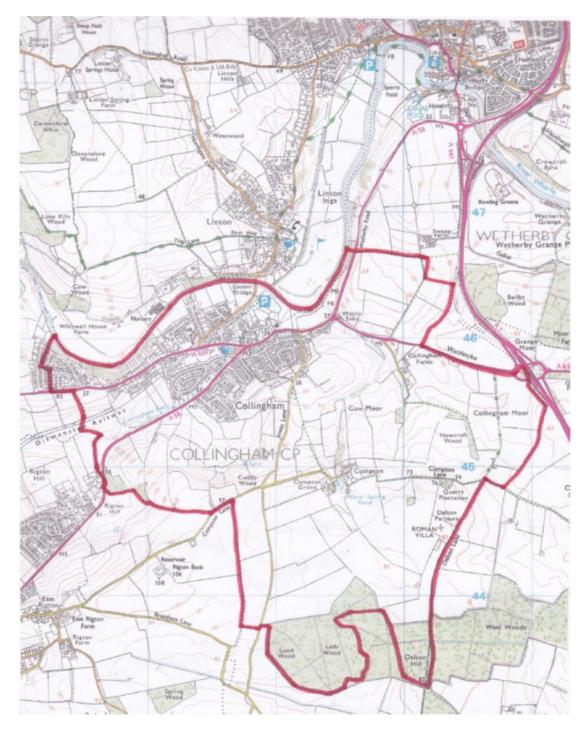


Collingham Neighbourhood Plan Basic Conditions Statement June 2016

Collingham with Linton Parish Council







Map 1: Collingham – Area of Neighbourhood Plan

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1. INTRODUCTION

This Basic Conditions Statement accompanies the Collingham Neighbourhood Plan which is submitted by the Collingham with Linton Parish Council (Parish Council) to the local planning authority, Leeds City Council (LCC). This Statement is required to fulfill the legal obligations under Regulations 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

The Parish Council is a qualifying body and entitled to submit Neighbourhood Plans (NP) for its own Parish.

In 2012, the Parish Council agreed to produce two distinct NPs for the two villages in the Parish – Collingham and Linton. This Neighbourhood Plan relates to the village of Collingham and the surrounding area of the parish south of the River Wharfe (see Map 1 above).

The policies contained in the Plan relate to planning matters (the use and development of land) in the designated Neighbourhood Area and have 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 plan period is from 2015 to 2028 and it does not contain policies relating to excluded development in accordance with the Regulations.

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.

There are no other neighbourhood development plans in place relating to Collingham although it is known that the neighbouring parish of East Keswick is producing a neighbourhood plan. The designated plan area for East Keswick includes the properties in Wharfe Rein, Hillcrest and Wharfe Bank that are physically attached to Collingham but within the Parish of East Keswick. As the policies in the Collingham Neighbourhood Plan may impact on these residents, Collingham with Linton Parish Council requests that they be included within the referendum.

This Statement addresses each of the four 'basic conditions' required by the Regulations and explains how the submitted the Plan meets the requirements of paragraph 8 of Schedule 4B of the 1990 Town & Country Planning Act.

The Regulations state that a NP 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);
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations including Human Rights requirements.

2. BACKGROUND

This Statement has been prepared by the Collingham Neighbourhood Plan Committee under the authority given by Collingham with Linton Parish Council (Parish Council) by letter dated 30th August 2013. (see Appendix A).

During the Plan preparation, ongoing consultation has been undertaken with LCC to ensure that the Plan conforms to the strategic requirements of LCC Core Strategy. It was agreed that the submission of the Draft Plan should not take place until after the LCC's Core Strategy was approved and adopted. This was achieved 12th November 2014.

Collingham Neighbourhood Plan is silent on all matters related to site allocations and can therefore be considered in advance of the adoption of LCC's Site Allocation Plan.

3. SUPPORTING DOCUMENTS

Collingham Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement.

4. CONFORMITY WITH NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Collingham Neighbourhood Plan has been prepared with regard to national policies as set out in the NPPF and is mindful of the draft National Planning Practice Guidance (NPPG) in respect of formulating Neighbourhood Plans.

How Collingham Neighbourhood Plan complies with the 12 principles of the NPPF and therefore ensures that the Plan promotes Sustainable Development is described below:

Principle	How LNP Complies with the Principle
Be genuinely plan led, empowering local	Collingham Neighbourhood Plan provides
people to shape their surroundings, with	potential developers the framework from
succinct local and neighbourhood plans	which appropriate plans can be produced.

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Principle	How LNP Complies with the Principle
setting out a positive vision for the future of the area. Plans should be kept up to date and based on joint working and cooperation 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;	Policies have been written clearly and concisely to remove any ambiguity and to leave the opportunity for intelligent and innovative design. Policy E requiring local consultation in advance of significant applications is written specifically to promote predictable and efficient decision making.
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;	 The Plan includes projects identified and prioritized by the residents each of which will enhance and improve our local community. The Policies have been drawn up following a Vision which includes: Ensuring that growth and development is controlled and appropriate so that residents continue to enjoy village life; preserving and enhancing the Conservation Area, green spaces, river banks access to the surrounding countryside, heritage assets and its 1,000 year old church; development will fit harmoniously into the existing character of Collingham and be well linked by footpaths, bridleways and cycleways; the centre of the village will be vibrant with a range of shops and meeting points; car parking will have improved and safety for pedestrians and cyclists will be enhanced by reducing the flow and speed of traffic through the village; development of Collingham will continue to contribute to a vibrant village and healthy and active community.
Proactively drive and support sustainable economic development to deliver	Collingham Neighbourhood Plan is in general conformity with Leeds City Council Core Strategy. The Leeds Spatial hierarchy

Principle	How LNP Complies with the Principle
the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land price and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in the area, taking account of the needs of the residential and business communities;	recognizes Collingham as a "smaller settlement" in the Outer North East Housing Market Characteristic Area. Smaller Settlements will contribute to development needs, with the scale of growth having regard to the settlement's size, function and sustainability. Opportunities for development will be assessed through the Site Allocations Process and any proposals brought forward in accordance with this process will be assessed against the Policies included in the Collingham Neighbourhood Plan. In addition, through the Plan small-scale housing development is encouraged and
	existing businesses and services are promoted and supported through Policy H: Village Facilities and Services. The existing housing stock of Collingham includes many substantial dwellings and fewer smaller dwellings. In order to achieve a better balance in the future and, as identified through consultation, there is a need for smaller dwellings suitable for the purpose of downsizing. This need is accommodated by Policy G: Housing Type.
Always seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings.	 Many of the Plan objectives are chosen to secure a high quality of design and a good standard of amenity. These include: Good design will enhance the appearance of any new development and contribute to Collingham being a pleasant place to live; New development will be designed to sit sensitively within the existing environment and retain Collingham's history and heritage; Architectural features that add positively to Collingham's village character will be replicated; Development will protect and complement the landscape generally

Principle	How LNP Complies with the Principle
	including agricultural land, woodland, wildlife habitats and, in particular, the key views into and out of the village.
	 These objective will be delivered through the following policies: A: Protecting the Village Setting B: Protecting Local Heritage Assets D: Design of Development
Take account of the different roles and character of the different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic	The vitality of Collingham, Wetherby (the nearest Major Settlement) and Leeds City Centre is supported by the following policies:
character and the beauty of the countryside and supporting thriving rural communities with it;	 H: Village Facilities and Services K: Footpaths, Cycle ways and Bridleways
	Policy K also supports the thriving rural communities of Linton and East Keswick by promoting increased non-vehicular access.
	The Green Belt surrounding Collingham has been retained and the setting of Collingham and the green infrastructure of Collingham are protected through the following policies:
	A: Protecting the Village SettingJ: Green Infrastructure
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 development of renewable energy);	The local community has been silent on the transition to a low carbon future and therefore there is no evidence base upon which to derive any specific policies for Collingham Neighbourhood Plan. These matters are covered adequately within Core Strategy Policies EN1 (Climate Change), EN2 (Sustainable design and construction), EN3 (Low Carbon Energy) and EN5 (Flood Risk) and it is already a statutory requirement to consider the impact of any development on flooding. Policy F: Sustainable Development provides a local context to this issue.

Principle	How LNP Complies with the Principle
	It is possible that during the Plan period a number of existing dwellings will be redeveloped into smaller dwellings. This may include the Piccolino's restaurant site. The Plan will encourage any such development to be completed to a good design standard.
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 this framework;	 Objective 6 states "Development will protect and complement the landscape generally including agricultural land, woodland, wildlife habitats, and in particular the key views into and out of the village". This objective will be delivered through the following policies: A: Protecting the Village Setting D: Design of Development F: Sustainable Development J: Green Infrastructure
Encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided it is not of high environmental value;	There is little opportunity within Collingham to reuse previously developed land. It is possible that during the Plan period a number of existing dwellings will be redeveloped into smaller dwellings. This may include the Piccolino's restaurant site.
Promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas, recognizing that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);	Collingham is not considered to be a sustainable location for significant mixed use development. Collingham is however a small community with a good range of facilities and services. Collingham Neighbourhood Plan seeks to protect and enhance these facilities and services through Policy H: Village Facilities and Services
	LCC's Core Strategy recognizes the retail area of Collingham as a "Local Centre" and therefore protects this area from change of use.
	This will ensure that the existing appropriate mix is retained into the future.

Principle	How LNP Complies with the Principle
Principle Conserve heritage assets in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of this and future generations;	How LNP Complies with the Principle Collingham has a Conservation Area at the core of the village. The Vision makes reference to preserving and improving the Conservation Area and objective 4 states "New development will be designed to sit sensitively within the existing environment and retain Collingham's history and heritage". These will be delivered through the following Policies: A: Protecting the Village Setting, B: Protecting Local Heritage Assets, C: Archaeology,
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.	 D: Design of Development. It is the LCC Site Allocations Plan which will set the strategic framework for development in Outer North East Leeds. Any proposals which come forward in Collingham as a result of this process will be considered against the accessibility standards included in the Core Strategy. Objective 11 of the Collingham Neighbourhood Plan states: "The existing Rights of Way network will be improved by creating new footpaths, bridleways and cycle ways to extend connectivity and improve access to the surrounding rural
	 countryside". Objective 14 states: Walking and cycling to the village centre and other facilities will be a safe and pleasant experience". These will be delivered through the following policies: K: Footpaths, Cycle ways and Bridleways M: Footway and Pedestrian Safety. The Plan also includes a number of projects and aspirational routes in support of this principle.

Principle	How LNP Complies with the Principle
Take account of and support local	The Vision includes development
strategies to improve health, social and	contributing to a vibrant village and a
cultural wellbeing for all and deliver	healthy and active community.
sufficient community and cultural facilities	
and services to meet local needs."	The Memorial Hall and sports facilities in Collingham are particularly important for this principle and objective 8 supports these stating: "All existing infrastructure, services, and facilities will be protected, enhanced and enjoyed by an increasing number of residents".
	 Improved health is also supported by the objectives 11 and 14. This principle will therefore be delivered by the following policies: H: Village Facilities and Services K: Footpaths, Cycle ways and Bridleways M: Footway and Pedestrian Safety.
	The Plan also includes a number of projects to maintain and develop our community assets to help support the social and cultural well-being of our residents and visitors.

5. CONTRIBUTING TO SUSTAINABLE DEVELOPMENT

The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 sets out three dimensions to sustainable development as follows:

- An economic Role 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.
- A social role 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 environment, with accessible local services that reflect the community's needs and supports its health, social and cultural wellbeing; and

• An environmental role – contributing to protecting and enhancing our natural, built and historic environment and, as part of this, helping to improve biodiversity, using natural resources prudently, minimizing waste and pollution and mitigating and adapting to climate change including moving to a low carbon economy."

The table below is an appraisal of each of the Plan policies against these sustainability dimensions:

		Economic	Social	Environmental
		Impact	Impact	Impact
Policy Title	Conformity	1=very pos	itive, 2= positi	ive, 3= neutral,
		4=ne	gative, 5= very	negative
A: Protecting the	Yes	3	1	1
Village Setting				
B: Protecting local	Yes	3	1	1
heritage assets				
C: Archaeology	Yes	3	2	2
D: Design of	Yes	3	1	1
Development				
E: Community	Yes	2	3	3
Involvement				
F: Sustainable	Yes	1	1	1
Development				
G: Housing Type	Yes	2	1	3
H: Village Facilities	Yes	1	1	3
and, Services				
I: Parking	Yes	1	1	3
J: Green	Yes	3	2	1
Infrastructure				
K: Footpaths, Cycle	Yes	3	1	3
ways and Bridleways				
L: Highway safety and	Yes	1	1	3
Traffic Impact				
M:Footway and	Yes	1	1	3
Pedestrian Safety				

6. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF LCC LOCAL PLAN

The policies contained in the draft Collingham Neighbourhood Plan are required to be in general conformity with the strategic policies of the Local Plan. The strategic policies of the Local Plan are contained within the Core Strategy which was adopted on 12th November 2014. The following are considered to be relevant to the draft Collingham Neighbourhood Plan:

Core Strategy Policy	Collingham Neighbourhood Plan General Conformity by:
SP1 (location of	As Collingham is defined as a smaller settlement in the settlement
development), SP2 (hierarchy of centres), SP6 (The Housing requirement and allocation of housing land), SP 7 (distribution of housing) SP10 (Green Belt) and H2 (Housing Development on non-allocated sites)	As coningham is defined as a smaller settlement in the settlement hierarchy, it is only expected to accommodate growth appropriate to its size, function and sustainability. Policy SP6 requires the delivery of 500 windfall sites per annum and SP7 schedules 2300 dwellings to be built via infill in the smaller settlements. Collingham Neighbourhood Plan supports these Policies. The Policies of the Collingham Neighbourhood Plan do not require the Green Belt boundary to be amended and do not impact on the retained Policy N34 Protected Area of Search. It is envisaged that during the Plan period LCC will complete the Site Allocation Plan. Should Collingham be required to deliver a number of dwellings, then the Neighbourhood Plan will support any resulting proposals by identifying the issues to be addressed in terms of sustainability and design.
	The LNP is therefore in General Conformity with these policies of the Core Strategy.
SP8 (Economic Development Priorities)	Collingham is not expected to accommodate significant economic development. SP8 does however require the rural community to be supported and to improve accessibility to employment opportunities by public transport, walking and cycling. Collingham Neighbourhood Plan Policies contribute positively to these and are therefore in General Conformity with this policy of the Core Strategy.
SP13 (Strategic green Infrastructure), G1 (Enhancing and extending Green Infrastructure), G2 (Creation of New Tree Cover), G6	Much of the Neighbourhood Plan Area is part of the Wharfe Valley Green Infrastructure. Collingham Neighbourhood Plan supports the protection of this infrastructure and, through Policy J, extends similar requirements to other parts of the village and its surroundings. Policy K provides opportunities for increased recreational use of the infrastructure through additional access.

Core Strategy Policy	Collingham Neighbourhood Plan General Conformity by:
(Protection of Greenspace),	The design policies require the landscape setting to be thoroughly considered and for the natural environment and bio-diversity to be enhanced. Collingham Neighbourhood Plan is therefore in general conformity with these policies of the Core Strategy.
H3 (Housing Density)	The Leeds Core Strategy Policy H3 describes density requirements for new housing. Density in smaller settlements should be 30 dwellings per hectare unless there are overriding reasons concerning townscape, character, design or highway capacity. Townscape reasons should be recognized in conservation area character appraisals, neighbourhood design statements and other published assessments. Collingham has both a Conservation Area Appraisal and Management Plan and a Village Design Statement. These have been extensively drawn upon by the committee drafting the Neighbourhood Plan and Appendix 2 contains character area assessments which refer to the prevailing density. Policy D is to be implemented by referring to these character assessments and an increased density will be achieved by designing appropriate transition from existing to proposed development.
	Policy G requires development to include a number of smaller dwellings which support an increase in density.Collingham Neighbourhood Plan is therefore in general conformity with this policy of the Core Strategy.
H4 (Housing Mix),	The majority of the existing housing stock is large detached housing. Collingham Neighbourhood Plan Policy G requires new development to include smaller dwellings and therefore provide an appropriate mix of dwelling types and sizes to address the needs of a changing and ageing demographic profile.
P10 (Design), P11 (Conservation) and P12 (Landscape)	Collingham Neighbourhood Plan Policies A, B, D and J, when read together with the Character Area Assessments, seek to deliver good design in a Collingham context. The Policies have been drafted carefully to ensure they are not too prescriptive and can therefore allow and even encourage innovative design. Collingham Neighbourhood Plan is therefore in general conformity with these policies of the Core Strategy.

Core Strategy Policy	Collingham Neighbourhood Plan General Conformity by:
G3 (Open space standards), G4 (New Greenspace)	Collingham is deficient in open spaces but this has not been raised as a concern by the community possibly because many properties have large private gardens. Appendix 1 schedules the available open spaces.
	Should any strategic housing sites be brought forward through LCC site Allocation Process then this deficit should be addressed in accordance with the Core Strategy Policy. At this stage it is not appropriate for the Neighbourhood Plan to be prescriptive about this.
	Collingham Neighbourhood Plan is therefore in general conformity with these policies of the Core Strategy.
G7 (Protection of habitats), G8 (Biodiversity improvements)	The River Wharfe and Lund Wood SEGIs are protected from development by these policies and have statutory protection. The design policies and Policy J require the natural environment to be considered and enhanced resulting in a net gain for bio-diversity.
	Collingham Neighbourhood Plan is therefore in general conformity with these policies of the Core Strategy.
EN1 (Climate Change), EN2 (Sustainable design and construction),	These policies only apply to developments of 10 dwellings or more and therefore will be applied should proposals for housing come forward following the LCC site allocations Plan.
	There is nothing in the Collingham Neighbourhood Plan contrary to these Policies and therefore by implication the Plan may be considered in general conformity.
EN5 (Flood Risk)	Part of Collingham is functional flood plain for the River Wharfe and also Collingham Beck with surrounding areas of zone 3 and zone 2 flood plain. This Core Strategy policy requires flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate. The Collingham Neighbourhood Plan seeks to provide additional weight to this Policy by stating "Proposals that increase the flood risk from Collingham Beck or The River Wharfe will be refused".
	As part of the LCC Site Allocations process, the risk of flooding is considered and a sequential test applied. This may result in land within or close to the flood plain being allocated for housing. There is ample opportunity for flood mitigation works and therefore in the high value market characteristics of Collingham it

Core Strategy Policy	Collingham Neighbourhood Plan General Conformity by:
	is not considered unreasonably onerous to insist on flood mitigation ahead of development.
	Policy F of Collingham neighbourhood Plan is therefore in general conformity with this policy of the Core Strategy.

7. COMPATIBILITY WITH EU LEGISLATION

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

The key EU obligations to consider are:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (Strategic Environmental Impact Directive).
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (Environmental Impact Assessment Directive)
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
- Directive 2009/147/EC on the conservation of wild birds.

A screening opinion was issued by LCC on 29th March 2015 (Sustainability Appraisal/Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report included as Appendix B). The screening report concluded:

- As a result of the assessment in Table 1 and the responses received from the consultees, it is unlikely there will be any significant environmental effects arising from the CNP. The CNP is in conformity with the Core Strategy (2014) and the emerging Site Allocations Plan, which have both been subject to a full Sustainability Appraisal, incorporating a SEA, finding no negative significant effects. Due to the nature of the CNP, the assessment of the CNP policies identifies no significant negative effects and as such, the CNP does not require a full SEA to be undertaken.
- The screening assessment in Appendix 3 and the assessment undertaken in Section 5 shows that there would be no likely significant effects on the Kirk Deighton SAC from the policies included in the CNP.
- A full HRA of the CNP is not required as it does not contain any specific development allocations or policies or proposals that would significantly affect any European site alone or in conjunction with other projects or plans.
- In light of the assessments undertaken above, a Strategic Environmental Assessment and a Habitats Regulations Assessment are not required for the CNP.

In conclusion it is considered that the Collingham Neighbourhood Plan is compliant with EU obligations.

8. CONCLUSION

It is considered that the Collingham Neighbourhood Plan:

- meets the requirements of paragraph 8 of Schedule 4B of the 1990 Town & Country Planning Act;
- has appropriate regard for the 12 core principles of the National Planning policy framework;
- contributes to the achievement of sustainable development;
- is in general conformity with strategic Local planning policies, and
- is compliant with all relevant EU regulations, including Human Rights requirements.

It is therefore requested that the Examiner recommends to the Local Authority that the Plan be presented for a referendum of the local community and, on the assumption that the referendum is successful, that the Neighbourhood Plan is subsequently made.

9. APPENDIX A: LETTER OF AUTHORITY FROM PARISH COUNCIL

COLLINGHAM with LINTON PARISH COUNCIL

Glyn Robins, clerk, 28 Oakdale, Harrogate, HG1 2LW Tel / fax: 01423 531235 email: glynrobins@gmail.com

Neighbourhood Plan Committee The Dell Upper Langwith Collingham Leeds LS22 5DQ

30th August 2013

Dear Chair,

Collingham with Linton Parish Council – Preparation of a Neighbourhood Plan - Collingham

The Parish Council are very pleased that you have been successful in establishing a committee for the Collingham Neighbourhood Plan, comprising Julian Holmes, John Groves, Peter Costello, Kay Lawton, Louise Downie, Andrew Jackson, Mike Hodge, Ken Campbell, William Sparkling, Paul Wills and Angela Beaumont. Through this letter the Parish Council instructs you to commence production of the plan on our behalf and conveys full responsibility for all aspects of the plan to the committee, and other subgroups you may establish to deliver the plan.

Julian Holmes, John Groves and Peter Costello will continue to be the Parish Council's representatives on the committee and the Parish Council offers its full support to them and the rest of the volunteers involved in this vitally important project.

Thank you all for your hard work.

Yours faithfully

Glyn Robins Clerk to the Parish Council

Collingham Neighbourhood Plan Basic Conditions Statement



June 2016