhood Planning states, [at paragraph 9](#), that ‘It is important to minimise any conflicts between policies in a neighbourhood plan and an emerging Local Plan. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan’. In addition, ‘the reasoning and evidence informing the Local

Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested’.

- 3.7 Rutland County Council has advised that it does not have a document which lists the strategic policies in the Development Plan. However, those policies in the consultation draft RLP which the County Council considers to be strategic in nature are listed in Appendix 1 of that document. East Northamptonshire Council has advised that all policies in the NNJCS are strategic in nature but that the RNOTP does not contain any strategic policies relevant to Wakerley. In respect of minerals and waste development it is explained in paragraph 2.8 (above) that the policies in the BWNP do not relate to such development.
- 3.8 The following table sets out the policies of the BWNP and explains how each is in general conformity with key, relevant policies of the RCS, RSA and emerging RLP in respect of Barrowden and the NNJCS and emerging ENLP in respect of Wakerley. Policies in the RLP and ENLP are placed in brackets to signify that the policy does not currently form part of the adopted Development Plan.

Table 2. General conformity with the strategic policies of the Development Plan

| Neighbourhood Plan Policy | Key Plan policies | Local Plan policies | Commentary on conformity with the Development Plan |
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| BW1 Landscape character and important views | RCS RSA SP23 (RLP41 & RLP45) NNJCS3 | CS19, CS21 & CS22 & | <p>In respect of Barrowden, RCS Policies CS19, CS21, CS22 together with RSA Policy SP23 and RLP Policies RLP41 and RLP45 require proposals to respect and enhance the landscape, including the historic landscape character of the area. Reference is made to the need to respond to the landscape objectives in the Rutland Landscape Character Assessment and enhance the distinctive elements, features, and other spatial characteristics identified in that document.</p> <p>Similarly, in respect of Wakerley, NNJCS Policy 3 reflects the need to retain and, where possible, enhance the distinct qualities of the landscape including important features, important views and vistas.</p> <p>Policy BW1 provides for the conservation and enhancement of the positive characteristics and features of the local landscape identified in the Barrowden and Wakerley Character and Landscape Assessment and of important views identified in Figure 4 of the Plan. The Assessment forms a background paper to the BWNP and supplements</p> |

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| | | the more strategic county-wide assessments referred to in the Local Plans. Policy BW ₁ therefore upholds the general principle of respecting and enhancing the positive characteristics and features of the landscape as required by the Local Plans while identifying important features and views at the Area level. |
| BW ₂ Development within Wakerley | NNJCS 11 & (ENLP EN ₁) | <p>NNJCS Table 1: Spatial Roles indicates that ‘some small rural settlements with a dispersed built form may be designated as open countryside, where development will be limited’. Having regard to the sensitive character of Wakerley, the BWNP does not include a village boundary and the village is therefore effectively designated as ‘open countryside’ for the purposes of planning policy in the BWNP. Accordingly, Policy BW₂ limits development to the re-use or conversion of buildings.</p> <p>This approach is further supported in the emerging ENLP Policy EN₁ which defines Wakerley as a ‘restraint village’ where open countryside policies should be applied. The policy indicates that rural diversification or the appropriate re-use or conversion of rural buildings will be supported.</p> |
| BW ₃ Local Green Space | RCS CS ₂₃ (RLP 42) RSA SP ₂₁ (RLP43) | The Policy identifies an area of land off Mill Lane, Barrowden as Local Green Space. The site provides a valuable incursion of open countryside into the village and incorporates a public footpath which has historically formed part of the local network. Designation of the site supports the strategy for the protection and enhancement of a network of green spaces, paths and cycleways around villages outlined in CS ₂₃ and RLP42. RSA Policy SP ₂₁ and RLP43 provides protection for a number of specific open spaces and frontages defined on the Rutland Policies Map (Inset 4 of the RSA). Policy BW ₃ of the BWNP provides protection for an additional area of open space of particular local significance without undermining the Local Plan policies. |
| BW ₄ Sensitive areas important to the character of Wakerley | NNJCS 11 | The Policy designates 4 areas of land on the north side of Wakerley village as ‘sensitive areas’. Their designation accords with NNJCS Policy 11 (2) b which enables neighbourhood plans to designate sensitive areas where infill development will be resisted or subject to special control. The policy is therefore in general conformity with the NNJCS. |

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| <p>BW5 Local Green Infrastructure corridor</p> | <p>RCS CS23 (RLP42) NNJCS19 (ENLP EN7 & EN8)</p> | <p>Figure 17 of the NNJCS identifies a framework of local corridors within North Northamptonshire, including Wakerley Wood to Fineshade Wood and along the Welland valley. Policy 19 of the NNJCS includes a strategy for safeguarding and enhancing this network.</p> <p>ENLP Policy EN7 proposes further local Green Infrastructure corridors, including a corridor between Duddington and Gretton via Wakerley Woods. ENLP Policy EN8 further includes an aspirational off-road route for walkers, cyclists and informal recreation along the former Rugby to Peterborough railway line which passes through the Parish of Wakerley.</p> <p>While the RLP does not identify local corridors, RCS Policy CS23 (RLP42) sets out a strategy for the protection and enhancement of a network of green spaces.</p> <p>Policy BW5, based on the findings of a background paper (Barrowden Local Green infrastructure Corridor), promotes the extension of the Wakerley Wood to Fineshade Wood corridor into Barrowden and supports the principle of safeguarding and enhancing such corridors. It would also link in to the proposals in the ENLP. Policy BW5 is therefore in general conformity with the Local Plans.</p> |
| <p>BW6 Design Principles</p> | <p>RCS CS22 (RLP40) RCS CS19 (RLP33) NNJCS2 (ENLP EN12)</p> | <p>As shown in Figure 4 of the BWNP, the two Conservation Areas within the Plan Area cover almost the entire village of Barrowden and the easternmost part of the village of Wakerley. In addition, that part of Wakerley village outside the Conservation Area includes several listed buildings.</p> <p>Policy BW6 is essentially concerned with the preservation and enhancement of the positive characteristics of the built environment of the villages. It builds on RCS Policy CS22 (RLP40), which supports the conservation and enhancement of the built environment and refers to the need to maintain local distinctiveness and the character of identified features.</p> <p>In addition RCS Policy CS19 (RLP33) requires development to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance,</p> |

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| | | <p>materials, and its relationship to adjoining buildings and landscape features.</p> <p>In respect of Wakerley, NNJCS Policy 2 requires proposals to complement their surrounding historic environment through form, scale, design and materials. Similarly, ENLP EN12 supports proposals which will enhance the surrounding environment.</p> <p>Policy BW6 adds local detail to the Local Plan policies, based upon the findings of a background paper (Barrowden and Wakerley Character and Landscape Assessment), without undermining the policies of the Local Plans.</p> |
| BW7 The local impact of construction | RCS CS19 (RLP33) NNJCS8 | <p>RCS Policy CS19 (RLP33) indicates that developments shall not cause unacceptable effects by reason of adverse impact on local amenities. Similarly NNJCS Policy 8 seeks to protect amenity by ensuring that proposals will not have an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.</p> <p>Policy BW7 supports and upholds the principle of protecting amenity outlined in the strategic policies without repeating those policies. It sets out practical measures to protect amenity during the construction phase of development. It encourages, though it does not require, developers to adopt the Code of Considerate Practice. It also emphasises the use of planning conditions /obligations, where necessary, to minimise disturbance.</p> |
| BW8 Surface water flooding | RCS CS19 (RLP2) NNJCS5 | <p>RCS Policy CS19 (RLP2) requires developments to minimise the risk of flooding to and from the development and to incorporate the use of Sustainable Urban Drainage Systems (SUDS), wherever possible. Similarly, NNJCS Policy 5 seeks to reduce the risk of flooding and promotes the use of SUDS, wherever practicable.</p> <p>The BWNP responds to local concerns regarding the risk of surface water flooding within the Plan Area. It upholds the general principle of minimising the risk of flooding outlined in Local Plan policies but provides additional detail including maps (Figures 8 and 9) which highlight local areas of risk; the need for SUDS to offer additional benefits (e.g. biodiversity enhancement) and the need to ensure</p> |

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| | | that arrangements for future management and maintenance are put in place. |
| BW ₉ Infill and backland development within Barrowden. | RCS CS ₄ (RLP ₃ and RLP ₅) | The Local Plan indicates that Smaller Services Centres (including Barrowden) can accommodate minor development on suitable infill sites. Policy BW ₉ supports and upholds this general principle but elaborates on key issues important to the local community in determining the suitability of proposals when brought forward for development on an infill site. |
| BW ₁₀ Dwelling size and type | RCS CS ₁₀ (RLP ₁₄) NNJCS ₃₀ (ENLP EN ₂₈ &EN ₂₉) | <p>RCS Policy CS₁₀ (RLP₁₄) provides for a mix of house types and sizes on major sites (10 or more dwellings).</p> <p>NNJCS Policy 30 promotes a mix of house types which should reflect the needs of smaller households (1-3 bedrooms) and any gaps in provision and avoid an over-concentration of housing where this would adversely affect the character or infrastructure of the area. ENLP EN₂₈ also recognises the need for a suitable mix and range of housing based on local need while ENLP EN₂₉ further indicates that housing for older people should include the provision of bungalows and other forms of suitable housing.</p> <p>Policy BW₁₀, based on Census data and the findings of a Neighbourhood Plan questionnaire (see paragraph 5.41 of the BWNP), emphasises the need for dwellings with 3 or fewer bedrooms. The Policy, based on local evidence, provides a distinct local approach to that set out in the strategic policies of the Local Plan without undermining those policies.</p> |
| BW ₁₁ Affordable housing | RCS CS ₁₁ (RLP ₁₇) | <p>In brief, RCS Policy CS₁₁ (RLP₁₇) enables small sites for affordable housing within or adjoining Barrowden to meet a need from households with a local connection provided that the housing will remain affordable to successive occupiers in perpetuity.</p> <p>Policy BW₁₁ upholds this strategy. It identifies a particular location (Drift Close) for an exceptions site subject to specified criteria. However, the policy does not preclude the development of other sites for rural exception housing where these meet the criteria expressed in RCS Policy CS₁₁.</p> |

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| <p>BW₁₂ Working from home</p> | <p>RCS CS₁₆ (RLP₂) NNJCS₂₅</p> | <p>RCS Policy CS₁₆ enables small scale employment in Barrowden where this consistent with maintaining and enhancing the environment. Policy RLP₂ (k) similarly provides general support for proposals which contribute towards a strong, stable and more diverse economy.</p> <p>In Wakerley, NNJCS Policy 25 enables employment opportunities of an appropriate scale and type.</p> <p>Policy BW₁₂ is specifically focused on enabling working from home and supports the strategy outlined in the respective Local Plans. However, it defines in greater detail key criteria to be used in ensuring that proposals requiring planning permission are appropriately managed and are compatible with the local environment.</p> |
| <p>BW₁₃ Bed and breakfast accommodation</p> | <p>RCS CS₁₅ (RLP₂₃) NNJCS₂₅ (ENLP EN₁₆)</p> | <p>RCS Policy CS₁₅ (RLP₂₃) enables the provision of overnight accommodation in Rutland's villages. Similarly, NNJCS Policy 25 (ENLP EN₁₆) supports visitor facilities.</p> <p>Policy BW₁₃ is compatible with this strategy; it specifically encourages bed and breakfast accommodation of a small scale and includes specific criteria to ensure that proposals requiring planning permission are compatible with the local environment.</p> |
| <p>BW₁₄ The protection of community facilities</p> | <p>RCS CS₇ (RLP₁₀) NNJCS₇</p> | <p>RCS Policy CS₇ (RLP₁₀) indicates that the loss of services and facilities will not be supported unless an alternative facility is available that is both equally accessible and of benefit to the community or all options for continued use have been fully explored and none remain that would be financially viable.</p> <p>Similarly, NNJCS Policy 7 safeguards facilities unless they are no longer viable; no longer required for a community use; or are to be relocated and improved.</p> <p>Policy BW₁₄ supports the strategy in the Local Plans. However, it contains further detail, particularly regarding the evidence required to demonstrate that a facility is 'no longer viable'.</p> |

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| <p>BW15 The provision of new community facilities</p> | <p>RCS CS7 (RLP10) NNJCS7</p> | <p>RCS Policy CS7 (RLP10) and NNJCS7 support enhanced provision of community facilities.</p> <p>Policy BW15 enables the provision of new facilities subject to criteria intended to safeguard amenity and ensure that proposals are limited to a scale appropriate to the needs of the Area. It also enables facilities to be provided outside the Planned Limits of Development for Barrowden subject to defined criteria. The Policy therefore supports the strategy in the Local Plans while providing additional and appropriate detail and a distinct local approach.</p> |
| <p>BW16 Fibre broadband</p> | <p>RCS CS13 RSA SP14 & SP15 (RLP32) NNJCS 10 & 25</p> | <p>RCS Policy CS13 supports the provision of superfast broadband to enhance local businesses and enable flexible working in rural areas. RSA Policy SP15 (e) indicates that development should incorporate appropriate broadband connections while detailed criteria are included in RSA Policy SP14 to manage the impact of equipment on the environment and residential amenity.</p> <p>Emerging RLP Policy 32 indicates that proposals for residential development of less than 30 dwellings and commercial development will be required to provide fixed fibre broadband where this is technically feasible, subject to viability. This can include Fibre to the Premises (FTTP) technology; Fibre to the Cabinet (FTTC) technology; or any other emerging communication technology.</p> <p>NNJCS Policy 10 and Policy 25 support the provision of broadband.</p> <p>Policy BW16 upholds the Local Plans' strategy of assisting the provision of broadband. In recognition of the fact that FTTP can support higher speeds than FTTC and that demand for such technology is likely to increase, the policy provides for ducting to enable the future delivery of FTTP technology.</p> |

The making of the Plan contributes to the achievement of sustainable development

- 3.9 The section of the 2012 National Planning Policy Framework (NPPF) titled 'Achieving sustainable development' explains, at paragraph 6, that the purpose of the planning system is to contribute to the achievement of sustainable development and that the policies in paragraphs 18 to 219 of the NPPF, taken as a

whole, constitute the Government's view of what sustainable development means in practice for the planning system.

3.10 The NPPF highlights the three dimensions of sustainable development - economic, social and environmental - and the need for the planning system to perform the following roles:

- economic - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- social - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- environmental - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

3.11 Earlier sections of this Basic Conditions Statement have sought to demonstrate that the policies of the BWNP have had regard to the Core Planning Principles of the NPPF and are in general conformity with the strategic policies of the adopted Local Plans. The policies of the NPPF have the achievement of sustainable development at their core, as noted in paragraph 3.9 (above) while the adopted Local Plans are supported by comprehensive Sustainability Appraisals found sound at examination. The BWNP has therefore been developed with close attention to two sets of policies that inherently set the framework for sustainable development. The BWNP has built upon the firm foundations of the NPPF and Local Plans and provides a set of policies that will help to contribute towards the achievement of sustainable development in the Plan Area. Table 3, below, summarises the sustainability attributes of each policy in the BWNP.

Table 3 Contribution of the BWNP towards the achievement of sustainable development.

| Plan number and title | policy and | Comments |
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| BW1. Landscape character and important views | | Likely to have a positive environmental impact through the protection and enhancement of the landscape and promotion of high quality design. |

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| BW2. Development within Wakerley | Likely to have a positive environmental impact, ensuring that proposals have a positive impact on the character of the village. |
| BW3. Local Green Space in Barrowden village | Likely to have a positive environmental impact, contributing to the protection and enhancement of an area of Local Green Space. |
| BW4. Sensitive Areas important to the character of Wakerley | Likely to have a positive environmental impact, contributing to the protection and enhancement of the natural and historic environment of Wakerley. |
| BW5. Local Green Infrastructure Corridor | Implementation of the policy could offer opportunities for a number of sustainability benefits. Social benefits could arise from the provision of recreational opportunities while enhancement of the landscape and biodiversity will create environmental benefits. |
| BW6. Design Principles for Barrowden and Wakerley | Likely to have a positive environmental effect through the delivery of high quality development which preserves and enhances the positive and distinctive characteristics of the built environment. |
| BW7. The local impact of construction | Implementation of the policy would be likely to have a positive impact on the environment through the use of measures, where necessary, to mitigate the impact of disturbance on the local community during the construction phase of new development. |
| BW8. Surface water flooding | The policy would be likely to contribute towards the protection of the local environment via the application of mitigation measures designed to minimise the risk of flooding. The use of SUDS can also result in other environmental benefits such as biodiversity enhancement. |
| BW9. Infill and backland development within Barrowden | The policy should produce a positive social impact arising from the provision of housing to meet the needs of present and future generations. Cumulatively, small sites can also help support local facilities and services. The impact on the environment is less certain. However, Policy BW9, in combination with policies in the Local Plans', lists a range of criteria against which the impact of proposals on the village environment can be assessed. |
| BW10. Dwelling size and type | The policy should deliver social benefits through the provision of homes to meet the needs of different groups in the local community. |
| BW11. Affordable housing | The policy should have a positive social impact as it identifies a site that could deliver affordable housing where this will help to meet an identified local need. |

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| BW12. Working from home | The policies promotes opportunities which would be likely to deliver economic benefits. However, it is recognised that proposals could have a negative impact on the immediate residential environment and appropriate mitigation measures are therefore included in the policy. Working from home and the provision of bed and breakfast accommodation can also have a positive environmental impact where this reduces the need seek employment further afield. |
| BW13. Bed and breakfast accommodation. | |
| BW14. The protection of community facilities. | The policy should have a positive social impact, providing support for local facilities which are valued by the local community. In some instances, the policy may also deliver a positive local economic benefit through the retention and development of employment opportunities. There will be a positive environmental benefit where local facilities reduce the need to travel. |
| BW15. The provision of new community facilities. | The policy should have a positive social impact, encouraging the provision of new community assets which provide accessible local services. In some instances facilities could offer local employment opportunities, resulting in a positive economic benefit. There may also be a positive environmental benefit where local facilities reduce the need to travel. However, it is recognised that proposals could also have a negative impact on the local environment and appropriate mitigation measures are therefore included in the policy. |
| BW16. Fibre broadband. | A high quality fibre-network should deliver social, economic and environmental benefits. It will support businesses and opportunities to work from home and thereby reduce the need to travel. It also provides residents with improved access to an increasing number of on-line applications and services provided by the public and private sector and can help to reduce social exclusion. |

The making of the Plan does not breach, and is otherwise compatible with, EU obligations.

- 3.12 A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report forms part of the evidence base for the Plan. That report, prepared by Rutland County Council, has concluded that no significant likely effects on either the environment or on a European Site would be likely to result from the implementation of the Plan and that neither a full SEA nor a full HRA is required. As part of that process Rutland County Council consulted Natural England, English Heritage and the Environment Agency and each confirmed that no SEA was required.

4.0 Conclusion

- 4.1 The Basic Conditions Statement demonstrates that the proposed BWNP meets the requirements of each of the basic conditions set out in paragraph 8(2) of schedule 4B of the Town and Country Planning Act 1990 (as amended) and other legal requirements listed in paragraph 1.3 of this Statement.

Appendix 1. The Neighbourhood Area Decision Notice



Town and Country Planning Act 1990 (amended by the Localism Act 2011) Neighbourhood Planning (General) Regulations 2012

NOTICE UNDER THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 FOR THE DESIGNATION OF BARROWDEN AND WAKERLEY PARISHES AS A NEIGHBOURHOOD PLAN AREA

Under Regulation 5 of the above-mentioned Regulations Rutland County Council received an application from Barrowden Parish Council to designate the whole of Barrowden Parish (in Rutland) and Wakerley Parish (in East Northamptonshire) area as a neighbourhood plan area.

In accordance with Regulation 6 of the Regulations, Rutland County Council and East Northamptonshire Council undertook a statutory public consultation between 13 February and 27 March 2015 (inclusive). This consultation invited the submission of comments on the proposed neighbourhood plan area.

No representations were received during the 6-weeks consultation period.

Rutland County Council and East Northamptonshire Council have subsequently designated the whole of Barrowden Parish in Rutland and Wakerley Parish in East Northamptonshire District as a neighbourhood plan area. This will facilitate the preparation of a joint neighbourhood development plan for the two parishes by Barrowden Parish Council.

Helen Briggs
Chief Executive
Rutland County Council

David Reed
Head of Planning Services
East Northamptonshire Council

27 April 2015

Appendix 2. The Neighbourhood Area



