

Cradley and Storrige Neighbourhood Development Plan 2011 to 2031



Basic Conditions Statement

Draft

August 2016

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1. Introduction

The purpose of this Basic Conditions Statement is to contribute to meeting the requirements of the Neighbourhood Planning (General) Regulations 2012.

The document has been produced in parallel with a Statement of Consultation, also required by the Regulations. The draft Cradley and Storrige Neighbourhood Development Plan itself has now reached the Regulation 16 stage.

The first draft Cradley and Storrige Neighbourhood Development Plan (NDP) was prepared in the autumn of 2015. It was submitted to Herefordshire Council on 10 March 2016 and issued for consultation among the electors of the parish from 9 March to 27 April 2016. The Neighbourhood Planning Team at Herefordshire Council has provided guidance from December 2015 onwards when the first draft was submitted for informal comment.

The draft NDP has drawn on a number of earlier documents, including Parish Plans of 2004 and 2010 and a Village Design Statement. The Parish Plans were based in part on a substantial element of public consultation. The draft NDP has also taken account of a Landscape Assessment undertaken by Carly Tinkler cMLI. This was commissioned by the Parish Council to support preparation of the forthcoming NDP and published in March 2015.

The draft NDP was also subject to Strategic Environmental Assessment and Habitats Regulations Assessment. These are covered in Section 5.

2. Legal Requirements

Cradley and Storrige Parish Council made an application to Herefordshire Council on 12 June 2013, under the Town and Country Planning Act and the Neighbourhood Planning (General) Regulations 2012, to designate a Neighbourhood Area. The application was approved in a Neighbourhood Area Decision Document dated 5 August 2013, following a public consultation organised by the Council in the period 19 June to 31 July 2013. The Decision Document was accompanied by a Neighbourhood Planning Notice of the same date identifying the whole of Cradley and Storrige parish as the Neighbourhood Area.

The draft Neighbourhood Development Plan has been prepared by Cradley and Storrige Parish Council. It covers the whole of the defined Neighbourhood Area, that is, the entire Civil Parish. It has been prepared in accordance with the statutory requirements and processes set out in paragraph 8(s) of Schedule 4B to the Town and County Planning Act 1990 as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004.

Time Period

The Cradley and Storrige Neighbourhood Development Plan covers the period 2011 to 2031, the same period as the Herefordshire Local Plan Core Strategy (shortened to Herefordshire Core Strategy in the rest of this document) which was adopted in October 2015.

Scope of the Neighbourhood Development Plan

The draft Neighbourhood Development Plan does not deal with County matters (mineral extraction and waste development) or nationally significant infrastructure such as railways.

NDP Contribution to sustainable Development

The draft NDP acknowledges the role of the development plan in the determination of planning applications as set out in paragraphs 2 and 11 of the National Planning Policy Framework (NPPF), and that the NDP, when made, will form part of the development plan for the area it covers.

The draft NDP takes account of, and indeed promotes, the three dimensions of sustainable development set out at paragraph 7 of the NPPF.

The Economic Dimension

The draft NDP contributes to building a stronger local economy. It does so by protecting existing employment sites and premises and supporting employment creating activity. Increased economic activity in the parish will also be encouraged by strong mobile signals and fast broadband. The provision of additional housing will create economic benefits in the shape of employment in the construction stage and potential additional expenditure once the new housing is occupied.

The Social Dimension

The draft NDP helps to ensure the sustainable future of the parish by making provision for housing, including affordable housing, consistent with the requirements of the Herefordshire Core Strategy. It also supports interaction within the village by seeking the improvement of public rights of way as a safer alternative for pedestrians to the roads without footways.

The Environmental Dimension

The draft NDP is consistent with and supported by a Strategic Environmental Assessment and Habitats Regulations Assessment, the contents of which are summarised in Section 5. The Plan itself recognises the environmental assets of all kinds in the parish and contains appropriate policies to protect and enhance them.

The draft NDP complies with the first two bullet points of paragraph 16, in supporting the development needs set out in the Herefordshire Core Strategy, and allowing scope for local development outside its strategic elements.

The draft NDP takes account of the twelve core planning principles at paragraph 17 of the NPPF. Those which are considered to be most directly relevant to the NDP are addressed below.

The draft NDP is consistent with the first and second of the twelve principles as it has been produced by local people within the framework of national guidance and local policy. In particular it is succinct, not duplicating local policy. It is indeed, as the second bullet point expresses it, a creative exercise in finding ways to enhance and improve the places in which people live their lives.

In respect of the third principle, the draft NDP makes provision for the objectively identified needs for housing set out in the recently adopted Herefordshire Core Strategy.

In respect of the fifth principle, the NDP supports Cradley parish as a thriving rural community and recognises the intrinsic character and beauty of the countryside in the entire parish, not just the parts of it located in the Malvern Hills AONB.

The draft NDP also supports the sixth principle in encouraging the conversion of existing buildings and the incorporation of renewable energy in new and existing development.

The draft NDP does contribute to conserving and enhancing the natural environment. For reasons set out in Section 4, it does not propose the allocation of land for any purpose.

There is no significant brownfield land in the parish capable of redevelopment in the foreseeable

future.

The draft NDP identifies and supports community services and facilities.

The draft NDP is consistent with paragraph 184 in that it is in general conformity with the Local Plan in the form of the recently adopted Herefordshire Core Strategy. This matter is addressed in detail in Section 4.

It is also consistent with paragraph 185 in that Herefordshire Council has strongly encouraged neighbourhood planning throughout the County, and has for example set up a Neighbourhood Planning Team to support local initiatives and published a series of guidance notes to assist the production of neighbourhood plans. At the time of writing there are 101 designated areas in the County. The Council intends to produce a lower tier plan to complement the Herefordshire Core Strategy only for those parts of the County unable to produce neighbourhood plans. As a result, any difficulties of conflict between and duplication of policies are avoided.

4. Herefordshire Core Strategy

4 Herefordshire Core Strategy

This section identifies policies of the Herefordshire Core Strategy considered to be relevant to the draft NDP and addresses the degree of compliance with them of the policies of the draft NDP. It also identifies instances where it was considered unnecessary to include in the NDP a policy on a particular topic, in order to avoid the issue of duplication to which paragraph 185 of the NPPF refers, and taking into account the principle that the development plan must be read as a whole.

Vision, Objectives and Spatial Strategy

SS1 Presumption in favour of sustainable development

Policy SS1 itself essentially repeats the provisions of the NPPF, particularly paragraph 14. It was therefore considered that further repetition was unnecessary.

SS2 Delivering new homes

The provisions of this policy are covered in more detail by Policy RA1, which is addressed below.

SS4 Movement and transportation

The scale of development provided for in the Herefordshire Core Strategy for Cradley parish is unlikely to give rise to the kind of significant transport impacts which this policy is designed to manage and mitigate. However, as already indicated in respect of the social dimension of sustainable development, the draft NDP supports interaction within the village by seeking the improvement of public rights of way as a safer alternative for pedestrians to the roads without footways.

SS5 Employment provision

Cradley is not among the strategic locations for employment identified in the first paragraph of this policy. The matters raised in its second paragraph are however relevant to rural areas such as Cradley. The draft NDP is consistent with this policy, and extends the safeguarding of employment sites referred to in its first paragraph to the Ashvale Industrial Estate.

SS6 Environmental quality and local distinctiveness

The draft NDP is consistent with this policy, and identifies the significant environmental assets in the parish.

SS7 Addressing climate change

The draft NDP adds to the scope of this comprehensive policy by referring in Policy CSNDP9 to measures to reduce energy consumption.

Place Shaping Policies

RA1 Rural housing distribution

The NDP acknowledges the level of housing provision made in the Herefordshire Core Strategy for the County as a whole and for the Ledbury Housing Market Area, in which Cradley is located, in particular. Taking into account the level of completions and current commitments for housing, it was concluded that it would not be necessary to identify in the NDP sites for housing as potential allocations. The small residual requirement in relation to the total identified for the parish of 103 dwellings could come forward through windfall development. This approach was supported by the Neighbourhood Planning Team; the significant contribution of windfalls to total housing supply is acknowledged in paragraph 3.46 of the Herefordshire Core Strategy.

It is considered that in combination, policies CSNDP1 and CSNDP2 will enable housing requirements for the parish to be met.

RA2 Housing in settlements outside Hereford and the market towns

It is considered that policies CSNDP1 and CSNDP2 are also consistent with Policy RA2, in that while the NDP reaffirms, with minor adjustments, the settlement boundary of Cradley set out in the superseded Herefordshire Unitary Development Plan. The NDP policies also allow for development outside but adjacent to the settlement boundary.

RA3 Herefordshire's countryside

It was considered unnecessary to add to the comprehensive criteria of Policy RA3 dealing with residential development in the countryside.

RA4 Agricultural, forestry and rural enterprise dwellings/RA5 Re-use of rural buildings/RA6 Rural economy

Draft Policy CSNDP3 refers to and is consistent with policies RA4, RA5 and RA6, adding a local dimension by reference to the parish's one employment area (the Ashvale Industrial Estate) and seeking to protect and retain this and other employment sites and premises.

In the context of these place shaping policies, the Parish Council gave serious consideration to the issue of whether or not they provided sufficient protection from development for the proposed strategic gap between east and west Cradley, which is the subject of draft Policy CSNDP8 and is depicted on the Proposals Map.

It was concluded that draft Policy CSNDP8 was necessary to reinforce strategic policies, for the following reasons. Core Strategy Policy RA2 allows for development adjacent to as well as within settlement boundaries, an approach reflected in the NDP's own draft policies CSNDP1 and CSNDP2. At the same time, however, although any proposals for development adjacent to the settlement boundary would be subject to other criterion based policies, RA2 would apply to the parts of the strategic gap which occupies all the land between the settlement boundary on the eastern edge of west Cradley and the western side of east Cradley, as well as land adjoining the rest of the perimeter of the two settlements. The Parish Council is not opposed in principle to development outside the settlement boundary, but considers that the strategic gap between east and west Cradley should be maintained.

The long pedigree of the strategic gap is described in the NDP itself. In short, it originated in the Malvern Hills District Local Plan adopted in January 1998. It has been identified in the two Parish Plans as an important and distinctive feature of the parish; it is not common for a single parish to contain two distinct settlements so close to each other. The open character of the intervening gap, lacking intermediate boundaries, provides additional justification for a greater measure of protection. A development proposal might be consistent with Policy RA2 in being adjacent to the settlement boundary, but at the same time extend into the strategic gap to its detriment.

It is therefore concluded that the inclusion of Policy CSNDP8 in the NDP is justified, and also that the NDP as a whole is in general conformity with the Herefordshire Core Strategy. This approach is also considered to be consistent with the first core planning principle at paragraph 17 of the NPPF.

General Policies

H1 Affordable housing - thresholds and targets/H2 Rural exception sites

The draft NDP refers to the tenure of housing in the parish by reference to relevant data from the 2011 Census. Policy CSNDP2 supports the provision of affordable housing on a named existing commitment in the parish, and supports rural exceptions schemes.

H3 Ensuring an appropriate range and mix of housing

The existing commitment referred to above is a permission in outline for up to 60 dwellings, and is therefore a case to which Policy H3 particularly applies. It was however considered that the provisions of this policy are sufficient and do not require elaboration in the NDP.

SC1 Social and community facilities

The draft NDP identifies the principal social and community facilities in the parish. The Plan includes a policy (CSNDP4) which supports the retention of existing facilities and the provision of new facilities provided that certain conditions are met.

OS1 Requirement for open space, sport and recreation facilities/ OS2 Meeting open space, sport and recreation needs/OS3 Loss of open space, sport and recreation needs

The draft NDP identifies areas of open space and sports and recreation facilities in the parish.

It adds a local dimension by including Policy CSNDP11, which identifies two particular areas of open space worthy of protection, carrying forward the provisions of the superseded Herefordshire Unitary Development Plan.

Policy CSNDP12 seeks to protect existing sports and recreational facilities and is consistent with Core Strategy Policy H3.

MT1 Traffic management, highway safety and promoting active travel

The draft NDP is consistent with this policy and adds to it in the ways already indicated above in respect of Policy SS4.

Economic Prosperity

E1 Employment provision/ E2 Redevelopment of existing employment and buildings

The draft NDP is consistent with these strategic policies. However it seeks to provide an additional measure of protection, beyond that provided by Policy E2, in Policy CSNDP4 for the Ashvale Industrial Estate.

E3 Homeworking

The draft NDP acknowledges by reference to relevant Census data the extent to which the economically active resident population of the parish works at or from home, and refers to the need for improved broadband connections to enable more people to do so successfully. It was considered however that it was unnecessary for the NDP to add to Core Strategy Policy E3.

E4 Tourism

The draft NDP acknowledges the environmental assets, both built and natural, of the parish, in particular the designation of its eastern half as part of the Malvern Hills Area of Outstanding Natural Beauty. Draft Policy CSNDP3 adds a local dimension to the otherwise comprehensive Core Strategy Policy E4 in supporting tourism related development involving the conversion of redundant buildings.

Environmental Quality

LD1 Landscape and townscape

Policy CSNDP10 refers to and is consistent with Core Strategy Policy LD1.

LD2 Biodiversity and geodiversity

The draft NDP identifies the five Sites of Special Scientific Interest which lie wholly or partly in the parish.

LD3 Green infrastructure

The draft NDP acknowledges the concept of green infrastructure and its importance in Section 7.

LD4 Historic environment and heritage assets

Policy CSNDP10 refers to and is consistent with Core Strategy Policy LD4.

SD1 Sustainable design and energy efficiency

This is a detailed and comprehensive policy to which the NDP can usefully add little. However, Policy CSNDP9 does encourage the incorporation in all developments of measures to reduce energy consumption.

SD2 Renewable and low carbon energy/ SD3 Sustainable water management and water resources/ SD4 Waste water treatment and river water quality

It was considered that the NDP need not add significantly to the provisions of these policies, which like SD1 are detailed and comprehensive. However, in respect of Policy SD3, draft Policy CSNDP7 and the Proposals Map identify areas where localized problems of flooding have occurred in the recent past and commits to addressing these problems.

5. European Union Obligations

These obligations relate to Strategic Environmental Assessment, Habitats Regulations Assessment and Human Rights.

Strategic Environmental Assessment

Neighbourhood development plans are required to be compatible with the EU Strategic Environmental Assessment (SEA) Directive, 2001/42/EC, concerning the effects of certain plans and programmes on the environment.

The purpose of Strategic Environmental Assessment is to screen and assess the environmental impact of plans, including neighbourhood development plans, in accordance with EU and also national obligations.

Herefordshire Council issued a Strategic Environmental Assessment Scoping Report for the Cradley Neighbourhood Area in October 2014.

This document was taken into account in the process of producing the draft NDP. Comments on the Scoping Report were invited from the following consultation bodies: Natural England, Historic England and the Environment Agency.

In turn, these bodies among others commented on the draft NDP itself during the consultation period 9 March to 27 April 2016; their comments were taken fully into account in the subsequent amendments to the draft NDP.

Habitats Regulations Assessment

Herefordshire Council issued a Habitats Regulations Assessment (HRA) for the Cradley Neighbourhood Area in March 2016.

The initial Cradley Screening Report was undertaken in July 2014. It found that the Neighbourhood Area did not contain any European sites, a collective term for Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites. Nor were there any such sites in areas close enough to be affected by the policies and proposals of the draft NDP.

The March 2016 document therefore concluded that a full Habitats Regulation Assessment would not be required for the Cradley and StorrIDGE Neighbourhood Plan.

Human Rights

The draft NDP does not diminish but seeks to enhance the human rights of the current and future residents of Cradley and StorrIDGE Parish and of any other people who might be affected by it.

6. Prescribed Conditions

These cover listed buildings and conservation areas.

The NDP does not have the power to list (or delist) buildings, or to alter the boundaries of conservation areas. Indeed, these matters lie outside the development plan making process altogether.

At the same time, components of the development plan must take full account of the existence of listed buildings and conservation areas. The draft NDP acknowledges the extent of these assets in the parish in Section 8, and provides appropriate policies in the form of CSNDP10 and CSNDP11. The draft NDP contains no provisions which would be detrimental to these assets.

7. Conclusion

In the light of the above, it is concluded that the Cradley and StorrIDGE Neighbourhood Development Plan

Has taken appropriate account of national planning policy and guidance

Contributes to the achievement of sustainable development

- Is in general conformity with the strategic policies in the Herefordshire Core Strategy, and
- Is compatible with European Union obligations, including environmental assessment requirements and Human Rights requirements.