

**VOWCHURCH AND DISTRICT
GROUP PARISH COUNCIL**

**NEIGHBOURHOOD DEVELOPMENT PLAN
2011 – 2031**

BASIC CONDITIONS STATEMENT

September 2016

Introduction – The Legislative Framework

1. All Neighbourhood Plans must meet a set of minimum requirements, referred to as “basic conditions” that are set out in national legislation. These conditions, put simply, are that a Plan should contribute to achieving sustainable development in a local area and in so doing be consistent with -

- national planning policy;
- local strategic planning policies, in this case Herefordshire Council’s Core Strategy;
- and be compatible with European legislation, including human rights and the protection of the environment.

2. The Neighbourhood Plan for the area of five parishes covered by the Vowchurch and District Group Parish Council – Michaelchurch Escley, Newton, St Margaret’s, Turnastone and Vowchurch - (referred to henceforth as “Vowchurch Parish Council”) has been developed by the Council with the support of and in consultation with local people. Our work has been closely supervised at all stages by Herefordshire Council.

3. The Parish Council is a qualifying body under national legislation (the Town and Country Planning Act) and the area covered by the Parish Council was been designated by Herefordshire Council for the purpose of the neighbourhood plan on 30 September 2013.

4. The Neighbourhood Plan covers the period 2011 to 2031, the period covered by Herefordshire Council’s Core Strategy, which was adopted on 16 October 2015. The Plan sets out policies for the development of land in the designated area which are intended to be used in assessing planning applications.

5. The Neighbourhood Plan does not include any policies relating to types of development which have been excluded by the Localism Act, including minerals and waste and road developments.

The Broader Planning Framework

6. The National Planning Policy Framework (NPPF) and National Planning Guidance “sets out the Government’s planning policies and how these are expected to be applied.” It outlines the national context for the whole planning system, and a framework within which local councils and local communities can produce “their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.” The plans produced by local councils must be fully consistent with the NPPF.

7. The Vowchurch neighbourhood plan has been produced in the context of this national guidance and has been directly informed by the broad context and detailed policies set out in Herefordshire Council’s Core Strategy. During the period of our work the Core Strategy has been approved which means that it has been judged fully consistent with national planning policies. Most of what follows therefore relates our neighbourhood plan to the policies in the Core Strategy.

Sustainable Development

8. The concept of “sustainable development” is at the core of the NPPF. In essence this means meeting current needs without compromising the ability of people in the future to meet their needs. In very simple terms this means that developments now should be consistent with protecting and enhancing the environment. All national and local planning should help to achieve sustainable development. The concept of sustainable development is therefore at the heart of local planning.

9. In Herefordshire Council’s Core Strategy, Policy SS1 sets out a “presumption in favour of sustainable development”. That is, developments which take place should “improve the social, economic and environmental conditions” in the county. This is the basic condition to be met by development. All other policies set out in the Core Strategy relate back to this fundamental principle.

10. The Vowchurch and District Group Parish Council Neighbourhood Plan for our five parishes has been prepared with direct reference to the central focus in national and local planning policies of sustainable development. At the heart of this process for the people of this community has been the balance between developments that will materially benefit the local social and economic conditions and the need to protect the environment that we all value and wish to preserve.

11. Our distinctive Neighbourhood Plan has to be viewed in the context of Herefordshire Council’s strategy for its rural areas. This strategy acknowledges “the many challenges in securing (the rural areas) long term future in a sustainable manner.” (paragraph 4.8.1) The Core Strategy suggests that there is a range of economic, social and environmental factors which will have an impact of the sustainability of development in each area.

12. The Core Strategy recognises that “different areas.. have their own identities shaped by.. factors and affinities that have evolved through time.” (paragraph 4.8.4) In particular settlement patterns have a strikingly local character. It therefore identifies a number of “housing market areas” (HMA) which share housing market characteristics.

13. Our five parishes lie in the Golden Valley HMA, an area of great natural beauty. Within the Golden Valley Parish Council areas are of two broad types.

14. Some parishes are based on village settlements of some size. Others, like Vowchurch Parish Council, are wholly rural, having tiny village centres around local churches, with a small and highly dispersed settlement population. The parish areas are closely linked, with the larger villages providing essential services, such as primary care and local shops and post offices, which are made use of by the wider population.

15. The greatest scope for housing and business development lies in these larger villages, but all areas have scope for some “sensitive and appropriate housing growth” (Core Strategy paragraph 4.8.12) and this is reflected in the approach we have taken in our Neighbourhood Plan.

Meeting Basic Conditions – Consistency with local and national policies

Vowchurch NP Policies	National Planning Policy Framework paragraph	HCC Core Strategy policies	Comments
Policy 1 – To protect and enhance the local environment development proposals will have to demonstrate the following -	58, 109, 110, 113, 126, 132		
design and scale reflect the character of the local environment and existing buildings in a way which enhances the natural and historic beauty of the local area;		SS1 – presumption in favour of sustainable development LD1 – proposals to show that they reflect character of landscape and protect and enhance settlements SD1 – proposals should create safe, sustainable and well-integrated environments (includes good design, reflect local building characters, styles and materials; reflect energy efficiency)	<i>The community wishes to see sustainable development which does not destroy the character of the historic environment.</i>
that they protect and enhance wildlife sites, listed buildings and ancient monuments, and assets such as stone walls, wildlife sites and commons;		SS1 LD2 – proposals should conserve, restore and enhance biodiversity LD4 – proposals should conserve the historic environment	<i>A key aim has been to conserve both the natural and the built environments.</i>
that they protect and maintain native trees, hedgerows and other important vegetation and do not have an adverse impact on local brooks, streams and rivers.		SS1 LD2 LD3 – proposals should protect, manage and preserve the “green infrastructure”	<i>A key aim has been to protect the natural environment.</i>
Policy 2 – Location of future developments in Michaelchurch Escley, Vowchurch and Lower Maes-	14, 55		

Vowchurch NP Policies	National Planing Policy Framework paragraph	HCC Core Strategy policies	Comments
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New housing proposals will be permitted within the defined settlement boundaries for Michaelchurch Escley and Vowchurch and within the small settlement area of Lower Maes-coed. Proposals will be subject to the following criteria -		RA1 – Golden Valley – approximately 304 new houses to 2031, 12% indicative housing growth RA2 – Sustainable housing growth will be supported in or adjacent to identified settlements	<i>Boundaries have been defined for the two main settlements and subject to local consultation.</i>
they should broadly be for no more than 1 to 3 homes on each site, reflecting the historic building pattern of small developments;		SS1 SS2 – producing new homes LD1	<i>This area is characterised by small scale dispersed development. This policy is designed to protect this character in line with national and local policies whilst enabling new dwellings to be constructed.</i>
they should be for in-fill on land around or between existing buildings;		SS1 SS2	<i>The aim here is to make the best use of land within the settlements.</i>
where possible they could be for the conversion of existing buildings such as stables, barns and workshops;		SS2 RA5 – re-use of rural buildings	<i>The scope for the conversion of existing buildings, particularly redundant farm buildings has been demonstrated by the number of such conversions in the previous planning period.</i>
schemes should blend in sensitively with the historic pattern of houses.		SS1 LD1 SD1	<i>Again the aim is to preserve the character of the area.</i>
Policy 3 – Developments in open countryside	55		
This neighbourhood plan supports the policy set out in		SS1 LD2 LD3	<i>The community supports this policy which is designed to</i>

Vowchurch NP Policies	National Planning Policy Framework paragraph	HCC Core Strategy policies	Comments
Herefordshire Council's Core Strategy, that new housing development in the countryside should only be permitted when it satisfies defined criteria.		SD1 RA3 – Housing limited in rural areas outside the identified settlements RA4 – proposals for housing permitted in defined circumstances.	<i>protect the countryside. At the same time the conversion of redundant farm buildings, notably barns will continue in the wider area.</i>
Policy 4 – Nature and scale of new homes	50, 54		
New housing proposals will be permitted for small family homes of two and three bedrooms. The accent should be on well designed, modest buildings which are affordable, especially for local people.		SS1 SS2	<i>There is strong local support for building homes suitable for families.</i>
Policy 5 – Housing design criteria	56, 58, 59		
Housing proposals will be permitted for buildings which reflect the existing, particularly historic, local building styles in the use of materials such as stone, slate, wood and brick. Proposals will be subject to the following criteria -		SD1	<i>Again the aim is to preserve the character of the area.</i>
building proposals should be in keeping with the existing nature of the settlements, providing gardens, with tree screening and blending with the surrounding environment;		LD1 SD1	<i>Again the aim is to preserve the character of the area.</i>
proposals for buildings which offer a high degree of energy efficiency will be welcomed as long as they meet the above		SS7 – climate change SD1	<i>The provision of energy efficient homes which reflect the local building styles is supported.</i>

Vowchurch NP Policies	National Planing Policy Framework paragraph	HCC Core Strategy policies	Comments
criteria.			
Policy 6 – Affordable housing	50, 54		
Proposals for new homes which are affordable for local people, whether as fully owned, partly owned or rented will be welcomed. This includes schemes which favour local people either as private owners or renters will also be encouraged.		SS1 SS2 H1 – affordable housing	<i>Local people would welcome the provision of more affordable homes in the area.</i>
Policy 7 – External lighting and amenity	125		
Planning proposals that include external lighting will have to demonstrate that there has been a proper assessment of the need for such lighting and that care has been taken to design appropriate lighting which minimises the impact on neighbours and reduces light pollution and energy consumption. In addition, no new housing development will be permitted if there is an undue impact on the amenity of existing residential premises or if the proposed housing is likely to be impacted by noise or nuisance.		SD1 SD2 – proposals that reflect renewable energy generation will be supported if these are consistent with other objectives such as safeguarding the landscape, protecting local amenity)	<i>There is very strong support for protecting the amenity of existing residents, this includes preventing light and noise pollution.</i>
Policy 8 – Applications for new commercial developments	28		
<i>Proposals for small businesses in the five</i>		SS1 SS5 – employment	<i>The NP supports the provision of new</i>

Vowchurch NP Policies	National Planing Policy Framework paragraph	HCC Core Strategy policies	Comments
<i>parishes will be supported where they are consistent with the overall objective of preserving the existing rural character of the area.</i>		E1 – employment provision RA6 – rural economy	<i>business activity in the area.</i>
Policy 9 – Applications for new tourist developments	28		
The development of new facilities in the wider area should be supported where this is appropriate and meets current planning guidelines.		SS1 E4 – tourism	<i>The NP supports the provision of new tourism facilities in the area.</i>

Compatibility with European Union (EU) legislation

16. Neighbourhood Development Plans are also required to be consistent with the following EU legislation that has been incorporated into UK law.

Impact of developments on the environment

17. There is an EU requirement that development plans should be assessed for their potential impact on the local environment, particularly features in that environment which have an importance that goes beyond the local, regional and even national levels. EC Directive 2001/42/EC requires the assessment of the effects of certain plans and programmes (including neighbourhood development plans) on the environment to ensure that any proposals in such plans contribute to sustainable development. Such an assessment is known as a “strategic environmental assessment.”

18. A Strategic Environmental Assessment has been carried out by Herefordshire Council into the impact that our neighbourhood plan might have on the local environment. The conclusion of the assessment was that “none of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than (the) strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full sustainability appraisal”.

19. There is a further EU requirement which relates to the conservation of natural habitats and their fauna and flora (Directive 92/43/EC) and to the conservation of birds (Directive 2009/147/EC.) The need to protect natural habitats and the species which live in them in the face of developments embodied in these Directives makes it necessary to determine

whether a Habitats Regulations Assessment would be necessary for our neighbourhood plan area.

20. The first stage of this is to establish whether there are any sites within the neighbourhood plan area which have been designated as European sites for the purpose of the protection and conservation of birds and other animals and their habitats. This neighbourhood plan area does not contain any European sites, that is to say, any sites which require special protection or conservation. Therefore a full Habitats Regulation Assessment is not required.

21. Other European Directives of relevance to developments are the Water Framework Directive (2000/60/EC), the Waste Framework Directive (2008/98/EC) and the Air Quality Directive (2008/50/EC). The requirements of these Directives was considered during the preparation of the neighbourhood plan and it was judged that none of them are relevant to the plan.

European Convention on Human Rights

22. The work on the neighbourhood plan has been done with regard to the fundamental rights and freedoms guaranteed under this Convention and enshrined in the Human Rights Act. Nothing in the plan breaches those rights and freedoms.

Overall Conclusion

23. The Neighbourhood Plan has been developed with full reference to national, local and European Union requirements. The Plan is fully consistent with these requirements.

September 2016