

OVERSTONE NEIGHBOURHOOD DEVELOPMENT PLAN

2019-2029

Basic Conditions Statement



Produced by the Overstone Neighbourhood Plan
Steering Group and Overstone Parish Council

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Section 1: Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Overstone Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3 Paragraph 8 (1) states that the examiner must consider the following:
 - (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
 - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
 - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
 - (d) such other matters as may be prescribed.
- 1.4 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
 - (a) 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
 - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
 - (c) 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)
 - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and

(e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

1.5 Section 2 of this Statement sets out how the Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the Neighbourhood Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

Section 2: Legal Requirements

The Plan complies with the provisions of sub-paragraph 1(b) as described below.

2.1. The Plan is being submitted by a qualifying body

2.1.1. The Neighbourhood Plan has been submitted by Overstone Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan area.

2.2. What is being proposed is a neighbourhood plan

2.2.1 The Neighbourhood Plan contains policies relating to the development and use of land within the Neighbourhood Plan area 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.

2.3. The proposed Neighbourhood Plan states the period for which it is to have effect

2.3.1. The Neighbourhood Plan states that the period which it relates to is from 2019 until 2029. The period has been chosen to align with that of the West Northamptonshire Joint Core Strategy (Part 1) and the Settlements and Countryside Local Plan (Part 2) for Daventry District.

2.4. The policies do not relate to excluded development

2.4.1. The Neighbourhood Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

2.5. The proposed Neighbourhood Plan does not relate to more than one neighbourhood plan area and there are no other neighbourhood plans in place within the Neighbourhood Plan area.

2.5.1. The designated Plan area was approved by Daventry District Council on 31st July 2020. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the Neighbourhood Plan area.

2.6. In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.

2.7. In relation to sub-paragraph 1(d), there are no other prescribed matters.

Section 3: The Basic Conditions

3.1. General conformity with the strategic policies of the development plan for the area

3.1.1. This section addresses how the Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF), the Local Plan (Part 2) for Daventry District and to the saved strategic policies contained in the West Northants Joint Core Strategy (WNJCS) 2014. District. See tables 1, 2 and 3 below for details.

3.2. In broad terms the Plan:

- a) process has empowered the local community to develop the plan for their neighbourhood and has undertaken a creative and thorough exercise in identifying ways to enhance and improve the area.
- b) policies are based on robust evidence and provide a practical framework within which decisions on planning applications can be made, with a high degree of predictability and efficiency.
- c) seeks to deliver homes, businesses and infrastructure through housing allocations, windfall sites, employment policies and developer contributions.
- d) seeks to actively manage patterns of growth in the most sustainable locations through the designation of a 'Village Confines' area.
- e) supports local strategies to deliver sufficient community facilities and services, to meet local needs.
- f) contributes to conserving and enhancing the natural environment through the protection of important green or open spaces and the historic environment.

Table 1 - General Conformity Details as regards to the National Planning Policy Framework (NPPF)

Overtone Neighbourhood Plan Policies	NPPF (Revision Feb 2019) Paragraph	Regards to National Planning Policy
Policy 1 – PROMOTING SUSTAINABLE TRANSPORT	102 & 103	The NPPF has a presumption in favour of sustainable development. The ONDP echoes that of the NPPF and encourages the management of local traffic issues and has regard for ‘promoting sustainable transport’ and supporting reductions in greenhouse gas emissions.
Policy 2 – ADAPTING TO CLIMATE CHANGE.	150, 151 & 154	The policy supports the NPPF aim of meeting the challenge of climate change by supporting the delivery of renewable and low carbon development while ensuring that adverse impacts are addressed satisfactorily.
Policy 3 – PROVISION OF COMMUNITY INFRASTRUCTURE.	34	Policy 3 is in accord with the NPPF requirements for suitable ‘Development Contributions’ expected from new development proposals.
Policy 4 – LOCAL SERVICES AND COMMUNITY FACILITIES.	83d	This policy seeks to protect key community assets within the village and is in agreement with Paragraph 83d of the NPPF, ‘the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Overtone Neighbourhood Plan Policies	NPPF (Revision Feb 2019) Paragraph	Regards to National Planning Policy
Policy 5 – VILLAGE CONFINES.	78	Policy 5 is in agreement to the NPPF which seeks ‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.’
Policy 6 – RESIDENTIAL DEVELOPMENT.	77, 78 & 79	This policy is consistent with the NPPF which states that within rural areas, ‘planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.’
Policy 7 – PROVISION OF AFFORDABLE HOUSING.	77	This policy is consistent with the NPPF which states that within rural areas, ‘local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.’
Policy 8 – LOCAL OPEN SPACE	96	Policy 8 is in agreement with the NPPF which states that ‘Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.’
Policy 9 – LANDSCAPE AND SENSITIVE VIEWS	170(a)	Policy 9 is in accord with the NPPF which states: ‘Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with

		their statutory status or identified quality in the development plan)'
Policy 10 - PROTECTION OF HERITAGE ASSETS	193-199	This policy is in broad agreement with the NPPF which seeks to protect against proposals affecting heritage assets where the benefits of any proposed alterations/renovations/demolition etc. do not outweigh the dis-benefits. The policy supports the protection of heritage assets and their setting, a core principal of the NPPF.
Policy 11 - BIODIVERSITY	174	This policy is consistent with the NPPF which seeks 'to protect and enhance Biodiversity and Geo-diversity'. The NPPF, states that the planning system should contribute to enhancing the natural and local environment by minimising impacts on biodiversity and providing net gains where possible.
Policy 12 – JOBS AND THE LOCAL ECONOMY	83	The policy supports new employment opportunities through small scale employment premises in the pursuance of sustainable development as outlined in the NPPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.

Table 2 - General Conformity Details as regards to the Local Plan (Part 2) for Daventry District

Overtone Neighbourhood Plan Policies	Local Plan (Part 2) for Daventry District - Policy	General Conformity with the
Policy 1 – PROMOTING SUSTAINABLE TRANSPORT	ST1 Sustainable Transport SP1 Spatial Strategy	This policy complies with Policy ST1 – Sustainable Transport Infrastructure and SP1 – Spatial Strategy. In particular measures to promote walking and cycling routes within and around rural settlements.
Policy 2 – ADAPTING TO CLIMATE CHANGE.	ENV4 Green Infrastructure ENV9 Renewable Energy and Low Carbon Development	This policy complies with ENV4 - Green Infrastructure and ENV9 - Renewable Energy and Low Carbon Development and in doing so, development proposals will be required to include measures which will mitigate their impact on climate change.
Policy 3 – PROVISION OF COMMUNITY INFRASTRUCTURE.	CW1 Health and Well being	This policy complies with Policy CW1 – Health and Well being and agrees with the development to contribute to appropriate community infrastructure and facilities.
Policy 4 – LOCAL SERVICES AND COMMUNITY FACILITIES.	CW3 Protecting local retail services and public houses	This policy complies with CW3 - Protecting local retail services and public houses. Which recognises the importance of community facilities in the provision of sustainable development.
Policy 5 – VILLAGE CONFINES.	RA3 Other Villages RA5 Open countryside	The confines have been defined having regard to Table 3 Criteria for defining village confines. And policies RA3 - Other

	ENV1 Landscape ENV3 Green Wedge	Villages, RA6 - Open countryside, ENV1 - Landscape and ENV3 - Green Wedge
Policy 6 – RESIDENTIAL DEVELOPMENT.	RA3 Other Villages RA5 Open countryside ENV7 Historic Environment	This Policy relates to Policy RA3 – Other Villages and has considered the latest and up-to-date evidence of housing need used to inform the Local Plan, together with Policies RA5 - Renovation and conversion of existing buildings within settlements and ENV7 - Historic Environment
Policy 7 – PROVISION OF AFFORDABLE HOUSING.	HO8 Housing Mix and Type	This Policy relates to Policy HO8 – Housing Mix and Type and has considered the latest and up-to-date evidence of housing need used to inform the Local Plan
Policy 8 – LOCAL OPEN SPACE	ENV3 Green Wedge ENV4 Green infrastructure	ENV3 – Green Wedge and ENV4 Green infrastructure which seek to identify and protect important open spaces
Policy 9 – LANDSCAPE AND SENSITIVE VIEWS	RA6 Open Countryside ENV1 Landscape	This Policy relates to Policy RA6 – Open Countryside which states the following: ‘The intrinsic character, beauty and tranquillity of the countryside of the District, will be protected.’ And ENV1 - Landscape
Policy 10 - PROTECTION OF HERITAGE ASSETS	ENV7 The Historic Environment	This policy has regard to ENV7 – The Historic Environment, which seeks ‘To conserve and where possible enhance, through carefully managed change, heritage assets and their settings, and to recognise their role in providing a sense of place and local distinctiveness.’

Overtone Neighbourhood Plan Policies	NPPF (Revision Feb 2019) Paragraph	Regards to National Planning Policy
Policy 11 - BIODIVERSITY	ENV5 Biodiversity	Policy 11 supports ENV5 – Biodiversity, which aims ‘To protect natural species present in the District and enhance the existing strategic green infrastructure network.’
Policy 12 – JOBS AND THE LOCAL ECONOMY	Para 7.5.01	In regard to Para 7.5.01 – Rural Economy.

Table 3 - General Conformity Details as regards to the West Northants Joint Core Strategy (WNJCS)

Overtone Neighbourhood Plan Policies	West Northants Joint Core Strategy (WNJCS) - Policy	General Conformity with the WNJCS
Policy 1 – PROMOTING SUSTAINABLE TRANSPORT	S10 Sustainable development principles C1 Changing behaviour and achieving modal shift C5 Enhancing local and neighbourhood connections	This policy is considered to be in general conformity with the WNJCS, by supporting improved public transport, walking and cycling links
Policy 2 – ADAPTING TO CLIMATE CHANGE.	S10 Sustainable development principles S11 Low carbon and renewable energy BN1 Green infrastructure connections	This policy is considered to be in general conformity with the WNJCS, by aiming for high standards of sustainable design and construction, reducing waste and maximising retention of green infrastructure
Policy 3 – PROVISION OF COMMUNITY INFRASTRUCTURE.	RC2 Community needs INF1 Approach to infrastructure delivery	This policy is considered to be in general conformity with the WNJCS, by requiring development to contribute to appropriate community infrastructure and facilities.
Policy 4 – LOCAL SERVICES AND COMMUNITY FACILITIES.	RC2 Community needs	This policy is considered to be in general conformity with the WNJCS & SCLP, by protecting key local community services and facilities
Policy 5 – VILLAGE CONFINES.	S1 Distribution of development R1 Spatial strategy for the rural areas R2 Rural Economy	This policy is considered to be in general conformity with the WNJCS, by focusing new development within the confines, except in exceptional circumstances.

Overtone Neighbourhood Plan Policies	NPPF (Revision Feb 2019) Paragraph	Regards to National Planning Policy
Policy 6 – RESIDENTIAL DEVELOPMENT.	S1 Distribution of development S10 Sustainable development principles H1 Housing density and mix and type of dwellings BN5 The Historic environment and landscape R1 Spatial strategy for the rural areas	This policy is considered to be in general conformity with the WNJCS, by focusing new development within the confines and providing criteria for proposals to meet.
Policy 7 – PROVISION OF AFFORDABLE HOUSING.	H1 Housing density and mix and type of dwellings H2 Affordable housing	This policy is considered to be in general conformity with the WNJCS, by requiring new housing to provide affordable housing to the level required by H2 and to meet identified local needs in terms of mix and tenure.
Policy 8 – LOCAL OPEN SPACE	S10 Sustainable development principles BN1 Green infrastructure provision R1 Spatial strategy for the rural areas	This policy is considered to be in general conformity with the WNJCS, by identifying and protecting important open spaces.
Policy 9 – LANDSCAPE AND SENSITIVE VIEWS	BN5 The Historic environment and landscape	This policy is considered to be in general conformity with the WNJCS, by protecting identified important views
Policy 10 - PROTECTION OF HERITAGE ASSETS	S10 Sustainable development principles BN5 The Historic environment and landscape	This policy is considered to be in general conformity with the WNJCS, by identifying and protecting designated and non-designated heritage assets.

Policy 11 - BIODIVERSITY	S10 Sustainable development principles BN1 Green infrastructure provision BN2 Biodiversity	This policy is considered to be in general conformity with the WNJCS, by protecting sites and habitats of biodiversity importance
Policy 12 – JOBS AND THE LOCAL ECONOMY	R2 Rural economy	This policy is considered to be in general conformity with the WNJCS, by supporting proposals for local employment that protect amenity and the character of the area.

Section 4: Achieving sustainable development

- 4.1. The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Plan supports the strategic development needs in the Local Plan, shaping and directing development in the area that is outside of the strategic elements of the Local Plan.
- 4.2. The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 4.3. The policies contained in the Neighbourhood Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people's quality of life.

Section 5: EU obligations

5.1. Strategic Environmental Assessment (SEA)

5.1.1. In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a) a neighbourhood plan allocates sites for development.
- b) the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan.
- c) the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

5.1.1.1. A Screening opinion (see Strategic Environmental Assessment and Habitats Regulation Assessment report) was issued by Daventry District Council (October 2020) with which determined that a full SEA would not be required.

5.2. Habitats Regulation Assessment (HRA)

5.2.1. As per Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) an appropriate assessment of plans and programmes is to be carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the

context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

5.2.1.1. Daventry District Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan (see Strategic Environmental Assessment and Habitats Regulation Assessment report) and concluded that an HRA was not required.

5.3. Convention on Human Rights

5.3.1. The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

5.4. Consultation

5.4.1. There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the schedule set out in the appendices to the Consultation Statement.

5.4.2. The Consultation Statement has been prepared by the Steering Committee and meets the requirements set out in Paragraph 15 (2) of the

Regulations.

5.5. Regulation 16 Documentation

5.5.1. Documents submitted as per Regulation 16:

- The Overstone Neighbourhood Development Plan 2019-2029
- The Overstone Neighbourhood Plan Consultation Statement
- The Overstone Neighbourhood Plan Basic Conditions Statement
- Screening Report for Strategic Environmental Assessment and Habitats Regulation Assessment
- Designated Neighbourhood Area Map
- List of consultation respondents (as per Appendix 10 of the Consultation Statement)
- Draft minutes of the meeting of Overstone Parish Council on January 12th 2021, which confirm acceptance of the submission version of the Neighbourhood Plan

Section 6: Conclusion

- 6.1. The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Overstone Neighbourhood Development Plan.

- 6.2. The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic policies in the National Planning Policy Framework (NPPF), West Northants Joint Core Strategy (WNJCS) 2014 and the Settlements and Countryside Local Plan (Part 2) for Daventry District and meets relevant EU obligations.

- 6.3. It is therefore respectfully suggested to the Examiner that the Overstone Neighbourhood Development Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.