

EAST LEAKE NEIGHBOURHOOD PLAN

STATEMENT OF BASIC CONDITIONS

Introduction

- 1.1 This statement has been prepared by the East Leake Parish Council Neighbourhood Plan Project Team to accompany its submission to the local planning authority (Rushcliffe Borough Council) of the East Leake Neighbourhood Development Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”)
- 1.2 The policies described in the Neighbourhood Plan relate to the development and with the use of land in the designated Neighbourhood Plan area only. The plan period for the Neighbourhood Plan is 2013 to 2028 and it does not contain policies relating to excluded development, in accordance with the Regulations. The way in which the plan meets the Regulations and the Basic Conditions is set out below.
- 1.3 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38(C)] sets out that Neighbourhood Development Plans must meet the following basic conditions:-
 - (1) 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.
 - (2) 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 and
- (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.

1.4 Section 2 of this Statement sets out how the East Leake Neighbourhood Plan (ELNP) complies with the legal requirements of sub-paragraphs 1 (b), (d) and (e). Section 3 of this Statement sets out how the ELNP meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

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

2.1.1 The East Leake Neighbourhood Plan has been submitted by East Leake Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for its own Parish. The Neighbourhood Plan has been prepared by a Project Team set up by East Leake Parish Council.

What is being proposed is a neighbourhood development plan

2.1.2 The East Leake Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood 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

- 2.1.3 The East Leake Neighbourhood Plan states that the period which it relates to is from 2013 until 2028. The period has been chosen to align with that of the approved Rushcliffe Borough Core Strategy.

The policies do not relate to excluded development

- 2.1.4 The East Leake Neighbourhood 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 has confirmed that the Neighbourhood Plan is compatible with the existing adopted Nottinghamshire Minerals Local Plan and the emerging Minerals Local Plan as shown in Appendix 5.

The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

- 2.1.5 The whole parish of East Leake was formally designated as a Neighbourhood Area by Rushcliffe Borough Council on 4 December 2012. The proposed neighbourhood plan relates only to the parish of East Leake and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.
- 2.2 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.
- 2.3 In relation to sub-paragraph 1(e), there are no other prescribed matters.

The Basic Conditions

- 3.1 This section addresses how the East Leake Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF) and to the strategic policies contained in the emerging Rushcliffe Borough Core Strategy. The Neighbourhood Plan is therefore in general conformity with the final Core Strategy approved by Rushcliffe Borough Council on 22nd December 2014. Detailed references to relevant paragraphs in the NPPF and to relevant policies in the approved Core Strategy are given in the justification for each

Neighbourhood Plan policy in the main text of the Plan. For this Statement, the table in Appendix 1 shows a summary of links between Neighbourhood Plan policies and the key themes for delivering sustainable development set out in the NPPF and the strategic policies in the approved Core Strategy. These links are explored further below.

3.2 Having regard to national policies and advice

Building a strong, competitive economy (NPPF paras. 18 - 22)

- 3.2.1 The Neighbourhood Plan proactively supports sustainable economic growth through its policies for Business and Employment. Policy B2 provides support for small and start-up businesses and those working from home by encouraging provision of facilities for new start-up, follow-on and small businesses throughout the built up area of the village and supporting the diversification of existing business outside the built-up area. Policy B3 supports development of the British Gypsum site for industry falling outside Use Class B1.

Ensuring the vitality of town centres (NPPF paras. 23 – 27)

- 3.2.2 The Neighbourhood Plan promotes policies to support the viability and vitality of the village centre by encouraging a cluster of retail and service outlets in the village centre offering both range and choice. Policy B1 encourages the development of retail and other services and businesses requiring public frontage within the village centre. Policy V1 defines the village centre and sets out the type of development permitted within that area.

Supporting a prosperous rural economy (NPPF para. 28)

- 3.2.3 The Neighbourhood Plan promotes a strong rural economy through policy B1, which promotes the retention and development of local services and community facilities in the village centre and the role of East Leake as a service hub for surrounding rural villages. Policy B2 provides specific support for the diversification of existing business in the rural area outside the built up area of the village.

Promoting sustainable transport (NPPF paras. 29 – 41)

- 3.2.4 The Neighbourhood Plan's transport policies promote the use of sustainable transport. Policy T1 seeks to improve connectivity within the village to allow easy access for pedestrians and cyclists to key locations in the village, into the surrounding countryside and to the public transport network. Policy T2 defines the strategic network of footpaths and cycle paths in the village and seeks to secure

improvements to the network. Policy T3 seeks to secure appropriate improvements to public transport services.

- 3.2.5 In addition, policy V1 encourages the use of sustainable transport by ensuring that key facilities are located within the village centre with easy access for pedestrians and cyclists. Policy V2 promotes improvements to the village centre with the aim of creating a pedestrian-friendly environment which minimises conflict between traffic and pedestrians and reduces street clutter.

Delivering a wide choice of high quality homes (NPPF paras. 47 – 55)

- 3.2.6 The Neighbourhood Plan's housing policies will deliver a wide choice of high quality homes and create a sustainable, inclusive and mixed community. Policies H1 and H2 provide a positive contribution to meeting housing needs while ensuring that infrastructure (in particular healthcare facilities, primary school places and sewerage capacity) is adequate to support housing growth in the future. Policy H3 provides for a mix of market housing types and sizes to reflect local needs. The Neighbourhood Plan does not have a specific policy for affordable housing but supports Rushcliffe Borough Council's target for building affordable homes and for the type of affordable housing in pursuit of the Plan's objective of creating a mixed and balanced community. Policy H7 does not allocate specific sites for future housing development but plans positively for growth by identifying a range of local constraints to be taken into account in siting future housing, which will ensure that East Leake remains a sustainable and distinct community.

Requiring good design (NPPF paras. 56 – 68)

- 3.2.7 Good design is integral to a range of Neighbourhood Plan policies. Policy H6 promotes best practice and use of national standards in the design and quality of new housing developments to help deliver East Leake's vision to remain an attractive, functional, and sustainable place to live. Policies T2 and E3 promote good design in the layout of new developments to ensure that they are properly integrated into the village's transport networks and that adequate green space is provided. Policies V1 and V2 ensure that good design having regard to the local and historic context is built into the development of the village centre so that the character and atmosphere of the centre is improved over time.

Promoting healthy communities (NPPF paras. 69 – 78)

- 3.2.8 A range of Neighbourhood Plan policies seek to ensure that East Leake is a healthy, inclusive community. Housing policies H1, H3 and H7 and transport policies T1 and

T2 promote “opportunities for meetings between members of the community who might not otherwise come into contact with each other; safe and accessible environments where crime and disorder do not undermine quality of life or community cohesion and safe and accessible developments, which encourage the active and continual use of public areas.” Policy H5 makes specific provision for measures to mitigate the effect of aircraft noise from the near-by East Midlands Airport in new housing developments.

- 3.2.9 Policies B1, V1 and V2 plan positively for the provision and use of community facilities and local services and adopt an integrated approach to the location of housing and these facilities and services. Policy E3 seeks to bring the countryside into the built environment; policy E4 designates 6 areas as Local Green Spaces. Leisure and Play policy L1 protects existing playing fields and promotes development of a large, modern, challenging play area in the centre of the village for all ages and abilities as well as the provision of smaller open play areas for younger children in new developments. Policy L2 protects existing allotments and encourages more.

Meeting the challenge of climate change, flooding and coastal change (NPPF paras. 93 – 108)

- 3.2.10 Policy H7 makes specific provision that new housing should not be sited on flood plain within Environment Agency Zones 2 and 3.

Conserving and enhancing the natural environment (NPPF paras. 109 – 125)

- 3.2.11 The Neighbourhood Plan’s environment policies contribute to and enhance the local natural environment by protecting valued landscape and minimising impacts on biodiversity. Policy E1 protects the character of the local landscape, specifically the undeveloped ridges surrounding the village which contribute to its rural character. It also identifies areas important for maintaining the separation of East Leake from neighbouring settlements. Policy E2 plans positively for the protection and enhancement of existing networks of biodiversity and green infrastructure. Policies E3 and E4 recognise the value of existing open green space for wildlife; encourage the provision of “green lungs” in new developments and the creation of mini green corridors into the surrounding countryside.

3.3 Achieving sustainable development

- 3.3.1 The NP 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

3.3.2 There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, the East Leake Neighbourhood Plan has been drafted to conform with the approved Rushcliffe Core Strategy, for which a sustainability appraisal has been carried out to help deliver sustainable development to Rushcliffe. This section of the Statement demonstrates how the East Leake Neighbourhood Plan fulfils the basic condition that the plan contributes to achieving sustainable development.

3.3.3 The NPPF sets out three dimensions to sustainable development:-

- 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 needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

3.3.3 The ways in which the East Leake Neighbourhood Plan contributes to achieving the economic, social and environmental aspects of sustainable development are set out below:-

- contributing to building a strong and competitive economy by supporting small businesses and development of the British Gypsum site for heavier industry and supporting the viability and vitality of the village centre.
- planning positively for housing growth to meet the needs of present and future generations and ensure that any development in East Leake is supported by additional infrastructure, where necessary, in order to make the village more sustainable.

- supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people and promote a healthy and inclusive community.
- supporting new development where it relates well to the existing built up area of the village and incorporates pedestrian and cycle links which provide good connectivity with the rest of the village and encourage the use of sustainable transport.
- promoting policies to protect open green spaces, locally important landscape features and biodiversity, which contribute toward the sense of community and quality of life in the area.
- promoting policies which encourage the use of sustainable transport by ensuring that key facilities are located within the village centre and encourage development of the centre in a way which benefits the health and well-being of the community.

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

3.4.1 The Neighbourhood Plan has been developed in general conformity with the strategic policies contained in Rushcliffe Borough's approved Core Strategy as set out below.

CS Policy 1: Climate Change

3.4.2 The Neighbourhood Plan policy H6 encourages good design and building standards which mitigate the effects of climate change. Policy H7 is in general conformity with the policy in the Core Strategy relating to development in areas in Flood Zones 2 and 3.

CS Policy 2: Spatial Strategy

3.4.3 The Neighbourhood Plan policy H1 conforms to the proposal in the Core Strategy for a minimum of 400 new homes to be located in East Leake over the development plan period. Policy H2 adopts a trajectory and phasing plan for the delivery of new homes in East Leake which aligns with that in the Core Strategy. The Neighbourhood Plan incorporates the proposed new housing sites from the Local Plan and commitment from recent planning permissions. These amount to 826 dwellings at December 2014, for which either building is already under way or planning consent has been granted or applied for or is subject to appeal. The NP does not seek to reduce this amount. However, where practical, it includes policies to influence phasing, housing mix, affordability, layout, design and connectivity in pursuit of overall sustainability.

CS Policy 4: Employment Provision and Economic Development

- 3.4.4 The Neighbourhood Plan policy B2 supports the Core Strategy's aim of encouraging economic development of an appropriate scale to diversify and support the rural economy. Policy B3 conforms with the specific proposal in the Core Strategy to encourage economic development associated with and including the expansion of the British Gypsum site.

CS Policy 5: The Role of Town and Local Centres

- 3.4.5 The Core Strategy identifies East Leake as a Local Centre within the hierarchy of retail centres and seeks to maintain and enhance the vitality and viability of Local Centres, including widening the range of uses whilst maintaining a strong retail character, environmental enhancements and improvements to access. The Neighbourhood Plan policy B1 supports the role of East Leake as a Local Centre. The proposals set out for the village centre in policies V1 and V2 address the Core Strategy's aim of maintaining and enhancing the vitality and viability of Local Centres.

CS Policy 7: Housing Size, Mix and Choice

- 3.4.6 The Neighbourhood Plan policy H3 conforms with the general approach set out in the Core Strategy that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create mixed and balanced communities. The specific mix of sizes of market homes set out in policy H3 is informed both by Rushcliffe Borough Council's most up to date assessment of housing needs and by a report commissioned by the Neighbourhood Plan group to assess the housing mix needed for East Leake.
- 3.4.7 The Neighbourhood Plan does not set a target for the proportion and type of affordable housing in developments in East Leake, which will be determined in line with the processes set out in the approved Core Strategy.

CS Policy 9: Design and Enhancing Local Identity

- 3.4.8 The Neighbourhood Plan policies H5, H6, T1, T2, E1 and V1 all support the design principles for new development set out in the Core Strategy. Policies H5 and H6 further support the assessment of development proposals against best practice and standards for design and sustainability. Policies T1 and T2 support the requirement in the Core Strategy that new development be assessed in terms of permeability and legibility to provide for clear and easy movement through and within new development areas. Policies E1 and V1 seek to enhance local identity and support the Core Strategy requirement that development must have regard to the local

context including valued landscape characteristics, and be designed in a way that conserves locally important heritage assets and preserves or enhances their settings.

CS Policy 11: Local Services and Healthy Lifestyles

- 3.4.9 The Neighbourhood Plan's policies B1 and V1 in relation to the provision of local services in the village centre align with the intention expressed in the Core Strategy that new, extended or improved community facilities should be located within Local Centres, where appropriate, and in locations accessible by modes of sustainable transport. The definition of community facilities in the Core Strategy embraces play facilities and allotments, which improve the health and well-being of residents of all ages and are the subject of the Neighbourhood Plan's policies L1 and L2.

CS Policy 13: Managing Travel Demand

- 3.4.10 The Core Strategy's overall priority of reducing the need to travel, especially by private car is supported by a range of Neighbourhood Plan policies. Policy H7 supports the Core Strategy aim of securing new development in the most accessible locations by ensuring that new development in East Leake is within 1.25 km walking distance of the village centre and that East Leake remains a compact settlement.
- 3.4.11 Transport policies T1 and T2 provide measures for a sustainable transport network to encourage walking and cycling for journeys within the village, while T3 supports improvements to the travel opportunities available on the public transport network as the village grows. Policies V1 and V2 further reduce the need for travel by locating essential community facilities in the village centre and proposing improvements to the centre which encourage the use of sustainable transport.

CS Policy 15: Green Infrastructure, Landscape, Parks and Open Space

- 3.4.12 The Neighbourhood Plan's Environment policies establish a local framework for implementing the strategic approach to the delivery, protection and enhancement of Green Infrastructure and landscape character set out in the Core Strategy. Policy E1 (supported by policy H7) protects locally important landscape (specifically the undeveloped ridges surrounding the village which contribute to its rural character) and also protects open space to maintain the separation of East Leake from neighbouring settlements.
- 3.4.13 Policy E2 defines and protects existing local Green Infrastructure. Policy E3 requires the inclusion of suitable green spaces within new housing developments and encourages the provision of new mini green corridors to help bring the countryside into the built environment. Policy E4 further protects locally important open green

spaces by designating Local Green Spaces as defined in the NPPF. Green Infrastructure in the form of playing fields and allotments is protected and enhanced through policies L1 and L2.

CS Policy 16: Biodiversity

- 3.4.14 The Neighbourhood Plan policy E2 protects existing local designated Biological Sites of Importance and seeks to ensure that new development provides new biodiversity features, wherever appropriate, in accordance with the overall strategy of increasing biodiversity set out in the Core Strategy.

CS Policy 17: Infrastructure

- 3.4.15 The Core Strategy recognises that new development must be supported by the required infrastructure. The Infrastructure Delivery Plan (IDP) states that there are no major infrastructure constraints on the delivery of the allocation of a minimum 400 additional houses in East Leake but also notes that further work is required for some aspects and that further reviews of the IDP will be required through Local Development Documents . Neighbourhood Plan policy H1 is in general conformity with this approach in respect of the minimum allocation of 400 houses. Policy H1 further requires that, for any additional developments above the minimum 400, it is demonstrated that the provision of improved infrastructure, including the Health Centre, Primary School places and sewerage capacity, can be achieved in time to serve the needs of the development and that a further review of infrastructure under part 2 of the Local Plan is undertaken by Rushcliffe Borough Council to cover any proposed number of houses over and above those sites for which planning permission has already been given.

CS Policy 18: Developer Contributions

- 3.4.16 The Core Strategy establishes the principle that developers should contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily. These may include transport infrastructure (including footpaths and cycleways); public transport (including services and facilities); open space (including play areas) and environmental improvements. Contributions can be made through direct provision or through a Community Infrastructure Levy or planning obligations.
- 3.4.17 Neighbourhood Plan policies set out local priorities for contributions arising from developments in East Leake as follows:-
- policy T2: improvements to strategic network of footpath and cycle links

- policy T3: improvements to public transport services
- policy L1: improvements to the main, large, play area in the centre of the village
- policy V2: improvements to the environment of the centre of the village

3.5 EU obligations

Strategic Environmental Assessment (SEA)

3.5.1 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

3.5.2 In the case of the East Leake Neighbourhood Plan:

- it does not allocate specific sites for development
- the neighbourhood plan area does not contain sensitive natural or heritage assets that may be affected by the proposals in the plan
- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and shown at Appendix 2
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Rushcliffe's Core Strategy.

3.5.3 In accordance with recommended good practice, a screening of the Neighbourhood Plan has been undertaken to determine whether a SEA is required. The screening process used is set out in Appendix 3 and the outcome of the screening is shown at Appendix 4. On the basis of this screening, the Project Team has concluded that the Neighbourhood Plan does not require a SEA and is not in breach of the relevant EU

Directive. As shown in Appendix 5, Rushcliffe BC has confirmed agreement with the conclusion that a SEA is not required.

Habitats Directive

- 3.5.4 The Rushcliffe Core Strategy is required under European Directive 92/43/EEC to be subject to a Habitats Regulations Assessment (HRA). A HRA screening of the Core Strategy did not identify any significant effects arising from proposals within Rushcliffe. As shown in Appendix 5, Rushcliffe BC has confirmed agreement that an HRA is not required.
- 3.5.5 The Project Team therefore considers that the Neighbourhood Plan is not in breach of the EU Habitats Directive.

Convention on Human Rights

- 3.5.6 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights.

3.6 Other Basic Conditions

- 3.6.1 An additional basic condition is prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 that:-

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3) (either alone or in combination with other plans or projects).

- 3.6.2 Natural England has been consulted during the drafting of the Neighbourhood Plan and confirmed that there are no internationally or nationally designated nature conservation sites within East Leake. The Project Team therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.

Consultation

- 4.1 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. There was extensive consultation and engagement in identifying issues

and objectives and the draft Neighbourhood Plan has been consulted on 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 Statement of Consultation has been prepared by the East Leake Neighbourhood Plan Project Team and meets the requirements set out in Paragraph 15 (2) of the Regulations.

Appendix A: East Leake Neighbourhood Plan Policy Links			
ELNP Policy		NPPF	Approved RBC Core Strategy
H1	The number of new homes in relation to infrastructure	Delivering a wide choice of high quality homes Promoting healthy communities	Policy 2 Spatial Strategy Policy 17 Infrastructure
H2	Phasing the building of new homes over the Plan period	Delivering a wide choice of high quality homes	Policy 2 Spatial Strategy
H3	Sizes and types of homes to be built	Delivering a wide choice of high quality homes Promoting healthy communities	Policy 7 Housing Size, Mix and Choice
H4	Policy withdrawn		
H5	Measures against aircraft noise	Promoting healthy communities	Policy 9 Design and Enhancing Local Identity
H6	Good design and quality in new homes	Requiring good design	Policy 1 Climate Change Policy 9 Design and Enhancing Local Identity
H7	Suitability of sites for housing	Delivering a wide choice of high quality homes Promoting healthy communities Meeting the challenge of climate change, flooding and coastal change	Policy 1 Climate Change Policy 13 Managing Travel Demand Policy 15 Green Infrastructure, Landscape, Parks and Open Space
B1	Clustering a range of shops and services in village centre	Ensuring the vitality of town centres Supporting a prosperous rural economy	Policy 5 The Role of Town and Local Centres Policy 11 Local Services and Healthy Lifestyles

		Promoting healthy communities	
B2	Measures to support small businesses	Building a strong competitive economy Supporting a prosperous rural economy	Policy 4 Employment Provision and Economic Development
B3	Support for larger industry on Gypsum site	Building a strong competitive economy	Policy 4 Employment Provision and Economic Development
T1	Connectivity of new developments	Promoting sustainable transport Promoting healthy communities	Policy 9 Design and Enhancing Local Identity Policy 13 Managing Travel Demand
T2	Developing the network of foot and cycle paths	Promoting sustainable transport Requiring good design Promoting healthy communities	Policy 9 Design and Enhancing Local Identity Policy 13 Managing Travel Demand Policy 18 Developer Contributions
T3	Improving public transport	Promoting sustainable transport	Policy 13 Managing Travel Demand Policy 18 Developer Contributions
E1	Protecting green ridges and preventing coalescence	Conserving and enhancing the natural environment	Policy 9 Design and Enhancing Local Identity Policy 15 Green Infrastructure, Landscape, Parks and Open Space
E2	Preserving wildlife and rural heritage	Conserving and enhancing the natural environment	Policy 15 Green Infrastructure, Landscape, Parks and Open Space Policy 16 Biodiversity
E3	Green spaces in housing developments	Requiring good design Promoting healthy communities	Policy 15 Green Infrastructure, Landscape, Parks and Open Space

		Conserving and enhancing the natural environment	
E4	Designated “local green spaces”	Promoting healthy communities Conserving and enhancing the natural environment	Policy 15 Green Infrastructure, Landscape, Parks and Open Space
L1	Enhancing play facilities and playing fields	Promoting healthy communities	Policy 11 Local Services and Healthy Lifestyles Policy 15 Green Infrastructure, Landscape, Parks and Open Space Policy 18 Developer Contributions
L2	Support for allotments	Promoting healthy communities	Policy 11 Local Services and Healthy Lifestyles Policy 15 Green Infrastructure, Landscape, Parks and Open Space
V1	Priorities for land use in village centre	Ensuring the vitality of town centres Promoting sustainable transport Requiring good design Promoting healthy communities	Policy 5 The Role of Town and Local Centres Policy 11 Local Services and Healthy Lifestyles Policy 13 Managing Travel Demand
V2	Improvements to Gotham Road T-junction	Ensuring the vitality of town centres Promoting sustainable transport Requiring good design Promoting healthy communities	Policy 5 The Role of Town and Local Centres Policy 9 Design and Enhancing Local Identity Policy 13 Managing Travel Demand Policy 18 Developer Contributions

Appendix 2

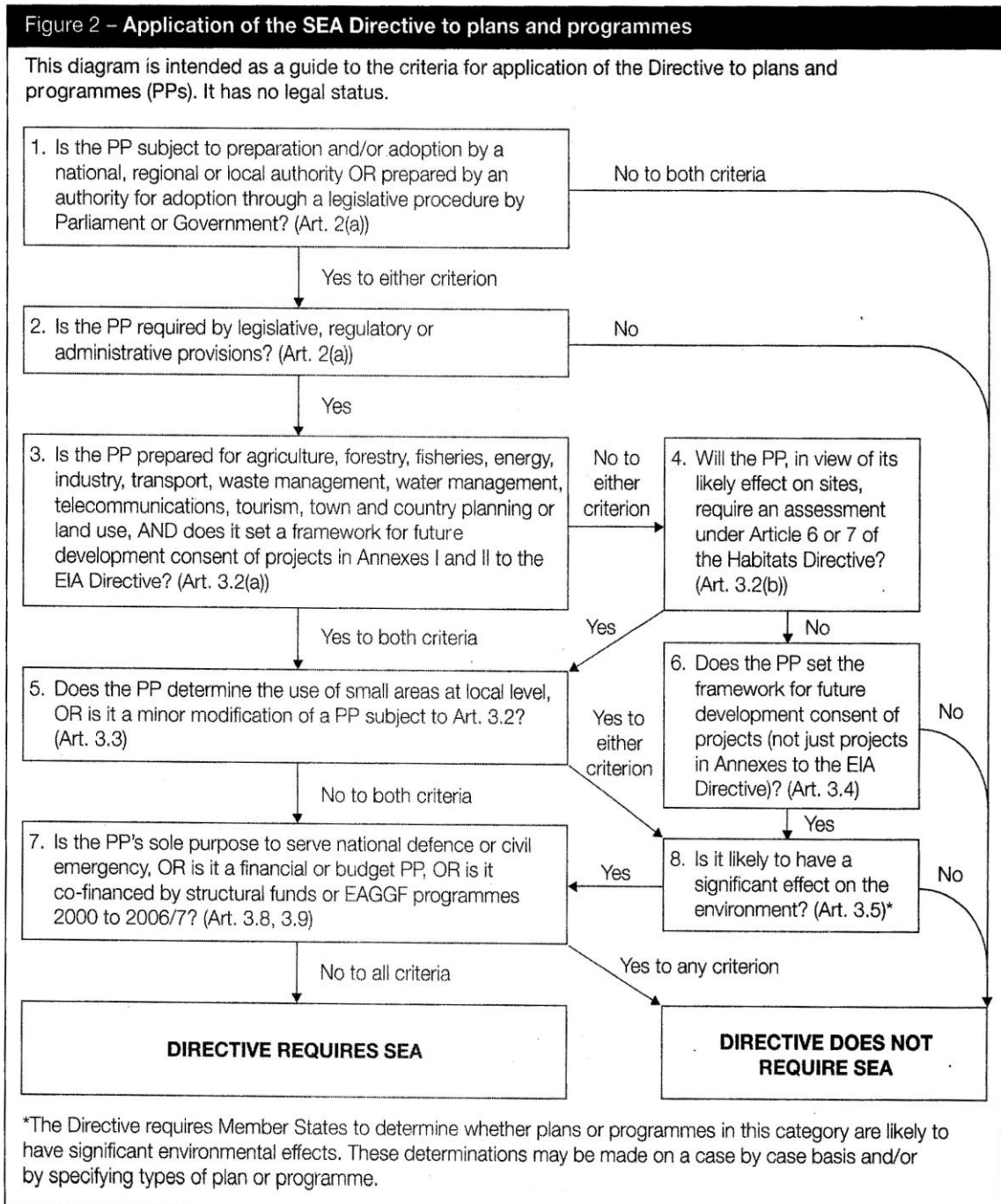
SCHEDULE 1

CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of plans and programmes, having regard, in particular, to—
 - (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) environmental problems relevant to the plan or programme; and
 - (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—
 - (a) the probability, duration, frequency and reversibility of the effects;
 - (b) the cumulative nature of the effects;
 - (c) the transboundary nature of the effects;
 - (d) the risks to human health or the environment (for example, due to accidents);
 - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - (f) the value and vulnerability of the area likely to be affected due to—
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
 - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

Appendix 3

The diagram below illustrates the process for screening a planning document to determine whether a full SEA is required.



Appendix 4

The table below shows the outcome of the screening process in Appendix 3 as applied to the East Leake Neighbourhood Plan (ELNP).

Stage	Y/N	Reason
1. Is the ELNP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The Neighbourhood Plan will be adopted by Rushcliffe Borough Council as part of the statutory development plan following a successful referendum with more than 50% 'yes' votes.
2. Is the ELNP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Communities have a right to produce Neighbourhood Plans but they are not required to do so by law or regulation. The ELNP, if adopted, would form part of the statutory development plan and it is considered necessary to answer the next questions to determine further if an SEA is required.
3. Is the ELNP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	No	Confirmed by Rushcliffe Borough Council. See Appendix 5.
4. Will the ELNP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	Screening by Rushcliffe BC of development sites in Core Strategy did not identify any impacts on habitats
6. Does the ELNP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes	The ELNP sets policies which planning applications within the plan area must adhere to.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	No likely significant effects upon the environment have been identified.
Directive does not require SEA		

Appendix 5

Text of e-mail from Phillip Marshall, Principal Policy Planner, Rushcliffe Borough Council, dated 16th December 2014.

Strategic Environmental Assessment

It is my opinion that given that the scope of policies contained within the neighbourhood plan do not involve the use of land, and that the policies are likely to be broadly in accordance within the Core Strategy once finalised (which has itself been subject to SEA through the Sustainability Appraisal process) I am satisfied that SEA is not required. This should also be confirmed by the three SEA bodies once the final draft plan and the basic conditions statement have been formally consulted upon once submitted to the Borough Council.

Habitats Regulations Assessment

It is my opinion that the Neighbourhood plan does not breach EU habitats directive as the policies within it have been developed from the Rushcliffe Core Strategy, which has been subject to HRA screening and scoping. The scoping exercise, which Natural England have agreed is appropriate, identifies that the Core Strategy will have no significant impact on sites or prospective sites covered by HRA regulations. Hopefully this should also be confirmed by Natural England once the final draft plan and the basic conditions statement have been formally consulted upon once submitted to the Borough Council.

Text of e-mail from Steven Osborne-James, Planning Policy Team, Nottinghamshire County Council dated 18th December 2014.

Based on current national guidance, the County Council is content that the East Leake Neighbourhood Plan covers the relevant minerals issues and is compatible with the existing adopted Nottinghamshire Minerals Local Plan and the emerging Minerals Local Plan. The County Council therefore has no objections.