



TRAWDEN FOREST NEIGHBOURHOOD PLAN

2018-2030

BASIC CONDITIONS STATEMENT

Town and County Planning Act 1990 (as amended) Paragraph 8 (2) of Schedule 4B.

Submitted by Trawden Forest Parish Council as the qualifying body for the Trawden Forest Neighbourhood Plan (TFNP) area; comprising the Parish of Trawden Forest.

CONTENTS

1	INTRODUCTION	3
2	CONFORMITY WITH NATIONAL PLANNING POLICY	5
3	CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT	8
4	GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN	9
5	DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHT REQUIREMENTS	11
6	CONCLUSION	11

1 INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Trawden Forest Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 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.
- 1.2 The Statement addresses each of the ‘basic conditions’ required by 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.
- 1.3 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.
 - 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.

Supporting documents and evidence

- 1.4 The Trawden Forest Neighbourhood Plan is supported by a Consultation Statement, this Basic Conditions Statement, a Sustainability Appraisal, a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening report and a Flood Risk Assessment.

Key statements

- 1.5 Trawden Forest Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for the parish. The Trawden Forest Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.
- 1.6 The neighbourhood area is contiguous with the parish boundary, as shown on the map accompanying the neighbourhood area designation application.
- 1.7 The Trawden Forest Neighbourhood Plan covers the period from 2018 to 2030.
- 1.8 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.

- 1.9 The Trawden Forest Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Trawden Forest as designated by Pendle Borough Council on 25th August 2016.
- 1.10 There are no other neighbourhood plans in place for the Trawden Forest neighbourhood area.

2 CONFORMITY WITH NATIONAL PLANNING POLICY

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

National Planning Policy Framework

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

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

- Supporting a prosperous rural economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Protecting Green Belt land
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

2.4 The TFNP has identified the principal challenges which it seeks to address. We summarise them in Table 1 below and specify which NPPF goals each objective seeks to address.

Table 1: Assessment of challenges that the TFNP addresses against NPPF goals

No.	TFNP Objective	Relevant NPPF goal
i	Protect the existing character and distinctiveness of the villages within the parish of Trawden Forest	Conserving and enhancing the historic environment. Requiring good design.
ii	Meet the demand for housing	Delivering a wide choice of high quality housing. Requiring good design. Protecting Green belt land. Conserving and enhancing the natural environment.
iii	Address the serious parking problems in the villages	Promoting sustainable transport.
iv	Support Trawden Forest's amenities	Supporting a prosperous rural economy. Promoting healthy communities.
v	Encourage tourism and protect open spaces	Supporting a prosperous rural economy. Promoting healthy communities. Conserving and enhancing the natural environment.

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

Table 2: Assessment of how each policy in the TFNP conforms to the NPPF

No.	The Policy	NPPF (para.)	Commentary
Policy 1	Location of development.	54, 55, 79, 109, 111	<p>Seeks to avoid inappropriate development in rural sites, but acknowledges that rural exception sites may exist.</p> <p>Aims to avoid new isolated homes but acknowledges that there can be exceptions, for example by securing the future of a heritage asset, or where re-use of a redundant building would lead to enhancement of the immediate setting.</p> <p>Aims to preserve the setting and special character of the historic areas of the parish, and prevent the two settlement boundaries in the parish from coalescing.</p> <p>Aims to enhance the natural and local environment by protecting valued landscapes and minimising impacts on biodiversity.</p> <p>Aims to support plans to develop brownfield sites where appropriate.</p>
Policy 2	Housing site allocations.	47, 49, 50, 51, 58, 59, 110, 111	<p>Aims to allocate housing sites to meet the needs for market and affordable housing to cover the 13 year period of the plan.</p> <p>Seeks to propose those sites which are sustainable, and discount those which are not.</p> <p>Seeks to meet the need for affordable housing.</p> <p>Aims to allocate brownfield sites where appropriate.</p> <p>Seeks to ensure that development plans will function well and add to the overall quality of the area.</p> <p>Seeks to provide guidance by requiring proposed developments to consider the overall scale, density, massing, height, landscape, layout and materials in relation to neighbouring buildings and the local area more generally.</p> <p>Aims to allocate land with the least environmental impact.</p>
Policy 3	Windfall sites.	48, 50, 53, 58, 59	<p>Allows for the development of sites which are likely to become available during the plan period.</p> <p>Seeks to meet the need for affordable housing.</p> <p>Seeks to prevent the inappropriate development of residential gardens, where development would cause harm to the local area.</p> <p>Seeks to ensure that development plans will function well and add to the overall quality of the area.</p> <p>Seeks to provide guidance by requiring proposed developments to consider the overall scale, density, massing, height, landscape, layout and materials in relation to neighbouring buildings and the local area more generally.</p>
Policy 4	Parking.	35, 39	<p>Aims to create safe layouts to minimise conflicts. To incorporate facilities for charging plug-in and other ultra-low emission vehicles.</p> <p>Takes into account local car ownership levels.</p>
Policy 5	Wycoller Country Park.	28	<p>Aims to support sustainable rural tourism that benefits businesses in rural areas, communities and visitors.</p> <p>Seeks to support sustainable growth through conversion of existing buildings.</p>
Policy 6	Heritage Assets.	60, 126, 127, 128, 129, 135, 140	<p>Aims to reinforce local distinctiveness.</p> <p>Seeks to ensure that developments take into account the wider social and cultural benefits that conservation of the historic environment can bring.</p> <p>Aims to add to the Local List of heritage assets, while accepting that entries must be justified against accepted criteria.</p>

No.	The Policy	NPPF (para.)	Commentary
			<p>Seeks to ensure that developers describe the significance of any heritage asset affected by their proposals and the impact of their proposal on that asset.</p> <p>Seeks to ensure that the scale of any harm or loss of a non-designated heritage asset is taken into account in determining applications.</p> <p>Seeks to ensure that the local planning authority assess the benefits of a proposal and whether those benefits outweigh the disbenefits of harming or losing a non-designated heritage asset.</p>
Policy 7	Areas of townscape character.	58, 59, 60	<p>By having an understanding of the defining characteristics of areas of the parish, aims to ensure that developments add to the overall quality of an area. Seeks to establish a strong sense of place and ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials.</p> <p>Seeks to promote or reinforce local distinctiveness.</p>
Policy 8	Protecting locally valued resources.	28, 69, 70	<p>Aims to promote the retention and development of local services and community facilities in the parish (e.g. local shops, public houses, doctors surgery, etc.)</p> <p>Seeks to support places which promote and encourage the active and continual use of public areas.</p> <p>Seeks to guard against the unnecessary loss of valued facilities and services.</p>
Policy 9	Protect open spaces and local green spaces.	74, 76, 77, 78	<p>Seeks to protect from development the parish's open spaces, recreational facilities and sports ground (i.e. the 'Rec'.)</p> <p>Aims to give special protection to three Local Green Spaces in the parish.</p>

3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

- 3.1 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.' Sustainable development is defined as "meeting the needs of the present without compromising the ability of future generations meeting their own needs". The NPPF also states (in paragraph 7) that there are three dimensions to sustainable development: economic, social and environmental.
- 3.2 The strategic objectives of the Neighbourhood Plan comprise a balance of economic, social and environmental goals.
- 3.3 The **economic** and **social** goals are to maintain a thriving community within Trawden Forest, recognising that the community and its needs may change over time. This it seeks to achieve by providing an appropriate amount of housing to meet local needs, by protecting locally valued resources, by supporting a growing tourist industry, and by protecting the parish's Open Spaces and Local Green Spaces for recreation and cultural activities.
- 3.4 The **environmental** goals are to protect the built and natural environment and ensure that development recognises this in its design, landscaping and access. This it seeks to achieve through its policies on land development, parking, the protection of Open Spaces and areas of townscape character.
- 3.5 A Sustainability Appraisal of the TFNP was completed in July 2017. Each policy in the plan was assessed, as were the preferred development sites. The Sustainability Appraisal is provided as a separate supporting document.
- 3.6 Pendle Borough Council considered that a Strategic Environmental Assessment (SEA) was not required because the TFNP is not likely to have a significant impact upon the environment.

4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE PENDLE LOCAL PLAN

- 4.1 The local plan currently consists of the following:
- Part 1: Pendle Core Strategy 2013-2030
 - Part 2: Site Allocations and Development Policies (emerging)
 - Joint Lancashire Minerals and Waste Local Plan
- 4.2 The policies of relevance are shown in Table 3 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 TFNP is in general conformity with them.
- 4.3 Any policy that is not identified in Table 3 is not considered to be relevant to the TFNP because the TFNP does not have any policies that directly relate to it.
- 4.4 It is confirmed that there are no policies in the Joint Lancashire Minerals and Waste Plan that the TFNP policies have any relevance to.

Table 3: Relevant policies in the Pendle Local Plan Part 1: Core Strategy (2011-2030)

Policy No.	Pendle Core Strategy Policy	TFNP Policy
SDP1	Presumption in Favour of Sustainable Development	Policy 2 seeks to allocate sustainable sites.
SDP2	Spatial Principles	Policy 1 seeks to restrict development to within the settlement boundaries (with specified exceptions). Policies 1 and 3 encourage the re-use of previously developed land.
SDP3	Housing Distribution	Policy 2 allocates sufficient sites in line with the distribution set out in the Pendle Local Plan Part 2 (emerging) and in accordance with Policy SDP3.
ENV1	Protecting and Enhancing Our Natural and Historic Environments	Policy 1 seeks to prevent development in the open countryside (with specified exceptions.) Policy 6, through additions to the Local List, seeks to conserve and enhance non-designated heritage assets. Policy 7 aims to protect townscapes and historic areas of the parish. Policy 9 seeks to protect open spaces and green infrastructure.
ENV2	Achieving Quality in Design and Conservation	Policies 2 and 3 encourage good design. Policies 6 and 7 seek to ensure that developments should contribute to a sense of place and make a positive contribution to the historic environment and local identity and character.
ENV4	Promoting Sustainable Travel	Policy 4 seeks to ensure that proposals have regard to the impacts on parking spaces in the parish, and

Policy No.	Pendle Core Strategy Policy	TFNP Policy
		to recommend higher standards for parking space provision.
LIV1	Housing Provision Delivery	Policy 2 allocates a number greater than that specified in policies SDP3, LIV1 and the Pendle Local Plan Part 2 (emerging).
LIV4	Affordable Housing	Policies 2 and 3 make reference to the requirement for affordable housing as specified in policy LIV4.
WRK5	Tourism, Leisure and Culture	Policy 5 seeks to promote sustainable tourism and expand the rural economy.
SUP1	Community Facilities	Policy 8 aims to resist the loss of community facilities, and strengthens policy SUP1.

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

- 5.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 The TFNP Group submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) of the draft TFNP in October 2017. In November 2017, Pendle Borough Council formally stated that neither an SEA nor an HRA was required. The formal opinion is provided as a separate supporting document. The Screening Report indicated that the proposals in the TFNP are not likely to have a significant effect on a European site, either alone or in combination with other plans. As such the plan is deemed to meet the prescribed conditions.

6 CONCLUSION

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