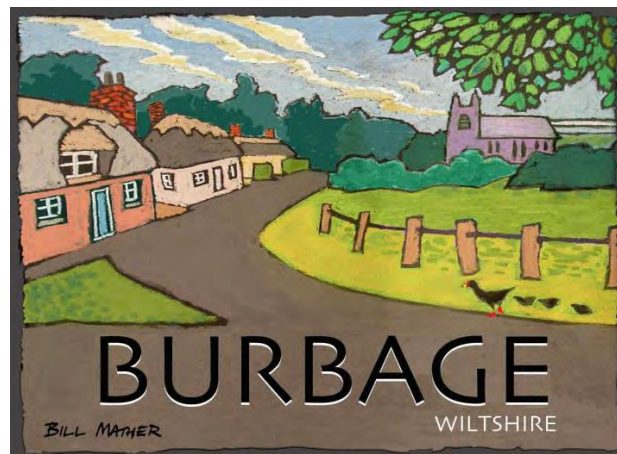


Burbage Neighbourhood Development Plan

Burbage Parish 2017 - 2026



Basic Conditions Statement June 2017

Burbage Neighbourhood Development Plan Basic Conditions Statement

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1.0 Introduction: What are the 'Basic Conditions'?

1.0 Part 5, Paragraph 15, section (d) of the Neighbourhood Planning (General) Regulations 2012. requires a statement to be provided with every neighbourhood plan to demonstrate how it meets the 5 'Basic Conditions' all plans must comply with. The Basic Conditions are to be found in paragraph 8 (2) of Schedule 4B to the 1990 Town and Country Planning Act (as amended).

1.1 The Basic Conditions are:

- a) The Plan must pay regard to national policies and advice contained in guidance issued by The Secretary of State
- b) The Plan must contribute to the achievement of sustainable development
- c) The Plan must be in general conformity with strategic policies contained in the development plan for the area of the authority
- d) The Plan must not breach and must be otherwise compatible with EU obligations
- e) Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the plan.

(The prescribed matters relate to no significant effect being caused by the plan to a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

1.2 This Statement provides evidence that the Burbage Neighbourhood Plan complies with all of the above Basic Conditions. Additionally, it demonstrates that the plan meets the basic legal requirements set out in Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied by Section 38A of the Town and Country Planning Act 2004, the Localism Act 2011, the Neighbourhood Planning Act 2017 and the Neighbourhood Planning Regulations 2012, 2015 and 2016).

2.0 Meeting the Basic Conditions.

2.0 'Paying regard to national policies and advice in guidance by the Secretary of State'

The easiest way to demonstrate this seems to be to assess all the main planning policies in a table to demonstrate links between the NPPF ('The Framework') and Planning Practice Guidance (PPG), and the policies themselves. A fuller discussion accompanies each policy in the plan document itself.

Policy	NPPF / PPG	Commentary
1. Development Strategy	NPPF 28	<p>The Plan attempts to balance environmental considerations with the need to maintain the viability and vitality of rural communities in a way that is consistent with NPPF paragraph 28.</p> <p>The Plan attempts to balance housing and employment growth consistent with Paragraph 37 which states:</p> <p><i>'Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.'</i></p>
2. Housing (General)	NPPF 50	<p>Paragraph 50 requires a range of homes to be delivered suitable for local needs.</p> <p>Paragraph 157 requires Plans to <i>'Plan positively for the development and infrastructure required ...'</i></p>
3. Housing Site	NPPF 17, 157	<p>The provision of housing with a neighbourhood plan is consistent with the NPPF which requires neighbourhood plans to 'plan positively' for development. It also sits well with the Core Planning Principles of the NPPF in that it is a genuinely plan-and community-led policy that has empowered <i>'...local people to shape their surroundings...'</i></p>
4. Developer Contributions	NPPF 17, 42, 173 PPG 003 Reference ID: 23b-003-20150326	<p>Planning Practice Guidance states that policies governing planning obligations can be set out in Neighbourhood Plans. The NPPF (173) stresses that planning obligations should not threaten viability. Viability was considered in relation to this policy and no additional burdens are imposed by it.</p>
5. Economy	NPPF 28	<p>This Plan Policy is fully consistent with NPPF Paragraph 28 in that:</p> <ul style="list-style-type: none"> • It supports the expansion of business in a rural area • Supports sustainable tourism • Promotes the retention and development of community facilities (such as the Doctors' Surgery)
6. Employment Site	NPPF 28	<p>Consistent with Paragraph 28 of the NPP in that it supports, through the provision of a site extension on a business park for small businesses:</p> <p><i>'...the sustainable growth and expansion of all types of business and enterprise in rural areas.'</i></p>
7. Local Green Spaces	NPPF 74, 76-78 PPG 89	<p>Paragraph 77 of the NPPF makes it clear that this power must be used sparingly. Accordingly, sites were sifted against the NPPF criteria as described in the Plan.</p>
8. Transport	NPPF 29-41, 69	<p>The Plan encourages use of sustainable transport within the village. Paragraph 35 of the NPPF says:</p> <p><i>'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.'</i></p>
9. Heritage	NPPF 126	<p>The policy is consistent with Paragraph 126 of the NPPF in that it takes into account:</p> <p><i>'...the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and, opportunities to draw on the contribution made by the historic environment to the character of a place.'</i></p>

2.1 Contributing to the achievement of sustainable development

The National Planning Policy Framework (paragraphs 6 - 10) provides a succinct explanation of what this means for planning.

‘There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
- *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.’*

2.2 Accordingly the Burbage NDP contains policies that support all of these areas:

- A site for employment
- A site for housing
- Protection for heritage and green open space

However, the core belief underlying all of the Plan was that development today should not compromise the future development needs of coming generations, but should instead hand to them a world in as good, if not better condition than when the policies were first drafted.

2.3 The acid test of whether the Burbage NDP is likely to help deliver sustainable development is most adequately answered in the accompanying Sustainability Appraisal (SA), both Scoping and final SA Environmental Reports. The completion of these more detailed reports, though not legally required, also helps to demonstrate the commitment of the plan team to ‘getting it right’ and ensuring that policies were tested to ensure a positive environmental, social and economic outcome. As the SA shows, such testing fed back into the plan, making numerous changes in the original ideas.

2.4 However it seems appropriate to create here a more concise description of how the plan meets this Basic Condition. Accordingly, it can be said that the Burbage NDP is likely to help deliver sustainable development for, *inter alia*, the following reasons.

- Policies are designed to reflect and take forward the planning policy context including the Wiltshire Core Strategy (WCS). The WCS of course underwent SA itself before adoption.
- The Plan aims to balance development with infrastructure and housing with employment in an attempt to improve self-containment and reduce the need to travel.
- The plan ‘plans positively’ by taking forward the overall housing strategy of the Wiltshire Core Strategy a process that will result in more people being able to access affordable homes.
- The Plan seeks a balance between preserving what the community values and the necessary development to prevent the village from stagnating. A key example of this is the preservation of Local Green Spaces.

- 2.5 The plan underwent the more comprehensive SA assessment instead of SEA at the request of the Steering Group which wanted to be sure that all factors were considered to ensure overall sustainability was achieved. The SA led to a number of modifications to the plan at more than one stage. It concluded:

'...the plan is likely to produce the kind of spatial sustainability that is at the heart of both the WCS and Government policy. The NDP policies add to those of the WCS, inserting local detail and providing developers with certainty. They 'plan positively' for development as required by Government guidance to deliver a locally significant amount of housing (and make provision for first time buyers, the elderly and disabled) and match this with locally defined environmental protection and enhancement. It is hard to avoid the conclusion that a more sustainable future would result from implementing the plan than from not having the plan at all.

The significant changes to the draft plan following the Regulation 14 consultation are also testimony to both the democratic nature of the Neighbourhood Planning process and also to the fact that this particular Plan reflects, above all, the will of the community that created it. The community decided against a higher growth strategy, and towards a more balanced and environmentally conscious approach that nevertheless meets the expected growth levels for Burbage as set out in the Wiltshire Core Strategy. The evidence from the SA assisted the debate that enabled the above change.'

The SA is provided as a separate document alongside the Plan.

2.6 **Being in general conformity with the policies of the Development Plan.**

The NDP document discusses links with higher level policy at numerous points, and indeed every policy is accompanied by a table indicating links between the policy and both NPPF and the Wiltshire Core Strategy. The plan making process in fact began with an analysis of exiting higher level policy (including the saved policies of the Kennet Local Plan) and an understanding that the wishes of the Burbage community had to be delivered within this framework – indeed the NDP was expected to help deliver, add detail to and apply this context.

- 2.7 To add to the above indications of how the NDP is in general conformity with the Development Plan, as expanded on more fully in the Plan documents itself, the following table aims to demonstrate this by examining each of the Strategic Objectives of the Wiltshire Core Strategy and showing how these are taken forward in the NDP.

General conformity with the policies of the Development Plan

WCS Strategic Objective	Relevant NDP Policy	Commentary
Delivering a thriving economy	Policy 1 Policy 5 Policy 6	Policy 1 encourages mixed use schemes and small scale employment in the rural parts of the Parish. Policy 5 encourages relevant local employment sectors, while Policy 6 provides an extension to an existing business park.
Addressing climate change	Policy 4	Policy 4 encourages lower carbon emissions through sustainable transport and also provides for tree planting which will absorb carbon and also help provide shade and absorb water run-off.
Providing everyone with the opportunity to reside in a decent, affordable home	Policy 1 Policy 2 Policy 3	Policy 1 aims to provide the 1 and 2 bedroom homes the community needs Policy 2 provides for retirement homes and property suitable for the disabled. Policy 3 allocates a site for up to 30 new homes, some of which will be affordable.
Helping to build resilient communities	Policy 4 Informal Policies (Section 10 NDP)	Policy 4 provides for improved local facilities, including those for leisure and recreation. Informal policies are aimed at enhancing community co-operation and action over a range of non-planning issues.
Protecting and enhancing the natural, historic and built environment	Policy 7 Policy 9	Policy 7 protects the two largest green spaces in the village. Policy 9 raises the profile and status of the existing Conservation Area Character Appraisal and requires higher levels of design quality.
Ensuring that adequate infrastructure is in place to support our communities	Policy 4 Policy 8	Policy 4 provides for improved infrastructure suitable for community needs. Policy 8 Aims to improve transport infrastructure.

2.7 **The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations**

The Plan is accompanied by Sustainability Appraisal Scoping and Environmental Reports in response to the SEA Screening Decision dated 14th April (Updated September) 2014, by Wiltshire Council (supplied alongside the Plan) which found that the plan was likely to have significant environmental effects. The SA Environmental Report is prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and follows guidance issued by Wiltshire Council. It goes beyond the basic SEA format to the more comprehensive SA at the wishes of the Steering Group and as explained in the Report.

- 2.8 The Plan was Screened under the Habitat Regulations 2010 (HRA) in September 2016. This concluded:

'All Natura 2000 sites are sufficiently far from the plan area and scale of development identified by the plan sufficiently small such that there would be no mechanism for impact, or that adverse impacts would be deemed de minimus.

It can therefore be concluded that the Burbage Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination. As such, no appropriate assessment of the current submission draft is considered necessary, and no amendments, deletions or additions to the plan are required to make the plan HRA compliant'.

- 2.9 **Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the plan**

The Burbage Neighbourhood Development Plan (also known as the Burbage NDP and also below as 'The Plan') has been prepared in accordance with the statutory regulations required by Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied by Section 38A of the Town and Country Planning Act 2004, the Localism Act 2011, the Neighbourhood Planning Act 2017 and as embodied in the Neighbourhood Planning Regulations 2012, 2015 and 2016). It meets the basic legal requirements for a Neighbourhood Plan in the following respects:

- 2.10 **The plan is being submitted by a qualifying body.**
The designated Neighbourhood Area approved by Wiltshire Council in their decision dated 19th May 2014 covers the entire parish of Burbage, and the plan is being submitted by Burbage Parish Council as the appropriate Qualifying Body for that area.
- 2.11 The Plan **sets out policies in relation to the development and use of land** in the neighbourhood area.
- 2.12 The Plan **states the time period in which it is to have effect.** This is from being 'made' until 2026 – the same timeframe as the Wiltshire Core Strategy
- 2.13 The Burbage NDP proposal **does not deal with excluded development**, namely 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.
- 2.14 The proposed neighbourhood plan **does not relate to more than one neighbourhood area.** There is no other Neighbourhood Development Plan proposed or in place within this neighbourhood area.

3.0 WHAT THE PLAN SETS OUT TO DO.

3.0 The Burbage Neighbourhood Plan sets out a Vision of how the community would like the Parish to be by 2026, as well a series of Objectives designed to indicate what would need to be done to achieve this. Delivery of the Vision is the job of the polices themselves – both formal planning polices and informal policies or ‘Community Aims’ without legal force to guide community action.

3.1 In terms of what it aims to achieve, it can be said that the plan tries to guide and encourage moderate growth, sufficient to retain the vitality of the settlement, appropriate to its position within the settlement hierarchy of the Wiltshire Core Strategy and also to help improve its infrastructure. However, as the plan makes clear, necessary future growth must not come at an unacceptable cost in terms of loss of village character or damage to important environmental assets. It is therefore a positive yet balanced strategy that welcomes appropriate development while aiming to safeguard what the community values:

- Housing development is matched by increased employment possibilities and improved facilities,
- Environmental impacts by enhancement and protection of green infrastructure
- Sustainable transport enables more local journey’s to be made without the car.

The underlying strategic principle is to drive up the sustainability of Burbage as a settlement by improving self-containment and reducing the need to travel.