
AWSWORTH NEIGHBOURHOOD PLAN

Basic Conditions Statement

OCTOBER 2019

Contents

1.0	Introduction.....	3
2.0	Legal Requirements.....	4
3.0	The Basic Conditions.....	5
4.0	Conclusion.....	22

1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared to accompany the Awsworth 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, Awsworth Parish Council (“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)*
 - (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and*
 - (e) 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.*
 - (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development.*
 - (e) 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).*
 - (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.*
 - (g) 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.*
- Note – Paragraph 8(1)(c) and 8(2)(b) and (c) do not apply.
- 1.5 Section 2 of this Statement sets out how the Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (d) and (e). Section 3 of this Statement sets out how the Plan meets the basic conditions contained in sub-paragraphs 1 (a) and sub-paragraph 2.

2.0 Legal Requirements

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

The Plan is being submitted by a qualifying body

2.2 The Plan has been submitted by Awsworth Parish Council, which is a qualifying body and entitled to submit a neighbourhood plan for the designated Plan Area.

What is being proposed is a neighbourhood plan

2.3 The 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.

The proposed neighbourhood plan states the period for which it is to have effect

2.4 The Plan states that the period which it relates to is from 2015 until 2030. The period has been chosen to generally accord with the **adopted Broxtowe Local Plan** which will run until 2028.

The policies do not relate to excluded development

2.5 The 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. The County Council was consulted as part of the Regulation 14 consultation and did not raise any concerns that the Plan is not compatible with the existing adopted Nottinghamshire Minerals Local Plan.

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.

2.6 The designated Plan area was approved by Broxtowe Borough Council on 1st December 2015. 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.

2.7 In relation to sub-paragraph 1(d), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan area. For clarity, the Plan area is shown at **Figure 1**.

NOTE: The Steering Group considered whether it would be appropriate for residents of 'Newtons Lane', 'Awsworth Lane' and (part of) 'The Glebe' located immediately outside of the Parish, to also be included within the area for the referendum. An independent examiner will need to consider this matter further and may decide to extend the area for purposes of the referendum.

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

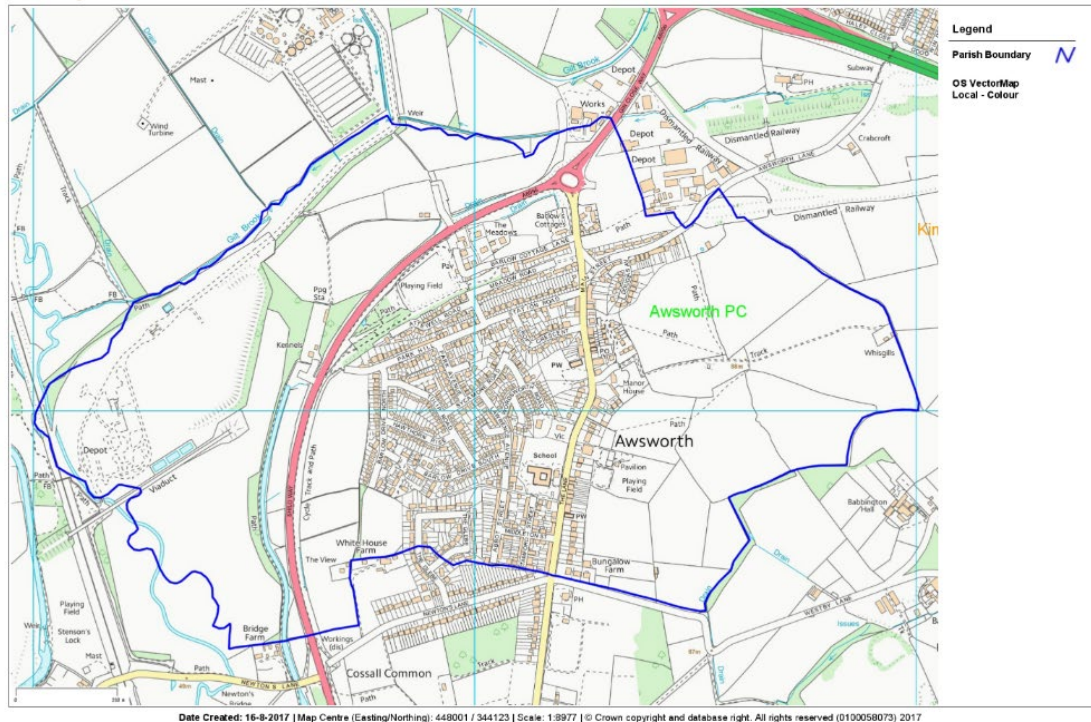


Figure 1: Awsorth Neighbourhood Plan area

3.0 The Basic Conditions

- 3.1 This section addresses how the Plan fulfils the basic conditions set out in sub-paragraph (2). The Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework 2019 (NPPF) and to the adopted Broxtowe Local Plan (as required by sub-paragraph 2(a)).
- 3.2 In accordance with National Planning Guidance (Ref 61-006-20190723) the Neighbourhood Plan has been informed by the evidence base of the emerging Broxtowe Part 2 Local Plan. A Publication Version of this plan was published in September 2017. Following Public Examination, Main Modifications consultation and the Inspector's Report the **Part 2 Local Plan was adopted 16th October 2019**.
- 3.3 Detail of how the Plan is in general conformity with strategic policies in the adopted Broxtowe Local Plan (comprising Parts 1 and 2 Local Plans) is provided in **Table 3** (as required by sub-paragraph 2(e)).

Having regard to national policies and advice contained in guidance

- 3.4 In relation to sub-paragraph 2(a), a Neighbourhood Plan is required to have appropriate regard to approved national (planning) policies and advice contained in associated guidance. The Neighbourhood Plan has been developed having regard to the National Planning Policy Framework 2019 ("NPPF") and Planning Practice Guidance ("PPG").
- 3.5 The Neighbourhood Plan contains a Vision and Objectives. The objectives are repeated in **Table 1** alongside the NPPF goals they seek to address.
- 3.6 **Table 2** explains how each of the Plan policies has shown specific regard to NPPF.

Table1: Neighbourhood Plan Objectives

Neighbourhood Plan Objective	Relevant NPPF Goal
Promote a level of housing growth to meet identified housing needs, that is proportionate to the size of Awsworth, and retains its essential rural village character.	Delivering a sufficient supply of homes Protecting Green Belt land
Support future housing that is high quality, well designed and enhances the character of Awsworth, ensuring that it is of a size, type and tenure that helps meet the needs of local people.	Delivering a sufficient supply of homes Achieving well-designed places Conserving and enhancing the historic environment
Protect environmental assets and where possible enhance the network of green and blue infrastructure.	Promoting healthy and safe communities Promoting sustainable transport Conserving and enhancing the natural environment
Protect and enhance Awsworth’s heritage assets, particularly character buildings and structures of local interest and local areas of special character.	Conserving and enhancing the historic environment Achieving well-designed places
Ensure that the Nottingham Canal and Bennerley Viaduct and their setting and connecting walking and cycling infrastructure are maintained and enhanced for the benefit of people and wildlife.	Conserving and enhancing the natural environment Conserving and enhancing the historic environment Promoting healthy and safe communities Promoting sustainable transport
Protect and enhance Awsworth Parish’s remaining local landscape areas, particularly the largely intact traditional field pattern found immediately east of the village.	Conserving and enhancing the natural environment Promoting healthy and safe communities
Encourage, where both possible and viable, appropriate infrastructure including health and transport to support present demand and future needs.	Promoting healthy and safe communities Promoting sustainable transport
Retain and promote existing local community facilities and businesses, considered valuable community assets underpinning the vitality of the Parish.	Building a strong, competitive economy Promoting healthy and safe communities
Provide an appealing and safe environment that supports people to use and appreciate the local amenities and facilities.	Promoting healthy and safe communities
Encourage traffic calming and control measures which address traffic flow and speed through the Parish and to actively explore and facilitate attractive sustainable means of travel.	Promoting sustainable transport Promoting healthy and safe communities

Neighbourhood Plan Objective	Relevant NPPF Goal
Ensure new housing development integrates well with the existing settlement pattern and community, maintaining and enhancing links to facilities and the surrounding countryside for walking and cycling.	Achieving well-designed places Delivering a sufficient supply of homes Promoting sustainable transport Promoting healthy and safe communities
Ensure that all new developments have high quality walking and cycling accessibility and infrastructure.	Achieving well-designed places Promoting sustainable transport Promoting healthy and safe communities
Support measures to mitigate current parking issues and ensure adequate off-road parking for residents and visitors in all future development.	Achieving well-designed places Promoting healthy and safe communities
Ensure a sustainable outcome for the future use of Bennerley Coal Disposal Point and adjoining land.	Promoting healthy and safe communities Conserving and enhancing the natural environment Conserving and enhancing the historic environment Protecting Green Belt land

Table2: Neighbourhood Plan Policies and their conformity to the NPPF

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
H1	New Homes on 'Land West of Awsworth (inside the bypass)' Note - previously referred to as 'Meeting Housing Demand and Land Off Newtons Lane, Awsworth'	59, 65, 66	The Policy is in full accordance with the NPPF, especially Chapter 5 'Delivering a sufficient supply of homes' and Chapter 12 'Achieving well-designed places'. It seeks to support the strategic housing development needs as set out in the adopted Local Plan and direct housing development to the most sustainable locations. The Policy contains several design and infrastructure principles, and this supports the NPPF's ambitions to ensure that new development is well designed and supported by the necessary infrastructure and facilities that reflect local aspirations as well as enabling the communities to set out more detailed policies for specific areas.

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
H2	Housing Mix	61	The Policy reflects evidence of local housing need and is in accordance with paragraph 61 of the NPPF that, “ the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies’.
H3	Affordable Housing and Local Needs	61 and 62	The policy reflects the emphasis in the NPPF (as reflected in paras 61 and 62) on the provision of affordable housing to meet local need, and in particular, 62 (b) which emphasise where a need for affordable housing is required the approach should contribute to “creating mixed and balanced communities”.
H4	New Homes from Unallocated (or Windfall) Developments	68	The policy supports small-scale residential windfall development, subject to certain criterion. This is in accordance with the NPPFs goal of delivering a sufficient supply of homes, including through the promotion of a good mix of housing sites by supporting the development of windfall sites.
BED 1	Awsworth Character Buildings and Structures of Local Heritage Interest	185 and 197	<p>This Policy seeks to identify, protect and enhance non-designated heritage assets. This Policy supports the ambitions of the NPPF that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment” (para 185). This includes non-designated heritage assets, as reflected in para 197 of the NPPF.</p> <p>As outlined in the NPPF, a positive strategy for the conservation and enjoyment of the historic environment includes ‘opportunities to draw on the contribution made by the historic environment to the character of the place.’ The Neighbourhood Plan does this through the designation of Local Areas of Special Character which reflects the NPPF.</p>
BED 2	Local Areas of Special Character		

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
BED 3	Design Principles	125	The Policy outlines several design principles and supports the NPPF aim of 'Achieving well designed places'. Para 125 makes specific reference to "Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development". The Policy does not prevent or discourage innovation design or change. This is consistent with the NPPF.
GI 1	Green and Blue Infrastructure Network	170, 174	The Policy seeks to maintain the integrity of the green and blue infrastructure network by protecting existing green infrastructure corridors and where possible, extend these through the inclusion of appropriate landscapes and habitats. This is in accordance with chapter 15 of the NPPF and in particular its ambition to minimize impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks.
GI 2	Local Landscape Character Areas	127	The Policy seeks to ensure that development proposals make a positive contribution to the quality and local distinctiveness of the landscape. This aligns with the NNPF's aim of achieving well-designed places and in particular, ensuring planning policies are sympathetic to local character and history including the landscape setting.

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
GI 3	Biodiversity	174	This Policy seeks to protect and enhance local biodiversity features and habitats. It has regard to the NPPF para 174, “To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks...” and b) “promote the conservation, restoration and enhancement of priority habitats, ecological networks and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.
GI 4	Designated Local Green Spaces	99 - 101	Protection of Local Green Spaces identified as being of particular importance to the community through Neighbourhood Plans is advocated through the NPPF (para 99). The proposed designations are considered to meet the criteria set out in the NPPF (para 100).
GI 5	Local Woodlands, Tree Belts and Hedgerows	170	This Policy seeks to protect woodland, tree belts and hedgerows identified as a priority habitat, forming an integral part of a Green Infrastructure Corridor or contributing to the landscape character. This reflects the NPPF’s goal of conserving and enhancing the natural environment by ‘protecting and enhancing valued landscapes’ and ‘sites of biodiversity’.
CFS 1	Protection of Community Facilities	92c	This Policy is consistent with the stated aim of the NPPF “to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”.

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
CFS 2	New or Enhanced Community Facilities	92a	Planning positively for the provision of social, recreational and cultural facilities and services the community needs is a high priority in the NPPF, as reflected in para 92a. This Policy is in accordance with this.
CFS 3	Protection and Enhancement of Local Shops	92 d	This Policy conforms with the NPPF with its emphasis on ensuring “that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community”.
CFS 4	Support for Additional Shops	92	This is in accordance with the NPPF, especially para 92 which encourages positive planning for the provision of local shops and that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.
E 1	Existing Employment Use	80	The policy seeks to safeguard against the loss of existing employment land and buildings and in so doing, supports the NPPF and its aim of building a strong, competitive economy.
E 2	Encouraging Small Businesses	81	Encouraging small businesses in the area is in accordance with the NPPF and in particular, positively and proactively encouraging sustainable local economic development by supporting flexible working practices (such as live-work accommodation).
TT 1	Traffic Management	102 and 103	The Policy seeks to improve transport infrastructure, traffic management and highway safety. An approach which is supported by para 102 of the NPPF with its emphasis on, “transport issues should be considered from the earliest stages of plan-making and development proposals” and “The planning system should actively manage patterns of growth” (para 103).

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
TT 2	Car Parking	106	The policy supports the application of agreed local parking standards for development proposals with a number of exceptions. In accordance with para 106, maximum parking standards are applicable where there is a clear and compelling justification that they are necessary for managing the local road network.
TT 3	Sustainable Transport	102	This policy supports walking and cycling, which is in accordance with para 102c of the NPPF, which requires, “opportunities to promote walking, cycling and public transport use are identified and pursued”.
BV 1	Bennerley Viaduct	185	This policy supports proposals that protect and enhance the Bennerley Viaduct. As an ‘at risk’ Grade II* Listed Building, the policy, in accordance with the NPPF, sets out a positive strategy for the conservation and enjoyment of this asset, taking into account the ‘desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.’
BV 2	Bennerley Viaduct Visual Setting	190 and 194	This policy seeks to protect the visual setting of the Bennerley Viaduct and as such, accords with the NPPF and the identified need to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including its setting). Further, that substantial harm or loss of Grade II* listed buildings (assets of highest significance) should be wholly exceptional.

Neighbourhood Plan Policy No.	Policy Title	NPPF Ref (para.)	Commentary
NC 1	Nottingham Canal	91, 110, 170, 197	The Policy supports proposals that enhance the structure and setting of the Nottingham Canal, a Local Nature Reserve. The Policy identifies and seeks to protect the important heritage, environmental, recreational and sustainable transport values and opportunities associated with the Canal. The policy has regard to the NPPFs aims of conserving and enhancing the natural environment, conserving and enhancing the historic environment, promoting sustainable transport and promoting healthy and safe communities.
BCDP 1	Former Bennerley Coal Disposal Point Land	Para 185 and 83	In order to secure a sustainable future, the policy seeks to create a country park on land adjacent to Bennerley Viaduct for the enjoyment of local communities and visitors. The intention of the policy is to keep the land permanently open; a fundamental aim of the Green Belt Policy outlined in the NPPF. The policy also accords with the NPPF's aim of conserving and enhancing the historic environment and supporting sustainable rural tourism and leisure developments which respect the character of the countryside.
DC 1	Developer Contributions from New Development in Awsworth	34	The Policy outlines the premise on which developer contributions will be sought and the priority areas for funding. This is in accordance with the NPPF which states that plans should set out the contributions expected from development.

Contribute to the Achievement of Sustainable Development

- 3.7 The Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.
- 3.8 Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, this section of the Statement demonstrates how the Plan fulfils the basic condition that the plan contributes to achieving sustainable development (as required by sub-paragraph 2(d)).
- 3.9 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 3.10 The policies contained in the 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, including:
- supporting a strong, vibrant and healthy community by endorsing the strategic development needs set out in the Local Plan and ensuring accessible local services;
 - conserving and enhancing the natural environment by identifying and conserving important local biodiversity and broader ecological networks;
 - supporting the provision of a mix of housing types and sizes that can meet the needs of present and future generations and promote a healthy and inclusive community;
 - supporting new development which contributes to a high quality built environment and responds to local character and sense of place;
 - identification and protection of locally important heritage assets, so that they may continue to be enjoyed by future generations;
 - supporting the move to a low carbon future through policies which encourage development which reduces greenhouse gas emissions and seeks to protect and enhance opportunities for sustainable modes of transport; and
 - supporting strong, vibrant, healthy and inclusive communities by for example safeguarding and enhancing important open spaces, community facilities and footpaths and cycleways.

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

- 3.11 The Plan has been prepared by the Awsworth Neighbourhood Plan Steering Group in liaison with officers from Broxtowe Borough Council.
- 3.12 The Plan has been developed to be in general conformity with the strategic (and other) policies contained in the **adopted Broxtowe Local Plan**. The adopted Part 1 Local Plan and adopted Part 2 Local Plan comprise the Development Plan for the whole of Broxtowe Borough.
- 3.13 Policies are set out in the **Part 1 Local Plan** (Greater Nottingham **Broxtowe Borough**, Gedling Borough and Nottingham City **Aligned Core Strategies Part 1 Local Plan (ACS) Adopted September 2014**) which sets the strategic vision, aims and objectives for the borough as a whole until 2028.
- 3.14 Policies are also set out in the **Broxtowe Part 2 Local Plan 2018-2028 (P2LP), which sets out the** site allocations and development management policies which will deliver the strategic aims and objectives as set out in the Aligned Core Strategy. Broxtowe Borough Council **adopted the Part 2 Local Plan 2018-2028 Development Plan Document and accompanying Policies Maps on 16th October 2019**. The Local Plan now forms a key element of the development plan for the Borough of Broxtowe and supersedes the 2004 Local Plan. The Part 2 Local Plan contains the policies that will be used to determine planning applications and will guide development until 2028. It covers important topics such as housing, employment and green infrastructure and identifies sites for future development.
- 3.15 To meet the basic conditions, the Neighbourhood Plan is required by sub-paragraph 2(e) to demonstrate general conformity with the strategic policies of the adopted Local Plan. All policies in the Aligned Core Strategy, together with specified policies in the Part 2 Local Plan, are 'strategic', and all Neighbourhood Plans must be consistent with these policies. Moreover, in accordance with national guidance (Ref 61-006-20190723), prior to the adoption of the Part 2 Local Plan, significant regard was also paid to the evidence base of the (at that time) emerging (Publication and Submission Versions of the Part 2 Local Plan) in producing this Plan. This was to ensure that the Plan would generally conform with both Parts 1 and 2 of the adopted Broxtowe Local Plan.

Table 3: Assessment of conformity of the Neighbourhood Plan policies with the key strategic policies in the Broxtowe Part 1 Local Plan (Aligned Core Strategy – ACS) and Broxtowe Part 2 Local Plan (P2LP) NOTE : Non-strategic policies shown in italics and underlined

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
H1	New Homes on 'Land West of Awsworth (inside the bypass)'	<p>ACS Policy 2: The Spatial Strategy / P2LP Policy 4.1</p> <p>ACS Policy 10: Design and Enhancing Local Identity</p> <p><u>P2LP Policy 17: Place-making, Design and Identity</u></p> <p><u>P2LP Policy 24: The health impact of development</u></p> <p><u>P2LP Policy 26: Travel Plans</u></p>	<p>Policy H1 is in general conformity with the Core Strategy which identifies Awsworth (defined as including adjacent built areas of Cossall and Kimberley parishes) as a key settlement (Policy 2, part 2(c),(i)). The housing figures are set out in the Core Strategy as a strategic requirement of up to 350 new homes in or adjoining the key Settlement of Awsworth between 2011 and 2028 (Policy 2, part 3(c),(i)). Adopted P2LP Policy 4.1 confirms the main allocation site known as 'Land West of Awsworth (inside the bypass)' should provide 250 new homes. The larger part of this land is located in Awsworth Parish and is covered by Policy H1 which provides for about 200 new homes on that larger part of the allocation site which is in the Plan area. Policy H1 also includes a range of necessary criteria intended to ensure that new development delivers sustainable new homes of high-quality design to respect the existing form and character of Awsworth and to ensure that functionally and physically it is well connected to and integrates with Awsworth village. P2LP Policy 26 expects any major development such as this to be accompanied by a Travel Plan. Policy H1 (f) 'Traffic & Transport' refers to a Transport Plan and sets out matters which should be addressed. Policy H 1 criteria also accord with the intention of P2LP Policy 24 in relation to residential developments of 50 dwellings or more being required to complete a Health Impact Assessment Checklist. For example, H 1 (f)(vii) ensure safe, convenient and integrated, high quality walking and cycling routes through the site and enhance links that connect to Awsworth village and to important local community facilities....; H 1 (g) it provides for an appropriate range of recreational and community facilities....; H 1 (h) it incorporates appropriate... on-site open space...to provide additional amenity green space and children's play facilities.</p>

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
H2	Housing Mix	ACS Policy 8: Housing Size, Mix and Choice <u>P2LP Policy 15: Housing Size, Mix and Choice</u>	The Neighbourhood Plan and the Core Strategy share the principal aim of providing housing to meet local need. In accordance with the Core Strategy, Policy H2 identifies what the current housing needs are for Awsworth, based on local demographic and housing research. This policy accords with P2LP Policy 15 policy guidance on a number of issues including house size, type, tenure and density which are reflected in Policy H2.
H3	Affordable Housing and Local Needs	ACS Policy 8: Housing Size, Mix and Choice <u>P2LP Policy 15: Housing Size, Mix and Choice</u>	The Neighbourhood Plan supports the provision of affordable housing within the Plan area in accordance with the Core Strategy. Policy H3 further highlights the need to provide opportunities for local people who wish to stay in the area to buy their own home. P2LP Policy 15 provides policy guidance on a number of issues including affordable housing. Part 1 of the policy requires 30% or more affordable housing on the newly allocated (housing) sites including the site at Awsworth. Policy H3 generally accords with this policy guidance.
H4	New Homes from Unallocated (or Windfall) Development	ACS Policy 2: Spatial Strategy ACS Policy 8: Housing Size, Mix and Choice <u>P2LP Policy 15: Housing Size, Mix and Choice</u>	The Neighbourhood Plan supports the Core Strategy in its aspiration to deliver sustainable development including by meeting housing need and focusing housing growth in the most sustainable locations. ACS Policy 2: Spatial Strategy specifically identifies Awsworth as a key settlement for housing growth. Policy H 4 accords with P2LP Policy 15 should additional unallocated (Windfall) sites come forward. H 4 provides flexibility and policy guidance in relation to: design principles (BED 3 refers), access to public transport (TT 1 refers) and protection / incorporation of features to encourage wildlife and biodiversity (GI 3 refers).

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
BED 1	Awsorth Character Buildings and Structures of Local Heritage Interest	<p>ACS Policy 10: Design and Enhancing Local Identity</p> <p>ACS Policy 11: The Historic Environment</p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p>	<p>The Core Strategy and P2LP require that development have regard to the local context including locally and nationally important heritage assets. Further, that elements of the historic environment which contribute towards the unique identity of areas will be conserved and where possible enhanced. The Neighbourhood Plan Policy BED 1 adds local distinction to these policies through the identification of buildings and sites of local heritage interest. BED 1 thereby accords with P2LP Policy 23 in relation to Non-Designated Heritage Assets.</p>
BED 2	Local Areas of Special Character	<p>ACS Policy 10: Design and Enhancing Local Identity</p> <p>ACS Policy 11: The Historic Environment</p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p>	<p>The Core Strategy requires development to have regard to the local context including valued landscape/townscape characteristics.</p> <p>Policy BED 2 identifies two areas of Awsorth that the community believe make an important contribution to local character and identity and seeks to protect them through high quality and well-designed development. The two Local Areas of Special Character are each supported by evidence reports. Policy BED 2 also accords with the policy intention of P2LP Policy 23 as regards historic importance.</p>
BED 3	Design Principles	<p>ACS Policy 10: Design and Enhancing Local Identity</p> <p><u>P2LP Policy 17: Place-making, Design and Identity</u></p>	<p>The Core Strategy, P2LP and Policy BED 3 seek to ensure that new development makes a positive contribution to a place. The supporting justification to Policy BED 3 highlights some of the locally distinctive design qualities inherent in Awsorth and the desire to create a safe and inclusive environment.</p>

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
GI 1	Green and Blue Infrastructure Network	ACS Policy 16: Green Infrastructure, Parks and Open Space <u>P2LP Policy 16: Green Infrastructure Assets</u>	The Core Strategy supports the delivery, protection and enhancement of Green Infrastructure through the establishment of a network of green corridors. Policy GI 1 draws on District and Regional studies to highlight the green corridors within and adjoining the Plan Area and identifies a complementary policy framework within which to seek to protect and enhance these corridors.
GI 2	Local Landscape Character Areas	ACS Policy 10: Design and Enhancing Local Identity ACS Policy 16: Green Infrastructure, Parks and Open Space <u>P2LP Policy 30: Landscape</u>	Policy GI 2 is in general conformity with ACS Policy 10 and Policy 16 in their aim for development to reinforce valued local characteristics by protecting, conserving and where appropriate, enhancing landscape character. Policy GI 2 also builds on P2LP Policy 30 by identifying Landscape Character Areas in the plan area and making clear local policy intentions for these areas.
GI 3	Biodiversity	ACS Policy 17: Biodiversity <u>P2LP Policy 31: Biodiversity Assets</u>	Policy GI 3 is in general conformity with ACS Policy 17 and P2LP Policy 31 in their intent to protect and enhance biodiversity to achieve an overall net gain in biodiversity. Policy GI 3 provides local distinction through the identification of habitat features and species significant to the Plan area. It also looks to pursue biodiversity improvements, in particular in relation to wetland habitats in the plan area.
GI 4	Designated Local Green Spaces	ACS Policy 16: Green Infrastructure, Parks and Open Space <u>P2LP Policy 27: Local Green Space</u>	The Core Strategy supports the protection of parks and open space from development. P2LP Policy 27 will not permit development that would be harmful to the character or function of designated Local Green Space except in very special circumstances. Policy GI 4 identifies local green spaces demonstrably important to the local community including parks and open spaces in and around the settlement of Awworth in accord with both the Core Strategy and P2LP.

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
GI 5	Local Woodlands, Tree Belts and Hedgerows	ACS Policy 16: Green Infrastructure, Parks and Open Space ACS Policy 17: Biodiversity <u>P2LP Policy 31: Biodiversity Assets</u>	The fundamental aim of Policy GI 5 is the protection and enhancement of local woodlands and hedgerows to protect biodiversity, prevent the further fragmentation of green infrastructure and contribute to local character. These goals align with ACS Policy 16, Policy 17 and P2LP Policy 31, which seek to ensure development reinforces local character and green infrastructure corridors and assets. Further, that biodiversity is increased by ensuring the fragmentation of the Green Infrastructure network is avoided.
CFS 1	Protection of Community Facilities	ACS Policy 12: Local Services and Healthy Lifestyle	Policies CSF 1 and CFS 2 are in general conformity with the Core Strategy and its support for new, extended or improved community facilities and its emphasis on protecting important community facilities. Policy CFS 2 further defines the instances in which new and improved facilities will be supported, based on locally pertinent criteria. This also accords with P2LP Policy 24 concerning the health impact of development, by ensuring proposals to enhance provision of local community facilities that meet an identified need in the Parish demonstrate: amenities of nearby residents will not be adversely affected: it integrates with existing walking and cycling infrastructure; it enables convenient walking and cycling accessibility.
CFS 2	New or Enhanced Community Facilities	<u>P2LP Policy 24: The health impact of development</u>	
CFS 3	Protection and Enhancement of Local Shops	ACS Policy 12: Local Services and Healthy Lifestyle	Policies CSF 3 and CSF 4 are in general conformity with ACS Policy 12 which supports new, extended or improved community facilities where they meet a local need. Para 3.12.8 confirms that for the purposes of Policy 12, community facilities include local shops. They also accord with P2LP Policy 24 in relation to the health impact of development: CFS 3, by encouraging improvements to the quality and accessibility of walking and cycling facilities to and from local shops, as well as increased cycling provision in the vicinity of the defined retail areas; CFS 4, by supporting proposals outside of the current retail areas if it can be demonstrated that the location is appropriate in terms of access (including walking and cycling) and cycle parking. CFS 4 also accords with P2LP Policy 18 by encouraging improved directional signage particularly for people on foot and cycle, and by not supporting development proposals that remove, replace or adversely affect shop fronts by poor or unsympathetic design, including solid shutters.
CFS 4	Support for Additional Shops	<u>P2LP Policy 24: The health impact of development</u> <u>P2LP Policy 18: Shopfronts, signage and security measures</u>	

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
E 1	Existing Employment Use	ACS Policy 4: Employment Provision and Economic Development <u>P2LP Policy 9: Retention of good quality existing employment sites</u>	Policies E1 and E2 are in general conformity with the Core Strategy and P2LP Policy 9 which seek to retain good quality existing employment sites and encourage appropriate economic development.
E 2	Encouraging Small Businesses		
TT 1	Traffic Management	ACS Policy 14: Managing Travel Demand <u>P2LP Policy 26: Travel Plans</u>	The Core Strategy supports sustainable transport by amongst other things, reducing the need to travel, especially by private car, by securing new developments of appropriate scale in the most accessible locations. P2LP Policy 26 expects any application submitted for major development (such as that referred to within Policy H1) to be accompanied by a Travel Plan. Policy H1 (f) refers to a Transport Plan and sets out aspects which should be addressed locally, thereby according with Policy 26.
TT 2	Car Parking	P2LP Policy 17: Place - making, Design & Amenity	Policy TT2 is in general conformity with P2LP Policy 17 part (1), which states that permission will be granted for development which, where relevant,.... 'provides sufficient, well integrated, parking.....'(part (i)). Policy TT2 provides that development proposals should incorporate...car parking standards...to accord with standards set by Notts CC.

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
TT 3	Sustainable Transport	<p>ACS Policy 14: Managing Travel Demand</p> <p>ACS Policy 15: Transport Infrastructure Priorities</p> <p><u>P2LP Policy 26: Travel Plans</u></p>	<p>The Core Strategy supports sustainable transport through amongst other things, the delivery of sustainable transport networks to serve developments and improvements to walking and cycling facilities. Policy TT 3 identifies and seeks to protect Awsworth's existing network of walking and cycling paths. Policy TT3 also accords with ACS Policy 15 - 5(a) re-opening Ilkeston Station (which is located in Erewash Borough, and which has since re-opened) – by prioritising non-car means of transport including walking and cycling which integrates well into the existing network.</p> <p>P2LP Policy 26 expects any application submitted for major development (such as that covered in Policy H 1) to be accompanied by a Travel Plan. Policy H1 (f) refers to a Transport Plan and sets out those aspects which should be addressed locally, which accords with Policy 26.</p>
BV 1	Bennerley Viaduct	<p>ACS Policy 11: The Historic Environment</p> <p><u>P2LP Policy 8: Development in the Green Belt</u></p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p> <p><u>P2LP Policy 31: Biodiversity Assets</u></p>	<p>The Core Strategy identifies a positive strategy for the historic environment, requiring that historic elements which contribute towards the unique identity of areas will be conserved and where possible, enhanced. This includes working with partners, owners and developers to identify ways to positively manage and make better use of historic assets. Policy BV 1 conforms with this approach, supporting proposals which protect and enhance the structure and setting of Bennerley Viaduct.</p> <p>It accords with P2LP Policy 23 in that development proposals should have special regard to minimising the impact on the Grade II* Listed Building. It also accords with P2LP Policy 8 by acknowledging the sensitive location in the Green Belt. It further accords with P2LP Policy 31 in that any proposal should minimise loss of and disruption to wildlife and maximise opportunities to protect and enhance wildlife.</p>

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
BV 2	Bennerley Viaduct Visual Setting	<p>ACS Policy 11: The Historic Environment</p> <p><u>P2LP Policy 8: Development in the Green Belt</u></p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p>	<p>Policy BV 2 seeks to protect the important visual setting of the Bennerley Viaduct. This accords with the Core Strategy which supports the conservation and enhancement of historic elements which contribute towards the unique identify of the area, noting Bennerley Viaduct as a key example.</p> <p>It also accords with P2LP Policy 23 in that development proposals should have special regard to minimising the impact on the Grade II* Listed Building. It further accords with P2LP Policy 8 by acknowledging the sensitive location in the Green Belt.</p>
BV 3	Nottingham Canal	<p>ACS Policy 16: Green Infrastructure, Parks and Open Space</p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p> <p><u>P2LP Policy 27: Local Green Spaces</u></p> <p><u>P2LP Policy 28: Green Infrastructure Assets</u></p> <p><u>P2LP Policy 31: Biodiversity Assets</u></p>	<p>The protection of the structure and setting of the Nottingham Canal through Policy BV 3 is supported in the Core Strategy. Policy 16 seeks to maintain or enhance the provision of existing green infrastructure corridors and assets including canal corridors.</p> <p>Policy BV 3 also accords with P2LP Policies: Policy 27 which will not permit development that would be harmful to the character or function of designated Local Green Space except in very special circumstances; Policy 28 in requiring that any proposal should not cause harm to the status of the area designated as a Local Nature Reserve; Policy 31 in that any proposal should minimise loss of and disruption to wildlife and maximise opportunities to protect and enhance wildlife.</p>

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
BCDP 1	Former Bennerley Coal Disposal Point Land	<p>ACS Policy 11: The Historic Environment</p> <p>ACS Policy 13: Culture, Tourism and Sport</p> <p><u>P2LP Policy 8: Development in the Green Belt</u></p> <p><u>P2LP Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets</u></p> <p><u>P2LP Policy 25: Culture, Tourism and Sport</u></p> <p><u>P2LP Policy 28: Green Infrastructure Assets</u></p> <p><u>P2LP Policy 31: Biodiversity Assets</u></p>	<p>The Core Strategy identifies a positive strategy for the historic environment, requiring that historic elements which contribute towards the unique identity of areas will be conserved and where possible, enhanced.</p> <p>Policy 13 supports the further development of appropriate cultural, tourism and sporting facilities.</p> <p>In addition to according with Core Strategy policies, Policy BCDP 1 accords with a number of P2LP Policies: Policy 8, by requiring any proposals related to its proposed use a Country Park do not detract from its open character and Green Belt designation and accord with Green Belt purposes; Policy 23, by requiring any proposals protect and enhance the structure and open setting of the Grade II* Listed Bennerley Viaduct; Policy 25, by enhancing the tourism offer, including in association with D H Lawrence; Policy 28, by requiring that any proposals maintain the functionality of the Green Infrastructure corridors; Policy 31, by requiring any proposals do not cause harm to the status of the area as a Local Wildlife Site.</p>

Neighbourhood Plan Policy No.	Neighbourhood Plan Policy Title	Adopted Local Plan Policy: Core Strategy 2014 (Pt 1) P2LP 2019 (Pt 2)	Commentary
DC 1	Developer Contributions from New Development in Awsworth	<p>ACS Policy 12: Local Services and Healthy Lifestyles</p> <p>ACS Policy 18: Infrastructure</p> <p>ACS Policy 19: Developer Contributions</p> <p>P2LP Policy 32: Developer Contributions</p>	<p>Policy DC 1 outlines the premise on which developer contributions will be sought and the priority areas for funding. This is in general conformity with the Core Strategy which through Policy 12 supports developer contributions which improve existing community facilities provision. ACS Policy 18 (part 1) requires that development must be supported by the required infrastructure at the appropriate stages. Part 2 of ACS Policy 18 states that contributions will be sought from development proposals which give rise to the need for new infrastructure. ACS Policy 19 expects all development to meet the reasonable cost of new infrastructure required as a consequence of the proposal. Policy DC 1 also accords with and reflects P2LP Policy 32, in relation to developer contributions which may be sought for major developments in Awsworth. Accordingly, this policy is also consistent with the Borough Council's Infrastructure Delivery Plan.</p> <p>NOTE - Community Infrastructure Levy (CIL) is not currently relevant to Broxtowe Borough as the Authority rely upon Section 106 contributions (for developer contributions). At the current time there are no plans to implement CIL at Broxtowe.</p>

EU obligations – In relation to sub-paragraph 2(f)

Strategic Environmental Assessment (SEA)

- 3.16 A screening of the draft Plan for environmental effects was undertaken in June 2019 on behalf of Awsworth Parish Council. Broxtowe Borough Council determined that a Strategic Environmental Assessment was not required. This determination was supported by relevant statutory consultees.

Habitats Directive

- 3.17 A Habitats Regulation Assessment (HRA) screening of the Plan was undertaken in conjunction with the SEA screening. Broxtowe Borough Council determined that an Appropriate Assessment under the EU Habitats Regulations was not required. Again, relevant statutory consultees agreed with this determination.
- 3.18 The Habitats Regulation Assessment screening complies with the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which came into effect on 28 December 2018. That is, ‘the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017’.

Statutory Consultation

- 3.19 Between 28 June and 2 August 2019 Broxtowe Borough Council, as required, consulted with statutory consultees on their Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA) Screening Report in relation to the Awsworth Neighbourhood Plan. The Environment Agency and Natural England both agreed with Broxtowe’s assessment that an SEA / HRA is not required while Historic England confirmed they did not have any comments.

Convention on Human Rights

- 3.18 The Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The 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 (as required by sub-paragraph 2(f)).
- 3.19 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft 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 Statement of Consultation. The Consultation Statement meets the requirements set out in Paragraph 15 (2) of the Regulations (as required by sub-paragraph 2(g)).

4.0 Conclusion

- 4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) are considered to have been met by the Awsworth Neighbourhood Plan.
- 4.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic (and other) policies contained in the adopted Broxtowe Local Plan and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Awsworth Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.