

**Castlethorpe Neighbourhood Plan  
2015 - 2030**

**Basic Conditions Statement**

**Published by Castlethorpe Parish Council under the  
Neighbourhood Planning (General) Regulations 2012**

**February 2016**

## 1. Introduction

1.1 This Statement has been prepared by Castlethorpe Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Milton Keynes Council (MKC), of the Castlethorpe Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Castlethorpe, as designated by MKC on the 28 May 2013 (see Plan A below). The policies described in Section 4 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. It does not contain policies relating to 'excluded development' as defined by, and in accordance with, the Regulations. The plan period of the Neighbourhood Plan is from 1 April 2015 to 31 March 2030. The document also contains a number of non-statutory proposals that relate to local planning matters in its Section 5 'Implementation'. Section 5 does not form part of the examined 'neighbourhood development plan' but provides the local community with a comprehensive view of issues that the Parish Council has considered during the preparation of the document.

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

1.4 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.



*PLAN A: The Designated Castlethorpe Neighbourhood Plan Area*

## **2. Background**

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in 2011. A chief concern was to ensure that local planning policies were robust enough to protect the character of the Parish, and especially the special historic character of the village, at a time when the trend towards relaxation of planning restrictions was gathering pace. For this reason, the Neighbourhood Plan is designed to complement and refine as appropriate the saved policies of the Milton Keynes Core Strategy ("the Core Strategy") adopted in 2013 and the Milton Keynes Local Plan ("the Local Plan") adopted in 2005. It also seeks to anticipate the provisions of the forthcoming 'Plan:MK' - the new Local Plan - which will replace the Core Strategy and Local Plan and cover the period to 2031.

2.2 A Neighbourhood Plan Steering Group was formed by the Parish Council, comprising Parish councillors and members of the local community and it was delegated authority to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Parish Council itself approved the publication of the Pre-Submission Neighbourhood Plan of July 2015, the Revised Pre-Submission Neighbourhood Plan of November 2015 and now the Submission Neighbourhood Plan of February 2016.

2.3 There has been very considerable community engagement activity on the Plan. This is laid out in detail in the separate Consultation Statement, which is published by the Parish Council as part of the submission documentation. The Parish Council has worked closely with officers of MKC during the preparation of the Neighbourhood Plan to ensure the relationship between the Neighbourhood Plan and the saved policies of the Core Strategy and Local Plan, together with the reasoning and evidence of the emerging Plan:MK ("the new Local Plan") have been properly understood. The Steering Group has also benefited from the professional planning and design advice of Neil Homer MBA MRTPI of RCOH Ltd, which has an unrivalled track record in supporting neighbourhood plans, and from the advice and support of Community Impact Bucks on community engagement.

2.4 The Neighbourhood Plan contains nine land use policies and a Policies Map, which identifies where some of the policies will apply in the Parish. The Parish Council has deliberately sought to focus policies on the key issues that matter to the local community and to avoid proposing policies that may duplicate national planning guidance and/or development plan policies that are already material considerations in determining future planning applications.

### **3. Conformity with National Planning Policy**

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are three NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### Para 16

3.3 The Parish Council believes the Neighbourhood Plan is planning positively for future development in the Parish within the environmental constraints that apply and that is consistent with the provisions of the Core Strategy. The Parish is very rural in character and remote from the city of Milton Keynes and the other larger populations of the district. A large part of the village is designated a Conservation Area, with a number of listed buildings. As a designated 'Other Village' in the district settlement hierarchy, there is no expectation of any major development in or around the village. However, Policy 1 does allow for small infill development schemes within suitable locations of the built up areas of the village and Policy 2 allocates land for a new housing development.

#### Para 183

3.4 The Neighbourhood Plan establishes a clear vision and objectives for the Parish that reflect the views of the majority of the local community. It has sought to translate the objectives into a small number of meaningful planning policies to complement other development plan policies for managing development proposals.

#### Para 185

3.5 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant policies of the Core Strategy and Local Plan and with the strategic direction of the new Local Plan and this has been confirmed by MKC officers. The Neighbourhood Plan is considered to strike a positive balance between the policy constraints of the Parish and the need to support some degree of change within the village.

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan and other adopted supplementary planning guidance into specific policies for the Parish. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

**Table A: Neighbourhood Plan & NPPF Conformity Summary**

<b>Policy No.</b>	<b>Policy Title</b>	<b>NPPF Para</b>	<b>Commentary</b>
1	Castlethorpe Development Boundary	15, 50, 55, 110	<p>This policy establishes the key spatial plan for directing future development proposals in the Parish within the built up areas of the village of Castlethorpe. It reflects the presumption in favour of sustainable development and will guide how development will be delivered over the plan period in line with Para 15 of the NPPF.</p> <p>The policy maintains the principle of a Development Boundary for the village as established by the Local Plan but modifies it to accommodate changes as a result of consented development since 2005 and the allocation proposed by Policy 2.</p> <p>The policy balances housing growth with the provisions of Para 110 of the NPPF in respect of preparing a plan to meet the development needs and at the same time minimising detrimental effects to the natural environment through providing for infill development proposals.</p> <p>Together with Policy 3 on design, this policy contributes to delivering a choice of high quality homes as set in Para 50 of the NPPF. This will enhance and maintain the vitality of the rural community and further avoid the delivery of isolated homes in the countryside. In these respects the policy is in line with Para 55.</p>
2	Land at Maltings Field	50, 58, 110, 126, 173	<p>This policy allocates land for approximately 30 new homes and in doing so seeks to focus the housing types to meet local needs that are not well represented in the current housing stock of the village in line with para 50. The policy also contains other development principles as per para 58 to enable a successful scheme, especially in respect of sustaining the character of the Conservation Area, within the setting of which the site is located, as per para 126. The land interest has indicated that the provisions of the policy are acceptable and will not undermine the viability of a future scheme, as per para 173.</p>

			Although one other housing site was submitted for consideration as an allocation, its features were such that in comparison with the allocated site it was not assessed as suitable. Specifically, it lay beyond the established eastern boundary of the village as defined by Fox Covert Lane and is not well contained within the wider landscape. As Policy 1 sought to manage the scale of new housing in the village to that which is appropriate to its status in the settlement hierarchy, the Parish Council considered that to allocate both sites would undermine that status and be contrary to the Core Strategy and would be inconsistent with para 110 of the NPPF.
3	Design Guidance	58, 110, 126	This policy accords with paras 58 and 110 of the NPPF in requiring the design of all development proposals to reflect the local character and countryside of the Parish and especially of the landscape and historic land use qualities of the village, as per para 126 in respect of the Conservation Area. The policy divides the village into distinct character areas to ensure the right design advice applies.
4	Community Facilities	28, 70	This policy accords with paras 28 and 70 of the NPPF by encouraging and enabling the use of a variety of the existing community facilities in the village through supporting proposals that further this objective, including the creation, extension or partial redevelopment of buildings to maintain their viability as valued community assets.
5	Local Green Spaces	76, 77	This policy proposes a number of important green spaces in the Parish to be protected from development by the designation as Local Green Spaces in accordance with paras 76 and 77 of the NPPF.
6	Car Parking at the Carrington Arms	70, 74, 126, 140	This policy is intended to promote the beneficial reuse of a cherished heritage and social asset in the village as per paras 70 and 126. The small loss of part of the village green for this purpose is consistent with para 74 as it will not undermine the integrity of the public space. In this sense, it also has regard to para 140 in justifying the principle of a modest enabling development scheme that will not undermine either the character of the Conservation Area or the setting to the listed buildings



			opposite to the extent that such effects may outweigh the benefits of the scheme.
7	Lodge Farm Business Centre and Balney Grounds	28, 110	This policy is intended to sustain and bolster vital rural employment at two established and successful business sites in close proximity to the village in line with para 28. In doing so, the policy requires suitable screening of additional business development to mitigate its effects on the landscape as per para 110.
8	Cosgrove Leisure Park Access	28	The policy is supportive of the Leisure Park, which lies outside the Parish, as a local source of employment in line with para 28. However, it discourages the future use of Fox Covert Lane for customer access to the facility, should such a proposal be made. The existing access outside of the Parish is adequate for that purpose; Fox Covert Lane is only suitable for the occasional transportation of mobile homes to and from the site.
9	Surrounding Countryside & Landscape	97, 110	This policy seeks to protect the open character of the landscape that surrounds the village as per para 110. It also specifically rules out support for wind turbine schemes, which have been promoted and refused permission in the Parish in the past, as they are not considered to be appropriate in the Parish landscape.

#### 4. Contribution to Achieving Sustainable Development

4.1 MKC considered that a Strategic Environmental Assessment (SEA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have significant environmental effects, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004.

4.2 In its formal screening opinion of January 2016, MKC stated:

*"The three statutory bodies for the purposes of SEA Screening are English Heritage, the Environment Agency and Natural England, these three bodies were consulted on the screening opinion and responses were received from the Environment Agency and Natural England. Both the Environment Agency and Natural England agreed with the conclusion in the screening opinion that an SEA is not required for this Neighbourhood Plan".*

For more details on the SEA opinion, please refer to Castlethorpe SEA Screening Report in the evidence base documents.

4.3 However, the basic condition of 'contributing to the achievement of sustainable development' requires a broader scope of assessment to embrace social and economic, as well as environment, objectives. For completeness, therefore, the Neighbourhood Plan policies have been analysed and a summary is contained in Table B below.

4.4 It is clear that the Neighbourhood Plan, in its own modest way, will contribute to the achievement of sustainable development. This outcome may be inevitable for Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then they will expect that the environmental assets of the Parish will be protected from inappropriate development and that some social and/or economic benefits may arise from new development. In any event, the planning policy context is such that to be in general conformity with the strategic policies of the development plan, the Neighbourhood Plan must acknowledge those environmental constraints.

**Table B: Neighbourhood Plan & Sustainable Development Summary**

No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Castlethorpe Development Boundary	+	0	+	This policy has modest social benefits in providing for small infill housing development schemes and a new housing site allocation within the redefined development boundary of the village. In confining development in this way, the policy will protect the essential rural character of the village and its main heritage assets and landscape setting.
2	Land at Maltings Field	+	0	0	This policy will deliver new homes to meet local needs and so will have a positive social benefit. Its development principles and the location of the site adjoining the existing village and within an established and observable field boundary will ensure that there are no negative effects.
3	Design Guidance	+	0	+	This policy has positive social and environmental benefits in seeking to control the design of new proposals to suit their location in specific character areas of the village. In doing so, it will maintain the strong local community identity and enjoyment of living in a charming village as well as ensure that heritage assets are not harmed by inappropriate development.
4	Community Facilities	+	0	0	This policy has a positive social benefit in retaining and supporting the continued viability of important facilities for the use and enjoyment of the local community.
5	Local Green Spaces	+	0	+	This policy has positive social and environmental benefits by protecting the essential open character of five spaces that are highly cherished by local residents for their recreational, heritage and amenity value, as well as for their contribution to

					the open rural character of the village.
6	Car Parking at the Carrington Arms	+	+	-	This policy has sufficient social and economic benefits that they outweigh the negative effect of the modest loss of part of the village green to provide the new car park. The car park is intended to provide a further stimulus to investment in re-opening the Carrington Arms public house, which is cherished as both an important heritage asset and a social meeting place by the local community. It is hoped that together with the existing planning consent for improvements to the main building, the additional car parking spaces will enable the facility to be marketed as a destination to encourage visitors from outside the Parish. Importantly, the policy requires only a small part of the village green, which will retain its integrity as a public open space as a result.
7	Lodge Farm Business Centre and Balney Grounds	0	+	0	This policy is a little more permissive of proposals for economic development in these two locations than the Local Plan. It is therefore intended to have economic benefits but ensures that there will be no loss of landscape character in these locations and therefore no negative environmental effects.
8	Cosgrove Leisure Park Access	+	0	0	This policy has positive social benefits by ensuring there is no loss of amenity for local residents in proximity to Fox Covert Lane by way of it being used as a customer access point in the future, to which it is not suited.
9	Surrounding Countryside & Landscape	0	0	+	This policy has a positive environmental effect in discouraging inappropriate development in the open countryside that surrounds the village. It especially discourages proposals for wind turbines, as the local landscape cannot accommodate such visual intrusion without harming its essential rural character and the setting of proximate heritage assets.

Key: + positive 0 neutral - negative

## 5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan, that is primarily the strategic policies of the Core Strategy of 2013 but also with some saved policies of the Local Plan of 2005. The new Local Plan ('Plan:MK') will replace both documents once adopted and will establish a new strategic policy framework for the city and wider district. However, it has not yet reached a stage where it can inform the basic condition of the Neighbourhood Plan being in general conformity with its strategic policies. Table C below considers the general conformity with the relevant adopted MKC policies.

<b>Table C: Neighbourhood Plan &amp; Development Plan Conformity Summary</b>		
<b>No.</b>	<b>Policy Title &amp; Refs</b>	<b>Commentary</b>
1	Castlethorpe Development Boundary	This policy reasserts the Development Boundary of the Local Plan but updates it to reflect planning permissions granted (and in some cases schemes having been built out) since 2005. It also makes provision for the Policy 2 housing allocation, which is considered to be in accordance with Policy CS9 of the Core Strategy, which establishes the rural strategy for the district. Policy CS1 of the Core Strategy identifies the village as an 'Other Village with a Development Boundary' where small-scale development through sensitive infill is appropriate. Although perhaps larger than conventional infill schemes, the Policy 2 allocation site completes the south-eastern boundary of the village in a way that does not detract from its visual character or from the surrounding countryside.
2	Land at Maltings Field	This policy allocates land for approximately 30 new homes on land within the defined Development Boundary of Policy 1. It is therefore in accordance with Policy CS9 of the Core Strategy. It is also consistent with Policy CS10 in seeking "new housing should meet the needs and aspirations ... by the provision of an appropriate range of sizes ...". Its design principles accord with Policy CS13 by ensuring a high quality scheme and with Policy CS19 by requiring the detail design of the scheme to have full regard to the significance of the setting to the adjoining Conservation Area.

3	Design Guidance	This policy refines Policies CS13 and CS19 of the Core Strategy by translating them for application within this village in respect of appropriate design policies within and beyond the Conservation Area.
4	Community Facilities	This policy refines Policy CS17 of the Core Strategy by identifying those specific community facilities in the village that warrant protection from unnecessary loss by that policy.
5	Local Green Spaces	This policy refines Policy CS17 of the Core Strategy by identifying those specific open spaces in or on the edge of the village that are cherished and enjoyed by the local community and therefore warrant protection from development that would harm their essential open character by that policy.
6	Car Parking at the Carrington Arms	This policy accords with Policy CS19 of the Core Strategy in seeking to enhance the significance of a valued heritage asset – the Carrington Arms P.H. – through a type of enabling development scheme. The dedicated car parking spaces are considered important to encourage investment in re-opening the building for a viable commercial and social use. It also conforms with Policy CS17 in protecting public open spaces from loss, as the scheme will make only a minor change to the village green and its integrity as a public space will not be harmed.
7	Lodge Farm Business Centre and Balney Grounds	This policy refines the general support offered by Policies CS9 and CS16 of the Core Strategy for small businesses and rural employment in relation to two established business sites in the Parish that provide this type of accommodation. Given that the policy requires proposals to have regard to their effects on the surrounding countryside, it also accords with Policy CS19 by protecting the strength of the local landscape character.
8	Cosgrove Leisure Park Access	This policy restricts the use of Fox Covert Lane to the occasional need for the site operator to move large mobile homes to and from the site. It is not suited to becoming a customer access to the Leisure Park. It therefore conforms with Policies CS9 and CS16 of the Core Strategy in respect of supporting a local business and is also consistent with Policy CS13 by ensuring development is appropriate to its location, including avoiding causing unnecessary harm to the amenities of local residents.
9	Surrounding Countryside & Landscape	This policy accords with Policy CS19 of the Core Strategy by acknowledging the importance of the open character of the local landscape in establishing the essential rural character of the village and Parish. It is also consistent with Policy CS14 in regarding proposals for renewable energy schemes – notably wind turbines – to be inappropriate development in the Parish by way of their likely negative environmental effects.

## 6. Compatibility with EU Legislation

6.1 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. As set out above, a screening opinion was issued by MKC, which confirmed that the Neighbourhood Plan would not have any significant environmental effects and that an SEA would not be required for the Neighbourhood Plan to be in accordance with EU Directive 2001/42.

6.2 Further, the Designated Neighbourhood Area is not in close proximity to any European designated nature sites. In January 2016, MKC determined that no Habitats Regulation Assessment is required of the Neighbourhood Plan under the EU Habitats Regulations thus:

*“Given the role of Neighbourhood Plans and the nature of the Castlethorpe Neighbourhood Plan which seeks mainly to maintain the status quo of built development in the Parish, it is considered that Appropriate Assessment of the plan is not required.”*