

Basic Conditions Statement

Kineton Neighbourhood Development Plan

June 2015



3 Rowberry Cottages, Leys Road, Harvington, Worcestershire WR11 8JA
t: 01386 871262 m: 07786 161872 email: neil@avonplanning.co.uk web: www.avonplanning.co.uk

1.0 Introduction

This Basic Conditions Statement has been prepared to accompany the Kineton Neighbourhood Development Plan (KNDP).

The Basic Conditions

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans (NDP's) must meet the following basic conditions:

- i. the draft NDP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
- ii. the draft NDP must contribute to the achievement of sustainable development;
- iii. the draft NDP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case Stratford-on-Avon District Council's (SDC) adopted Local Plan Review (LPR) and emerging Core Strategy (CS); and
- iv. the draft NDP must meet the relevant European Union (EU) obligations.

This Basic Conditions Statement addresses these requirements in four sections:

- Section 2 Demonstrates conformity with the NPPF;
Section 3 Shows how the KNDP will contribute to sustainable development;
Section 4 Demonstrates conformity with the SDC LPR and CS; and
Section 5 Demonstrates compliance with the appropriate EU obligations.

The Qualifying Body

The KNDP is submitted by Kineton Parish Council, which is a qualifying body as defined by the Localism Act 2011.

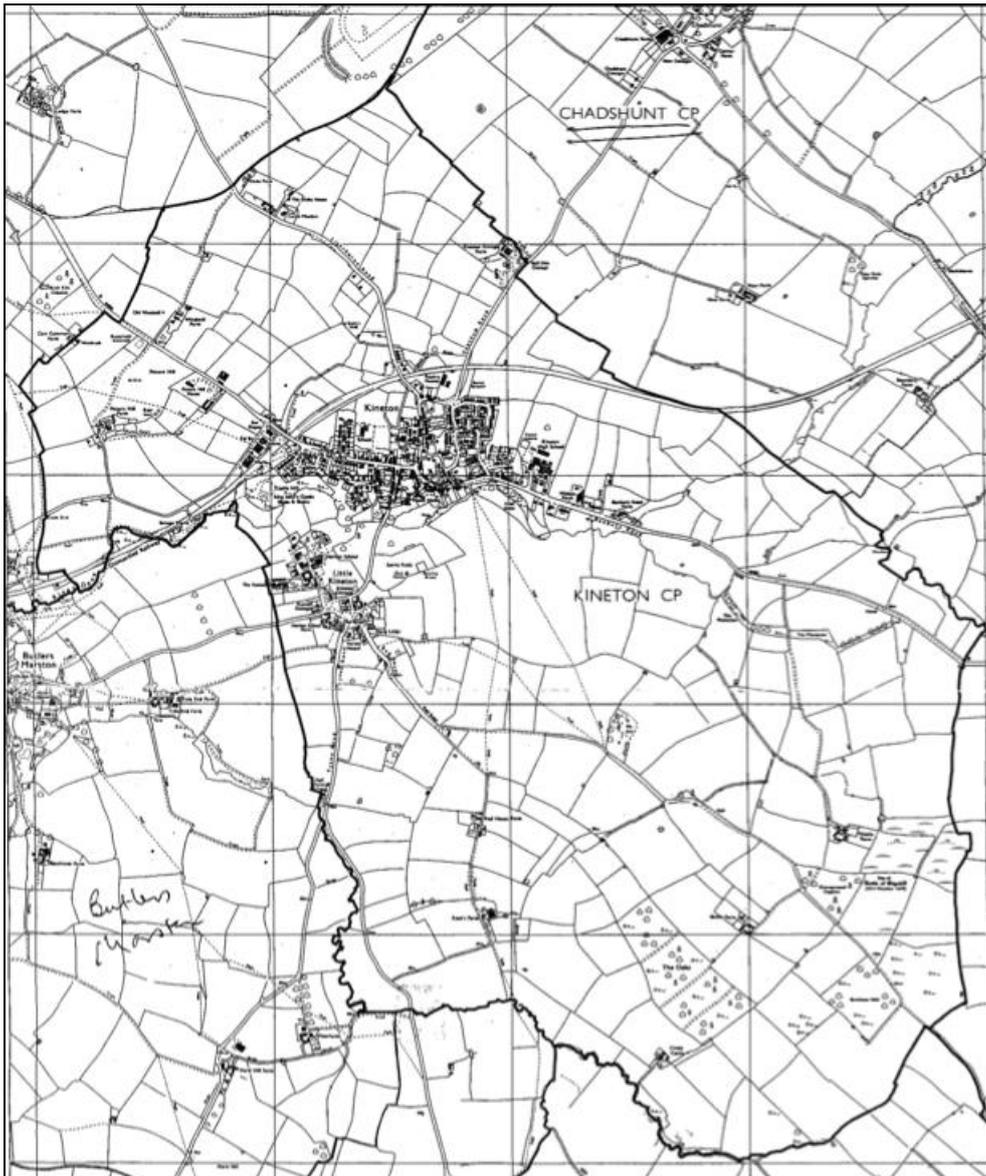
The Neighbourhood Area

The KNDP applies to the Parish of Kineton which is within Stratford-on-Avon District. In accordance with Part 2 of the Regulations, SDC, as the local planning authority, publicised the Neighbourhood Area application from Kineton Parish Council to designate their Parish for the purposes of producing a NDP and advertised it accordingly for the statutory period of 6 weeks.

The application was approved by the Cabinet of SDC on 20 May 2013 and consequently the Parish of Kineton was designated as a Neighbourhood Area.

Kineton Parish Council confirms that the KNDP:

1. Relates only to the Parish of Kineton and to no other Neighbourhood Area/s; and
2. Is the only NDP within the designated area. No other NDP exists nor is in development for part or all of the designated area.



Kineton Neighbourhood Area

Kineton is a village and Parish in Warwickshire. The Parish includes two main settlements; Kineton and Little Kineton. The surrounding area is predominately rural with Stratford-upon-Avon town centre lying 11.8km from the Kineton Parish boundary.

Timeframe

The KNDP identifies that the period which it relates to is from 2015 until 2031. The period has been chosen to align with the dates of the emerging SDC CS.

2.0 National Planning Policy Framework

The KNDP must have appropriate regard to national policy. The following section describes how the KNDP proposal relates to the National Planning Policy Framework (NPPF) March 2012.

Sustainable Development

The central theme of the NPPF is the presumption in favour of sustainable development. In this context sustainable development is broadly defined internationally as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The NPPF uses three ‘dimensions’ to describe sustainable development: economic, social and environmental, and requires the planning system, and thus the KNDP, where appropriate:

- to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and by improving the local supporting infrastructure.
- to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- to contribute to protecting and enhancing the natural, built and historic environment; helping to improve biodiversity, making better use of natural resources, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

Paragraph 6 of the NPPF makes it clear that paragraphs 18-219 of the NPPF should be taken as a whole as constituting the Government’s view of what sustainable development means in practice.

For neighbourhood planning this means planning positively to support local development while at the same time respecting the local environment by seeking to protect valued green spaces and historic assets.

The Core Planning Principles

The NPPF specifies that delivery of sustainable development by the planning system is to be through the application of 12 Core Planning Principles and the pursuit of 13 sustainability objectives supporting the three economic, social and environmental dimensions described above.

The table below illustrates how the KNDP addresses the 12 Core Planning Principles of sustainable development.

Core Planning Principles	How the KNDP complies with the Core Planning Principles
1. Be genuinely plan led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.	The KNDP has been prepared by the local community for the local community and addresses important local issues identified through extensive consultations.

<p>Plans should be kept up to date and based on joint working and cooperation to address larger than local issues.</p> <p>They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The KNDP provides potential developers with an up-to-date local policy framework which takes account of the latest Government policy and advice.</p> <p>The land use policies contained within the KNDP are designed to be used for the purposes Development Management and have been written clearly and concisely to remove any ambiguity.</p>
<p>2. Not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The KNDP recognises the importance of maintaining and enhancing the special qualities of the built and natural environment which makes the parish a desirable place to live, work and play.</p>
<p>3. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land price and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>The KNDP is a positive plan which seeks to promote an appropriate level of development in suitable sustainable locations. It recognises the role the village has to play in assisting housing and economic growth in the district.</p> <p>The quantum of development has been guided by the emerging Core Strategy.</p> <p>At the time of writing the revised global figure for housing numbers for the district and the level of housing Kineton is required to accommodate is not known. Consequently, any uplift in housing numbers would be accommodated in Policy H6: Safeguarded Land.</p>
<p>4. Always seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The KNDP includes policies on design (D1, D2 and D3) which will assist the delivery of high quality design.</p>
<p>5. Take account of the different roles and character of the different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and the beauty of the countryside and supporting thriving rural communities with it.</p>	<p>Policy D2 requires development proposals to respond to the local character and context.</p> <p>The Neighbourhood Area does not include Green Belt land.</p> <p>The focus of development within the Neighbourhood Area is towards Kineton and Little Kineton thereby preserving the surrounding countryside from inappropriate</p>

	forms of development (Policy H1). Policy E2 affords protection to landscapes, vistas and skylines.
6. Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example by development of renewable energy).	<p>Policy E3 (Minimising Pollution) and Policy E4 (Renewable and Low Carbon Energy Generation) will assist in achieving a transition to a low carbon future.</p> <p>Policy E5 (Streamside Development) and Policy E7 (Flooding and Surface Water Drainage) will address flood risk issues in the parish.</p> <p>Policy D6 (Reuse of Buildings) supports the principle of converting existing buildings to active uses.</p>
7. Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this framework.	<p>Preservation of landscapes (Policy E2), protection of trees and hedgerows (Policy E6) and the mechanism for a Neighbourhood Area Biodiversity Action Plan (Policy E9) are all important components of the KNDP.</p> <p>Policy E3 addresses the issue of the need to reduce pollution.</p>
8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land). Provided it is not of high environmental value.	Policy D9 promotes the effective and efficient use of land. Policy H2 seeks to prioritise brownfield land over greenfield land. The use of garden land for development is permissible but is strictly controlled under Policy H4. Policy E1 affords protection to the best and Most Versatile agricultural land around the parish.
9. Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognizing that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).	The scale of development which Kineton is likely to be required to accommodate does not lend itself to genuinely mixed use developments. However, an existing commitment in the village includes a site for housing and employment. Should the employment component not be forthcoming then alternative community uses would be encouraged.
10. Conserve heritage assets in a manner appropriate to their significance so they can be enjoyed for their contribution to the	Policy D10 addresses the preservation of all heritage assets in the Neighbourhood Area including listed buildings, the two conservation

quality of life of this and future generations.	areas and the registered battlefield.
11. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.	<p>Concentrating growth to sustainable locations on the edge of the settlement boundaries of Kineton and Little Kineton will ensure a high level of connectivity to local services. Policy IN2 will provide the mechanism of protecting and enhancing existing community facilities and promoting new community facilities within the Neighbourhood Area.</p> <p>Policy IN3 seeks to encourage safe walking and cycling.</p>
12. Take account of and support local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.	<p>There is a direct link between health, social and cultural wellbeing and community facilities and amenities.</p> <p>Policy IN2 seeks the protection and enhancement of existing community facilities and allows new community facilities to be promoted.</p> <p>Policy IN4 affords protection of existing open spaces and allows enhancement of these importance areas to be made.</p>

The KNDP includes a number of policies which positively address the key national and strategic policies contained in the NPPF. The following chapters of the NPPF are particularly relevant.

- Building a strong and competitive economy
- Ensuring the vitality of town centres
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

The tables below provide a description of how the sustainability policies of the NPPF relate to the policies contained within the KNDP.

Building a strong and competitive economy

Policy J1 supports the protection of existing employment uses against their loss and seeks to improve the village economy through positively encouraging development for employment and services. Policy J2 allows the flexibility to work from home or create mixed use live/work units.

Ensuring the vitality of town centres

Policy IN2 seeks to improve the retail offer within the village whilst protecting existing shopping and business uses. The KNDP is generally resistant to the loss of local retail provision or services.

Promoting sustainable transport

Policy IN2 seeks to protect all existing community facilities from loss in order to ensure that current and future residents have access to at least some facilities without the need to travel by car. Policy IN3 provides a mechanism to promote sustainable forms of transport within the Neighbourhood Area. Improved links within the existing built-up area for walking, cycling and bus provision will be encouraged.

Delivering a wide choice of high quality homes

Policy H1 and the Site Specific Briefs (SSB) policies provide a sufficient level of housing through the allocation of appropriate land and the encouragement of suitable infill development within the village boundary. Policy H3 and the Housing Needs Survey evidence underpinning it provides a suitable mechanism for the provision of affordable housing in the Neighbourhood Area. Policy H5 seeks an appropriate mix of houses on qualifying sites in order to meet the local needs of the Neighbourhood Area.

Requiring good design

Policy D1 sets out the standard of design and layout expected of the large allocations in the plan. Policy D2 requires development to demonstrate how local character has been taken into account in the design of developments. Policy D3 encourages the use of design codes and master planning and Policy D5 seeks to ensure that all developments demonstrate how crime prevention can be taken into account.

Promoting healthy communities

Policy IN3 promotes walking and cycling as a sustainable and healthy mode of travel. Policy IN4 seeks to protect and enhance green open spaces in order to provide residents with access to high quality recreational areas.

Meeting the challenge of climate change, flooding and coastal change

Policy E3 places a requirement on developers to demonstrate how their development minimises pollution and Policy E4 promotes the use of renewable and low carbon technologies. Policy E5 restricts the level of streamside developments in order to prevent new development from being at risk to flooding and existing land and uses downstream from suffering from the consequences of upstream development. Policy E7 prevents unsuitable development on active Flood Zones.

Conserving and enhancing the natural environment

Policy E2 affords protection to important landscapes, skylines and vistas. Policy E6 affords protection to important trees and hedgerows. Policy E9 facilitates the production of a Biodiversity Action Plan for the Neighbourhood Area.

Conserving and enhancing the historic environment

Policy D10 of the Plan affords the highest protection to the numerous heritage assets in the Neighbourhood Area including the registered battlefield.

The table below provides a matrix of the KNDP policies with the relevant paragraphs of the NPPF.

Neighbourhood Plan (2015) Policy Ref.	NPPF (2012) Paragraph Ref.
H1 - Housing Supply	47, 49
H2 - Prioritising the Use of Brownfield Land	17, 111
H3 - Affordable Housing	50
H4 - Use of Garden Land	53
H5 - Housing Mix	50
H6 - Safeguarded Land	85
J1 - Employment Sites	17, 18, 19, 22, 28
J2 - Home Working	21
D1 - Design and Character	17, 56, 57, 58, 60, 61, 64, 69
D2 - Responding to Local Character	17, 56, 57, 58, 60, 61, 64
D3 - Use of Design Codes and Master Planning	59
D4 - Replacement Dwellings	56, 57, 58, 60, 61, 64
D5 - Designing Out Crime	58, 69
D6 - Reuse of Buildings	17, 55
D7 - Environmental Sustainability	17, 93, 95, 96, 97
D8 - Parking Provision	39
D9 - Effective and Efficient Use of Land	17, 50, 111
D10 - Heritage Assets	17, 126, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140
E1 - Agricultural Land	17, 112
E2 - Landscape, Vistas and Skylines	17, 109, 113, 114
E3 - Minimising Pollution	17, 93, 95, 96, 97, 110
E4 - Renewable and Low Carbon Energy Generation	17, 93, 95, 96, 97
E5 - Streamside Development	17, 100, 101, 102, 103, 104
E6 - Trees and Hedgerows	17, 113, 114
E7 - Flooding and Surface Water Drainage	17, 100, 101, 102, 103, 104
E8 - Foul Drainage	
E9 - Neighbourhood Area Biodiversity Action Plan	17, 113, 114, 117, 118, 119
IN1 - Infrastructure Criteria	29, 42
IN2 - Community Facilities	28, 70, 72
IN3 - Encouraging Safe Walking and Cycling	17, 29, 35, 75
IN4 - Protecting and Enhancing Green Open Spaces	17, 73, 74, 76, 77
IN5 - Highway Safety and Transport	29, 30, 32, 35

3.0 Delivering Sustainable Development

The key ways that the KNDP will help contribute to meeting the objectives of sustainable development are detailed below:

- The KNDP has been produced to be in conformity with the spatial and sustainable community objectives of the emerging SDC CS.
- The KNDP sets out policies to ensure that any development in Kineton is supported by additional facilities and infrastructure in order to make the village more sustainable. In setting out a co-ordinated approach to encouraging the retention of and expansion of retail, employment and village amenities and services, it is hoped to reduce the number of trips out of the village which in turn will benefit the local community, economy and environment.
- Requiring each developer to provide a detailed explanation of the design rationale to enable full consideration of the transport, heritage and open space implications, the public benefits and other material planning considerations.
- The KNDP identifies the need for the provision of affordable homes that can meet the needs of older people and those with disabilities through an up to date Housing Needs Survey.
- The KNDP identifies the need for multi-agency working to address foul drainage, traffic, parking and public transport issues, and to ensure the preservation of the existing shopping and business uses.
- The KNDP identifies and promotes the protection of green spaces and listed buildings in the parish along with the registered battlefield and the two conservation areas.

4.0 General Conformity with Strategic Local Policy

The KNDP has been prepared with regard to national policies set out in the NPPF as outlined above. It must also be in general conformity with strategic policies of the local Development Plan.

The Development Plan for the Neighbourhood Area consists of:

- The adopted Stratford-on-Avon District Local Plan Review 1996-2011
- The emerging Stratford-on-Avon District Core Strategy Proposed Submission June 2014.

Paragraphs 183-185 of the NPPF describes how neighbourhood planning can be used to give communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. It goes on to state that Neighbourhood Plans must be in general conformity with strategic policies of the Local Plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them.

The table below provides a matrix of the KNDP policies against the equivalent LPR and emerging CS policies.

Neighbourhood Plan (2015) Policy Ref.	Local Plan Review (2006) Policy Ref.	Core Strategy (2014) Policy Ref.
		AS.5 - Kineton
H1 - Housing Supply	N/A	CS.15, CS.16
H2 - Prioritising the Use of Brownfield Land	STR.4	AS.10
H3 - Affordable Housing	COM.13	CS.17
H4 - Use of Garden Land	DEV.1	CS.9
H5 - Housing Mix	COM.14	CS.18
H6 - Safeguarded Land	STR.2a	N/A
J1 - Employment Sites	STR.3, COM.16, COM.17, MRC.1	CS.21
J2 - Home Working	COM.18	CS.21
D1 - Design and Character	DEV.1	CS.8, CS.9
D2 - Responding to Local Character	DEV.1	CS.9
D3 - Use of Design Codes and Master Planning	DEV.1	CS.9
D4 - Replacement Dwellings	COM.12	CS.19
D5 - Designing Out Crime	DEV.10	CS.9
D6 - Reuse of Buildings	PR.11, EF.14, COM.12, CTY.2, CTY2a	CS.8, CS.19, AS.10
D7 - Environmental Sustainability	DEV.8	CS.2, CS.3, CS.9
D8 - Parking Provision	DEV.5	CS.25
D9 - Effective and Efficient Use of Land	STR.2b, STR.4, DEV.1	CS.9, CS15
D10 - Heritage Assets	EF.5, EF.11, EF.11a, EF.11b, EF.12, EF.13, EF.14	CS.8, CS.9
E1 - Agricultural Land	CTY.4	AS.10
E2 - Landscape, Vistas and Skylines	PR.1, EF.4	CS.5, CS.8, CS.9, CS.15
E3 - Minimising Pollution	PR.8	CS.4, CS.6, CS9
E4 - Renewable and Low Carbon Energy Generation	PR.6, DEV.8	CS.2, CS.3, CS.9
E5 - Streamside Development	PR.7	CS.4, CS.7
E6 - Trees and Hedgerows	EF.7, EF.9, EF.10	CS.5, CS.6, CS.7, CS.8
E7 - Flooding and Surface Water Drainage	PR.7, DEV.1, DEV.7	CS.4, CS.7, CS.9
E8 - Foul Drainage	DEV.1, DEV.6	CS.9
E9 - Neighbourhood Area Biodiversity Action Plan	EF.6, EF.7, EF.7a	CS.6, CS.7
IN1 - Infrastructure Criteria	DEV.5, DEV.6, DEV.8	CS.15, CS.16, CS.24, CS.25, CS.26
IN2 - Community Facilities	MRC.4	AS.10
IN3 - Encouraging Safe Walking and Cycling	COM.9	CS.25, CS.26
IN4 - Protecting and Enhancing Green Open Spaces	DEV.3, COM.4, COM.5, COM.6	CS.24, CS.26
IN5 - Highway Safety and Transport	DEV.1	CS.9

It is noted that, at the SDC Cabinet meeting of 1 June 2015, consolidated modifications to the submitted Core Strategy as presented to that meeting have been endorsed for formal consideration by the Examination Inspector; and that the policies as set out in paragraph 3.4 of the report presented to The Cabinet, were adopted on an interim basis for the purposes of informing decisions made under the development management process.

An examination of those modifications has been carried out and it is believed that they do not impact on the general compliance of this (Kineton's) Neighbourhood Plan with the Core Strategy. Furthermore, whilst policy CS18 has now introduced ranges within the General Needs Housing Mix, we suggest that the fixed banding contained within Policy H5 Table 1 of the Kineton Neighbourhood Plan remains compliant

5.0 European Union Obligations

Strategic Environmental Assessment

A Strategic Environmental Assessment (SEA) screening was undertaken by Lepus Consulting. The screening process has confirmed that an SEA is not required for the KNDP.

The screening was submitted to the statutory environmental bodies (Historic England, Natural England and the Environment Agency).

All three bodies have returned consultations which confirm they are in agreement that the KNDP does not require an SEA.

Habitat Regulations Assessment

It is considered that a Habitat Regulations Assessment would not be required as long as the Neighbourhood Plan makes reference to or includes a link to the SDC Core Strategy's HRA.

It is considered that an Environmental Impact Assessment would not be required as the Neighbourhood Plan does not propose any projects which fall under the criteria set out in either Annex I or Annex II of the EIA Directive.

Human Rights

The KNDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998.