

Stanton Drew Neighbourhood Plan Basic Conditions Statement

Introduction

This document explains how the proposed Stanton Drew Neighbourhood Development Plan meets the requirements of the Neighbourhood Planning (General) Regulations 2012. It has been prepared by the Stanton Drew Parish Council in accordance with the Localism Act 2011. By Order of Bath and North East Somerset Council made on the 11th October 2013 the parish of Stanton Drew was designated as a Neighbourhood Plan Area.

Map

The Neighbourhood Plan Area - the 'Designated Area' is as shown in the Stanton Drew Neighbourhood Plan.

Background

Stanton Drew Parish is located approximately 9 miles south of Bristol, 10 miles west of Bath, and 2 miles east of Chew Magna on the southern side of the River Chew, in gently sloping and undulating countryside. There is a strong community spirit with many activities including a Sports Field, a Village Hall, a Community Café held in St Mary the Virgin Church, a Bell ringing team and a strongly supported village Pub. The Parish also contains many Heritage assets including the Stone Circles and the Toll House.

The Designation of the Stanton Drew Neighbourhood Area was approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning on 6th October 2013 and was fully supported by Bath and North East Somerset Council.

Legislation

Neighbourhood Development Plans must meet the following basic conditions (**Paragraph 8, Schedule 4B, 1990 Act**):

(1) The examiner must consider the following—

(a) whether the draft neighbourhood development plan meets the basic conditions (see subparagraph (2)),

(b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,

(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and

(e) such other matters as may be prescribed.

(2) A draft neighbourhood development plan meets the basic conditions if—

(a) 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,



(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,

(e) 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),

(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and

(g) 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 neighbourhood development plan.

(6) The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

Meeting Requirements

Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations. The National Planning Policy Framework makes clear that a sustainability appraisal should be an integral part of the plan preparation process, but the particular assessment requirements need to respond to the scale, status and scope of the plan being developed. It is not the case that every Neighbourhood Plan will need an environmental assessment of the type normally required when preparing Local Plans. Strategic Environmental Assessment may be required for Neighbourhood Plans, where they are likely to cause significant environment effects.

Even where there is no need to undertake formal environmental assessment under EU directives, it is good practice to prepare a statement setting out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan.

Regulation	Comments
<i>(1) The examiner must consider the following—</i>	
<i>(a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),</i>	<p>By reason of National Planning Policy Framework (2019) paragraph 2, this plan is a material consideration in the determination of an application for planning permission. The Plan seeks to reflect the wishes, needs and priorities of this community.</p> <p>The Neighbourhood Plan has due regard for the core planning principles set out in Para 8 of the NPPF and in particular seeks to (1) support this thriving community within the Chew Valley, (2) contribute to conserving and enhancing the natural environment, (3) improve health, social and cultural wellbeing for all and deliver facilities and services to meet local needs.</p>
<i>(b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,</i>	<p>The provision of 61E (2) 61J and 61L as amended by s38C (5) (b) is a reference to the provisions of 38A and 38B.</p> <p>38A (1) Stanton Drew Parish Council is a qualifying body authorised to act in relation to the neighbourhood area and is therefore entitled to submit a neighbourhood development plan for the neighbourhood area.</p> <p>(2) The neighbourhood plan policies and guidelines relate solely to the Neighbourhood Area – the parish of Stanton Drew.</p> <p>38B(1) (a) The period of the neighbourhood plan is up to 2034. (b) The neighbourhood plan does not include any provision for excluded development such as national infrastructure. (c) There is no other neighbourhood plan in place in this neighbourhood area.</p> <p>38B(2) The neighbourhood plan does not relate to more than one neighbourhood area; it relates to the neighbourhood area as designated by Bath and North East Somerset Council on the 11th October 2013.</p> <p>38B (4) The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the Neighbourhood Plan.</p>

	<p>Stanton Drew Parish Council (the 'qualifying body') has submitted as part of the proposal a Consultation Statement setting out the process and extent of the consultation undertaken as part of the neighbourhood plan development. The consultation bodies have been included in the Statement.</p> <p>(Note: NDPs which are likely to have a significant effect on European Sites habitats must be subject to an appropriate assessment-the Plan will not affect European Sites habitats. NDOs may also be subject to an Environmental Impact Assessment-This is not applicable to NDPs.)</p>
<i>(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates,</i>	It is not considered that there would be any benefit in extending the referendum area beyond the neighbourhood area as the plan relates only to those properties that fall within the neighbourhood boundary.
<i>(e) such other matters as may be prescribed.</i>	There are no other prescribed matters
<i>(2) A draft neighbourhood development plan meets the basic conditions if—</i>	
<i>(a) 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,</i>	<p>By reason of National Planning Policy Framework (2019) paragraph 2, this plan is a material consideration in the determination of an application for planning permission. The Plan seeks to reflect the wishes, needs and priorities of this community</p> <p>The Neighbourhood Plan has due regard for the core planning principles set out in Para 8 of the NPPF and in particular seeks to (1) support this thriving community within the Chew Valley, (2) contribute to conserving and enhancing the natural environment, (3) improve health, social and cultural wellbeing for all and deliver facilities and services to meet local needs.</p>
<i>(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,</i> <i>Para 124</i>	<p>The Government's approach to sustainable development as set out in the National Planning Policy Framework is about enabling development to cater for the needs of current generations, ensuring that growth doesn't mean worse lives for future generations.</p> <p>The NPPF attaches great importance to the design of the built environment and states in paragraph 124 that: 'Good design is a key aspect of sustainable development is indivisible from good planning'</p> <p>The Stanton Drew Neighbourhood Plan contributes to the achievement of sustainable development through:</p> <ul style="list-style-type: none"> • seeking good design in its policies on Housing: Policy P&D1 Housing Mix; Policy P&D2 Affordable allocation, Policy SD2 Landscape context and character and Policy SD1 Design Policy. • The Stanton Drew Neighbourhood Plan seeks to promote the health of the community by planning positively for the provision of shared space, community facilities and other local services to enhance the sustainability of the community. In particular via policy EL1 Rural Landscape Character; Policy EL2 Green Corridors & Biodiversity. • The Plan seeks to contribute and enhance the natural and local environment by protecting and improving valued landscapes recognising the important views, via Policy SD3 Landmark views: Protecting the importance of the existing environment; Policy EL1

	Rural Landscape and Character.
<i>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),</i>	This Plan takes due account of the adopted Development Plan for Bath and North East Somerset Council, and is in general conformity with policies relating to housing, green spaces and economy. .
<i>(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations,</i>	A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) would be required in support of the plan. It was determined (Sept 2018) that the Neighbourhood Plan will not have significant environmental effects and that no European Sites will be affected by the policies described in the Neighbourhood Plan.) As such an SEA is not required for this Neighbourhood Plan. Therefore, basic conditions concerning Habitats and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.) The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.
<i>(g) 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 neighbourhood development plan.</i>	None.

The Qualifying Body has submitted with this application, accompanying documents as set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

Conclusion

It is submitted that the Neighbourhood Plan meets the conditions set out in Paragraph 8 of Schedule 4B of the 1990 Act.

Policy No	Subject	B&NES Core Strategy / Placemaking Plan	NPPF (2019)
Housing			
Policy P&D1	Housing Mix	Cp10	Paras; 20, 60,61,77,78,79,127,128
POLICY P&D2	Affordable Allocation	Cp6d, cp9	Paras; 20,62,77,78,79, 126,145
Design Principle Policies			
DESIGN POLICY SD1	Compliance with the Development Plan	Cp6	Paras: 20,126,127,128,143,145
DESIGN POLICY SD2	Landscape Context and Character	Cp6	Paras; 122,126,143,144,145,146,170,185,186
DESIGN POLICY SD3	Landmark Views	Cp6	Paras;128,146,170
DESIGN POLICY SD4	Conservation Area	Cp6	Paras; 125,127,128,185,186,187,192,194
DESIGN POLICY SD5	Character Areas	Cp6	Paras; 125,127,128
DESIGN POLICY SD6	Use of the Stanton Drew Design Statement	Cp6c	Paras; 79,124,125,126,127,128,146,185,187
Business planning and development			
Policy BP1	Business Retention	Cp6c	Paras; 20,82,83,84,92,112,124
Policy BP2	Business Retention within the Housing Development Boundary	Cp5b	Paras; 20,83,84,92,112
Policy BP3	Internet Connectivity	6p6q	Paras; 20,82,112

Community Infrastructure Levy			
Policy CIL1	Community Infrastructure Levy	6p6q	Paras; 34,62
Environment and Landscape			
Policy EL1	Rural Landscape Character	Cp7	Paras; 8,98,146,170
Policy EL2	Green Corridors and Biodiversity	Cp7	Paras; 8,174
Policy EL3	Trees, Hedge and Green Verge Conservation and Enhancement	Cp7	Paras; 8,174,175
Policy EL4	Aquatic Biodiversity	Cp7	Paras; 8, 174
Policy EL5	Dark Skies	Cp7	Paras; 8,180
Policy EL6	Heritage Assets	Cp6f	Para 8
Policy EL8	Protected Views	Cp6	Para 8