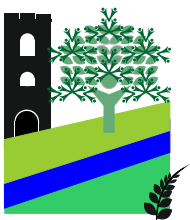


Fiskerton cum Morton Neighbourhood Plan 2018-2033

Basic Conditions Statement



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1. Introduction

- 1.1. This Basic Conditions Statement has been prepared in support of the Fiskerton cum Morton Neighbourhood Plan. It demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the Planning and Compulsory Purchase Act 2004, and the Neighbourhood Planning (General) Regulations 2012, and the Directive 2001/42/EC on Strategic Environmental Assessment
- 1.2. The Fiskerton cum Morton Neighbourhood Plan has been produced by the Fiskerton cum Morton Neighbourhood Steering Group on behalf of Fiskerton cum Morton Parish Council, a qualifying body as defined by the Localism Act 2011, and refers solely to the area within the Parish boundary (Figure 1). The Fiskerton cum Morton Neighbourhood Plan covers a Plan Period of 15 years, between 2018 and 2033.
- 1.3. The Fiskerton cum Morton Neighbourhood Development Plan does not relate to more than one neighbourhood area. It is solely related to the area of Fiskerton cum Morton as designated by Newark and Sherwood District Council on 15th March 2017. There are no other neighbourhood plans in place for the Fiskerton cum Morton neighbourhood area.
- 1.4. The plan was presented for Regulation 14 Consultation, in accordance with the Neighbourhood Plan Regulations 2012, between 20th January and 3rd March 2019. Some amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement'.
- 1.5. The Fiskerton cum Morton Neighbourhood Plan refers only to planning matters (use and development of land) and does not deal with 'county matters' (mineral extraction and waste development), nationally significant infrastructure or any other matter set out in Section 61K of the Town and Country Planning Act 1990.
- 1.6. This statement addresses each of the four "basic conditions" required by the Regulations and explains how the Fiskerton cum Morton Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. 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);
- The making of the neighbourhood development plan does not breach and is otherwise compatible with, EU obligations.

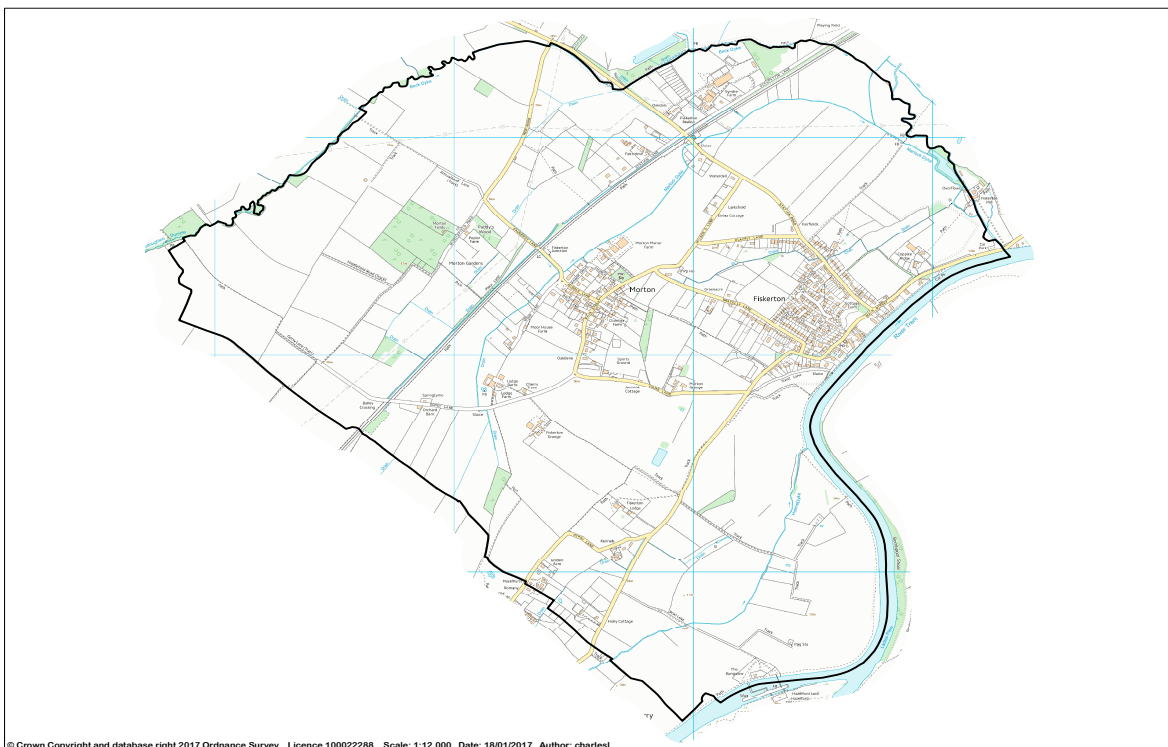


Figure 1. Designated Neighbourhood Area for the Fiskerton cum Morton Neighbourhood Plan

2. Conformity with the Basic Conditions

- 2.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the Fiskerton cum Morton Neighbourhood Plan against the principles of sustainable development, NPPF regulation, and the Local Plan policies of the Newark and Sherwood District Council (NSDC) 2011 Core Strategy and the current NSDC Draft Core Strategy (July 2017). The result of the Assessment of Compliance has been summarized in the tables below

Contribution to the achievement of Sustainable Development

- 2.2. The definition of sustainable development employed in the Assessment of Compliance has been derived from the NPPF's definition (*NPPF July 2018, paragraph 8*):

“Achieving sustainable development means that the planning system has 3 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):

- **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
- **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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Neighbourhood Plan's Policies' conformity with the definition of Sustainable Development”, sets out how the Neighbourhood Plan Policies are delivering Sustainable Development.

Conformity with National Policy

2.3. The Fiskerton cum Morton Neighbourhood Plan has been prepared having regard to national policies as set out in the National Planning Policy Framework (NPPF) of July 2018.

2.4. As a whole, the Neighbourhood Plan and the process to produce it have been designed to comply with the following specific paragraphs of the NPPF:

- Paragraph 13 of the NPPF - The application of the weighting against developments that conflict with the provisions of a neighbourhood plan has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- Paragraph 37 of the NPPF - General conformity with the strategic policies of the Local Plan: during the production of the Fiskerton cum Morton Neighbourhood Plan the Steering Group has consulted with the local planning authority in order to ensure that the Plan is in general conformity with the strategic policies of the NSDC 2011 Core Strategy and NSDC Draft Core Strategy (July 2017).
- Paragraph 125 of the NPPF – Develop a Shared Vision: the community of Fiskerton cum Morton has been actively engaged in developing a shared

vision for the future of the Parish.

- 2.5. The Fiskerton cum Morton Neighbourhood Plan has also taken account of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating neighbourhood plans.
- 2.6. Figure, 2 “Neighbourhood Plan's Objectives’ conformity with NPPF Goals” demonstrates how the objectives of the Fiskerton cum Morton Neighbourhood Development Plan have regard to relevant national policies within the NPPF in relation to:
- Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment.
- 2.7. Figure 3, “Neighbourhood Plan’s Policies’ conformity with NPFF provisions”, demonstrates in more details how each policy in the Neighbourhood Plan has regard to specific paragraphs of the NPPF, including a narrative explaining how conformity has been achieved.

Conformity with Strategic Local Policy

- 2.8. The Fiskerton cum Morton Neighbourhood Plan has been prepared in close collaboration with officers from Newark and Sherwood District Council. This has ensured that the process of developing the policies in the Fiskerton cum Morton

Neighbourhood Plan has been informed by the Core Strategy Adopted 2011 and the published Amended Core Strategy (July 2017).

- 2.9. The Basic Conditions set out in Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 require the Neighbourhood Plan to be in general conformity with the strategic policies contained in the development plan for the area. Since the majority of the Neighbourhood Plan was produced while the Amended Core Strategy (adopted March 2019) was still a Publication Amended Core Strategy (2017) under examination, the plan considered both the Core Strategy 2011 as well as the Amended Core Strategy Adopted March 2019. This document will demonstrate how the policies in the Neighbourhood Plan are in conformity with both documents.

The Core Strategy Adopted 2011

- 2.10. This document sets out the big issues that the council and public and private sector partners need to address over the next twenty years in Newark and Sherwood District. It sets a vision and objectives and a number of policies to help deliver the development and change identified.
- 2.11. Fiskerton cum Morton is classed as an 'other village' in the settlement hierarchy and development is decided against the sustainability criteria set out in Spatial Policy 3 Rural Areas.


Allocations and Development Management DPD Adopted 2013

- 2.12. The document sets out site allocations, designations and more detailed policies for determining planning applications. The DPD sits alongside the Core Strategy adoption of the DPD completed the replacement of the Local Plan.
- 2.13. The development management policies have relevance to the Neighbourhood Plan Area, in particular in regard to DM 5 Design, DM 6 Householder Development, DM 7 Biodiversity and Green Infrastructure, DM 8 Development in the Open Countryside, DM 9 Protecting and Enhancing the Historic Environment and DM 12 Presumption in Favour of Sustainable Development.

Amended Core Strategy Adopted March 2019

- 2.14. The NSDC web site states that “The main aim of this review is to ensure that the allocations and policies contained within the two DPDs continue to be appropriate, up-to-date and effective. The Inspector who examined our Allocations & Development Management DPD concluded that because the plan had been prepared during the recession that an early review should be conducted to test if the market had recovered enough to continue to deliver the various elements of the plan”.
- 2.15. The Amended Core Strategy sets out the District Council’s revised spatial policy framework for delivering the development and change needed to realise the District Council’s vision for the District up to 2033.
- 2.16. The production of the Amended Core Strategy went through several stages including an independent examination and is based on a wide-ranging evidence base. The document was adopted by the District Council on the 7 March 2019 and so now forms part of the Development Plan for the district; however, since during the preparation of the Plan this document was not adopted yet, the Policies in the plan has been designed to be consistent with both this Amended Core Strategy Adopted March 2019 and the Core Strategy Adopted 2011.
- 2.17. Figure 4, “Neighbourhood Plan conformity with the NSDC Core Strategy (2011 & 2019) and Allocations and Development Management DPD” provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the District’s Strategic Policies.

Conformity with the definition of Sustainable Development

NP Policy	Economic Factors	Social Factor	Environmental Factor	How Conformity is Achieved
FCM 1: Residential Development	✓	✓	✓	This Policy supports residential development on infill sites within the development footprints of Fiskerton and Morton: additional houses in the area will support the economic and social growth of the community, supporting additional commercial and community services in the villages. At the same time, the policy ensures that rural and environmentally-valued sites in the countryside are protected from development pressure.
FCM 2: Affordable Housing	✓	✓	-	This Policy seeks to address local issues connected with housing affordability and to ensure local residents' housing needs are fulfilled, especially the needs of those unable to afford market accommodation. Furthermore, by providing more affordable housing, starter homes and semi-detached houses, mainly aimed towards keeping families and younger populations in Fiskerton cum Morton, this Policy will have the secondary effect of supporting services and economic activities in the village.
FCM 3: Local Connection Criteria		✓	-	This policy will give priority in accessing affordable housing to applicants with a connection with the Parish, or otherwise local to the area and District: in doing so, it will ensure family connections and other forms of social connections are maintained, promoting sense of place and supporting the existing social capital.
FCM 4: Local Employment	✓	✓	-	This policy supports employment opportunities in the Parish and promotes tourism activities. Within the villages, some of the economic activities supported

NP Policy	Economic Factors	Social Factor	Environmental Factor	How Conformity is Achieved
				by the policy will deliver key services to the community. By promoting working from home, the Plan aims to promote Fiskerton and Morton as places to live and work, thus supporting the social and economic growth of the Parish as a whole.
FCM 5: Character and Design	✓	✓	✓	This policy ensures future development is located and designed sustainably and in a way that respects the existing character of the settlements. In doing so, it supports social and cultural wellbeing of the community through high-quality design, while ensuring housing and other needs are met. The policy protects and enhances the historic and natural environment in the Parish, protecting designated and non-designated buildings, existing mature tree and green features, and traditional features of the built environment. Protecting the character and attractiveness of the villages will have the secondary effect of promoting their value as tourism destinations, supporting related economic activities.
FCM 6: Views and Vista	-	✓	✓	Protection of important views contributes to maintaining and enhancing the character of the villages, and hence promotes a sense of place and community cohesion. Moreover, the protection of important views over the countryside, natural features, and historic sites helps to enhance and protect the historic and natural environment of the Parish. Protecting the character and attractiveness of the villages will have the secondary effect of promoting their value as tourism destinations, supporting related economic activities.

NP Policy	Economic Factors	Social Factor	Environmental Factor	How Conformity is Achieved
FCM 7: Community Facilities	✓	✓	-	Protection of existing and promotion of new community facilities has positive effects on the social and historic environment strands of sustainability. The social benefit of community facilities derives from their capacity to meet local residents' needs and thus to promote a cohesive community. Some of the community facilities identified are also businesses, offering employment opportunities whilst providing a community service.
FCM 8: Broadband	✓	✓	-	The promotion of high-speed broadband connection will promote working from home, enhancing the number of people working within the Parish. Moreover, it will improve access to information and internet services for the whole community.
FCM 9: Access to Railway Station Parking	✓	✓	✓	Having easy access to local public transport is vital to support more sustainable and carbon-neutral transport methods for local residents and visitors to the Parish. The Policy will also facilitate access for those residents and visitors who cannot drive or do not have access to a car. Finally, improved accessibility will make it easier to work in Fiskerton and Morton and visit the Parish, supporting the local tourism industry.
FCM 10: Heritage Assets	-	✓	✓	This Policy seeks to conserve the distinctive landscape features, landscape character and assets of local significance in the Parish, hence promoting a sense of place. The Policy aims to ensure that new development proposals protect,

NP Policy	Economic Factors	Social Factor	Environmental Factor	How Conformity is Achieved
				conserve and seek opportunities to enhance the historic environment in the two villages and the whole Parish for future generations.
FCM 11: Local Green Space	-	✓	✓	The Local Green Space designation aims to protect sites important for their environmental value as ecosystems and biodiversity sites; for their community value as sites used for recreation, tranquil contemplation; and for their value as historical or beautiful sites. The Steering Group, following consultation with the residents, selected the most important sites whose protection will benefit the social and environmental wellbeing of the Parish
FCM 12 Green Infrastructure	-	✓	✓	The protection of existing green infrastructure and public green spaces will be positive in terms of protecting the natural environment and improving biodiversity and will have beneficial social effects in terms of promoting healthy lifestyles and recreational opportunities.
FCM 13: Flood Risk	✓	✓	✓	The Policy ensures that the impact of flood risk is taken fully into account when considering the location of residential and business developments, thus protecting people and properties from the impact of extreme events. In doing so, the policy represents an adaptive response to the projected effects of climate change, which will make extreme events such as flooding more likely in the future.

Figure 1. Neighbourhood Plan's Policies' conformity with the definition of Sustainable Development

Conformity with the National Planning Policy Framework

NP Objective		Relevant NPPF Goal
1	Promote community spirit and social cohesion, creating an interconnected community where residents are active in leading and participating in community activities.	Promoting healthy and safe communities
2	Celebrate the history and current character of the villages, preserving and restoring their historic heritage and ensuring new developments positively contribute to the rural character.	Conserving and enhancing the historic environment Achieving well-designed places
3	Consider residential development in appropriate locations within the villages' boundaries.	Delivering a sufficient supply of homes Making effective use of land
4	Consider a range of houses that respond to the needs of a diverse population, ensuring appropriate accommodation is available for households of different ages and incomes.	Delivering a sufficient supply of homes
5	Encourage employment opportunities in the Parish, including small businesses, working from home opportunities, as well as more traditional activities such as agriculture.	Building a strong, competitive economy

NP Objective		Relevant NPPF Goal
6	Promote the development and long-term sustainability of community-oriented commercial activities and community facilities.	Building a strong, competitive economy
7	Preserve and maintain the existing network of footpaths and green open spaces, ensuring adequate access for all and equipped spaces for users of different ages.	Conserving and enhancing the natural environment
8	Protect the rural countryside and riverside, including particular views over the landscape, both during the day and at night.	Conserving and enhancing the natural environment
9	Preserve existing green features and plan for the future greening of the villages.	Conserving and enhancing the natural environment
10	Protect ecological corridors and wildlife sites in the Parish, striking a balance between human socio-economic development and natural environment quality.	Conserving and enhancing the natural environment Making effective use of land
11	Promote broadband and mobile phone connectivity and improved access to utilities for existing and new development.	Supporting high quality communications

NP Objective		Relevant NPPF Goal
12	Improve resiliency to flooding and climate change, ensuring the safety of people and properties.	Meeting the challenge of climate change, flooding and coastal change
13	Address current traffic and parking issues, by promoting more sustainable means of transportation, including walking, cycling, use of train and buses	Promoting sustainable transport

Figure 2. Neighbourhood Plan's Objectives' conformity with NPPF Goals.

NP Policy	NPPF Paragraph	How Conformity is Achieved
FCM 1: Residential Development	¶ 77, 78, 79 and Chapter 12	The NPPF is clear that the planning system should contribute to and enhance the natural and local environment, including valued landscapes and heritage assets, whilst delivering a sufficient supply of housing to meet local need. Policy 1 sets out the scale and location of development that will ensure that growth makes a positive contribution towards the achievement of sustainable development. The main built-up areas of the villages allow some growth whilst protecting the high-quality landscape and heritage assets that surround the villages.
FCM 2: Affordable Housing	¶ 61, 62, 63, 64	This policy seeks a locally appropriate market housing mix, together with the provision of affordable housing specifically for local people, to meet the housing needs assessed according to the up-to-date evidence. It also promotes the provision of different types of housing to give a variety of opportunities for people to secure their own homes. This will help to achieve a healthy and inclusive community.
FCM 3: Local Connection Criteria	¶ 15, 20	This Policy seeks to address local issues connected with housing affordability and to ensure local residents' housing needs are fulfilled.
FCM 4: Local Employment	¶ 80-84	The National Planning Policy Framework requires planning authorities to “facilitate flexible working practices such as the integration of residential and commercial uses within the same unit”. This Policy promotes this aspiration by supporting mixed-use development and working from home, including alterations, extensions and small, new workshops or studios.

NP Policy	NPPF Paragraph	How Conformity is Achieved
FCM 5: Character and Design	¶ 105, 124-129	<p>This Policy ensures that new developments in the Parish have high quality and appropriate design that promotes and reinforces local distinctiveness; present appropriate architectural features and landscaping solutions; and conserve heritage assets. The Policy sets out general principles without setting unnecessary prescriptions nor stifling innovation and originality.</p> <p>The policy includes considerations for the increased vulnerability to climate change events, such as flooding, in the design of new development in the area. Designers should consider the impact of climate change and flooding, incorporating SUDs where necessary.</p> <p>The policy encourages the use of Lifetime Home standards and Building Regulation Part M(4) as a measure of the standard required.</p> <p>The Neighbourhood Plan considers the requirement of paragraph 105 of the Framework when defining the general parking requirements contained in the Policy.</p>
FCM 6: Views and Vista	¶ 109, 116, 156	The policy protects important natural and historic landscapes and scenic beauty through the protection of specific views and vistas over the countryside and the built-up form of the village.
FCM 7: Community Facilities	¶ 28, 70	This policy supports the retention and development of local services and community facilities, and supports the delivery of social, recreational and cultural facilities and services in the community.
FCM 8: Broadband	¶ 112-116	The policy aims to promote the diffusion of high-speed broadband technologies in expansion of electronic communication network

NP Policy	NPPF Paragraph	How Conformity is Achieved
FCM 9: Access to Railway Station Parking	¶ 102	Policy 9 shows conformity with the NPPF in achieving a sustainable transport solution by encouraging better accessibility and effective parking for people using the station, while improving accessibility from the village for cyclists and walkers.
FCM 10: Heritage Assets	¶ 185, 187, 189-202	<p>The policy supports development that conserves and enhances Fiskerton cum Morton's heritage assets. In doing so, the policy has regard to the core planning principle in the NPPF of conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> <p>By referring to the Neighbourhood Profile in setting out general requirements on materials, styles, design and layout to be in keeping with the surrounding area for proposals within the historic core of the village, the policy has regard to NPPF paragraph 192. This states that local planning authorities should consider using design and heritage preservation policies where they could help deliver high-quality outcomes but avoid unnecessary prescription or detail and concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.</p>
FCM 11: Local Green Space	¶ 96, 97, 98, 99, 110, 101	This policy designates Local Green Space following the provisions set in paragraph 96, 97, and 98 of the NPPF, in order to protect valued landscape, local ecological corridors and biodiversity sites, recreation facilities, and green infrastructures.
FCM 12 Green Infrastructure	¶ 20, 91, 92	The Policy aims to protect existing footpaths and pedestrian routes with a public right of way and access, while at the same time protecting important landscape areas, networks of biodiversity and recreational facilities.

NP Policy	NPPF Paragraph	How Conformity is Achieved
FCM 13: Flood Risk	¶ 157-160	NPPF paragraphs 157 to 160 state that plans should consider the impact of flood risk and steer new development to areas with the lowest risk of flooding, also considering situations where exceptions should be considered based on the risk level in the whole area. Policy 13 considers the importance of steering development away from the areas of higher risks while recognising that large tracts of the Parish are in Flood Risk Zones 2 or 3.

Figure 3. Neighbourhood Plan's Policies' conformity with NPPF provisions.

Conformity with the Newark and Sherwood Core Strategy (2011 & 2017)

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
FCM 1: Residential Development	SP1, SP2, SP3, SP6 CP9, CP12, CP13, CP14	DM6, DM8	SP1, SP3 and CP9	FCM 1 conforms with the NSDC 2011 Core Strategy within a number of spatial policies (SP1, SP2, SP3, SP6) and core policies (CP9, CP12, CP13, CP14) which support residential development within the village envelope and in line with the local character of the area. From the current NSDC Draft Core Strategy (July 2017), FCM1 is supported by SP1, SP3 and CP9 policies which address the need for sustainable development within urban and rural spaces while focusing on development within the built-up areas, with the overall goal of achieving sustainable rural communities and villages.
FCM 2: Affordable Housing	SP3, SP7 CP1, CP2, CP3, CP13, CP14	-	CP1 and CP2	FCM 2 conforms with the NSDC 2011 Core Strategy within a number of spatial policies (SP3, SP7) and core policies (CP1, CP2, CP3, CP13, CP14) which set a 30% target for new housing development to be affordable. The current NSDC Draft Core Strategy (July 2017) maintains this approach through policies CP1 (Affordable Housing Provision) and CP2 (Rural Affordable Housing), which support the provision of

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
				accommodation for an ageing population and smaller properties. Furthermore, exceptions sites are reinforced by policy CP2 for rural affordable housing.
FCM 3: Local Connection Criteria	CP1, CP2	-	CP1, CP2, CP3	FCM 3 aims to address local issues connected with housing affordability and to ensure local residents' housing needs are fulfilled. To ensure local needs are addressed, FCM3 of this Neighbourhood Plan requires all development delivering affordable housing to allocate units according to the local connection criteria, if necessary, as part of S106 Agreements.
FCM 4: Local Employment	SP1, SP2, SP3, SP5	DM8	SP1, SP2, SP3, SP5	FCM 4 conforms with the NSDC 2011 Core Strategy within a number of spatial policies (SP1, SP2, SP3, SP5) and core policies (CP6, CP11). These policies highlight the need for sustainable employment growth and development while shaping employment needs

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
	and CP6, CP11		and CP6, CP11	for future generations. Additionally, the policy is consistent with NSDC Draft Core Strategy (July 2017), which supports employment in policies (SP1, SP2, SP3, SP5 and CP6, CP11), by encouraging employment growth within the local community. FCM4 shows conformity with these policies by supporting local employment in the local community with respect to local character and needs.
FCM 5: Character and Design	CP9, CP13, CP14	DM5	CP9	FCM 5 conforms with the NSDC 2011 Core Strategy and the number of and core policies (CP9, CP13, CP14). Additionally, the NSDC Draft Core Strategy (July 2017) Core Policy 9 is imposed to Promote sustainable design as part of the Development Management Process. FCM5 shows conformity with Core Policy 9 by supporting and enhancing good quality design in the village with respect to local character.
FCM 6: Views and Vista	CP9, CP13, CP14	DM5	CP13	FCM6 conforms with the NSDC 2011 Core Strategy, in particular with core policies CP9, CP13, and CP14. The policy is also in line with NSDC Draft Core Strategy (July 2017)

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
				Core Policy 13 (Landscape Character) which promotes a landscape strategy to improve the condition and sensitivity of the landscape with respect to local character. FCM6 shows conformity with these policies by supporting local views, vistas and landscapes which were recognised through a neighbourhood profile character assessment.
FCM 7: Community Facilities	SP8	-	SP8	FCM 7 conforms with the NSDC 2011 Core Strategy and NSDC Draft Core Strategy (July 2017) Spatial Policy 8 (Community Facilities). These policies support the minimisation of net loss of leisure and community facilities. FCM7 shows conformity with the policies by maintaining current and future facilities in the village available for present and future generations.

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
FCM 8: Broadband	CP9	-	CP9	FCM 8 conforms with the NSDC Draft Core Strategy (July 2017) Core Policy 9 (Sustainable Design) which clarifies that development should make adequate provisions for broadband and telecommunication solutions.
FCM 9: Access to Railway Station Parking	SP9, CP11	-	SP9, CP11	FCM 9 conforms with the NSDC 2011 Core Strategy and the NSDC Draft Core Strategy (July 2017) within Spatial Policy 9 (Sustainable Transport) and Core Policy 11 (Rural Accessibility). FCM9 conforms with these policies by making provision for effective parking solutions at the local train station, and promoting accessibility and the use of public transport. Furthermore, it ensures that vehicular traffic generated by the development does not create new or exacerbate existing on-street parking problems; that safe, convenient and attractive access for all is provided; and that the maintenance of links to the existing network of footways, bridleways and cycleways is supported.

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
FCM 10: Heritage Assets	CP14	DM5, DM9	CP14	<p>FCM 10 conforms with the NSDC 2011 Core Strategy and the NSDC Draft Core Strategy (July 2017) with Core Policy 14 (Historic Environment) which states a continuation of conservation and enhancement of the character, appearance and setting of the local heritage assets and the historic environment. FCM10 includes non-designated heritage assets such as buildings of local interest, areas of archaeological interest and unregistered parks and gardens.</p> <p>Also, FCM10 takes into account the provision contained in the Appraisals of the Character and Appearance of the Conservation Areas for the two villages and promotes the preservation and enhancement of the special character of both Conservation Areas, identifying additional unlisted buildings of local interest outside of the Conservation Areas.</p>
FCM 11: Local Green Space	SP8, CP11, CP12	DM5	SP6, SP8, CP12	The sites listed in FCM 11 have been identified as Local Green Spaces (LGS), this enables local communities, through Neighbourhood Plans, to identify green spaces of

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
				particular importance to them. This is in line with the policies of the NSDC 2011 Core Strategy and the NSDC Draft Core Strategy (July 2017) which aim to protect, conserve and enhance the biodiversity and geological diversity of the rural areas, and to provide and protect leisure and community facilities.
FCM 12 Green Infrastructure	CP11, CP12	DM5	CP11, CP12	FCM 12 conforms with the NSDC 2011 Core Strategy and the NSDC Draft Core Strategy (July 2017) with Core Policy 12 (Biodiversity and Green Infrastructure) and Core Policy 11 (Rural Accessibility) which seeks to conserve and enhance the biodiversity and geological diversity of the District and continue the connection of green corridors and walkways while enhancing the geological diversities of the Green infrastructure networks. FCM12 shows conformity by ensuring the protection and enhancement of the villages' green infrastructure.

NP Policy	Core Strategy Adopted 2011	Allocations and Development Management DPD (2013)	Amended Core Strategy (March 2019)	How Conformity is Achieved
FCM 13: Flood Risk	SP9, CP9, CP10	DM5	SP9, CP9, CP10	Policy 13 conforms with the NSDC 2011 Core Strategy and NSDC Draft Core Strategy (July 2017) within a number of spatial policies (SP9) and core policies (CP9, CP10) which require that flood assessments should take place when development is proposed in areas of potential risk of flooding and that seek to secure strategic flood mitigation measures as part of new development.

Figure 4. Neighbourhood Plan conformity with the NSDC Strategy (2011 & 2019) and Allocations and Development Management DPD

Compatibility with EU Obligations and Legislation

- 2.18. The Sustainability Appraisal (SA) process is a way of ensuring that plans and programmes relating to the development and use of land are compatible with the aims of sustainable development. Sustainability Appraisal assesses the economic, environmental and social impacts of a proposed policy to ensure that it will contribute to achieving sustainable development. Neighbourhood Plans that allocate sites are required to undertake a sustainability appraisal. The Fiskerton cum Morton Neighbourhood Plan does not allocate any sites so a Sustainability Appraisal has not been undertaken.
- 2.19. The environmental assessment of plans with a significant environmental impact is a requirement of the EC Directive on the assessment of plans and programmes on the environment (Directive 2001/42/EC), known as the Strategic Environmental Assessment (SEA) Directive.
- 2.20. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in negative significant effects occurring on protected European Sites as a result of the Plan's implementation.
- 2.21. A SEA and HRA Screening was undertaken by Newark and Sherwood District Council (Appendix 1) to determine whether the content of the draft Neighbourhood Plan required a SEA or HRA Appropriate Assessment. Natural England, Historic England and the Environment Agency were consulted. It has been determined that the Plan is not likely to have significant environmental effects and as such a full SEA or HRA are not required.
- 2.22. 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 Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups. The population profile has revealed that there is not a significant number of people who do not speak English as a first language and it has not been necessary to produce

consultation material in other languages.

- 2.23. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. There was consultation and engagement early on in the process and residents were encouraged to participate throughout. 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 Consultation Statement. The Consultation Statement has been prepared by the Steering Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

3. Conclusion

- 3.1. It is the view of the Fiskerton cum Morton Neighbourhood Plan Steering Group that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 Act are met by the Fiskerton cum Morton Neighbourhood Plan and all the policies therein.
- 3.2. The Plan has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with strategic policies contained in Newark and Sherwood District Council's strategic planning policies, and meets relevant EU obligations.
- 3.3. On that basis, it is respectfully suggested to the Examiner that the Fiskerton cum Morton Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.

4. Appendix 1: Fiskerton cum Morton SEA Screening Statement



**Fiskerton cum Morton Neighbourhood Plan
The Environmental Assessment of Plans and Programmes
Regulations 2004
SEA Screening Statement**

January 2018

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1.0 Introduction

- 1.1 The requirement for a Strategic Environmental Assessment (SEA) to be undertaken on development plans and programmes that may have a significant environmental effect is outlined in European Union Directive 2001/42/EC. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) state that this is determined by a screening process, utilising a specified set of criteria which is outlined in Schedule 1 of the Regulations. The Environmental Assessment of Plans and Programmes Regulations 2004 are commonly referred to as the 'Strategic Environmental Assessment (SEA) Regulations'. The results of this process must be set out in an SEA Screening Statement, which must be publicly available. Newark & Sherwood District Council are the responsible authority under Regulation 9 of the Regulations to carry out this screening.
- 1.2 Newark & Sherwood District Council has produced this Draft Screening Assessment to seek the views of the Environment Agency, Historic England and Natural England on our initial conclusion that the emerging Fiskerton cum Morton Neighbourhood Plan (NP) will not have any significant negative effects on the environment and therefore that a full environmental assessment is not necessary. This determination has been reached by assessing the contents of the emerging submission NP against criteria provided in Schedule 1 of the 2004 Regulations.
- 1.3 The Planning and Compulsory Purchase Act 2004 also requires that a Sustainability Appraisal (SA) is prepared for all spatial plans. It is considered best practice to incorporate requirements of the SEA Directive into an SA. The Government has stated that Sustainability Appraisal is not needed for NPs, but has said that it must be demonstrated how the NP contributes to the achievement of sustainable development in the area.
- 1.4 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 refers to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an appropriate assessment. Paragraphs 2 – 5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to NPs. The regulations do state that the making of an NP is not likely to have a significant effect on a site designated at European level for its biodiversity, however, this needs to be ascertained and this can be done at the time the screening opinion is being sought.

2.0 The scope of the Fiskerton cum Morton Neighbourhood Plan

2.1 The NP sets out the local planning policy framework for the parish of Fiskerton cum Morton. When the plan is 'made' by the Local Planning Authority it will become part of the Development Plan for the area and will be used to help determine planning applications in Fiskerton and Morton. The plan has the following vision:

"In 15 years from now, the Parish of Fiskerton cum Morton will be a welcoming and inclusive place for a diverse community of families and individuals, with a strong community spirit built upon communication and co-operation among residents. This will be made possible by a thriving and sustainable range of community services and facilities, as well as community groups and associations.

"The villages will grow, harmonising well-designed, adequately scaled and reasonably priced residential development with open recreational spaces and the celebration of the villages' historic

heritage assets and rural character. Existing and new residential development will benefit from improved access to the utility network.

“Local small businesses will thrive off the back of improved telecommunication infrastructure and safer, more efficient, and a more sustainable transport system, promoting jobs of the future alongside more traditional activities.

“The villages of Fiskerton and Morton will remain immersed within their rural surroundings, with enhanced opportunities to access the countryside and the riverside and enjoy the tranquil rural landscape. Wildlife sites and ecological corridors within the Parish will be nurtured and protected.

“The village will be safe and resilient places to live in, presenting state-of-the-art mitigation and adaptation solution in the face of flood events and other climate change related events.”

2.2 The following objectives have been identified to help realise the vision for Fiskerton and Morton:

- i. Promote community spirit and social cohesion, creating an interconnected community where residents are active in leading and participating in community activities.
- ii. Celebrate the history and current character of the villages, preserving and restoring their historic heritage and ensuring new developments positively contribute to the rural character.
- iii. Consider residential development in appropriate locations within or adjacent to the villages' boundaries.
- iv. Consider a range of houses that respond to the needs of a diverse population, ensuring appropriate accommodation is available for households of different ages and incomes.
- v. Encourage employment opportunities in the Parish, including small businesses, working from home opportunities, as well as more traditional activities such as agriculture.
- vi. Promote the development and long-term sustainability of community-oriented commercial activities and community facilities.
- vii. Preserve and expand the existing network of footpaths and green open spaces, ensuring adequate access for all and equipped spaces for users of different ages.
- viii. Protect the rural countryside and riverside, including particular views over the landscape, both during the day and at night.
- ix. Preserve existing green features and plan for the future greening of the villages.
- x. Protect ecological corridors and wildlife sites in the Parish, striking a balance between human socio-economic development and natural environmental quality.
- xi. Promote broadband connectivity and improved access to utilities and existing and new development.

3.0 Assessment

- 3.1 National Planning Policy Guidance states that, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in Regulation 9 of the Regulations.

- 3.2 If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Regulations. One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).
- 3.3 This document will be submitted to the organisations with environmental responsibilities as consultation bodies to ensure that they agree with its conclusions. The relevant organisations are: Historic England, Natural England and the Environment Agency.
- 3.4 Figure 1, below, is a flowchart depicting the Strategic Environmental Assessment process in relation to Neighbourhood Plans.

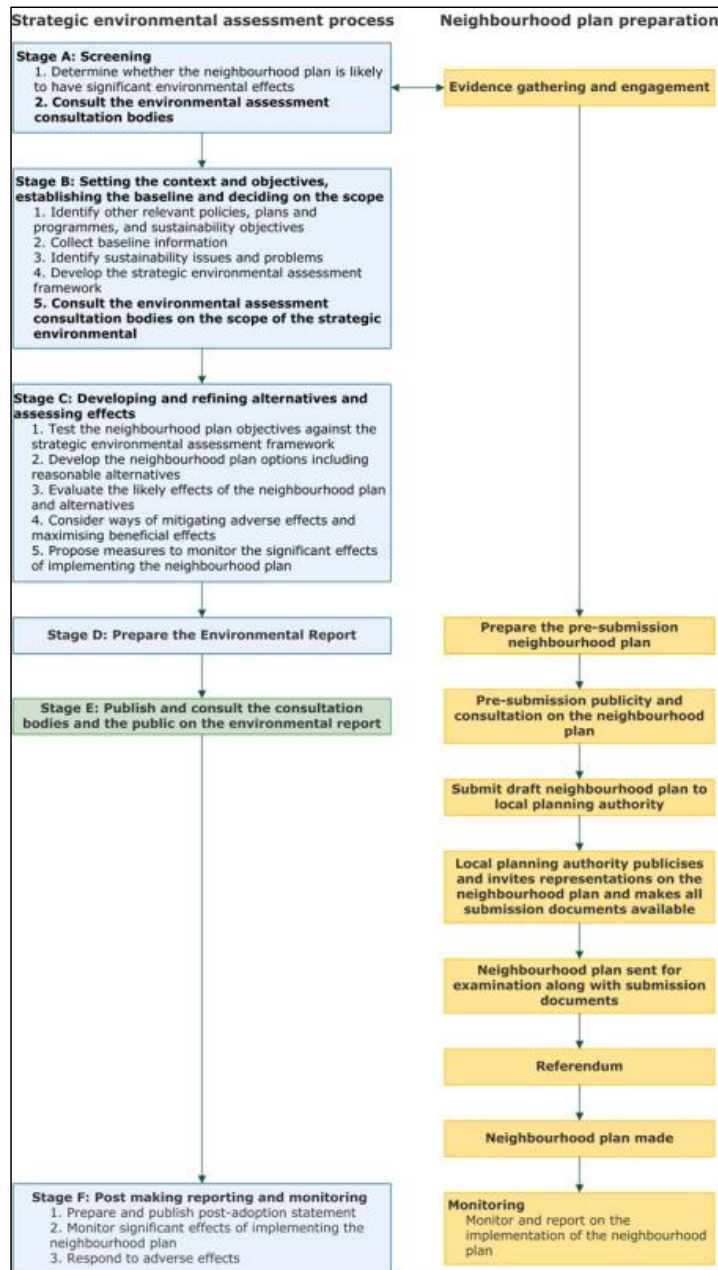


Figure 1: Strategic Environmental Assessment in relation to Neighbourhood Plans process flowchart
 (National Planning Policy Guidance: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>)

- 3.5 Table 1, below, seeks to establish whether the Fiskerton cum Morton Neighbourhood Plan is likely to have significant environmental effects and therefore requires a full Strategic Environmental Assessment.

Table 1: Does the Fiskerton cum Morton Neighbourhood Plan require a full Strategic Assessment?

Question	Answer
1) Is the plan or programme (PP) 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 emerging Pre-submission Fiskerton cum Morton Neighbourhood Plan is prepared by a qualifying body – namely Fiskerton cum Morton Parish Council with support and advice from the local planning authority. The legislative procedure is set out in 'The Neighbourhood Planning (General) Regulations 2012'.
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No. Communities are encouraged rather than required to develop a Neighbourhood Plan. If a community chooses to develop a neighbourhood plan, there are 'provisions' in place that require the neighbourhood plan to be prepared in a formal way.
3) Is the PP 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))	The PP is prepared for town and country planning or land use, but it does not set a framework for future development consent of projects in Annexes I and II of the EIA Directive.
4) Will the PP, in view of its likely effects on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	No. The Neighbourhood Plan does not allocate sites for development, and it is not within 15km of the Birklands and Bilhaugh SAC.
6) Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes. The Neighbourhood Plan sets out land use planning policies, and specifically policies which support well designed sustainable development within the village.
8) Is it likely to have a significant effect on the environment? (Art. 3.5)	No. See Table 2 and Appendix 1 for details.

4.0 Assessment conclusions

- 4.1 The results of the assessment contained in Table 1 in section 3, indicate that there are no clear significant negative impacts on the environment resulting from the policies and proposals contained in the Fiskerton cum Morton Neighbourhood Plan. Therefore it is the opinion of Newark & Sherwood District Council that there is no requirement to conduct an SEA on the NP.
- 4.2 Given that the NP has been prepared within the framework of the existing Development Plans for the District, the Newark & Sherwood Core Strategy, the Allocations & Development Management Development Plan Document (adopted July 2013) and the emerging Amended Core Strategy

(adopted March 2019), which were subject to Sustainability Appraisal, the District Council does not consider that the NP needs to be subject to the process of Sustainability Appraisal.

- 4.3 Fiskerton cum Morton Parish is more than 15 kilometres away from the Birklands and Bilhaugh SAC and any other Natura 2000 site. There is therefore no legal requirement to carry out a Habitats Regulations Screening. It is also more than five kilometres from the Sherwood Forest ppSPA, so no Habitats Regulations Screening has been carried out.

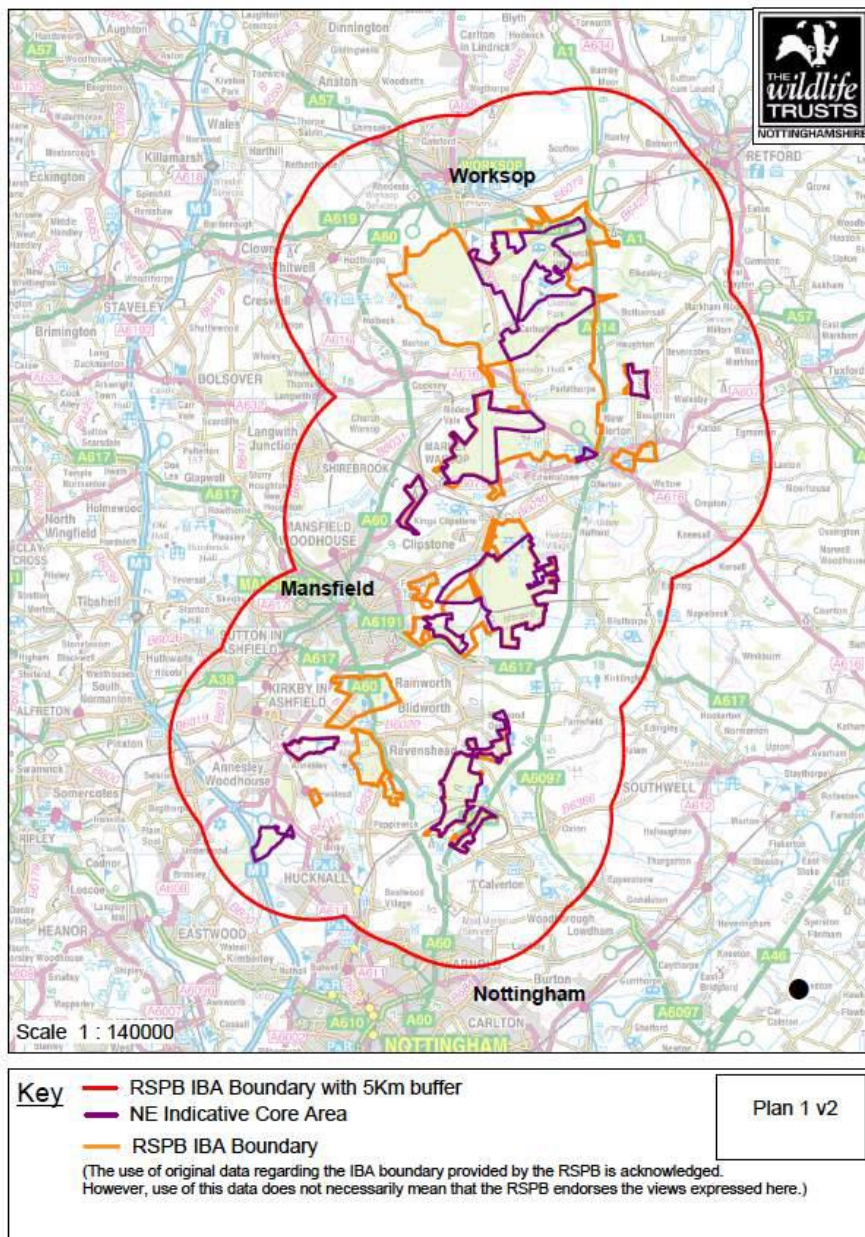


Figure 2: Map illustrating Important Bird Areas of Sherwood Forest ppSPA with a 5km buffer zone, submitted as evidence to the Rufford ERF Public Inquiry 2010.

5.0 In combination effects

- 5.1 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effects. For the Fiskerton cum Morton Neighbourhood Plan the existing plans to be considered are NSDC Amended Core Strategy (2019) and the Allocations and Development Management (2013) which have both been through rigorous assessment with regards to their impact on the Birklands & Bilhaugh SAC. The Fiskerton cum Morton Neighbourhood Plan has been produced to be in strategic conformity with these documents. In addition to this, no additional sites above those identified by NSDC are directly allocated for development within the Plan. Therefore it is considered there is likely to be no in combination effects as a result of the Fiskerton cum Morton Neighbourhood Plan.
- 5.2 The Fiskerton cum Morton Neighbourhood Plan is also required to be in general conformity with existing strategic policies in NSDC Local Development Framework which has been assessed at a higher level to determine effects on the identified Birklands & Bilhaugh SAC, it is concluded that no significant in-combination likely effects will occur due to the Neighbourhood Plan's implementation.
- 5.3 It is concluded as a result of the above, that the Plan will not lead to a significant effect on the integrity of the Birklands & Bilhaugh SAC and therefore does not require a full HRA to be undertaken.

Appendix 1 Assessment of the Fiskerton cum Morton Neighbourhood Plan in relation to the criteria for determining the likely significance of effects on the environment

Schedule 1 Criteria for determining the likely significant effects of the Fiskerton cum Morton Neighbourhood Plan	Will the NP have significant environmental effects?	Summary of any effects
The characteristics of the Fiskerton cum Morton NP having regard to:		
(1a) 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;	No	The NP would, if 'made', form part of the Statutory Development Plan and as such does contribute towards the framework for future development consent of projects. However this plan sits within the wider framework set by the National Planning Policy Framework and the adopted Amended Core Strategy DPD (March 2019) and the adopted Allocations & Development Management DPD (July 2013) and the projects that this plan helps set a framework for are local in nature and have limited resource implications.
(1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	The NP operates in within the policy hierarchy set out in 1a; it is therefore unlikely to influence the other elements of the development plan. The NP does however provide other policy makers with an indication of potential issues that the community in Fiskerton and Morton considers important.
(1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	No	The NP operates in within the policy hierarchy set out in 1a; therefore its policies seek to secure sustainable development including protecting and mitigating the impact of such development on the natural and built environment.
(1d) Environmental problems relevant to the plan or programme; and	No	As the Plan is a land use document, the environmental problems of relevance are those that are related to land use in the Plan area. The Fiskerton cum Morton NP seeks to conserve and enhance the

		environment while facilitating sustainable development in line with local and national policy.
(1e) 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).	No	The NP is not directly relevant to any of these.
Characteristics of the effects and of the area likely to be affected, having regard, in particular to		
(2a) the probability, duration, frequency and reversibility of the effects;	No	The NP is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development. However they will be of a local scale.
(2b) the cumulative nature of the effects;	No	It is intended that the positive effects will have positive cumulative benefits for the area.
(2c) the trans-boundary nature of the effects;	No	The NP identifies policies for the Civil Parish of Fiskerton cum Morton; trans-boundary effects will be minimal.
(2d) the risks to human health or the environment (for example, due to accidents);	No	There are not significant risks to human health or the environment, indeed the plan seeks to secure sustainable development.
(2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The NP relates to the Civil Parish of Fiskerton cum Morton which had a population of 902 in 2011. It is likely that the effects of the plan will be related to this area.
(2f) 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	No	<p>The NP is unlikely to have an adverse effect on the value and vulnerability of the area in relation to its natural and cultural heritage. If anything it will provide greater support to and enhance the setting and identity of the area by supporting the enhancement of its existing environmental and community assets.</p> <p>The NP does not provide specific policies in relation to intensive land uses.</p>

(2g)The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	There are no areas or landscapes with recognised national, Community or international protection status.
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