

## **Cosby Neighbourhood Development Plan**

### **Basic Conditions Statement**

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)

**Cosby Parish Council**

With assistance from



**Contents**

Introduction ..... 3

Legal Requirements ..... 4

Basic Conditions ..... 5

## Introduction

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft neighbourhood plan or order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
  - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*
  - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*
  - d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
  - e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
  - f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
  - g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*
- 1.2 This Basic Conditions Statement sets out how the Cosby Neighbourhood Development Plan (CNDP) has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the GHNDP independent Examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## Legal Requirements

### 2.1 **The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Cosby Parish Council. The area was designated by Blaby District Council on 11<sup>th</sup> October 2017 (see <https://www.blaby.gov.uk/planning-and-building/guidance-and-policies/neighbourhood-planning/>).

### 2.2 **What is being proposed is a neighbourhood development plan**

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012 and subsequent amendments.

### 2.3 **The proposed neighbourhood plan states the period for which it is to have effect**

The CNDP states the period for which it is to have effect. That period is from 2021 to 2029.

### 2.4 **The policies do not relate to excluded development**

The CNDP does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

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

The CNDP relates to the designated Cosby neighbourhood area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area. The designated neighbourhood plan area has the same boundary as that for the Parish Council at the time of the designation and is shown on Map 1 in the CNDP.

## Basic Conditions

**Basic Condition a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan**

3.1 The CNDP has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, July 2021)<sup>2</sup>.

**Achieving Sustainable Development (NPPF, section 2)**

3.2 Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF (paragraph 9).

3.3 Table 1 sets out how the CNDP delivers the 3 overarching Objectives:

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	CNDP Policies and Proposals
<p><i>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.</i></p>	<p>The CNDP does not include policies on employment or housing these matters are left to the Local Plan. The CNDP does seek to protect local community facilities and shops (Policy CNDP6).</p>

<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

NPPF Overarching Objectives	CNDP Policies and Proposals
<p><i>b) <b>a social objective</b> – 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.</i></p>	<p>The CNDP seeks to support this objective by including policies on Design (CNDP3); protection of local green spaces (CNDP4), other open spaces (CNDP5), community facilities and local shops (CNDP6) and access to the countryside (CNDP7).</p>
<p><i>c) <b>an environmental objective</b> - 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.</i></p>	<p>The CNDP seeks to meet this objective by including policies on the Conservation Area (CNDP1), non-designated heritage assets (CNDP2), design (CNDP4 and by protecting open spaces (CNDP4 and CNDP5 ) and improving access to the countryside (CNDP7).</p>

**Plan Making (NPPF, section 3)**

3.4 In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the CNDP addresses each of these in turn.

**Table 2 Plan Making**

NPPF Plan Making	CNDP
<p>a) be prepared with the objective of contributing to the achievement of sustainable development;</p>	<p>The CNDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>

NPPF Plan Making	CNDP
b) be prepared positively, in a way that is aspirational but deliverable;	The CNDP has been prepared positively to support new development and to protect key environmental assets. The plan is both aspirational and deliverable.
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	<p>All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to regular and constructive involvement of the local community in the plan-making process.</p> <p>The accompanying Consultation Statement sets out the details of the extensive and wide ranging community consultation and engagement activities which have been undertaken at all stages of the CNDP's preparation.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the CNDP made.</p>
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	<p>The CNDP policies and proposals have been prepared by a Neighbourhood Plan Steering Group (NPSG) on behalf of the Parish Council, with support from a planning consultant and planning officers at Blaby District Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>

NPPF Plan Making	CNDP
<p>e) be accessible through the use of digital tools to assist public involvement and policy presentation;</p>	<p>Updates and documents have been provided on the Parish Council website at all stages of plan preparation:</p> <p><a href="https://www.cosbyparishcouncil.org.uk/coming-soon.html">https://www.cosbyparishcouncil.org.uk/coming-soon.html</a></p> <p>Responses by email were invited at informal and formal consultation stages.</p>
<p>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p>	<p>The CNDP has been amended and updated to reduce duplication with policies in the development plan. Again, it is understood that the Examination may lead to further changes to policies and supporting text.</p>

**The Plan Making (NPPF, section 3)**

3.5 Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The CNDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Blaby District Local Plan Core Strategy (adopted 2013) and the Blaby District Local Plan Delivery Development Plan Document.

**Non-strategic policies (NPPF, Section 3)**

3.6 Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. The CNDP does not undermine the strategic planning policies for Blaby it seeks to set out local non-strategic policies to tackle local issues to help retain the area’s local identity and distinctiveness and protect local facilities and the environment.

- 3.7 Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

**Delivering a sufficient supply of homes (NPPF, section 5)**

- 3.8 Paragraph 66 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Paragraph 67 states “Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body.” Local Plan Core Strategy Policy CS5 - Housing Distribution sets out the level of housing expected to 2029 for component areas of the District. Cosby is grouped with Littlethorpe, Huncote and Croft as the “Medium Central Villages”, the combined housing requirement for these villages is 815 dwellings 2006-2029. The CNDP does not seek to allocate sites for housing development. An indicative housing figure has, therefore, not been requested.

**Promoting healthy and safe communities (NPPF, section 8)**

- 3.9 Paragraph 92 of NPPF sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The CNDP includes policies to protect local green and other open spaces (Policies CNDP4 and 5); to protect and enhance community facilities (CNDP6); and local shops (CNDP6).

**Promoting sustainable transport (NPPF, section 9)**

- 3.10 Transport issues should be considered from the earliest stages of plan-making (Paragraph 104). This is so that opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised; opportunities to promote walking, cycling and public transport use are identified and pursued; and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account. Paragraph 106 of NPPF sets out that planning policies should provide for high quality walking and cycling networks and supporting facilities such as cycle parking. The CNDP includes policies to improve access to the countryside (CNDP7) and road safety (CNDP8). Supporting Parish Council Actions also seek to improve transport provision.

**Achieving well-designed places (NPPF, section 12)**

- 3.11 Paragraph 126 explains that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 127 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an

important role in identifying the special qualities of each area and explaining how this should be reflected in development. The CNDP includes Policy CDP3 that seeks to encourage better design. Policy CNDP1 sets out a development management policy for Cosby Conservation Area.

**Meeting the challenge of climate change, flooding and coastal change (NPPF, section 14)**

- 3.12 The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (NPPF, paragraph 152). Policy CNDP3 of the CNDP seeks to promote good design, including features that reduce carbon emissions and increase water efficiency and features that reduce the risk of flooding.

**Conserving and enhancing the natural environment (NPPF, section 15)**

- 3.13 Paragraph 174 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The CNDP includes policies to protect Local Green Space (CNDP4) and other open spaces (CNDP5).

**Conserving and enhancing the historic environment (NPPF, section 16)**

- 3.14 Paragraph 189 advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The CNDP includes development management policy for Cosby Conservation Area (CNDP1).

**Basic condition b. Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural historic interest**

- 3.15 The CNDP took account of designated heritage assets during its preparation, including the neighbourhood area's conservation area and listed buildings.

*[Note: this Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].*

**Basic condition c. Having special regard to the desirability of preserving or enhancing character or appearance of any conservation area**

3.16 The NDP area includes the Cosby Conservation Area.

*[Note: this Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].*

**Basic condition d. Contributes to the achievement of sustainable development**

3.17 The Submission CNDP contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

**Basic condition e. In general conformity with strategic local planning policy**

3.18 The Submission CNDP is in general conformity with strategic Local Plan policies contained in the adopted Blaby Local Plan Core Strategy Development Plan Document (CS) adopted 2013 and the Blaby District Local Plan (Delivery) Development Plan Document (the Delivery DPD) adopted 2019.

**Table 3 General Conformity with Strategic Planning Policies in the Blaby Local Plan (CS) and the Blaby District Local Plan Delivery Development Plan Document (Delivery DPD).**

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>Policy CNDP1 – Development within and affecting the setting of Cosby Conservation Area</p> <p>All new development within and affecting the setting of Cosby Conservation Area (Figure 5 and Policies Map) will be expected to preserve or enhance the Conservation Area and its setting. Development proposals will be supported where they:</p>	<p>Policy CS20 - Historic Environment and Culture</p> <p>Blaby District has a number of important buildings, sites and areas of historic value including Scheduled Monuments (SMs), Listed Buildings, Conservation Areas, archaeological remains and other heritage assets.</p> <p>These (including heritage assets most at risk through neglect, decay or other threats) will be preserved,</p>	<p>DEVELOPMENT MANAGEMENT POLICY 12</p> <p>Designated and Non-designated Heritage Assets</p> <p>All new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported.</p>	<p>Policy CNDP1 is in general conformity with the relevant policies for the historic environment in the development plan. Policy CNDP within this strategic policy framework seeks to preserve or enhance the designated heritage asset of the Conservation Area and sets out a series of development management criteria to ensure that new development within or affecting the setting of the Conservation Area maintains,</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>(a) Maintain the historic pattern of development by respecting the village’s historic street layout, building plots and boundary treatments;</p> <p>(b) Respect building form, height, and scale;</p> <p>(c) Maintain the openness of the Brook, views of the Brook, and, where opportunities arise, re-opening sections of, or providing enhanced access to the Brook;</p> <p>(d) Reflect the proportion of opening to wall (solid to void) found in the elevations of traditional buildings and employ robust detailing, avoiding use of applied features, such as inappropriate cladding and boarding and decorative features;</p> <p>(e) Reinforce local identity by the appropriate use of the traditional materials such as brick, slate, tile and render and by retaining architectural features and period detailing;</p> <p>(f) Retain and use of traditional shopfronts;</p> <p>(g) Use appropriate street furniture;</p>	<p>protected and where possible enhanced.</p> <p>The Council takes a positive approach to the conservation of heritage assets and the wider historic environment through:</p> <p>a) Considering proposals for development on, in, or adjacent to historic sites, areas and buildings against the need to ensure the protection and enhancement of the heritage asset and its setting. Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.</p> <p>b) Expecting new development to make a positive contribution to the character and distinctiveness of the local area.</p> <p>c) Ensuring that development in Conservation Areas is consistent with the identified special character of those areas, as well as working, where appropriate, to identify other areas of special architectural merit or historic interest in designating additional</p>	<p>All proposals affecting either a designated or non-designated heritage asset and/or its setting will need to submit a statement which includes the following:</p> <ul style="list-style-type: none"> <li>• a description of the heritage asset and its setting, proportionate to its significance;</li> <li>• a clear identification of the impacts of the development proposal on the heritage asset and its setting;</li> <li>• a clear justification as to why the impacts could be considered acceptable; and</li> <li>• demonstrate how the proposal is consistent with Core Strategy Policy CS20</li> </ul> <p>The Council will consider the submitted information having regard to the importance of the heritage asset(s) as follows:</p> <p>Designated heritage assets</p>	<p>respects, reflects or reinforces key elements of the historic environment found within the Conservation Area.</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>(h) Retain open spaces, mature trees, and hedgerows;</p> <p>(i) Where below ground works and investigations are required, suitable archaeological investigations are undertaken and recorded.</p>	<p>Conservation Areas;</p> <p>d) Securing the viable and sustainable future of heritage assets through uses that are consistent with the heritage asset and its conservation; and</p> <p>e) Promoting heritage assets in the District as tourism opportunities where appropriate</p>	<p>Designated heritage assets and their settings (including Listed Buildings, Scheduled Monuments and Conservation Areas) will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.</p> <p>Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified the scale of harm will be weighed against the public benefits of the proposal.</p> <p>Non-designated heritage assets</p> <p>A balanced consideration will be applied to proposals</p>	

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
		<p>which may impact non-designated heritage assets. Proposals will be supported where the benefits of the scheme are considered to outweigh the scale of any harm or loss, having regard to the significance of the heritage asset.</p>	
<p>Policy CNDP2 – Development affecting non-designated heritage assets</p> <p>Development affecting the non-designated heritage assets identified below will be assessed against Local Plan Delivery DPD Development Management Policy DM12.</p> <p>CNDP2/1 - Cosby Community Church, Croft Road                      CNDP2/2 - Cosby Methodist Church, Park Road                      CNDP2/3 - Toc H building, Croft Road                      CNDP2/4 - Brooke House Day School                      CNDP2/5 - Former Vicarage, 58 Main Street                      CNDP2/6 - 60 Main Street</p>	<p>Policy CS20 - Historic Environment and Culture</p> <p>Blaby District has a number of important buildings, sites and areas of historic value including Scheduled Monuments (SMs), Listed Buildings, Conservation Areas, archaeological remains and other heritage assets.</p> <p>These (including heritage assets most at risk through neglect, decay or other threats) will be preserved, protected and where possible enhanced.</p> <p>The Council takes a positive approach to the conservation of heritage assets and the wider historic environment through:</p>	<p>DEVELOPMENT MANAGEMENT POLICY 12</p> <p>Designated and Non-designated Heritage Assets</p> <p>All new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported.</p> <p>All proposals affecting either a designated or non-designated heritage asset and/or its setting will need to submit a statement which includes the following:</p>	<p>Policy CNDP2 identifies 6 non-designated heritage assets in the neighbourhood area. Development affecting these non-designated heritage assets will be assessed against Local Plan Delivery DPD Development Management Policy DM12. This approach is in general conformity with, and adds non-strategic planning policy detail, to the approach set out in Policy DM12 that seeks to avoid harm to the heritage assets of the District.</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	<p>a) Considering proposals for development on, in, or adjacent to historic sites, areas and buildings against the need to ensure the protection and enhancement of the heritage asset and its setting. Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.</p> <p>b) Expecting new development to make a positive contribution to the character and distinctiveness of the local area.</p> <p>c) Ensuring that development in Conservation Areas is consistent with the identified special character of those areas, as well as working, where appropriate, to identify other areas of special architectural merit or historic interest in designating additional Conservation Areas;</p> <p>d) Securing the viable and sustainable future of heritage assets through uses that are consistent with the heritage asset and its conservation; and</p> <p>e) Promoting heritage assets in the District as tourism opportunities</p>	<ul style="list-style-type: none"> <li>• a description of the heritage asset and its setting, proportionate to its significance;</li> <li>• a clear identification of the impacts of the development proposal on the heritage asset and its setting;</li> <li>• a clear justification as to why the impacts could be considered acceptable; and</li> <li>• demonstrate how the proposal is consistent with Core Strategy Policy CS20</li> </ul> <p>The Council will consider the submitted information having regard to the importance of the heritage asset(s) as follows:</p> <p>Designated heritage assets</p> <p>Designated heritage assets and their settings (including Listed Buildings, Scheduled Monuments and Conservation Areas) will be given the highest level of protection to ensure that</p>	

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	where appropriate	<p>they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.</p> <p>Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified the scale of harm will be weighed against the public benefits of the proposal.</p> <p>Non-designated heritage assets</p> <p>A balanced consideration will be applied to proposals which may impact non-designated heritage assets. Proposals will be supported where the benefits of the scheme are considered to outweigh the scale of any harm or loss, having regard</p>	

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
		to the significance of the heritage asset.	
<p>Policy CNDP3 – Design Principles</p> <p>All new development will be expected to respond positively to the key attributes of the neighbourhood area and the key local design features of Cosby village. Development will not be supported where it is of poor design that has an adverse impact on the character of the area. Development should seek to meet, or exceed, prevailing sustainable construction standards as set out in Building Regulations.</p> <p>To ensure good design is achieved development should take account of, and will be assessed against, the following criteria, where relevant:</p> <p>(a) promote or reinforce local distinctiveness by demonstrating that appropriate account has been taken of existing good quality examples of street layouts, blocks and plots, building forms, materials, and detailing, building style and the vernacular of the settlement. This</p>	<p>Policy CS2 - Design of New Development</p> <p>In order to secure a high quality environment, all new development should respect distinctive local character and should contribute to creating places of a high architectural and urban design quality, contributing to a better quality of life for the local community.</p> <p>Design should be appropriate in its context and should take any opportunities available to improve the character and quality of an area and the way it functions. Development proposals should demonstrate that they have taken account of local patterns of development, landscape and other features and views and are sympathetic to their surroundings through urban design, landscaping (including tree planting), architecture and architectural detailing. At the same time, the</p>	<p>No relevant policy.</p>	<p>Policy CNDP3 is in general conformity with Policy CS2 - Design of New Development the design policy of the CS.</p> <p>Both policies seeks to protect local distinctive local character. Policy CNDP3 identifying a series of non-strategic design criteria against which new development proposals in Cosby will be assessed.</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>does not exclude innovative and contemporary design that takes its cues from the area in which it is situated ;</p> <p>(b) be designed in such a way to make a positive use of local landform, trees, hedgerows, and other vegetation and for larger proposals has had suitable regard to landscape setting and settlement pattern;</p> <p>(c) conserve and/or create new wildlife habitats;</p> <p>(d) use space and create new public open spaces that are enclosed, integrated, and overlooked by buildings;</p> <p>(e) include sufficient amenity space to serve the needs of the development and its users;</p> <p>(f) include appropriate boundary treatments that reflect local context for example by matching those of adjoining properties;</p> <p>(g) not have a detrimental effect on the amenity of existing or future occupiers in neighbouring property;</p> <p>(h) not have a severe cumulative adverse effect on the safe and</p>	<p>Council will support innovative design that is appropriate in its context.</p> <p>High quality places, which are safe and socially inclusive, will be required through the application of good design principles including layout, street design, scale, materials, natural surveillance, orientation, and sustainable construction.</p> <p>New development should create safe environments where crime and disorder or fear of crime does not undermine quality of life.</p> <p>The design of new development should take account of, and provide opportunities to enhance, the natural and historic environment, including improvements to Green Infrastructure and opportunities to promote biodiversity.</p> <p>Consideration needs to be given to the access and mobility needs of people (including, but not limited to, elderly people and disabled people)</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>efficient operation of the existing transport and road infrastructure;</p> <p>(i) include measures that seek to improve pedestrian and cycling facilities and linkages within the neighbourhood area and to other areas, wherever possible;</p> <p>(j) include car parking and vehicle charging points to meet County adopted standards;</p> <p>(k) contribute to local identity, and sense of place. Proposals should not feature generic designs and should display how they take account of the local distinctive character of the area in which they are to be located within the Design and Access Statement (when one is required);</p> <p>(l) respect the height of the immediate surrounding area. Future development will generally be expected to be no more than two storeys;</p> <p>(m) safe and secure e.g. by using Secured by Design principles;</p> <p>(n) use, and where appropriate re-uses, local and traditional materials appropriate to the context of the site, or suitable artificial alternatives;</p>	<p>so that barriers to access can be overcome for the benefit of the entire community. This should be considered in the design of new developments from the outset. This will contribute to the creation of mixed communities. In addition, developments should be designed with full consideration of the principles of permeability, legibility and connectivity.</p> <p>The design of development incorporating the above features will need to be demonstrated through the Design and Access Statement.</p> <p>The Council will use Building for Life 12 (BfL12) as a tool to encourage high quality design across all new housing developments in the District. Where the design of a new development is not considered of high enough quality, the Council will seek appropriate improvements.</p>		

<b>CNDP Policies</b>	<b>Blaby Local Plan Core Strategy (CS)</b>	<b>Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)</b>	<b>General Conformity</b>
<p>(o) contribute to reducing carbon emissions, where possible, and where such features are included, they are a sympathetic enhancement to the building and surrounding area;</p> <p>(p) include measures to reduce light pollution and preserve the area’s night time dark sky; and</p> <p>(q) be designed to be as water efficient as possible. All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible.</p> <p>All major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate.</p> <p>All schemes for the inclusions of SuDS should demonstrate they have considered all four aspects of good</p>			

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>SuDS design, Quantity, Quality, Amenity and Biodiversity, and the SuDS and development will fit into the existing landscape.</p> <p>The completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure that the SuDS are maintained in perpetuity.</p> <p>Where possible, all non-major development should look to incorporate these same SuDS principles into their designs</p> <p>Poor design, when assessed against the above criteria, will not be supported.</p>			
<p>Policy CNDP4 - Protecting Local Green Space</p> <p>The following local green spaces as shown on the Policies Map are designated in accordance with paragraphs 101 and 102 of the NPPF:</p> <p>CNDP4/1 – Linley Green CNDP4/2 – Main Street North</p>	<p>Policy CS14 - Green Infrastructure (GI) (extract)</p> <p>In line with emerging national policy, this Council will explore the use of the emerging Local Green Space designation in identifying, for special protection, green areas of particular importance to local communities, and apply this where</p>	<p>No relevant policy.</p>	<p>Policy CNDP4 uses national policy as the basis to identify 9 local green spaces, this approach is consistent and in general conformity with CS Policy CS 14 that, at the time, sought to meet this emerging national planning policy objective.</p>

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>CNDP4/3 – Main Street South                      CNDP4/4 – Bunning Hall (rear)                      CNDP4/5 – Lady Leys                      CNDP4/6 – Chiltern Avenue 1                      CNDP4/7 – Chiltern Avenue 2                      CNDP4/8 – Brooklands Road                      CNDP4/9 – Ashover Close</p> <p>Development will only be permitted when consistent with national Green Belt policy.</p>	<p>appropriate through the Allocations, Designations and Development Management DPD.</p> <p>Policy CS15 - Open Space, Sport and Recreation (extract)</p> <p>Existing open space, sport and recreation facilities will be protected, and where possible enhanced. Where development is proposed on existing open space, sport and recreation facilities, land should not be released, either in total or in part unless it can be demonstrated that:</p> <p>(i) it is surplus to requirements for its current play and open space function; and,                      (ii) it is not needed for another type of open space, sport and recreation facility; or,                      (iii) alternative provision of equivalent quantity, quality and accessibility, or better, can be provided in the local area.</p>		
<p>Policy CNDP5 - Protecting Other Open Spaces</p>	<p>Policy CS15 - Open Space, Sport and Recreation (extract)</p>	<p>No relevant policy.</p>	<p>Policy CNDP5 identifies a number of small open spaces within the</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>Development that would result in the loss of small open spaces within the neighbourhood area will only be supported when:</p> <p>a) Equivalent or better provision is provided elsewhere within a suitable location; or</p> <p>b) It can be clearly demonstrated by the applicant that the open space no longer performs a useful open space function in terms of the local environment, amenity, or active public recreation use.</p> <p>Policy CNDP5 applies to the following spaces also shown on the policies map:</p> <p>CNDP5/1 - Jamesway                      CNDP5/2 - Chiltern Avenue                      CNDP5/3 - Corner Hillview/Chiltern Avenue                      CNDP5/4 - Lady Leys, south corner                      CNDP5/5 - Lady Leys, west corner                      CNDP5/6 - Lady Leys, north corner                      CNDP5/7 - Lady Leys, east corner                      CNDP5/8 - Lady Leys, east corner</p>	<p>Existing open space, sport and recreation facilities will be protected, and where possible enhanced. Where development is proposed on existing open space, sport and recreation facilities, land should not be released, either in total or in part unless it can be demonstrated that:</p> <p>(i) it is surplus to requirements for its current play and open space function; and,</p> <p>(ii) it is not needed for another type of open space, sport and recreation facility; or,</p> <p>(iii) alternative provision of equivalent quantity, quality and accessibility, or better, can be provided in the local area.</p>		<p>neighbourhood area for protection. These spaces will be protected unless equivalent or better provision is provided elsewhere in the neighbourhood area or the space is no longer needed, criteria (a) and (b) of CNDP5 are in general conformity within criterion (i) to (iii) of CS Policy CS15.</p>

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>CNDP5/9 - The Settlement (corner Elm Tree Road)                      CNDP5/10 - Corner Ashtree Road/Main Street                      CNDP5/11 - Corner Main Street/Park Road                      CNDP5/12 - Cambridge Road (Park Road to Hillview Drive)                      CNDP5/13 - Gimson Avenue                      CNDP5/14 - Mount Road                      CNDP5/15 - Cosby Brook (Broughton Road)                      CNDP5/16 - Cosby Brook (The Nook/Main Street)                      CNDP5/17 - Cosby Brook (Main Street North)</p>			
<p>Policy CNDP6 – Protection of Existing Community Facilities and Local Shops</p> <p>Existing community facilities and local shops will be protected.</p> <p>Community Facilities</p> <p>Where planning permission is required, the change of use of local community facilities, as listed below, will only be permitted for other health, education or community type uses (such as village halls, local</p>	<p>Policy CS13 - Retailing and other town centre uses - this policy identified Cosby as a Local Centre.</p>	<p>No relevant policy.</p>	<p>There are no direct strategic planning policy covering community facilities, although Policy CS13 does identify Cosby as a Local Centre. Policy CNDP6 does not raise any issues of general conformity.</p>

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>clubhouses, health centres, schools and children’s day nurseries), unless one of the following can be demonstrated:</p> <ol style="list-style-type: none"> <li>1. The proposal includes alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</li> <li>2. Satisfactory evidence is produced (including active marketing locally and in the wider area) that, over a minimum period of 12 months, it has been demonstrated that there is no longer a demand for the facility.</li> </ol> <p>The facilities are listed as follows and shown on the Policies Map:</p> <p>CNDP6/1 - Cosby Village Hall            CNDP6/2 - The Bunning Hall            CNDP6/3 - Cosby Methodist Church and Hall            CNDP6/4 – Cosby Community Church Rooms</p>			

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>CNDP6/5 - Cosby Working Men’s Club                      CNDP6/6 - Toch H                      CNDP6/7 - Cosby Primary School                      CNDP6/8 - St. Michael and All Angels Church                      CNDP6/9 - Bulls Head Public House                      CNDP6/10 - Cosby Community Library                      CNDP6/11 – Brook House Day School</p> <p>Proposals that would enhance the appearance, improve access and accessibility to these facilities will be supported when they are in accordance with other development plan policies and the policies of the CNDP.</p> <p>Local centre and Local Shops</p> <p>Retail provision within the defined Local Centre (as shown on the Local Plan Policies Map 2019) and local shops outside of this centre, subject to the exercise of permitted development rights, will be protected, unless the applicant can demonstrate that such local retail provision is no longer needed, or,</p>			

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>that the premises are physically unsuitable for continued retail use.</p>			
<p>Policy CNDP7 – Access to the Countryside</p> <p>New development should promote access to the countryside through protection and enhancement of the existing Public Rights of Way (PROW) network (Figure 5).</p> <p>All major development proposals (as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015, and any subsequent amendments) will be required to provide links and enhancements to the to the existing footpath, bridleway, and cycleway network, where considered necessary and relevant.</p> <p>The construction and appearance of new paths, tracks or links must be appropriate to the area, suitable for the intensity of use and sensitive to the character of the immediate locality. Routes should aim to keep crossings and changes of level to a minimum and cycle routes should</p>	<p>Policy CS10 - Transport Infrastructure (extract) Walking, cycling and bridleway networks</p> <p>Opportunities to work with partners to provide new and improved safe cycling, walking and bridleway routes will be explored. Improved conditions for cyclists, pedestrians and horse-riders generally across the District will be encouraged, including adequate cycle parking and associated facilities. Links between proposed areas of new development and new and existing key services and facilities (including employment, retail, leisure and education centres) will be provided as part of Masterplans (in the case of the SUE and other strategic scale proposals) and Design and Access Statements in all other cases.</p> <p>Public transport improvements In considering development proposals, where appropriate the Council will seek solutions for</p>	<p>No relevant policy.</p>	<p>Policy CNDP7 is in general conformity with CS Policy CS10 this seeks to Opportunities to “work with partners to provide new and improved safe cycling, walking and bridleway routes” and provide links between “proposed areas of new development and new and existing key services and facilities”.</p> <p>Policy CNDP7 is also in general conformity with CS Policy CS14 that seeks to protect and provide new Green Infrastructure to support formal and informal recreation.</p>

Cosby Neighbourhood Development Plan Basic Condition Statement (October 2021)

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>avoid unnecessary gradients. Routes should normally be accessible for those with wheelchairs, frames, buggies, or other mobility aids. Where a requirement can be demonstrated, a financial contribution (e.g. through a section 106 or other legal agreement) may be sought from developers towards the improvement and extension of the network.</p> <p>Any development that leads to the loss or degradation of any PROW, or any cycleway, will not be permitted. Proposals to divert PROWs or cycleways should provide clear and demonstrable benefits for the wider community.</p>	<p>improving public transport that are likely to be sustainable in the long term; solutions may range from conventional bus services to community transport. Where growth is proposed, developments should seek frequent, accessible (bus stops within 400 meters of new homes) and comprehensive public transport links to Leicester City Centre and other key service / employment centres and facilities (including retail, leisure, health and education facilities). In addition, ‘softer’ measures such as ‘discounted bus ticketing’ for residents of new developments will be required where appropriate.</p> <p>Policy CS14 - Green Infrastructure (GI)</p> <p>Blaby District Council and its partners will seek to protect existing, and provide new, ‘networks of multi-functional green spaces’. This network will comprise public and privately owned land. Green Infrastructure can include formal open spaces for sport and</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	<p>recreation, green areas that can be used for informal recreation, areas that are valuable for their bio-diversity (flora and fauna and network links), areas that are of cultural importance (heritage assets and their settings), areas that maintain natural and ecological processes (such as floodplains) and other areas that contribute to the health and quality of life of communities.</p> <p>The Council will seek to improve and enhance the Green Infrastructure network throughout the District using opportunities identified in available evidence including, but not limited to, exploring with partners improved access to:</p> <ul style="list-style-type: none"> <li>• the River Soar and River Sence corridors and Grand Union Canal.</li> <li>• the Rothley Brook corridor.</li> <li>• the network of Green Wedges that adjoin the urban areas.</li> </ul> <p>In accordance with the Blaby Town Centre Masterplan opportunities will be explored with partners to</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	<p>improve Bouskell Park (Blaby) as a recreational resource.                      Opportunities to incorporate key landscape features such as woodlands, ponds, rivers and streams and the local topography should be used to create high quality design incorporating a wide range of high quality, functional and useful open spaces and links.</p> <p>It is important that the subsequent maintenance of GI is considered at the earliest opportunity and that the bodies and resources responsible for its long term management and maintenance liabilities are identified.</p> <p>Croft Hill, Fosse Meadows, Aston Firs / Burbage Common (adjacent to Hinckley and Bosworth administrative area), Fosse Way and disused railway lines (particularly around Countesthorpe) will be retained as important recreation resources and valuable wildlife habitats.</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	<p>In line with emerging national policy, this Council will explore the use of the emerging Local Green Space designation in identifying, for special protection, green areas of particular importance to local communities, and apply this where appropriate through the Allocations, Designations and Development Management DPD.</p> <p>Policy CS15 - Open Space, Sport and Recreation (extract)</p> <p>Existing open space, sport and recreation facilities will be protected, and where possible enhanced. Where development is proposed on existing open space, sport and recreation facilities, land should not be released, either in total or in part unless it can be demonstrated that:</p> <p>(i) it is surplus to requirements for its current play and open space function; and,                      (ii) it is not needed for another type of open space, sport and recreation facility; or,</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	(iii) alternative provision of equivalent quantity, quality and accessibility, or better, can be provided in the local area.		
<p>Policy CNDP8 – Road Safety</p> <p>New development that includes new access points and/or road infrastructure should seek to incorporate accessible, traffic-free routes for pedestrians, people with disabilities, people with pushchairs, cyclists and, where appropriate, equestrians. Improvements to public transport infrastructure should also be included, where necessary. Such development should set out how the design includes and, where possible, enhances access to the village centre, community facilities, local green open spaces, sport and recreation facilities and the nearby countryside for such users.</p> <p>The needs of any non-motorised vehicle users (as described in the paragraph above) must be considered in all traffic planning, but especially in relation to rural lanes</p>	<p>Policy CS10 - Transport Infrastructure (extracts)</p> <p>In order to limit the impacts of new development on levels of vehicle movements, congestion and on the environment the preferred approach of Blaby District Council is to seek to reduce the need to travel by private car by locating new development so that people can access services and facilities without reliance on ‘private motor vehicles’.</p> <p>In order to maximise modal shift, safe, sustainable and accessible transport modes (including walking, cycling and public transport) will be promoted. This will be achieved by providing new routes for pedestrians, cyclists and public transport (as part of new development proposals) and enhancing existing facilities. This will be particularly important in the</p>	<p>No relevant policy.as</p>	<p>Policy CNDP8 is in general conformity with CS Policy CS10 that seeks to “reduce the need to travel by private car” Policy CNDP8 seeks to provide more detailed local development management policy to ensure that local needs are taken into account when designing planning proposals with new access points and road infrastructure.</p>

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
<p>and roads. Hazards arising from an increase in vehicle numbers where agricultural buildings are being converted to residential or commercial use will need to be taken into consideration. Measures to be taken to ensure this may include, for example, separation of pedestrians /cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.</p>	<p>design and development of the proposed SUE west of Leicester.</p> <p>Transport design</p> <p>Priority will be given to pedestrians, cyclists and public transport users through design solutions for proposed developments. Proposed transport solutions should manage the impact of traffic on people’s lives by encouraging designs which reduce the impact of road traffic, for example, through greater allocation of street space to more sustainable forms of transport (including walking, cycling and public transport).</p> <p>Walking, cycling and bridleway networks</p> <p>Opportunities to work with partners to provide new and improved safe cycling, walking and bridleway routes will be explored. Improved conditions for cyclists, pedestrians and horse-riders generally across the District will be encouraged, including adequate cycle parking</p>		

CNDP Policies	Blaby Local Plan Core Strategy (CS)	Blaby District Local Plan Delivery Development Plan Document (Delivery DPD)	General Conformity
	<p>and associated facilities. Links between proposed areas of new development and new and existing key services and facilities (including employment, retail, leisure and education centres) will be provided as part of Masterplans (in the case of the SUE and other strategic scale proposals) and Design and Access Statements in all other cases.</p> <p>Public transport improvements                      In considering development proposals, where appropriate the Council will seek solutions for improving public transport that are likely to be sustainable in the long term; solutions may range from conventional bus services to community transport. Where growth is proposed, developments should seek frequent, accessible (bus stops within 400 meters of new homes) and comprehensive public transport links to Leicester City Centre and other key service / employment centres and facilities (including retail, leisure, health and education facilities). In addition, 'softer' measures such as</p>		

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	'discounted bus ticketing' for residents of new developments will be required where appropriate.		

**Basic condition f. Be compatible with EU obligations**

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

**Strategic Environmental Assessment (SEA)**

- 3.21 To meet the 'basic conditions' which are specified by law a neighbourhood development plan must be compatible with EU obligations. Furthermore, as of 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.
- 3.22 A Strategic Environmental Assessment Screening was undertaken on the CNDP by Blaby District Council in December 2019. This concluded at paragraph 4.2:  

*"it is unlikely that any significant environmental effects will occur as a result of the implementation of the Cosby Neighbourhood Plan.."*
- 3.23 Blaby District also published a screening determination, this and the full SEA/HRA report is submitted alongside the CNDP.

**Requirement for Habitats Regulations Assessment (HRA)**

3.24 Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

3.25 The Habitat Regulations Screening was undertaken on the CNDP by Blaby District Council in December 2019. This concluded:

*"5.9 It is considered that the Cosby Neighbourhood Plan either alone, or in combination with other plans, is considered unlikely to have a significant effect on any of the designated sites within approximately 40km of the boundary of Blaby District. A full appropriate assessment of the plan is therefore not required."*

3.26 Blaby District also published a screening determination, this and the full SEA/HRA report is submitted alongside the CNDP.

#### **European Convention on Human Rights**

3.27 The Submission CNDP is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The CNDP has been produced in full consultation with the local community. The GHNDP does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

3.28 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

3.29 Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

3.30 Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission CNDP is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

- 3.31 Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for neighbourhood plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.
- 3.32 Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the CNDP in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

**Basic condition g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

- 3.33 The prescribed conditions have therefore been met in relation to the Submission CNDP and prescribed matters have been complied with in connection with the proposal for the Plan.

**Cosby Parish Council**

**With assistance from**



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**October 2021**