



**BISHOPSTONE GROUP NEIGHBOURHOOD
DEVELOPMENT PLAN
BASIC CONDITIONS STATEMENT**

1 – Legal Requirements

- 1.1 This Statement has been prepared by Paul Walker Consultancy on behalf of the Bishopstone Group Parish Council to accompany its submission to the local planning authority Herefordshire Council of the Bishopstone Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”)
- 1.2 The Neighbourhood Plan has been prepared by Bishopstone Group Parish Council
- 1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan is from 2016 to 2031 and it does not contain polices relating to excluded development in accordance with the Regulations.
- 1.4 The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990.
- 1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - Having regard to national planning policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - The making of the neighbourhood development plan is in general conformity with the strategic polices contained in the

development plan for the area of the authority (or any part of that area);

- The making of the neighbourhood development plan does not breach, and is compatible with EU obligations.

2 – Introduction and Background

- 2.1 The Bishopstone Group Parish has undertaken a Neighbourhood Development Plan. The group Parish comprises of the parishes of Bishopstone, Bridge Sollars, Byford, Kenchester and Mansell Gamage. The group parish of Bishopstone lies approximately 6 miles to the west of Hereford. There is no shop, doctor's surgery, school, post office, public house or petrol station and there is a limited bus service between Eardisley and Hereford. A small community centre was opened in 2011 in part of Bridge Sollars church.
- 2.2 The Neighbourhood Development Plan is at the Regulation 16 stage. This follows the Parish Council applying for a designated neighbourhood area on 17th January 2013. A regulation 14 draft plan was submitted on 29th September 2016 with ongoing discussions with the Council and other statutory bodies.
- 2.3 In 2013 the parish council organised an Open Evening for residents to discuss the NDP and identify the issues concerning residents and what they wanted to see included within the Plan. The steering group prepared a questionnaire using this information and all residents were notified with this document. An 86% response rate was achieved and their responses were analysed and a further Drop in Open Day followed together with the responses publicised on the parish website and in local venues.
- 2.4 The steering group drew up Draft Policies based on these results and on the policies of the Herefordshire Core Strategy with a copy of the Plan delivered to all households. Further consultation was again carried out by means of a Drop In and publicity on the parish website and at local venues.
- 2.5 The draft NDP includes 4 objectives BO1, BO2, B03 and BO4 and it is intended that these objectives will be delivered by 9 criteria based planning policies with one site identified for potential development with settlement boundaries also proposed to control any new development.

2.6 The environmental appraisal of the NDP has been undertaken in line with the Environmental Assessment of Plan Programmes Regulations 2004 and a report prepared by Herefordshire Council was issued in February 2018. This was supported with a Habitats Regulation Assessment issued by the Council in February 2018.

3 - Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of April 2012. It is also mindful of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating neighbourhood plans.

3.2 Specifically Para 16 together with Paragraphs 183 to 185 of the NPPF have been identified as the specific government policies towards the preparation of Neighbourhood Plans. These seek to provide policies for the presumption of sustainable development with clear policies that will guide how the presumption should be applied locally. The Neighbourhood Plan sets out planning policies to determine planning applications and enables the “tool” for local people to get the right types of development for their community.

3.3 Set out in Table 1 below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all relevant paragraphs.

| Policy H1 | Housing in Bishopstone | NPPF Para |
|------------------|-----------------------------------------------------------------------------------------------|-----------------------|
| 1+2 | provides strategic needs and reuse of buildings to support sustainable growth | 16 and 28 |
| 3 | provide mix of housing and affordable housing incorporating community village green/play area | 47,50,54,57,58 and 69 |
| 4 | conversion of redundant buildings and reuse of listed buildings | 28 and 55 |
| 5 | building developments of | 50 and 55 |

| | | |
|---|---------------------------------------------|----|
| | single dwellings and defined village limits | |
| 6 | outside development limits | 55 |

| Policy H2 | Housing in Byford | NPPF Para |
|------------------|-----------------------------------------------------------|------------------|
| 1+2 | Defines development limits and proposals for infill sites | 28,50,54 and 111 |
| 3 | conversion of rural buildings | 28 and 55 |
| 4 | outside development limits | 55 |

| Policy H3 | Housing in Bridge Sollars, Kenchester and Mansell Gamage | NPPF Para |
|------------------|-----------------------------------------------------------------|------------------|
| 1 | Rural exceptions provision | 55 |

| Policy G1 | Housing and Development Sites and Design | NPPF Para |
|------------------------|-------------------------------------------------|------------------|
| 1 | Defining volume of development | 15 and 28 |
| 2a | Promote quality of development | 47 and 50 |
| 2b, 2c, 2d, 2e, 2f, 2g | Promote design and assimilation | 56, 57 and 58 |
| 2h | Highway safety and access | 69 |
| 2i | Flood risk impact | 94, 99 and 100 |

| Policy G2 | Flooding | NPPF Para |
|------------------|--------------------------------|------------------|
| 1 | Need for flood risk assessment | 100 |

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|---|-----------------------------------------------------|------------------|
| 2 | Need for sustainable surface water drainage systems | 100, 102 and 104 |
| 3 | Control of surface water | 104 |

| Policy G3 | Business development and homeworking | NPPF Para |
|------------------|---------------------------------------------|------------------|
| 1 | Promote small scale business | 28 and 111 |
| 2 | Home working | 28 |
| 3 | Improve broadband and telecommunications | 28 and 45 |
| Policy G4 | Traffic and Transport | NPPF Para |
| 1 | Appropriate measures to mitigate traffic | 28 and 162 |
| 2 | Improve road safety | 28 |

| Policy G5 | Tourism | NPPF Para |
|------------------|----------------------------|------------------|
| 1 | Defining tourism proposals | 28 and 111 |

| Policy G6 | Historic landscape and gardens | NPPF Para |
|------------------|-----------------------------------------------------|------------------|
| 1 | Respect and preserve historic landscape and gardens | 126,127 and 128 |
| 2 | Enhance existing green infrastructure | 74,76 and 77 |

4 Conformity with Strategic Policies of the Development Plan

4.1 -The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for Herefordshire Council.

- 4.2 – The development plan for this area is the Herefordshire Adopted Core Strategy Local Plan which was adopted by Herefordshire Council on 16 October 2015.
- 4.3 The Submission Neighbourhood Development Plan is in general conformity with strategic Local Plan policies contained in the Herefordshire Core Strategy (2011-2031).
- 4.4 Planning Practice Guidance 2014 in para 009 states that “Neighbourhood plans when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its LOCAL PLAN.”
- 4.5 Para 9 continues “A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if is to meet BASIC CONDITIONS. A draft Plan or Order is not tested against the policies in an emerging Local plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”
- 4.6 Table 2 below sets out the way that the Neighbourhood Development Plan conforms to the relevant strategic polices from the adopted Plan, the Core Strategy Local Plan for Herefordshire.

TABLE2 Conformity with Local Strategy Policy

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|--------------------------------------|--------------------------------------------------------------|
| Bishopstone Group Neighbourhood Plan | Herefordshire Local Plan Core Strategy 2011-2031 |
| Policy H1 Housing in Bishopstone | Policy S1 – Presumption in favour of Sustainable development |

| | |
|--------------------------------------------------------------------|-------------------------------------------------------------------------|
| Policy H2 Housing in Byford | Policy RA1 –Rural housing distribution |
| Policy H3 Housing in Bridge Sollars, Kenchester and Mansell Gamage | Policy RA2 Housing in settlements outside Hereford and the market towns |
| | Policy H3 Ensuring an appropriate range and mix of housing |
| | Policy H2 –Rural exceptions sites |
| | Policy RA5 – Reuse of rural buildings |
| | Policy RA4 –Agriculture, forestry and rural enterprise dwellings |
| | |

The Neighbourhood Plan has addressed the aims of the Development Plan through identifying a scale of development appropriate to the character and scale of the villages and to meet the sustainable needs of the villages within the Plan area. Outside the new development limits, provision is made for rural exceptions.

| | |
|------------------------------------------------|------------------------------------------------------------|
| Policy G1 Housing development sites and design | Policy H3 Ensuring an appropriate range and mix of housing |
|------------------------------------------------|------------------------------------------------------------|

One site is identified for development to sustain the village of Bishopstone utilising a range of housing types and requires a mixture of small infill housing sites to meet the objectives of the Core Strategy policies.

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|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy G2 Flooding | <p>Policy SS1 - Presumption in favour of sustainable development</p> <p>Policy SS6 - Environmental quality and local distinctiveness</p> <p>Policy SS7 – Addressing climate change</p> |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Mitigation measures are identified to address local problems within the villages while meeting sustainable objectives to direct housing to appropriate locations.

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|------------------------------------|-----------------------------|
| Policy G3 Business Development and | Policy E1 Employment Issues |
|------------------------------------|-----------------------------|

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|--------------|--------------------------------------------------------------------------------------------------------------------------------------|
| home working | Policy E3 Homeworking Policy RA6 Rural Economy Policy MT1 Traffic management, highway safety and promoting active travel |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------|

Small scale business are identified as acceptable and meet the objectives of the Core Strategy policies to meet a scale appropriate for the location and meet transport accessibility objectives.

| | |
|---------------------------------|---------------------------------------------------------------------------------|
| Policy G4 Traffic and Transport | Policy MT1 Traffic Management, highway safety and promoting active travel |
|---------------------------------|---------------------------------------------------------------------------------|

The policy seeks to ensure that any development proposals will enable the local and strategic highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of local and other traffic.

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|-------------------|--------------------------------------------------------------------------------------|
| Policy G5 Tourism | Policy RA6 Rural economy Policy RA5 Reuse of rural buildings Policy E4 Tourism |
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The policy seeks to sustain small scale extensions to existing businesses and those of an appropriate scale meeting the Core Strategy objectives.

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| Policy G6 Historic Landscape and Green Infrastructure | Policy SS6 Environmental quality and local distinctiveness Policy LD1 Landscape and Townscape Policy LD2 Biodiversity and geodiversity Policy LD3 Green infrastructure Policy SS1 Presumption in favour of sustainable development Policy SS4 Movement and Transportation |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The Neighbourhood Plan policy identifies the need to manage and plan for the preservation of existing and delivery of new green structure meeting Local Core objectives.

5 Compatibility with EU Obligations and Legislation

- 5.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 The Neighbourhood Development Plan has been subject to an SEA Screening Assessment undertaken by Herefordshire Council in February 2018. The Strategic Environmental Assessment advised that it is fully comprehensive and sufficiently robust to support the NDP during the latter stages of the full public consultation. A Habitats Regulation Assessment (HRA) was also prepared in February 2018 to assess whether any European sites exist or in proximity to the neighbourhood area covered by the Plan. The River Wye (including River Lugg) is identified as a European Site covered within this Neighbourhood Plan and the HRA advised that the Bishopstone Neighbourhood Plan will not have a likely significant effect through its policies and objectives on the River Wye site.
- 5.3 The making of the NDP is not likely to have a significant effect on European Sites (as defined) in the Conservation of Habitats and Species Regulations 2010(d) or a European offshore marina site (as defined in the Offshore Marine Conservation (Natural Habitats & c) Regulations 9e either alone or in combination with other plans or projects. The screening advice obtained from the local planning authority is that the Neighbourhood Plan will not lead to likely significant effects upon a European site or cause adverse impacts upon other environmental assets such as the built historic or local natural environment.
- 5.4 The European Directives 92/2001/42/EC (SEA directive), 92/43/EEC (conservation of wildlife habitats), 2009/147/EC (conservation of wild birds), 2008/50/EC (Air Quality Directive), 2000/60/EC (Water Framework Directive) are also relevant to the preparation of the NDP and have been assessed through the preparation of the policies in the NDP.

5.5 The Submission of this Neighbourhood Development Plan is fully compatible with EU obligations.