



Werrington Neighbourhood Plan Evidence File

Basic Conditions



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**This report was compiled by the Werrington Neighbourhood Plan
Steering Group in October 2023**

1. INTRODUCTION

- 1.1 Under the Localism Act 2011 Neighbourhood Plans must meet certain 'basic conditions' before they can come into force. These will be tested through an independent examination and be checked by the local planning authority prior to proceeding to referendum. The basic conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, including human rights requirements; and
 - the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.2 When a Neighbourhood Plan is submitted to the local planning authority it must be accompanied by a basic conditions statement. The basic conditions statement needs to demonstrate how the NP meets each of the basic conditions. In addition, the statement needs to confirm that the Plan meets other legal requirements. The other legal requirements that a neighbourhood plan must satisfy are that:
- the qualifying body is authorized for the purpose of acting on behalf of the neighbourhood area.
 - the proposal meets the definition of a Neighbourhood Plan (as defined in the Act).
 - the proposed plan states the period which it is to have effect.
 - the policies in the proposed plan do not relate to 'excluded development.'
 - the proposed plan does not relate to more than one neighbourhood area; and
 - there are no other neighbourhood plans in place within the neighbourhood area.
- 1.3. The draft Werrington Neighbourhood Plan (WNP) was made available for public consultation in accordance with Regulation 14 of the Neighbourhood Planning Regulations 2012. Amendments to the policies were made as appropriate following the feedback received as is detailed in the accompanying Consultation Statement. The Neighbourhood Forum, as the qualifying body, will submit the plan proposal and accompanying documentation to Peterborough City Council as the Local Planning Authority.
- 1.4. This Basic Conditions Statement accompanies the submitted Werrington Neighbourhood Plan and sets out how it meets the basic conditions and other legal requirements including an assessment of the plan against each of the basic conditions.

2. MEETING LEGAL REQUIREMENTS

- 2.1. The WNP satisfies all additional legal requirements as required, specifically:
- the qualifying body is the Neighbourhood Forum for the designated area.
 - the WNP relates to land use and planning matters and therefore meets the definition of a Neighbourhood Plan.
 - the WNP states that it will have effect from 2024 to 2036.
 - the policies in the proposed plan do not relate to 'excluded development' such as minerals extraction or nationally significant infrastructure as defined in paragraph 1(1)(a) to (h) of Schedule 1 of the Town and Country Planning Act (1990).
 - the WNP does not relate to more than one neighbourhood area; and
 - there are no other neighbourhood plans in place within the neighbourhood area.

3. ASSESSMENT AGAINST NATIONAL POLICY

- 3.1. For the purpose of the NP the National Planning Policy Framework (NPPF) is considered to be the relevant National Policy. Table 1 lists the WNP policies and the NPPF paragraphs of relevance.

NP policy	NPPF policy	Assessment of relationship to national policy
WNP1 Spatial Strategy	Paragraphs 8, 124, 127, 130, 174	This policy supports development proposals enhancing the vibrancy and sustainability of Werrington but highlights infill development must be appropriate to scale and character of are and resist developments harming the openness and green space of the Lincoln Road 'garden zone' This supports the NPPF principle of requiring good design and the need to respond to local character
WNP2 High Quality Design	Paragraphs 8, 18, 28, 62, 92, 112, 127, 128, 130	This policy encourages good design in development in Werrington, by setting out a number of criteria that will guide development to ensure that it takes proper account of its context and contributes positively to the local character. It is also supportive of innovative design in the community. It is not overly prescriptive but allows for the consideration of a scheme proposed against the criteria as a means for its assessment. supports the NPPF principle of requiring good design; and the need to respond to local character and history of the local surroundings.
WNP3 Sustainable Construction and Energy Efficiency	Paragraphs 112, 148, 152, 154, 155, 156, 158.	This policy supports the NPPF aim of meeting the challenge of climate change by supporting the delivery of renewable energy development while ensuring that adverse impacts are addressed satisfactorily.
WNP4 Parking	Section 9	This policy seeks to address transport needs in Werrington, and includes problems of on-street parking, provision of adequate off-street spaces, electric car charging facilities. It also seeks adequate cycle and promotion of the use of bicycles as a sustainable mode of transport. It is considered to be consistent with national policy.
WNP5 Locally Important Views	Paragraphs 130, 174	This policy seeks to protect a number of valued views and landscapes identified as being significant to the community. In accordance with the NPPF, the planning system should contribute to and where possible; enhance the landscape.

NP policy	NPPF policy	Assessment of relationship to national policy
WNP6 Natural Habitats	Paragraphs 153, 179 Section 15	This policy promotes the enhancement of green networks and seeks to protect natural features that provide an important habitat for wildlife. This has regard to the NPPF principles conserving and enhancing the natural environment
WNP7 Local Green Spaces	Paragraphs 101 – 103	This policy identifies six Local Green Spaces. Protection of Local Green Spaces identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.
WNP8 Former Sports Ground, Fulbridge Road	Paragraphs 110, 111, 124, 127, 130 174	This policy seeks to protect the amenity of the surrounding houses in the event of development of this site. This supports the NPPF principles
WNP9 Recreational Facilities	Paragraphs 20, 28, 84, 92, 93, 186	This policy supports the delivery of new recreational facilities or extensions to existing facilities and resists the loss of key facilities. The retention of these facilities is important for facilitating social interaction and creating a healthy, inclusive community. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.
WNP10 Footpaths and Cycleways	Paragraphs 8, 92, 100, 106, 110-113	This policy seeks to protect the existing public rights of way and promotes proposals to improve or extend them, or to deliver new public rights of way. It also seeks to ensure that new developments include safe and suitable access for all pedestrians to access the wider footpath network. This supports the NPPF aims of promoting sustainable transport and promoting healthy communities
WNP11 Business	Paragraphs 20, 81-83, 112	This policy seeks to encourage local employment opportunities whilst ensuring that business development is appropriately placed and does not adversely affect those around or the character of the area. Promoting access to employment is a key element in the pursuance of sustainable development as outlined by the NPPF

3.2. Table 1 shows how each of the policies in the WNP reflects national priorities in the NPPF. In many cases the policies provide a local framework to deliver the goals within national policy. The WNP is considered to have regard to the policies of the NPPF.

4. ASSESSMENT AGAINST THE STRATEGIC POLICIES OF THE ADOPTED LOCAL PLAN

- 4.1. The basic conditions require that a NP must be in general conformity with strategic policies of the Development Plan for the area. For Werrington, the Development Plan is made up of the Peterborough Local Plan (2019), the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).
- 4.2. The NPPF defines what are considered to be strategic policies in paragraph 20: these are:
 - a) Housing (including affordable housing) employment, retail, leisure, and other commercial development,
 - b) Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat).
 - c) Community facilities (such as health, education, and cultural infrastructure) and
 - d) Conservation and enhancement of the natural, built, and historic environment including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaption.
- 4.3. Using these criteria as a basis, it is possible to review the Development Plan for Peterborough to identify the strategic policies relevant to Werrington.
- 4.4. The Peterborough Local Plan (2019) allocated one housing site in Werrington which has not yet been started. It also provided a framework for the delivery of other strategic priorities through a number of thematic policies.
- 4.5. There are no strategic policies or allocations affecting the neighbourhood area in the Minerals and Waste plans, so these parts of the Development Plan have not been considered further in this assessment.
- 4.6. The assessment in the table below considers the conformity of the WNP with all policies that are considered to be strategic in the Development Plan.

NP policy	Local plan policy	Assessment of conformity to local plan policies
WNP1 Spatial Strategy	LP13 LP16 LP17 LP27	This policy supports development proposals enhancing the vibrancy and sustainability of Werrington but highlights infill development must be appropriate to scale and character of are and resist developments harming the openness and green space of the Lincoln Road ‘garden zone’ LP13 requires ‘provision has been made for safe, convenient and sustainable access to, from and within the site’. LP16 and LP17 promote appropriate development for the area protecting amenity of existing occupiers. LP 27 safeguards the landscape character of the area.
WNP2 High Quality Design	LP8 LP9 LP16,	This policy encourages good design in development in Werrington, by setting out a number of criteria that will guide development to ensure that it takes proper account of its context and contributes positively to the local character. It is also supportive of innovative design in the community. This support LP8 Meeting Housing Needs, LP9 Custom Build, Self-build, and Prestige Homes and LP16 Design and the Public Realm

NP policy	Local plan policy	Assessment of conformity to local plan policies
WNP3 Sustainable Construction and Energy Efficiency	LP1 LP31	This policy supports the challenge of climate change by supporting the delivery of renewable energy development while ensuring that adverse impacts are addressed satisfactorily. This upholds the principals outlined in LP1 Sustainable Development and LP31 Renewable and Low Carbon Proposals
WNP4 Parking	LP13 LP7 LP31 and Appendix C	This policy provides some specific requirements for Werrington. It promotes the provision of on-plot, off-street development but it allows flexibility for under provision or alternative forms of parking where it is most appropriate for the scheme. It builds on the provision of LP13 and the Local Plan Parking Standards. This policy also seeks for adequate cycle storage to be incorporated within development proposals. It promotes the use of bicycles as a sustainable mode of transport through the safe and secure storage being provided in schemes. It supports the promotion of reduced car use (LP13), improved health and well-being (LP7) and potential for reducing carbon impact of travel (LP31).
WNP5 Locally Important Views	LP19 LP27	This policy seeks to protect a number of valued views and landscapes identified as being significant to the community. The policy maintains the local character of Werrington required under LP19 and safeguards important views as required under LP27
WNP6 Natural Habitats	LP1 LP22 LP27 LP28	This policy promotes the enhancement of green networks and seeks to protect natural features that provide an important habitat for wildlife. Identifies Local Sites in Helpston in accordance with LP28 In line with Peterborough's Environmental ambitions and enhancing net biodiversity gain requirements of LP28. Mitigation measures improve Green Infrastructure Networks under LP22. Improve/ provide green infrastructure in line with LP22, protect and provide mitigation for landscape character LP27
WNP7 Local Green Spaces	LP23	This policy identifies six Local Green Spaces. Protects Local Green Space for Werrington in accordance with LP23.
WNP8 Former Sports Ground, Fulbridge Road	LP13 LP16 LP17 LP27	This policy seeks to protect the amenity of the surrounding houses in the event of development of this site. LP16 and LP17 promotes appropriate development for the area protecting amenity of existing occupiers. LP 27 safeguards the landscape character of the area. LP13 requires 'provision has been made for safe, convenient and sustainable access to, from and within the site'.
WNP9 Recreational Facilities	LP21, LP30	This policy supports the delivery of new recreational facilities or extensions to existing facilities and resists the loss of key facilities. The retention of these facilities is important for facilitating social interaction and creating a healthy, inclusive community. This supports new community facilities in line with LP30 and recognises the need for new play and recreation facilities in Werrington supporting LP21

NP policy	Local plan policy	Assessment of conformity to local plan policies
WNP10 Footpaths and Cycleways	LP22,	This policy seeks to protect the existing public rights of way and promotes proposals to improve or extend them, or to deliver new public rights of way. It also seeks to ensure that new developments include safe and suitable access for all pedestrians to access the wider footpath network. This protects and promotes a Green Infrastructure (LP22), promotes reduced car use (LP13), improved health and well-being (LP7) and potential for reducing carbon impact of travel (LP31).
WNP11 Business	LP4, LP7, LP13, LP31	This policy seeks to encourage local employment opportunities whilst ensuring that business development is appropriately placed and does not adversely affect those around or the character of the area. This supports requirements of Employment Development (LP4). It promotes reduced car use (LP13), improved health and well-being (LP7) and potential for reducing carbon impact of travel (LP31).

4.7. As is shown in the above table, all of the policies in the WNP support one or more of the Local Plan policies and in many instances the WNP policies build on the Local Plan policies to include more local detail. There are not considered to be any areas of conflict between policies in the two plans and it can be concluded that the WNP is in general conformity with the strategic policies of the Local Plan.

5. SUSTAINABILITY ASSESSMENT

5.1 The WNP is required to contribute to the achievement of Sustainable Development under the basic conditions. Paragraph 8 of the NPPF states: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure.
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built, and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.2 For each of the three categories the Policies of the WNP are considered to contribute to the delivery of sustainable development. Table 3 lists the WNP policies and measures them against the three strands of sustainable development.

NP policy	Economic	Social	Environment
WNP1 Spatial Strategy	Neutral	Very positive	Very positive
WNP2 High Quality Design	Very positive	Very positive	Very positive
WNP3 Sustainable Construction and Energy Efficiency	Neutral	Very positive	Very positive
WNP4 Parking	Positive	Positive	Positive
WNP5 Locally important views	Neutral	Very positive	Very positive
WNP6 Natural Habitats	Neutral	Very positive	Very positive
WNP7 Local Green Spaces	Neutral	Very positive	Very positive
WNP8 Former playing fields, Fulbridge Road	Neutral	Positive	Positive
WNP9 Recreational facilities	Positive	Very positive	Positive
WNP10 Footpaths and cycleways	Neutral	Very positive	Very positive
WNP11 Business	Very Positive	Very positive	Neutral

6. COMPATIBILITY WITH EU OBLIGATIONS AND MEETING OTHER PRESCRIBED CONDITIONS

6.1. Strategic Environmental Assessment (SEA)

6.1.1 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment (SEA) 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.

6.1.2 A screening opinion was issued by Peterborough City Council with which determined that a full SEA would not be required. The statutory consultees, Environment Agency, Historic England, and Natural England, concurred with this conclusion.

6.2 Habitats Directive

6.2.1 Peterborough City Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan and concluded that an HRA was not required. The statutory consultees concurred with this conclusion.

6.3 Convention on Human Rights

6.3.1 Werrington Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. Werrington Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

6.3.2 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the Appendix in the Consultation Statement. The Consultation Statement has been prepared by Werrington Area Forum and meets the requirements set out in Paragraph 15 (2) of the Regulations.

7. CONCLUSION

This Basic Conditions Statement demonstrates that the Werrington Neighbourhood Plan meets the basic conditions as required under legislation. It also satisfies the legal requirements and has followed the process as prescribed by legislation, including consultation with the community and other prescribed bodies. Further information about this consultation is available in the Consultation Statement which also accompanies the submitted WNP.