



Eardisley Group Neighbourhood Development Plan 2015-2031

BASIC CONDITIONS STATEMENT

1. Basic Conditions - Legal Requirements

1.1 The Qualifying Body

The draft Plan has been prepared by Eardisley Group Parish Council.

Eardisley Group Neighbourhood Area was recognised as a qualifying body under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012, in a letter dated 10th April 2013, from Andrew Ashcroft, Assistant Director of Economy, Environment and Cultural Services, Herefordshire Council, following a public consultation organised by Herefordshire Council.

1.2 Neighbourhood Development Plan

The draft Plan is a Neighbourhood Development Plan and relates to the development of land in the civil parishes of Eardisley, Winforton and Whitney-on-Wye, the constituent parishes of Eardisley Group, in the County of Herefordshire.

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 Country Planning Act 1990* as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

1.3 The Time Period Covered

The Eardisley Group Neighbourhood Development Plan covers the period 2015 to 2031, the same as the Modifications Core Strategy prepared by Herefordshire Council.

1.4 Excluded Development

The draft Neighbourhood Development Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as railways or other matters set out in Section 61K of the *Town and Country Planning Act 1990*.

1.5 The Neighbourhood Area and the Neighbourhood Development Plan

The Proposed Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the named Neighbourhood Area.

The draft Neighbourhood Development Plan refers solely to the Eardisley Group Neighbourhood Area, which is co-terminal with the 3 named civil parishes, and no other area.

No other neighbourhood development plans relate to that same area.

2. Basic Conditions – National Government

2.1 National Planning Policy Framework (NPPF) – Paras 16 and 184

Eardisley Group Parish Council has welcomed the national policy objectives, reflected in the Herefordshire County Modifications Core Strategy; in particular the need to accommodate a 12% increase in housing in the 3 Group parishes along with growth in the economy during the period of the Plan.

In support of these national objectives, the Plan sets out the ways in which the strategic requirements can be met while, at the same time pursuing local objectives in order to realise the vision set by Group Parish Residents for their future.

Refer to: Eardisley Group Neighbourhood Development Plan (EGNDP) Sections 1, 4, 5; Policy H1

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2.2 NPPF - Delivering Sustainable Development

The Eardisley Group Neighbourhood Development Plan is entirely consistent with the planning principle that all plan-making should help to achieve sustainable development. Throughout the Plan document, policies state how improvements will be made in environmental, economic and social conditions and how mitigation measures will be required to prevent, reduce or offset any potential adverse effects arising from proposals. Please see sections 2.2.1 to 2.2.3 following.

The Eardisley Group NDP Steering Group recognised early in the planning process that the key sustainability issue facing Eardisley Group is one of rising average age in the 3 communities. In order to reverse this trend, significant effort will have to be made towards attracting working age families into Eardisley Group by providing houses they can afford (whether ‘affordable’ or open market), by attracting new employers into the Group so that more people can work locally, and providing community facilities for the whole range of ages. Every policy and every piece of evidence is directed towards this broad community-sustainability goal. If we are not successful the wrong houses will continue to be built; the average age will continue to rise, and facilities will continue to be lost.

Eardisley has not had a Sustainability Assessment, but the Steering Group has produced a Sustainability Statement, which accompanies the submission (Appendix 1). Because of the overriding importance of genuine sustainability for our communities, the NDP includes a general Sustainable Development Policy as an introduction to the specific policies that follow it.

Refer to: EGNDP: Section 6; Policy SD1

2.2.1 NPPF Environmental Sustainability

A Strategic Environmental Assessment and a Habitat Regulations Assessment have been produced, evaluating the terms of the EGNDP in the light of environmental and habitat constraints in the Eardisley Group Area. These documents accompany this submission. In addition, specific policies in the NDP offer guidance on environmental issues: – flooding; heritage and character; energy, low carbon economy, and pollution; biodiversity and green space - for developers.

Refer to: EGNDP Section 7.1; Policies SD1, E1, E2, E3, E4; references to the environment in policies T1-3, C1, H4-7 and J1-3

2.2.2 NPPF Economic Sustainability

The Eardisley Group Plan contributes to building a stronger rural economy, by making additional brownfield land available for employment and making sustained effort to attract businesses to the area, in order to support growth and innovation in Eardisley Village. It also promotes the provision of infrastructure, such as appropriate employment premises, strong mobile signals and fast broadband.

Refer to: EGNDP Section 9.1; Policies SD1, J1, J2, J3; references in H4

2.2.3 NPPF Social Sustainability

The Plan supports maintaining and growing the strength and balance of our communities, by providing a supply of well-designed housing required to meet the needs of present and future generations, with accessible local services that reflect the community's needs and support its health and social well-being, as well as local employment opportunities.

Refer to: EGNDP Sections 8.1 and 8.2; Policies SD1, C1, H3, H4, H5, H6, H7; plus references in T1-3 and J1-3

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2.3 NPPF - Consistency with Core Planning Principles – Paragraph 17

The twelve planning principles, contained in the National Planning Policy Framework 2012 - 17, have been achieved by the Neighbourhood Development Plan as set out below.

2.3.1 The Plan was prepared following extensive consultation with local residents, statutory authorities and other interested parties. Once the Plan has been accepted, Herefordshire Council

(HC) and the Eardisley Group Parish Council (EGPC) will make arrangements to monitor development in the Neighbourhood Area and review progress annually against the Plan's objectives and policies.

Refer to: EGNDP Sections 2, 5 and 12

2.3.2 As well as providing for housing development in the Neighbourhood Area, the Plan contains policies designed to enhance and improve the physical setting of the expanding villages.

Refer to: EGNDP Sections 4 and 7.1; Policies SD1d; T1-3; E3-4; C1 and J1-3; EGNDP-Appendix 1

2.3.3 EGNDP policies will seek to drive the delivery of a sustainable balance of housing and employment badly needed in order to attract working age families into the Group area, and especially into Eardisley Village itself.

Refer to: EGNDP Sections 6 and 9.1; Policies SD1e, f, and g; H3; H4-7; J1-3

2.3.4 The achievement of high quality design is a major concern of the Plan, not only for residential development but also for the protection and enhancement of the natural environment.

Refer to: EGNDP Sections 4; 7.2 and 8.2; Policies E2; E4; C1 and H7

2.3.5 The Plan recognises the different characters of each of the 3 villages within the Neighbourhood Area and contains policies designed to maintain and to enhance these, while protecting the surrounding countryside.

Refer to: EGNDP Sections 3; 7.2 and 8.2; Policies E2; H2; H4-7; EGNDP-Appendix 1.

2.3.6 The Plan recognises the likely impact of climate change and provides policies to minimise its effects, especially risk of flooding, and to encourage the production and use of sustainable energy.

Refer to: EGNDP Sections 7.2; Policies E1, E3 and J3b

2.3.7 Policies have been produced to conserve and enhance the natural environment of the parishes. Pollution is addressed mainly alongside traffic congestion by means of the effort to encourage travel by other means than cars. Policies to restrict light pollution are also provided to protect our smaller rural villages.

Refer to: EGNDP Policies T1 and 3; E2; E4; H4-7; J3f.

2.3.8 The re-use of a brownfield site has been addressed by the inclusion of the Old Sawmills site in Eardisley for mixed use. Enhancement of the natural environment on this site is achieved by the creation of a biodiversity/wetland and green space area and the preservation of the trees along the natural boundary of Eardisley village at the south end of this site.

Refer to: EGNDP Policies H4, MD1 and J2

2.3.9 The principal need in Eardisley Group is for an improving balance between the numbers of homes people can afford and jobs where they can work. This is promoted by the mixed use of our brownfield site to provide homes, employment premises, community facilities and green space.

Refer to: EGNDP Policies E4, C1, H4, MD1 and J2

2.3.10 Heritage assets were identified in preparation for the Plan, using Records of Listed Buildings and the Heritage Environmental Record. Provision is made for heritage conservation within the Plan and some elements are shown on the Proposals Map (**EGNDP pp. 29-30**).

Refer to: EGNDP Section 7.2; Policies E2, H4-7; EGNDP-Appendix 1

2.3.11 The Plan promotes the use of public transport but there are few routes in the area and further cuts are in the pipeline. The best chances for this area is to develop better community transport in co-operation with local parishes, as well as making better provision for walking and cycling.

Refer to: EGNDP Section 7.1; Policies T3 and E3

2.3.12 The Neighbourhood Development Plan provides strategies to improve health, social and cultural well-being for all residents. Specific policies have been designed to ensure the necessary facilities and services such as a new Village Hall, a new Children’s Day Care and a safe drop-off and parking area for the School will be developed. Good health is promoted by the creation and preservation of new green infrastructure and of cycling and walking routes.

Provisions for more local employment; for the provision of a new school site if it is required, and for new facilities to assist ageing and changing life styles have been made. Easy contacts among the 3 parishes, and between the Group and the wider area are recognised as important.

Refer to: EGNDP Section 8.1; Policies SD1b and f; C1, H3, H4, and H7, and J3c and e.

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3. Basic Conditions - Herefordshire County Modifications Core Strategy

In this section, in order to show general conformity with the strategic policies in the Local Plan for the area, each policy and development proposal in the EGNP has been listed in a table showing the relevant Modifications Core Strategy (CS) Strategic Policy and indicating

- its support for the general principle of the strategic policy
- the degree of conflict between the EGNP and the strategic policy
- additional detail or distinct local approach, and
- the rationale/evidence justifying the policy

Table showing general conformity of the EGNP policies with the strategic policies of the Herefordshire Modifications Core Strategy

EGNDP policy	CS strategic policies	Support for the general principle	Degree of conflict	Additional detail or local approach	Rationale From National, CS and EGNP Evidence Bases
SD1 Sustainable development	SS1, SD1	Yes	No conflict	None	NPPF – multi-faceted approach to sustainability; HC Sustainability Appraisal/SEA; HC CS Evidence Base; HC Infrastructure Delivery Plan; CS: SS1, SD1
T1 Traffic measures	MT1, SS4	Yes	No conflict	None	HC Local Transport Plan 2013-15 - Policies SM1/2/3; PT 1 and 5; HN2; AT2; Mercia Police Survey of Eardisley and Winforton 2013; CS: MT1, SS4
T2 Transport related to development	MT1, SS4	Yes	No conflict	None	NPPF para 39; HC Local Transport Plan 2013-15; HC Parking Strategy; CS: MT1, SS4
T3 Sustainable transport measures	SS4, MT1	Yes	No conflict	None	HC Local Transport Plan 2013-15; HC Reviews of Subsidised Bus Services and Community Transport Services Consultations; CS: SS4, MT1
E1 Flooding	SD3	Yes	No conflict	None	NPPF paras 99-103; HC Strategic Flood Risk Assessment and Water Cycle Study; HC Sustainability Appraisal/SEA; HC HRA; CS: SD3
E2 Heritage & character	SS6, LD1, LD5	Yes	No conflict	None	Hereford Historic Farmsteads Characterisation Project; Archaeology and the Historic Environment Record; Planning (Listed Buildings and Conservation Areas) Act 1990 CS: SS6, LD1, LD5
E3 Carbon reduction	SS7, SD1, SD2	Yes	No conflict	None	HC Renewable Energy Study 2010; CS: SS7, SD1, SD2
E4 Green Infrastructure	LD3, LD4, OS1, OS2	Yes	No conflict	None	HC Green Infrastructure Strategy 2010; CS: LD3, LD4, OS1, OS2
C1 Services & facilities	SC1	Yes	No conflict	None	NPPF paras 69-78; DCLG Community Rights 2013; HC Sustainable Community Strategy; HC Community Buildings Strategy; CS: SC1

C2 Developer contribution to facilities	SC1	Yes	No conflict	None	HC Infrastructure Delivery Plan 2014; S106 Obligations Overview; Planning Practice Guidance CIL; CS: SC1
H1 Required housing numbers	SS1, SS2, H3	Yes	No conflict	None	NPPF – paras 47-55; Housing and Support Needs of Older People in Herefordshire; Herefordshire Local Housing Market Assessment 2012, updated 2013; CS: SS1, SS2, H3, Main Modifications
H2 Settlement Boundaries	RA1, RA3	Yes	No conflict	None	Rural Housing Background Paper 2013; CS: Main Modifications, RA1, RA3
H3 Affordable Housing	H1	Yes	No conflict	None	HC Eardisley Group Housing Needs Survey Feb 2014 revised Jun 2014; Eardisley Group Housing Needs Survey 2013; CS: H1 Main Modifications
H4 New homes in Eardisley	RA1	Yes	No conflict	None	NPPF paras 48-55; Herefordshire Local Housing Market Assessment 2012, updated 2013; Herefordshire 2014 SHLAA map for Eardisley; Eardisley Group Selection of Preferred Sites for Development within the NP; CS: RA1; Main Modifications
H5 New homes in Winforton	RA1	Yes	No conflict	None	NPPF section 6: Herefordshire 2014 SHLAA map for Winforton; Eardisley Group Selection of Preferred Sites for Development within the NP; CS: RA1; Main Modifications
H6 New homes in Whitney	RA1, RA3	Yes	No conflict	None	NPPF paras 99-103; Hereford Historic Farmsteads Characterisation Project; HC Strategic Flood Risk Assessment and Water Cycle Study; Herefordshire 2014 SHLAA maps for Whitney; Eardisley Group Selection of Preferred Sites for Development within the NP; CS: RA1; Main Modifications
H7 Criteria for housing in Group	SS2, H3, E2	Yes	No conflict	None	NPPF – paras 56-68; 2014 Housing Standards Reviews 1 & 2
J1 New tech & sustainable economic growth	ID1, para 1.33	Yes	No conflict	None	NPPF – paras 42-46; Capital investment in telecommunications programmes; Fastershire development of fast broadband; Calls for better mobile coverage 2015; CS: ID1 para 1.33
J2 Home working	E3, RA6	Yes	No conflict	None	NPPF HC Economic Development Strategy; CS: E3, RA6
J3	SS5, E1, E3, E4, RA6	Yes	No conflict	None	NPPF para 28; HC Employment Land Study 2012; Employment Land Study 2012 – Appendices; Economic Development Strategy for Herefordshire 2011-2016; CS: SS5, E1, E3, E4, RA6
MD1	E1, E2, E3, SC1, H3	Yes	No conflict	None	NPPF para 17 bullets 8 and 9; HC Employment Land Study 2012; HC Sustainable Community Strategy; CS: E1, E2, E3, SC1, H3

4. Basic Conditions - EU Obligations

4.1 Human Rights

The Plan does not diminish but seeks to enhance the human rights of current and future Eardisley Group Residents and of any other people who may be affected by it.

Refer to: **EGNDP Sections 4, 6, 7.1, 8.1, 8.2; Policies: SD1, C1, H3, H4-7, T1-3**

4.2 SEA

The Eardisley Group Neighbourhood Development Plan (EGNDP) is 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. A SEA has been prepared and submitted with this Plan. The protection and enhancement of the natural environment reflected the concerns of residents and were major considerations in the preparation of the Plan. In their response to our consultation, dated 17th November 2014, Natural England especially welcomed Objective 4.3 of the Plan as well as the production of SEA and HRA reports, which they found satisfactory. Natural England also drew attention to the fact that at the time of their response to the EGNDP Regulation 14 consultation, Herefordshire Council Core Strategy had not been adopted, however, “the NP’s HRA may use the evidence supporting the Core Strategy’s HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye SAC.”

Refer to: EGNDP Sections 4, 7.2 and 8.2; Policies: E1 – 4 and H4-7; The EGNDP SEA

4.3 HRA

The Eardisley Group Neighbourhood Development Plan (EGNDP) is required to be compatible with the EU Habitat Regulations Assessment (HRA) Directive, 92/43/EEC, concerning the effects of certain plans and programmes on habitats. A HRA has been prepared and submitted with this Plan – see Natural England comments in section 4.2.

Refer to: EGNDP Sections 4, 7.2 and 8.2; Policies: E1 – 4 and H4-7; The EGNDP HRA

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5. Prescribed Conditions

5.1 Listed Buildings

The EGNDP pays special attention to preserving and enhancing our 102 listed buildings, or their settings or any features of special architectural or historic interest that they possess. In addition to the requirement to meet this condition, the Plan reflects the views of residents concerning the care

of our built heritage. In their response to our consultation, dated 13th November 2014, English Heritage offered congratulations on our ‘very comprehensive Plan in relation to the historic environment of the joint parishes’.

Refer to: EGNDP Section 7.2; Policies E2, SD1a, and H2

5.2 Conservation Area

The EGNDP pays special attention to preserving and enhancing the character or appearance of the Eardisley Conservation Area. In addition to the requirement to meet this condition, the Plan reflects the views of residents dissatisfied with the way in which the character of the Conservation Area has been harmed by unsympathetic building in recent years, and determined to rectify this situation.

Refer to: EGNDP Section 7.2; Policies E2, and H4

Appendices 1 and 2 follow:

Appendix 1 – The Eardisley Group Sustainability Statement



International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as:

meeting the needs of the present without compromising the ability of future generations to meet their own needs

The UK Sustainable Development Strategy, *Securing the Future*, set out five guiding principles of sustainable development:

1. living within the planet’s environmental limits;
2. ensuring a strong, healthy and just society;
3. achieving a sustainable economy;
4. promoting good governance; and
5. using sound science responsibly.

In making this Neighbourhood Plan, for the period 2014 to 2031, Eardisley Group Parish Council is aiming to create good conditions for sustainability to ensure that our communities are balanced and fit to thrive into the future, in line with the 5 principles.

This means:

1. Living within the planet's environmental limits:
 - Building houses, work and leisure premises achieving designated energy conservation standards, ideally energy neutral
 - Generating, within the parishes, more of the energy required for the communities
 - Making provision for growing more of our own food
 - Improve provisions for protecting our historic buildings, our natural environment and green spaces, and our valued views so these assets are not lost
 - Making safer provision for walking, cycling and public/local transport so that we use cars less

2. Ensuring a strong, healthy and just society:
 - Doing those things that are necessary with housing, jobs and leisure facilities to attract young families to the area, thereby significantly lowering the average age profile in each of our villages
 - Mixing affordable and open market housing so as to encourage the development of diverse communities
 - Making sure there are facilities for people of every age and ability

3. Achieving a sustainable economy:
 - Improving mobile phone services and getting fast broadband
 - Building new premises for light industry, craft or retail businesses
 - Attracting young adults to stay in or come to the area so that our workforce grows
 - Encouraging the use of our local trades and suppliers

4. Promoting good governance:
 - Working in a positive, proactive and open manner in all local government / parish council matters
 - Inviting people to participate in making things happen
 - Listening to residents' views and acting on them
 - Working in a positive, proactive and open manner in all voluntary group activities

5. Using sound science responsibly:
 - Making sure that policies are formulated and tested on the basis of strong scientific evidence as well as local people's views and values

In short - doing nothing during the period of this Plan that will limit the sustainability of these communities in the future.

Appendix 2 – HC Statement of Compliance of the EGNP

Eardisley Draft Neighbourhood Plan October 2014 Neighbourhood Planning comments

The basic conditions are set out in paragraph 8(s) of Schedule 4B to the Town and Country Planning Act (1990), as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act (2004).

* These changes have been made.

Basic Condition	Meets the Basic Conditions at this stage	Comments
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.	Yes	The Plan has regard to the NPPF throughout the Plan and its policies.
The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development	Yes	The topic of sustainable development is weaved throughout the Plan within the Policies demonstrating how to encourage sustainable development throughout the future growth across the Parish.
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	Yes	See Planning Policy comments regarding some minor wording changes to ensure full compliance with the Core Strategy Local Plan*.
The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with, EU obligations.	Yes	The Environmental Regulations have been met due to the SEA and HRA submitted alongside the Draft Plan. No Human Rights will be adversely affected by the draft policies within this Plan.
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.	Yes	Specific policies within the Plan ensure that the listed buildings within the Parish and the Conservation area are preserved and enhanced. The NDP has met all of the Neighbourhood Planning Regulations up to this Regulation 14 stage.