



Jacksdale
Underwood
Selston
• tomorrow

Selston Parish (JUS.t) Neighbourhood Plan

Basic Conditions Statement



25th January 2017

YOUR FUTURE IN YOUR HANDS

Contents

1	Introduction.....	3
	What is the Neighbourhood Plan?.....	3
	What is the Basic Conditions Statement?	3
2	Key Statements.....	3
3	Conformity with National Policy	5
4	Contribute to the Achievement of Sustainable Development.....	12
5	Conformity with Strategic Local Policy.....	13
6	Relationship with the Publication Local Plan	17
6	Bringing a Neighbourhood Plan forward ahead of a Local Plan	20
7	Compatibility with EU Obligations	20
8	Conclusion	21

1 Introduction

What is the Neighbourhood Plan?

- 1.1 The Jacksdale, Underwood and Selston Neighbourhood Development Plan (hereafter JUS-T Neighbourhood Plan) has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future of the Plan area and sets out how that vision will be realised through planning and controlling land use and development.
- 1.2 The Plan relates to planning matters (the use and development of land) 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.

What is the Basic Conditions Statement?

- 1.3 This Basic Conditions Statement has been prepared to accompany the JUS-T Neighbourhood Plan. Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Plans must meet the following basic conditions¹:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - contribute to the achievement of sustainable development.
 - be 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 plan does not breach, and is otherwise compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

This document outlines how the JUS-T Neighbourhood Development Plan meets all of the above basic conditions.

2 Key Statements

- 2.1 The Plan area covers the designated Plan area of Selston Parish which is made up of the three wards of Jacksdale, Underwood and Selston. Selston Parish Council is the qualifying body and responsible for the preparation of this Neighbourhood Plan. The

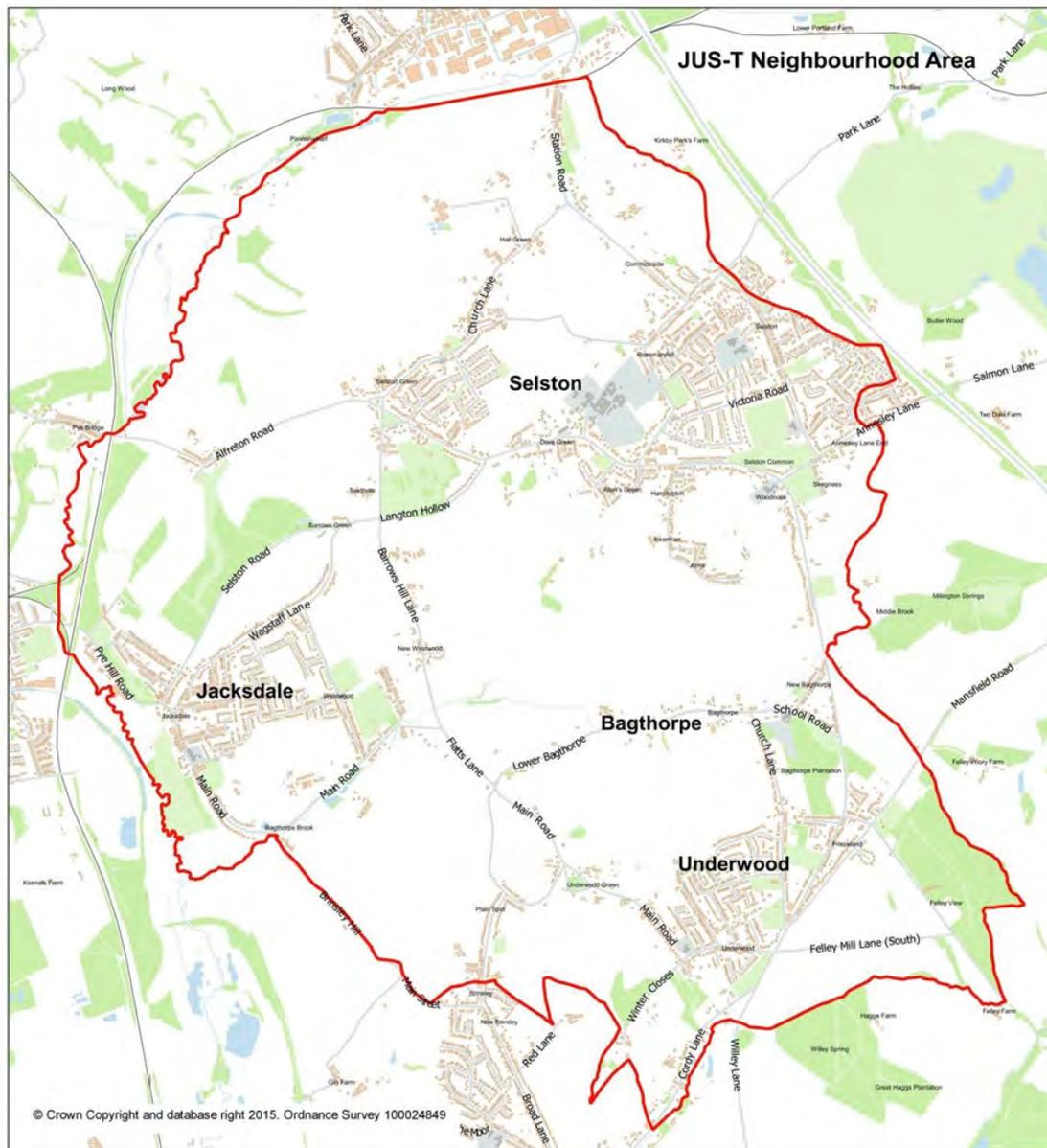
¹ See national planning practice guidance Paragraph: 065 Reference ID: 41-065-20140306

Basic Conditions Statement – JUS-T Neighbourhood Plan

JUS-T Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.

- 2.2 The neighbourhood area is shown on the map accompanying the neighbourhood designation application. For clarity, the Plan area is shown at Figure 1.

Figure 1: JUS-T Neighbourhood Area



- 2.3 The JUS-T Neighbourhood Plan covers the period from 2017 to 2032.
- 2.4 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 as 'excluded development'.

Basic Conditions Statement – JUS-T Neighbourhood Plan

- 2.5 The JUS-T Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Selston Parish as designated by Ashfield District Council on 12th December 2013.
- 2.6 There are no other neighbourhood plans in place for the Selston Parish.
- 2.7 The Pre-Submission Draft JUS-T Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations March 2012, from 9th July until the 30th September 2016. Some amendments have been made to the document based on the comments received and these are summarised in the document entitled ‘Consultation Statement’.

3 Conformity with National Policy

- 3.1 The JUS-T Neighbourhood Plan is required to have appropriate regard to national planning policy. This is principally provided in the National Planning Policy Framework (NPPF) published in March 2012. The NPPF provides a framework within which local communities can produce neighbourhood development plans for their area and sets out how planning should help achieve sustainable development (see paragraphs below relating to achieving sustainable development).
- 3.2 Sections 183-185 of the NPPF refers to Neighbourhood Plans requiring them to have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the Local Plan. The Localism Act explains that this is the ‘adopted Development Plan’ which is the Ashfield Local Plan Review 2002.
- 3.3 In Selston Parish the Neighbourhood Plan is coming forward before an up to date Local Plan is in place. National Planning Guidance Paragraph: 009 Reference ID: 41-009-20160211 explains that
 - *the reasoning and evidence used to support an emerging Local Plan is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested,*
 - *the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:*
 - *the emerging neighbourhood plan*
 - *the emerging Local Plan*
 - *the adopted development plan*
 - *with appropriate regard to national policy and guidance.*
 - *The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and*

Basic Conditions Statement – JUS-T Neighbourhood Plan

seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

- 3.4 In accordance with the National Planning Guidance Paragraph, documents commissioned by ADC to support their emerging Local Plan have been used to guide the Neighbourhood Plan policies. There has also been close collaboration between ADC and the neighbourhood plan steering group in the preparation of this Neighbourhood Plan.
- 3.5 The Publication Local Plan became available prior to the submission of the JUS-T Neighbourhood Plan. This enabled some final revisions to be made to the Neighbourhood Plan to ensure future conformity with the emerging Local Plan.
- 3.6 Table 1 and Table 2 demonstrate that the JUS-T Neighbourhood Plan has had regard to relevant national policies within the NPPF in relation to:
 - Delivering a wide choice of high quality homes
 - Supporting a prosperous local economy
 - Requiring good design
 - Promoting healthy communities
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
- 3.7 The JUS-T Neighbourhood Plan contains a Vision and Objectives. The objectives are summarised in **Table 1** alongside the NPPF goals they seek to address.
- 3.8 **Table 2** provides a summary of how each of the neighbourhood plan policies conforms specifically with the NPPF.

Table 1: Summary of JUS-T Neighbourhood Plan objectives assessed against NPPF Goals

Objective No.		Relevant NPPF Goal
1	Ensuring that future housing development minimises its impact on the landscape character and built environment	Conserving and enhancing the natural environment Requiring good design
2	Ensuring that new development meets the housing needs of the neighbourhood	Promoting healthy communities Delivering a wide choice of high quality homes
3	Ensuring development integrates with the existing settlements	Requiring good design
4	Supporting the local economy	Building a strong competitive economy Supporting a prosperous rural economy
5	Ensuring new development protects and extends access to the countryside, enhances local green spaces and supports nature conservation	Promoting healthy communities Conserving and enhancing the natural environment
6	To encourage developers to consult with the community early in the planning application process wherever possible so local people can inform the design, location and layout of a scheme. ²	Promoting healthy communities Delivering a wide choice of high quality homes
7	Improving public transport	Promoting healthy communities Promoting sustainable transport
8	Maintaining and enhancing community facilities	Promoting healthy communities

² As community objective 6 is not a land use policy this is reflected as a key principle in the Neighbourhood Plan

Table 2: Assessment of how each policy in the JUS-T Neighbourhood Plan conforms to the NPPF

Policy No.	Policy Title	NPPF Ref (para.)	Commentary
1	Sustainable Development	6,7,11	NP 1 defines the overall approach to development where growth must bring forward a balance of uses to meet local need. NP 1 embraces the core principle of planning that it is a ‘creative exercise’ in finding ways to enhance the places where people live whilst also accepting that more development is necessary to meet local and wider district need. NP 1 identifies the specific elements that define sustainable development in Selston Parish.
2	Design Principles	17,56,57,58,60,61, 62	NP 2 sets out robust and comprehensive design standards based on an understanding of the varied characteristics in the Plan area, the importance of reinforcing local distinctiveness and the integration of new development with the existing built and natural environment. The policy takes account of the differing character of the 3 settlements that make up the Plan area. NP 2 supports the use of a design review process.
3	Protecting the Landscape Character	170, 270	NP 3 defines the approach to protecting landscape character in considering the location for future development. It is based on an evaluation of the defining characteristics of the Plan area. The JUS-T Place Analysis

Basic Conditions Statement – JUS-T Neighbourhood Plan

Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			combines an assessment of landscape character with the built environment (in accordance with NPPF para 270). NP 3 uses this information and seeks to reinforce local distinctiveness. It also provides a framework to show how new development can be integrated into the natural and built environment to minimise the impact on landscape character.
4	Housing Type	47, 50	NP 4 supports the provision of a mix of housing to meet local need, in this case including smaller dwellings and dwellings to meet the needs of the elderly. The policy also encourages housing for older people to be located near local facilities.
5	Increasing retail and commercial uses in Selston village	69, 70	NP 5 supports proposals that will expand the offer of services and retail facilities in Selston village and supports small scale mixed use development on site RA2e. NP 5 also supports environmental improvements around the Co-op to improve the public realm and create a stronger focal point. This accords with the NPPF that supports the promotion of strong neighbourhood centres and high quality public space which encourages the active and continual use of public areas.
6	Supporting Jacksdale’s Local Shopping Centre	69, 70	NP 6 also supports proposals that will expand the offer of services and retail facilities, the creation of active frontages in the Local Shopping Centre and the improvement to the public realm around the war memorial.

Basic Conditions Statement – JUS-T Neighbourhood Plan

Policy No.	Policy Title	NPPF Ref (para.)	Commentary
7	Community Facilities		Selston Parish has a strong rural community. To sustain this the Parish requires buildings and outdoor spaces that enable social interaction. This policy identifies the facilities that require investment or where provision does not meet local need.
8	Improving access to the countryside	75	NP 8 seeks to ensure that walking or cycling access to the countryside is improved. NP 8 also seeks to maximise the potential for new development that is on the edge of settlements to create new connections to the footpath/cycle network.
9	Supporting Local Business	19, 20, 28, 42,43	NP 9 supports economic growth by protecting existing employment sites and allowing flexibility to consider home based businesses or small scale business creation within the settlement boundary. NP 9 also seeks to ensure that residents and businesses across the Parish are provided with a good (superfast) broadband connection to meet national standards recognising that future business growth at home as well as on employment sites will increasingly depend on access to this technology.
AP 1	Community Involvement in Major Planning Applications	69	Although Ashfield District Council have always encouraged pre application consultation they cannot legally require it (apart from major infrastructure projects). AP 1 takes its context from the NPPF which promotes the principle that LPAs should involve all sections of the community in planning decisions. AP 1 seeks

Basic Conditions Statement – JUS-T Neighbourhood Plan

Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			to encourage consultation with the community before an application is submitted.
AP 2	Improving the bus services	35	Although not directly related to land use AP 2 seeks to encourage better provision and use of public transport. Development proposals that offer funding for public transport solutions as part of the s106 are favoured.

4 Contribute to the Achievement of Sustainable Development

- 4.1 The NPPF has a presumption in favour of sustainable development. The NPPF defines sustainable development as having three dimensions: economic, social and environmental.
- 4.2 The **economic** goals in the Neighbourhood Plan relate to providing support to existing businesses and providing some flexibility in allowing mixed development within the settlement boundary for new business use and protecting existing employment land NP 5 and 6 encourage the expansion of retail provision in Selston and Jacksdale which will also create local jobs and increase investment in the Parish.
- 4.3 With regard to the housing allocations in the emerging Publication Local Plan, the Neighbourhood Plan accepts that significant growth may occur and, given the diversity of housing type across the Plan area, the design policy ensures that new development reinforces those elements of the local built and landscape character that are valued by local people. The Neighbourhood Plan places great weight on the need to ensure high quality design, which government policy endorses as a central tenet of sustainable development.
- 4.4 The **social** goals in the Neighbourhood Plan are to maintain a thriving community, recognising that the community and its needs change over time. This Plan seeks to achieve this by;
- a) requiring the type of new housing development to demonstrate how it has met local (as well as District) need,
 - b) having the key principle of pre-application consultation, which, whilst not a land use policy, also establishes the expectation that the Parish Council will be involved in discussions with developers ideally at pre-application stage rather than only being able to comment when a planning application has been submitted,
 - c) encouraging development of community facilities where under provision has been identified and/or where the facility is not considered adequate,
 - d) identifying public transport issues – this is an aspirational policy as it does not relate to a specific site however, NP1 (2) e seeks funding for improved public transport as an important part of a development scheme and identifies this as a key factor in the assessment of a proposal.
- 4.5 The **environmental** goals in the Neighbourhood Plan are to protect the natural and built environment. Neighbourhood Plan policies ensure that proposals protect and where possible enhance existing landscape character. This includes maximising opportunities as part of new development on the edge of settlements to create new

Basic Conditions Statement – JUS-T Neighbourhood Plan

green infrastructure corridors into the countryside as well as extending and improving existing walking/cycling routes.

- 4.6 A sustainability matrix of the policies in the JUS-T Neighbourhood Plan was undertaken in January 2017. The document is available on the JUS-T Neighbourhood Plan web site. There is no legal requirement for neighbourhood plans to have a sustainability appraisal, and as the JUS-T Neighbourhood Plan is not allocating sites it is considered that this Sustainability Matrix is adequate in showing how these policies have been set within a sustainable planning context.
- 4.7 The Sustainability Matrix concluded that the Neighbourhood Plan policies would either have no overall impact or at least some positive benefit.

5 Conformity with Strategic Local Policy

- 5.1 The JUS-T NP has been prepared by a Neighbourhood Plan Steering Group on behalf of Selston Parish Council in close collaboration with officers from Ashfield District Council.
- 5.2 **Table 3** provides a summary of how the NP policies are in general conformity with the saved policies in the 2002 Local Plan.

Table 3: Assessment of how each policy in the JUS-T Neighbourhood Plan conforms to the saved policies from the 2002 Local Plan

Neighbourhood Plan Policy	Ref in 2002 Local Plan	Commentary on how Local Plan policies fit with JUS-T NP policies
NP 1 Sustainable Development	Para 2.4	defines sustainable development and states that ‘All issues relating to sustainable development are embodied within the overall strategic approach to land use issues in this Plan.’
NP 2 Design Principles	HG5	The scope of HG5 is similar to that of NP 2 however as a district policy it is generic requiring design to be acceptable in terms of appearance and siting. NP 2 is based on the JUS-T Place Analysis and can be more specific to reinforce local character.
NP 3 Protecting the Landscape Character	EV 1, EV4, EV5, EV6, EV8, EV2	<p>This range of policies includes green belt policy and development in the countryside. It protects the mature landscape areas around Bagthorpe and Underwood, the designated Sites of Special Scientific Interest (Bagthorpe Meadows) and Local Nature Reserves. NP 3 does not seek to replicate these policies but, using the JUS-T Place Analysis as evidence, seeks to identify those aspects of the landscape in the vicinity of the main settlements (as these are the areas under the most pressure from development) that have particular value to local people. This evidence is also supported by the study on publicly accessible views in the NP and development is required to demonstrate how it does not erode this character.</p> <p>EV2 covers the more general value of sensitive development in the open countryside NP 3 is also in conformity with this approach.</p>
NP 4 Housing Type		There was no particular requirement to consider housing type to meet local need other than through affordable housing policy HG4

Basic Conditions Statement – JUS-T Neighbourhood Plan

Neighbourhood Plan Policy	Ref in 2002 Local Plan	Commentary on how Local Plan policies fit with JUS-T NP policies
NP 5 Increasing retail and commercial uses in Selston	SH5	<p>In 2006 despite the trend at that time towards larger one stop retail provision the Local Plan still identified the value of small shopping parades in local communities especially for those less mobile. A size limit of 500 sq m is set. There was no specific reference to Selston it was noted that the demand of such retail provision is 'difficult to quantify' but that minor shops made up 17% of the district's shopping offer. In 2017 shopping habits have changed and smaller local shops are attractive to high street chains as well as independent retailers.</p> <p>NP 5 supports an increase in the shops around the Co-op and/or on the Bull and Butcher Site reflecting the benefits of local provision for those less mobile and the changing shopping trends for smaller more local retail units.</p>
NP 6 Supporting Jacksdale's Local Shopping Centre	SH 4	<p>SH4 supports retail development, small scale office use and local community facilities in the Jacksdale Local Centre noting that Jacksdale (SH4Na) is a smaller centre of about 20 shops of which almost half are food shops, serving the village and surrounding area and that 'lower rentals for premises and smaller units allow the operation of local businesses providing niche retail and specialist uses'. NP 6 supports development in the Local Centre that will strengthen the vitality and viability of Jacksdale.</p>
NP 7 Community Facilities	RC2, RC3	<p>Protects open areas (Selston Common and Holly Hill) for recreational uses these areas are described as providing a substantial and prominent break in Selston. Formal open spaces in the Parish are listed and development will only be permitted where it relates to this recreational use. NP 7 identifies gaps in provision e.g. football pitches and improvements to Selston Leisure Centre facilities but also</p>

Basic Conditions Statement – JUS-T Neighbourhood Plan

Neighbourhood Plan Policy	Ref in 2002 Local Plan	Commentary on how Local Plan policies fit with JUS-T NP policies
		encourages development that meets the needs of an ageing population. NP 7 also covers commercial community facilities (i.e. pubs) recognising their contribution to providing space for people to meet.
NP 8 Improving Access to the Countryside	RC8, TR6	Para 3.54 - 3.57 discusses the Greenwood Community Forest which covers the whole of the district and the general objective to improve green infrastructure across the district. RC8 protects recreational routes from development. TR6 requires improvements to the cycle network across the district in relation to new development.
NP 9 Supporting the Local Economy	EM 4, EM 5	EM 4 permits limited employment development on land within Selston, Jacksdale and Underwood that is not allocated for other uses to diversify the economy. EM 5 protects existing employment uses. NP 9 reinforces the importance of employment uses in the Parish and highlights particular uses A2 and B1 that would be supported.
AP 1 Community Involvement in Major Planning Applications		No specific reference
AP 2 Improving bus services	TR6	TR6 identifies the improvements to public transport to be funded where development places additional demands on transport infrastructure; AP 2 identifies the issues with the bus service in the Parish and NP 1(3) e indicates that schemes that include contributions towards public transport solutions are favoured.

6 Relationship with the Publication Local Plan

6.1 In accordance with National Planning Policy Guidance this Neighbourhood Plan is informed by the evidence base that forms the basis of the Publication Local Plan which will replace the saved policies in the 2002 Local Plan in due course.

6.2 The other documents used to inform this Neighbourhood Plan are

- National Planning Policy Framework
- National Planning Policy Guidance

ADC documents

- Housing Site Selection Technical Paper Sept 2016
- Housing Site Selection Technical Paper Ashfield District Council Sept 2016
- Nottingham Outer Strategic Housing Market Assessment 2015
- Nottingham Outer Strategic Housing Land Availability Assessment Update 2013
- Green Infrastructure and Biodiversity September 2013
- Ashfield District Council SHLAA Landscape Site Assessment 2015
- Publication Local Plan September 2016
- Transport Study Our Centre for ADC 2015

Parish documents

- Sustainability Appraisal Scoping Report September 2016
- JUS-T Place Analysis 2016

6.3 Whilst there is no requirement to test neighbourhood plan policies against the policies in the Publication Local Plan it is sensible to do so to ensure that when the Local Plan is adopted the non-strategic policies in the JUS-T Neighbourhood Plan will still form part of the development plan for the Plan area.

6.4 Para 564 of the Publication Local Plan references the Selston Parish Neighbourhood Plan and notes that 'Once adopted, this document [the Neighbourhood Plan] will provide additional planning guidance that development proposals within the Neighbourhood Area should successfully align with, in addition the policies within the Ashfield Local Plan.'

6.5 **Table 4** assesses the NP policies against relevant policies in the most recent version of the draft Local plan which at time of writing (January 2017) is the Publication Local Plan.

Table 4: Assessment of Publication Local Plan against JUS-T Neighbourhood Plan

Neighbourhood Plan Policy	JUS-T NP conformity with Publication Draft Local Plan Y/N	Commentary on how the Publication Local Plan policies fit with JUS-T NP policies
NP 1 Sustainable Development	Y	Policy S1 sets out the District wide sustainable development principles para 3.5 defines sustainable development. SD4 identifies economic, social and environmental infrastructure requirements that will contribute to sustainable growth. NP 1 is in conformity with S1 and SD4.
NP 2 Design Principles	Y	Policy SD1 sets out the district wide approach to good design requiring high quality and reflecting local character. These are both elements emphasised in NP 2 only NP 2 is able to define more specifically what local character means for the differing settlements in the Plan area based on the analysis in the JUS-T Place Analysis. NP 2 is in conformity with SD1 (Reference to Building for Life and other national guidance is referenced in relation to design of car parking in SD10.)
NP 3 Protecting the Landscape Character	Y	Strategic Objective SO19 requires development to contribute to the local distinctiveness of the District. EV11 sets out at district level the requirements to protect and enhance landscape character. The points EV11 2a-g are identified in NP 3 in the context of the Plan area. NP 3 is in conformity with EV11.
NP 4 Housing Type	Y	Policy HG4 Housing Mix requires development to provide a mix of housing tenures, types and sizes and the justification text refers to evidence in the SHMA. HG4 also supports development for older people in suitable locations relating to the size and role of the settlement. NP 3 is in conformity with HG4.
NP 5: Increasing retail and commercial uses in Selston village	Y	Policy RA1 supports appropriately scaled enhancement of retail offer in Selston and recognises the importance of promoting a flexible approach to sustainable business. Para 6.11 refers to a Retail Study that ‘does not project specific growth within Selston but where demand can be demonstrated, the Council may support appropriately scaled (in-line with the Town Centre Hierarchy) development, within the existing settlement boundary, to support these aspirations.’

Basic Conditions Statement – JUS-T Neighbourhood Plan

Neighbourhood Plan Policy	JUS-T NP conformity with Publication Draft Local Plan Y/N	Commentary on how the Publication Local Plan policies fit with JUS-T NP policies
		RA2e supports a small amount of commercial development on the site. NP 5 is in accordance with RA1 and RA2.
NP 6: Supporting Jacksdale’s Local Shopping centre	Y	Policy RA1 supports appropriately scaled enhancement of retail offer in Selston and recognises the importance of promoting a flexible approach to sustainable business. NP 6 is in conformity with RA1
NP 7: Community Facilities	Y	EV 5 protects the green spaces and recreational facilities NP 7 puts this into a Selston Parish context. NP 7 is in conformity with EV5
NP 8 Improving Access to the Countryside	Y	Policy RA1 (5) supports improving accessibility to tourism assets (like the open countryside) in the Parish. RA3 relates to the Plan area and supports the extension green infrastructure identifying particular green infrastructure corridors G1-11 to G1 14. Policy EV4 supports the establishment of a network of green multi-functional corridors. NP 8 is in conformity with Local Plan policies RA1, RA3 and EV4.
NP 9: Supporting the Local Economy	Y	Para 6.10 reflects a flexible approach to encouraging economic diversification in the Parish. RA1 supports local business growth, home working the protection of existing employment sites, the provision of fast broad band. NP 9 is in conformity with RA1.
AP 1: Community Involvement Major Planning Applications	Y	No specific reference
AP 2: Improving bus services	Y	Policy S2 11 and 12 a-d requires the delivery of sustainable transport networks and the improvement of public transport. Consultation responses were supportive of AP 2 and whilst this is not a land use policy AP 2 is in conformity with ADCs Overall Strategy for Growth

6 Bringing a Neighbourhood Plan forward ahead of a Local Plan

- 6.1 The National Planning Practice Guidance (PPG) March 2014 clarifies certain matters within the NPPF including the situation where there is no up to date Local Plan. Whilst Selston Parish would ideally wait until a Local Plan is in place, given significant developer pressure and an improving economy, the Parish Council and residents wanted to provide up to date, locally derived planning policies to contribute to planning policy in their area. This will also assist developers in preparing good proposals that will enhance the Plan area. By using the evidence base for the Publication Local Plan, it is expected that when the Local Plan is adopted this Neighbourhood Plan will continue to provide the non-strategic policy framework for JUS-T. The collaborative working between ADC officers and the Parish Council has ensured that the Neighbourhood Plan has also helped to inform emerging District policy.
- 6.2 The comments from ADC (and others) at Regulation 14 on the draft Neighbourhood Plan resulted in amendments to the Neighbourhood Plan prior to submission to ensure the NP would be compatible with the emerging District policy as well as Adopted policy (see Consultation Statement).

7 Compatibility with EU Obligations

- 7.1 ADC have undertaken a screening assessment and considered that an SEA was not required because the Neighbourhood Plan is not likely to have a significant impact on the environment.
- 7.2 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. Whilst an Equality Impact Assessment Report has not been specifically prepared, great care has been taken throughout the preparation and drafting of this Neighbourhood Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.
- 7.3 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. There was extensive consultation and engagement throughout the process.
- 7.4 The main issues for planning in relation to human rights are the right to family life and in preventing discrimination. The Parish Council and residents accepts the need for additional dwellings in the Plan area to meet objectively assessed housing need and the Neighbourhood Plan focuses on ensuring that development enhances the attributes that makes Selston Parish special. The population profile has revealed that there are not significant numbers of people who do not have English as a first language and it has not been necessary to produce consultation material in other languages.
- 7.5 Finally, the draft Neighbourhood Plan has been consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, responses

Basic Conditions Statement – JUS-T Neighbourhood Plan

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 has been prepared by the NP Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

- 7.6 The Neighbourhood Plan is not proposing any development in addition to that identified as part of District policy so an Appropriate Assessment under the EU Habitats Regulations has not been required by Ashfield District Council.

8 Conclusion

- 8.1 It is the view of Selston Parish Council that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the TCPA 1990 Act are considered to be met by the JUS-T Neighbourhood Plan and all the policies therein.
- 8.2 The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained in Ashfield District Council's planning policies both saved and emerging and meets relevant EU obligations.
- 8.3 On that basis, it is respectfully suggested to the Examiner that the JUS-T Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.