

Shifnal Town Council

Shifnal Neighbourhood Plan 2014-2026 Basic Conditions Statement



December 2015

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1 INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Shifnal Neighbourhood Plan (SNP) has been prepared in accordance with the Neighbourhood Planning General Regulations 2015 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.
- 1.2 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.3 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
 - the making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
 - the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Supporting documents and evidence

- 1.4 The SNP is supported by a Consultation Statement and this Basic Conditions Statement.

Key statements

- 1.5 Shifnal Town Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The SNP expresses policies that relate to the development and use of land only within the neighbourhood area.
- 1.6 The neighbourhood area is contiguous with the parish boundary, as shown in the map accompanying the neighbourhood area designation application.
- 1.7 The SNP covers the period from 2014 to 2026.
- 1.8 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 1.9 The SNP does not relate to more than one neighbourhood area. It is solely related to the area of Shifnal as designated by Shropshire Council on 20th October 2014.
- 1.10 There are no other Neighbourhood Development Plans in place for the Shifnal neighbourhood area.

2 CONFORMITY WITH NATIONAL PLANNING POLICY

2.1 It is required that the Shifnal Neighbourhood Plan (SNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF).

National Planning Policy Framework

2.2 The NPPF in sections 183-185 refers to Neighbourhood Development Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

2.3 This section demonstrates that the SNP has regard to relevant policies within the NPPF in relation to:

- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

2.4 The SNP has 18 principal objectives. We summarise them in Table 2.1 below and which NPPF goals each objective seeks to address.

2.5 Table 2.2 then provides a summary of how each policy in the SNP conforms specifically to the NPPF.

Table 2.1: Assessment of SNP objectives against NPPF goals

| SNP Objective | Relevant NPPF goal |
|---|----------------------------|
| The existing Green Belt around the town should be retained | Protecting Green Belt land |
| Development should be focused within the settlement boundary of the town | Protecting Green Belt land |
| The design of any new housing in Shifnal should be in keeping with and improve upon good design in the town, provide varied and interesting frontages and incorporate design features found in the vicinity of the site | Requiring good design |

| SNP Objective | Relevant NPPF goal |
|--|--|
| New housing should meet the needs of Shifnal, particularly in respect of providing more smaller dwellings for first-time buyers and older people | Delivering a wide choice of high quality homes |
| Encourage the provision of additional care home places to meet the needs of older people | Delivering a wide choice of high quality homes |
| The road network should be improved to accommodate the extra local traffic generated by the new housing developments as well as through traffic | Promoting sustainable transport |
| Adequate public car parking should be provided in the town centre | Ensuring the vitality of town centres |
| Encourage the provision of and improvements to pedestrian and cycle routes into and around the town to support a more sustainable and safer environment, reduce reliance on the car and offer healthier life style options | Promoting sustainable transport |
| Improve the provision of bus and rail services and infrastructure in order to increase public transport movements | Promoting sustainable transport |
| Any new development should not adversely affect the market town character of Shifnal | Conserving and enhancing the historic environment |
| Encourage and support re-use or redevelopment of derelict, unused and vacant sites and buildings to protect and enhance the character of the town | Ensuring the vitality of town centres Conserving and enhancing the historic environment |
| A new health centre should be provided to meet the health needs of existing residents and the new households coming to live in the town | Promoting healthy communities |
| Better opportunities for leisure should be provided for everyone in the community | Promoting healthy communities |
| Existing parks, play areas, playing fields and open spaces should be retained and additional open space areas provided | Promoting healthy communities |
| Any new development should seek to reduce flood risk and should not adversely affect drainage and flooding in the town | Meeting the challenge of climate change, flooding and coastal change |
| Existing employment land should be retained and new employment opportunities encouraged within the town | Building a strong, competitive economy Ensuring the vitality of town centres |
| Provide for and enhance existing facilities and support initiatives to attract visitors and tourists to the town | Building a strong, competitive economy |
| Rural farming activities should be protected and encouraged | Supporting a prosperous rural economy |

Table 2.2: Assessment of how each policy in the SNP conforms to the NPPF

| No. | Policy title and reference | NPPF ref. (para.) | Commentary |
|-----|---|-------------------------------|--|
| 1 | SL1: Green belt, Safeguarded land and Shifnal Settlement Boundary | 17, 79, 81, 84, 85 55, 109 | Reinforces the aims of green belt policy and supports retention of the boundary in the Core Strategy and SAMDev. Defines the built up area boundary to ensure consistency with the need to deliver housing and to protect the open countryside beyond the urban edge from inappropriate uses. |
| 2 | HG1: Design of residential development | 7, 9, 17, 56, 58, 60, 63, 64 | Seeks to ensure that housing development is not out of keeping with the design of surrounding housing, without stifling good or innovative design. |
| 3 | HG2: Housing mix | 7, 50, 54 | Addresses the need for a mix of dwelling sizes – and particularly a greater proportion of smaller dwellings than has been delivered in the past - in order to provide for local needs. |
| 4 | HG3: Care home provision | 7, 50, 54 | Addresses the specific housing and care needs identified for older people and the ageing population. |
| 5 | TM1: Highway improvements | 30, 32 | Seeks to ensure that developments do not have a cumulative severe impact on the highway network and permit safe access by pedestrians. |
| 6 | TM2: Pedestrian access and walkway routes | 23, 29, 30, 41 | Seeks to improve access to key facilities within Shifnal and ensure that non-car users have alternative routes to the existing road network. Identifies specific key routes to achieve this. |
| 7 | TM3: Cycle routes and infrastructure | 17, 29, 30, 35 | Seeks to improve access to key facilities within Shifnal and ensure that non-car users have alternative routes to the existing road network. |
| 8 | TM4: Bus infrastructure | 17, 30, 35 | Encourages the improvement of all types of bus provision as a means of reducing car usage and the associated greenhouse gas emissions and congestion that is created. |
| 9 | TM5: Rail infrastructure | 17, 30, 35 | The Plan seeks to improve access to Shifnal Railway Station as a means of increasing usage and thereby reducing car movements for longer distance journeys. |
| 10 | TM6: Car parking in Shifnal Town Centre | 17, 35, 40 | Seeks to protect the current levels of parking in Shifnal Town Centre in order to help ensure the continuing vitality of the retail and service offer. |
| 11 | CH1: Derelict and empty buildings | 7, 17, 126, 128, 133, 135 | Seeks to encourage the re-use of derelict buildings within the settlement area provided they do not have an unacceptable impact on the heritage of Shifnal, in particular in the Conservation Area. |

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| No. | Policy title and reference | NPPF ref. (para.) | Commentary |
|-----|---|-----------------------|--|
| 12 | HL1: New medical facility, land at corner of Haughton Road/Newport Road | 17, 70 | Seeks to provide for the increasing medical needs of the growing community of Shifnal by allocating a site for a new facility. |
| 13 | LE1: Existing leisure uses | 7, 37, 70, 73, 74 | Seeks to protect against the loss of leisure facilities that are important to the well-being of residents in Shifnal. |
| 14 | LE2: Provision of additional leisure uses | 7, 34, 37, 70, 73 | Seeks to promote the provision of additional leisure facilities and ensure that they are provided sustainably in terms of their accessibility by the local community. |
| 15 | LE3: Shifnal Town Park | 7, 34, 37, 70, 73 | Identifies and provides for a new leisure facility to provide for informal recreational needs whilst ensuring that it is accessible by non-car modes. |
| 16 | EN1: Protection and maintenance of Local Green Spaces | 7, 37, 73, 74, 76, 77 | Makes use of the provision for making a designation and applies the site selection criteria. |
| 17 | EN2: Loss of public open space | 7, 37, 73, 74 | Seeks to protect existing public open space, ensuring that any re-provision addresses key criteria in terms of its accessibility, function and value to the community. |
| 18 | EN3: Flood risk management | 99, 100, 103 | Seeks to ensure that development does not worsen the impacts from flooding and ensures that the flood attenuation network is protected. |
| 19 | EC1: Primary Shopping Area | 7, 9, 23, 56, 58, 67 | Defines the extent of the primary shopping area and seeks to prevent it from uses that would affect the vitality and viability of the town centre. |
| 20 | EC2: Shopfront signage within the Primary Shopping Area | 7, 9, 17, 58, 67 | Seeks to ensure that shopfront signage does not detract from the aesthetic value of the town centre and hence impact on its vitality. |
| 21 | EC3: Visitor and tourist economy | 28 | Seeks to support the opportunities for Shifnal to enhance its role as a tourist destination. |
| 22 | EC4: Protection of existing commercial premises or land | 7, 17, 21, 22, 28 | Seeks to protect commercial land and premises that is valuable in maintaining the vitality of the local economy. |

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| No. | Policy title and reference | NPPF ref. (para.) | Commentary |
|-----|--|-------------------|--|
| 23 | EC5: Small-scale commercial development | 17, 20, 28 | Strongly supports the provision of small-scale, start-up units which will address a growing need and opportunity for micro-businesses to flourish in Shifnal. |
| 24 | EC6: Rural commercial activities and agricultural land | 112 | Seeks to protect the highest quality land that the NPPF classes as 'best and most versatile' (i.e. only grades 1 and 2) and only to use this for development where it can be demonstrated that it is no longer viable for agriculture. |

3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

- 3.1 The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking.'
- 3.2 Table 3.1 below summarises how the objectives and policies in the SNP contribute towards sustainable development, as defined in the NPPF.

Table 3.1: Assessment of SNP objectives and policies against sustainable development

| Deliver Economic Sustainability | |
|--|--|
| <i>NPPF Definition – 'Contribute to building a strong, responsive economy'</i> | |
| SNP Objectives | <ul style="list-style-type: none"> Existing employment land should be retained and new employment opportunities encouraged within the town Provide for and enhance existing facilities and support initiatives to attract visitors and tourists to the town Rural farming activities should be protected and encouraged |
| SNP Policies | EC1 Primary Shopping Areas EC3 Visitor & Tourist Economy EC4 Protect Existing Commercial Premises and Land EC5 Small Scale Commercial Development EC6 Rural Commercial Activities and Agricultural Land |
| SNP Comments | The SNP seeks to enhance the vitality and viability of the town centre, to expand the business base and to increase tourism. In particular it seeks to protect the retail sector in the town and places a focus on the expansion of micro-businesses and ensuring that their needs are catered for. |
| Deliver Social Sustainability | |
| <i>NPPF Definition – 'Support strong vibrant and healthy communities'</i> | |
| SNP Objectives | <ul style="list-style-type: none"> The existing Green Belt around the town should be retained Development should be focused within the settlement boundary of the town New housing should meet the needs of Shifnal, particularly in respect of providing more smaller dwellings for first-time buyers and older people Encourage the provision of additional care home places to meet the needs of older people Encourage the provision of and improvements to pedestrian and cycle routes into and around the town to support a more sustainable and safer environment, reduce reliance on the car and offer healthier life style options Any new development should not adversely affect the market town character of Shifnal A new health centre should be provided to meet the health needs of existing residents and the new households coming to live in the town Better opportunities for leisure should be provided for everyone in the community |
| SNP Policies | SL1 Green Belt, Safeguarded Land and Shifnal Settlement Boundary HG2 Housing Mix HG3 Care Home Provision TM2 Pedestrian Access & Walkway Routes TM3 Cycle Routes & Infrastructure CH1 Derelict & Empty Buildings HL1 New Medical Facility LE1 Existing Leisure Uses LE2 Provision of Additional Leisure Uses |

| | |
|---|---|
| | LE3 Shifnal Town Park |
| SNP Comments | The SNP seeks to maintain a thriving community within Shifnal, recognising that the community has certain social infrastructure needs (particularly in respect of health and leisure provision) that must be addressed. This it seeks to achieve by allocating sites for a new medical facility and a new town park, seeking to protect existing leisure assets and encouraging walking and cycling. It also seeks to maintain the character and vitality of the town which includes protecting the Green Belt providing a green lung around the town. Housing meeting the needs of the local community is supported. |
| Deliver Environmental Sustainability | |
| <i>NPPF Definition – 'Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change'</i> | |
| SNP Objectives | <ul style="list-style-type: none"> • The design of any new housing in Shifnal should be in keeping with and improve upon good design in the town, provide varied and interesting frontages and incorporate design features found in the vicinity of the site • The road network should be improved to accommodate the extra local traffic generated by the new housing developments as well as through traffic • Adequate public car parking should be provided in the town centre • Encourage and support re-use or redevelopment of derelict, unused and vacant sites and buildings to protect and enhance the character of the town • Existing parks, play areas, playing fields and open spaces should be retained and additional open space areas provided • Any new development should seek to reduce flood risk and not adversely affect drainage and flooding in the town |
| SNP Policies | HG1 Design of Residential Development TM1 Highway Improvements TM4 Bus Infrastructure TM5 Rail Infrastructure TM5 Car Parking in Shifnal Town Centre EN1 Protection and Maintenance of Local Green Spaces EN2 Loss of Public Open Space EN3 Flood Risk Management EC2 Shopfront Signage within the Primary Shopping Area |
| SNP Comments | The SNP seeks to protect the character of the town by requiring good design of new development and by designating certain spaces as local green spaces of importance to the local community. It seeks to reduce flood risk, avoid adverse impacts of flooding and places a focus on reducing traffic congestion and travel by the private car to reduce carbon emissions. |

3.3 As demonstrated in Table 3.1, the strategic objectives of the Neighbourhood Development Plan are considered to comprise a balance of social, economic and environmental goals.

3.4 Shropshire Council considered that a Strategic Environmental Assessment (SEA) was not required because the SNP is not likely to have a significant impact upon the environment.

4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

- 4.1 The development plan currently consists of the following:
- 2011 Shropshire Core Strategy
 - 2000 Shropshire County Council and Telford & Wrekin Minerals Local Plan
 - 2004 Shropshire County Council Waste Local Plan
- 4.2 The policies of relevance are shown in Table 4.1 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the SNP is in general conformity with them.
- 4.3 In addition, it is appropriate to consider the policies in the Shropshire Council Site Allocations and Management of Development (SAMDev). We have also therefore considered the relevant policies in the SAMDev in Table 4.1.
- 4.4 Any policy that is not identified in Table 4.1 is not considered to be relevant to the SNP because the SNP does not have any policies that directly relate to it.
- 4.5 It is confirmed that there are no policies in either the 2000 Shropshire County Council and Telford & Wrekin Minerals Local Plan or the 2004 Shropshire Waste Local Plan that the SNP policies have any relevance to.

Table 4.1: Relevant strategic policies in the Shropshire Council Development Plan Documents

| Local Plan Policy | SNP policy |
|--|--|
| Shropshire Core Strategy | |
| CS3: The Market Towns and Other Key Centres | <p>Policies HL1 and LE2 facilitate the provision of key services and leisure facilities to support the growth of Shifnal as a market town.</p> <p>On a similar theme, Policies TM4 and TM5 seek to enhance key transport infrastructure that will support Shifnal's role.</p> <p>Policies EC4 and EC5 seek to assist in enhancing Shifnal's role as a market town that provides employment.</p> <p>Policy HG1 seeks to ensure that the design of housing development respects the town's distinctive character.</p> |
| CS5: Countryside and Green Belt | <p>Policy SL1 reinforces the aims of the policy for green belt and supports retention of the boundary in the Core Strategy.</p> <p>Policy EC6 specifically focuses on uses in the countryside and the loss of agricultural land.</p> |
| CS6: Sustainable Design and Development Principles | <p>Policy HG1 seeks to ensure that the design of housing development represents a sustainable design which has regard to issues specific to Shifnal.</p> |
| CS7: Communications and Transport | <p>Policies TM1 to TM5 seek to promote a range of methods that reduce the reliance on the private car and also ensure that congestion does not reach unacceptable levels. It recognises the role of buses and rail travel as a means of achieving this, as well as walking and cycling.</p> |
| CS8: Facilities, Services and Infrastructure Provision | <p>Policies TM1 to TM5 seek to improve access to key services, including the local schools and the town centre.</p> <p>Policy HL1 enables the provision of a new medical centre, this being a key facility to serve the community.</p> <p>Policies LE1 to LE3 facilitate the protection of existing leisure facilities serving the town and the provision of a new town park to address the needs arising from growth.</p> <p>Policies EN1 and EN2 seek to protect key green infrastructure assets used by the community.</p> <p>Policy EN3 preserves the environment in terms of the impact of flooding arising from new development.</p> |
| CS11: Type and Affordability of Housing | <p>Policy HG2 specifically identifies the mix of housing required from new development to address needs.</p> |

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| Local Plan Policy | SNP policy |
|---|--|
| CS13: Economic Development, Enterprise and Employment | Policies EC2, EC4 and EC5 seek to help develop Shifnal's role as a key service centre providing employment. Firstly it protects the existing employment base and then it identifies specific types of business needs that will be accommodate to help foster and grow the business base. |
| CS15: Town and Rural Centres | Policy TM6 protects the existing car parking serving the town centre. Policy CH1 actively looks to encourage existing derelict buildings in the town back into use which will improve the viability and vitality of the town as a whole. |
| CS16: Tourism, Culture and Leisure | Policy EC3 seeks to support and enhance the visitor economy of Shifnal, thereby improving Shropshire's overall offer as a tourist destination. |
| CS17: Environmental Networks | Policy CH1 seeks to protect and enhance the heritage of Shifnal's built environment. Policies EC1 and EC2 specifically seek to protect its town centre retail offer and to ensure that new signage fits in with the heritage and attractiveness of the existing shopfronts. |
| CS18: Sustainable Water Management | Policy EN3 actively seeks to address drainage and flooding issues, including the reduction of flood risk and avoiding the loss of open watercourses. |
| Shropshire SAMDev | |
| MD2: Sustainable Design | <p>Policy HG1 seeks to ensure that the design of housing development represents a sustainable design which has regard to issues specific to Shifnal.</p> <p>Policy CH1 seeks to protect and enhance the heritage of Shifnal's built environment.</p> <p>Policies LE3, EN1 and EN2 seek to protect the existing green infrastructure capacity that Shifnal has as well as providing additional capacity in the form of a Town Park.</p> <p>Policy EN3 seeks to ensure that sustainable techniques are used to address flooding issues.</p> <p>Policy EC2 seeks to ensure that the character and heritage of shopfronts is preserved when new signage is proposed.</p> |
| MD3: Managing Housing Development | <p>Policy SL1 reinforces the aims of the policy for green belt and ensures the focus of new housing development is within the settlement boundary of the town.</p> <p>Policies HG1 provides guidance on appropriate design. Policy HG2 seeks to provide direction on the appropriate mix of housing to address needs.</p> |
| MD4: Managing Employment Development | Policies EC4 protects existing employment areas whilst providing flexibility where uses are genuine generators of employment. |
| MD6: Green Belt | Policy SL1 reinforces the aims of the policy for green belt. |

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| Local Plan Policy | SNP policy |
|---|--|
| MD7a: Managing Housing Development in the Countryside | Policy SL1 reinforces the aims of the policy for green belt and ensures that there is no specific identified development of residential uses in the green belt. |
| MD8: Infrastructure Provision | Policy TM1 seeks to ensure that there are necessary improvements to the highway infrastructure to support growth. Policy HL1 enables the provision of a new medical centre, this being a key element of infrastructure capacity to serve the community. |
| MD9: Protected Employment Areas | Policy EC4 reinforces the protection of existing employment areas and only allows alternative uses where it has been demonstrated that the existing employment uses are no longer viable. |
| MD10a: Managing Town Centre Development | Policy EC1 protects the Primary Shopping Area within Shifnal, this being a Category 'B' Centre. |
| MD11: Tourism Facilities and Visitor Accommodation | Policy EC3 provides general support for the provision of new tourism facilities. |
| MD13: The Historic Environment | Policy CH1 seeks to protect and enhance the heritage of Shifnal's built environment, including its Conservation Area. |

5 DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS

- 5.1 The Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 In June 2015 the SNP Group submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and an Appropriate Assessment under the EU Habitats Regulations of the draft SNP. On 14th August 2015 Shropshire Council formally stated that neither an SEA nor an HRA was required. The formal opinion is included as part of the SNP submission.

6 CONCLUSION

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Shifnal Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Shifnal Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

