

# **Ilmington Neighbourhood Development Plan**

## **Basic Conditions Statement**

**April 2019**

**Final Version**

# 1. Introduction

- 1.1. This Basic Conditions Statement has been prepared to accompany the Ilmington Neighbourhood Development Plan (INDP).

## The Basic Conditions

- 1.2. Paragraph 8, sub-paragraph (2), of schedule 4B to the Town and Country Planning Act 1990 requires a Neighbourhood Development Plan (NDP) to meet the following basic conditions:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- d) the making of the order contributes to the achievement of sustainable development,
- e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and
- g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

- 1.3. This Basic Conditions Statement addresses these requirements in four sections:

Section 2 Demonstrates conformity with the National Planning Policy Framework as updated in February 2019 (NPPF2);

Section 3 Shows how the INDP will contribute to sustainable development and the various designated heritage assets throughout the Neighbourhood Area;

Section 4 Demonstrates conformity with the strategic policies contained within the Stratford-on-Avon Council (SDC) Core Strategy; and

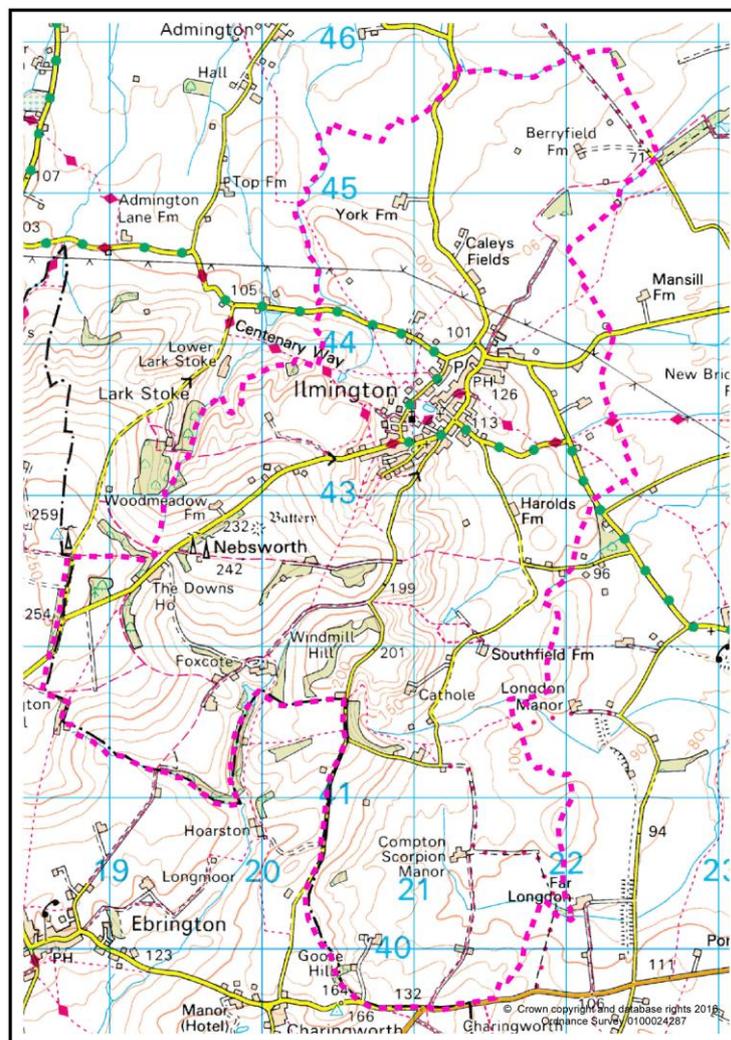
Section 5 Demonstrates compliance with the appropriate EU obligations.

## The Qualifying Body

- 1.4. The INDP is submitted by Ilmington Parish Council, who is the qualifying body as defined by the Localism Act 2011.

## The Neighbourhood Area

- 1.5. The INDP applies to the Parish of Ilmington 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 Ilmington Parish Council to designate their Parish for the purposes of producing a NDP and advertised it accordingly for the statutory period of 6 weeks.
- 1.6. The application was approved by the Cabinet of SDC on 26 April 2016 and consequently the Parish of Ilmington was designated as a Neighbourhood Area.
- 1.7. Ilmington Parish Council confirms that the INDP:
  - Relates only to the Parish of Ilmington and to no other Neighbourhood Area(s); and
  - Is the only NDP within the designated area and no other NDP exists nor is in development for part or all of the designated area.



*Ilmington Neighbourhood Area*

- 1.8. Ilmington is a village and a Parish in the county of Warwickshire. The Parish is predominately open countryside with the only settlement of Ilmington being located in the north. It is a north-Cotswold fringe village that is situated at the foot of the Ilmington Downs which forms a horseshoe shaped bowl that opens northwards into the flatter Warwickshire Feldon. There are a number of farmsteads and dispersed individual dwellings across the parish including 2 Manor Houses. The majority of the central and southern portion of the Neighbourhood Area, including the village of Ilmington, is contained within the Cotswolds Area of Outstanding Natural Beauty. The majority of the village of Ilmington is also a designated Conservation Area. Stratford-upon-Avon is approximately 9.5km to the north of the Parish Boundary.

### **Timeframe**

- 1.9. The INDP states that the period it relates to is from 2011 until 2031. The period has been chosen to align with the dates of the District Council's Core Strategy.

## 2. National Planning Policy Framework

- 2.1. The INDP must have appropriate regard to national policy. The following section describes how the INDP relates to the National Planning Policy Framework (NPPF2) February 2019.

### Sustainable Development

- 2.2. The central theme throughout the NPPF2 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.
- 2.3. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 2.4. Paragraph 9 of NPPF2 gives clear advice on how plans should contribute to these sustainability objectives:

*Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*

- 2.5. Paragraph 13 states the role of neighbourhood plans in attaining sustainable development:

*Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that*

*is outside of these strategic policies.*

2.6. Footnote 16 to paragraph 29 notes that:

*Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.*

2.7. In addition to contributing to the district's strategic development plan, Paragraph 69 adds that:

*Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their areas.*

2.8. Neighbourhood Plans can do more than just support or facilitate development. They also have a part to play in meeting other sustainability objectives of the NPPF2. The NPPF2 chapters to which Ilmington's plan contributes are:

- Delivering a sufficient supply of homes,
- Building a strong, competitive economy,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Making effective use of land,
- Achieving well-designed places,
- Protecting Green Belt Land( in Ilmington's case: Local Green Spaces),
- Meeting the challenge of climate change, flooding and coastal change,
- Conserving and enhancing the natural environment,
- Conserving and enhancing the historic environment.

2.9. The tables below summarises how INDP policies contribute to the sustainability objectives of NPPF2:

### Achieving sustainable development

Policy HG.1 allocates development sites that are of a size and density that are supportable by the existing infrastructure and meet the needs of the community. Policy HG.4 supports the future of Mabels Farm and its economic contribution to the area through its relocation. Policies DC.1, DC.5, NE.1, NE.2 and NE.3 seek to reinforce the existing ecological harmony between development and local wildlife. Policy DC.6 seeks to ensure that all development is environmentally sustainable. Policy INF.1 seeks sustainable development by reducing flood risk. Policy INF.2 encourages 'domestic grey water recycling'. Policies ETA.1, ETA.2 and ETA.3 support the sustainable development of local businesses and opportunities for rural tourism. Policies ETA.4 and ETA.5 help to support a strong, vibrant and healthy community.

### Plan making

Policy HG.1 designates development sites that enable residential development as required by SDC's Core Strategy strategic allocation for Ilmington's category of village.

### Delivering a sufficient supply of homes

Policy HG.1 designates development sites that enable residential development as required by SDC's Core Strategy strategic allocation for Ilmington's category of village. Policy HG.2 also allocates a strategic reserve site for the Neighbourhood Area. Policy HG.3.9 ensures that levels of on-site affordable housing will be delivered to meet the assessed needs of the community.

### Building a strong, competitive economy

Policy ETA.2 supports home-working through the use of flexible design and incorporated internet connectivity. Policies ETA.1 and ETA.2 encourage local employment and the possibility of new or improved local tourism services and facilities. Policy HG.4 supports the future of Mabels Farm and its economic contribution to the area through its relocation.

### Promoting healthy and safe communities

Policy DC.1.6 requires development proposals, where necessary, to demonstrate how the design is positively influenced by the need to reduce crime and the fear of crime. Policy DC.4 encourages new developments to connect to the existing pavement network allowing pedestrian access to local amenities. Policy DC.7 improves pedestrian safety by alleviating future conflicts between on street parking and pedestrians. Policy LGS.1 designates ten Local Green Spaces, which are of particular importance to the local community. Policy NE.5 reinforces the tranquillity of the Neighbourhood Area. Policy ETA.4 identifies and protects important village amenities. Policy ETA.5 protects and encourages the expansion of the noted network of public rights of way for the promotion of safe walking and cycling.

### Promoting sustainable transport

Policy DC.7 introduces local parking standards that minimise the unsustainable use of local streets for parking. It also encourages the use of sustainable modes of transport, electric vehicles and cycles, by ensuring by design the provision of storage facilities and charging points. Policy DC.4 promotes pedestrian travel to local amenities with Policy ETA. 5 protecting and where appropriate enhancing, the existing network of local walking and cycling opportunities.

### Making effective use of land

Policies HG.1 and HG.2 in association with Policy DC1.4 promote a sustainable balance between achieving an economically-viable housing density and the NPPF2 requirement to foster a well-designed and safe environment that reflects the character and needs of the Neighbourhood Area. Policy HG1.1 and HG.3 allocates a site that is already partially developed and at present does not enhance the Cotswolds Area of Outstanding Natural Beauty that it is located in.

### Achieving well-designed places

Policies HG.3, DC.1 and DC.3, in conjunction with DP.1 and the Design Guide, detail how developments can be designed in a manner appropriate to the village character, its immediate setting and its position within a Conservation Area. Policy NE.3 shows how new development can integrate sensitively, via boundary treatments, into the villages existing character. Policy DC.7 requires new developments to provide off-road parking spaces related to the number of bedrooms with Policy DC.1.4 recommending housing densities which lead to development designs which will preserve or enhance the character of their village setting.

### Protecting Green Belt land

Not applicable. There is no Green Belt designated land within the Neighbourhood Area.

### Meeting the challenge of climate change, flooding and coastal change

Policy DC.6 identifies how new development can be environmentally sustainable through recycling, use of renewable energy, resource efficient design and energy efficiency. Policy INF.1 requires new developments to mitigate the effects of pluvial and fluvial flooding. INF.2 encourages the recycling of grey water and mitigates the contribution of foul water on future flooding events. Policy DC.7 facilitates the use of sustainable modes of transport that do not add to the present climate change burden.

### Conserving and enhancing the natural environment

Policy DC.5 identifies and seeks to safeguard ten valued landscapes and local vistas. Policy NE.1 encourages the conservation and protection of biodiversity, wildlife and habitat areas whilst Policy NE.2 does the same for aquatic habitats. Policy NE.3 conserves and enhances important natural boundaries such as hedgerows and NE.4 protects the historically significant and environmentally important village orchards and allotments. Policy NE.6 reinforces the traditional dark skies situation of the village minimising the harmful impact of light pollution on the natural environment.

### Conserving and enhancing the historic environment

The Neighbourhood Area contains 61 listed buildings with 37 being in the village itself. The majority of the village is in a conservation area and an area of High Archaeological Sensitivity. Policy HA.1 requires new developments to assess how they will impact any local heritage assets. Policies DC.1 and DC.3 necessitate developments to have regard to the local character and respect their immediate setting. Policy DP.1 in association with the Design guide, describes this local character including references to spatial layout, materials and design.

2.10. The table below provides a matrix of the INDP policies against the relevant paragraphs of the NPPF2:

Ilmington Neighbourhood Plan Policy ref.	NPPF2 Paragraph ref.
<b>Future Housing Growth</b>	
HG.1 Housing Allocations	9, 11, 13, 28, 29, 59, 60, 65, 119, 122
HG.2 Strategic Reserve Site	14, 73
HG.3 Mabel's Farm Development	9, 11, 28, 29, 34, 59-61, 62b, 77, 78, 91, 92, 98, 126, 127, 129, 172
HG.4 Relocation of Mabel's Farm	79a, 83a & b, 84
HG.5 Sites 2 and 3	124-128
<b>Development Criteria</b>	
DC.1 Development within the Neighbourhood Area	7, 9, 15, 28, 29, 78, 91b, 92e, 96, 122d, 124-128, 170, 172, 194
DC.2 Built-Up Area Boundary	11, 79a, c & e
DC.3 Infill within the Built-Up Area Boundary	9, 28, 91, 105, 108b, 122d, 124-128
DC.4 Pedestrian Access to Amenities	91, 96, 98, 102c, 104d, 108a & b, 110a & c
DC.5 Valued Landscapes, Vistas and Skylines	8c, 170a & b, 172, 174, 175, 177
DC.6 Environmental Sustainability	8c, 131, 148, 149, 150b, 151, 154a
DC.7 Local Parking Standards and Traffic Management	29, 30, 77, 102, 105, 108, 110c
<b>Heritage and Archaeological Assets</b>	
HA.1 Heritage and Archaeological Assets	7, 184, 185c, 189, 190, 193--198
<b>Local Green Spaces</b>	
LGS.1 Local Green Spaces	99-101
<b>Infrastructure</b>	
INF.1 Flooding	8c, 20b & d, 26, 29, 148-150, 155, 156, 163, 165
INF.2 Foul Water Drainage Mitigation	8c, 20b & d, 26, 29, 148, 149, 155, 156, 163, 165
<b>Natural Environment</b>	
NE.1 Biodiversity, Wildlife and Habitat Conservation and Protection	8c, 170, 172, 174, 175, 177
NE.2 Aquatic Habitats	8c, 170, 172, 174, 175, 177

NE.3 Boundary Treatments and Landscaping	8c, 20, 124-127, 170d, 171, 172, 174, 177
NE.4 Allotments and Orchards	91c, 92a & b, 96, 170, 174
NE.5 Tranquillity	8c, 170e, 180
NE.6 Dark Skies	8c, 180c
Economy, Tourism and Local Amenities	
ETA.1 Encouraging Local Employment	8a, 83
ETA.2 Home-working and Internet Connectivity	8a, 83, 112
ETA.3 Rural Tourism	8a, 83
ETA.4 Sustaining Local Amenities	7, 8b, 91a & c, 92, 96, 97
ETA.5 Safe Walking and Cycling	91a & c, 98, 102c, 104d, 110a
Design Principles	
DP.1 Design Principles and Design Guide	28, 29, 110b, 122d & e, 124-127, 130, 170a

### **3. Delivering Sustainable Development**

The key ways that the INDP will contribute to the achievement of the NPPF2's three overarching objectives of sustainable developments are:

#### **3.1. Economic objective**

- In maintaining the unique and special character of Ilmington, the INDP encourages the growth of tourism and visitors to the area to use the extensive network of public rights of way for both cycling and walking and therefore make use of local businesses,
- In supporting the local relocation of Mabel's Farm, it maintains this business and employer within the local economy,
- It supports home-working through the use of flexible design and incorporated internet connectivity.

#### **3.2. Social objective**

- The INDP allocates sites and provides the planning policy context for sufficient homes to be built that exceed the researched needs of the local community and the village's contribution towards the provision of housing as set out in the SDC Core Strategy
- It encourages a well-designed and safe environment which will ensure the village continues to evolve in accordance with villagers' wishes,
- It protects and enhances the cycle routes, local green spaces and valued landscapes which support the community's health, social and cultural well-being,
- It pays special attention to mitigating the negative effects of increasing personal vehicle ownership in a village with narrow streets, and to supporting the emerging needs of electric vehicle owners,
- It encourages the protection of local amenities which serve the current and future needs of the community.

#### **3.3. Environmental objective**

- It protects the valued agricultural and horticultural land surrounding the village,
- It seeks a harmonious relationship between developments and the local flora and fauna,
- It ensures developments within or near the Conservation Area are undertaken with sensitivity and an awareness of their impact on the setting of the village's heritage assets,
- It notes the impact of flooding in the village and requires all developments to mitigate any future contribution to this by minimising off-site run-off,
- It encourages new developments to make effective use of renewable energy and resource recycling.

## 4. General Conformity with Strategic Local Policy

- 4.1. The INDP has been prepared with regard to national policies set out in the NPPF2 as outlined above. It must also be in general conformity with strategic policies of the local Development Plan.
- 4.2. The Development Plan for the Neighbourhood Area is the Stratford-on-Avon District Core Strategy 2011-2031, adopted July 2016.
- 4.3. Paragraph 13 of NPPF2 declares that Neighbourhood Plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 4.4. The INDP supports the delivery of the strategic policies of the Core Strategy, and contains no conflicts with these policies.
- 4.5. The INDP builds on, adapts or otherwise makes use of selected Core Strategy policies to suit the local environment and economy of Ilmington.
- 4.6. The table below provides a matrix indicating the relationship between the INDP policies and the SDC Core Strategy policies:

Ilmington Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
<b>Future Housing Growth</b>	
HG.1 Housing Allocations	CS.11, CS.15, CS.16, CS.18
HG.2 Strategic Reserve Site	CS.11, CS.15, CS.16d, CS.18
HG.3 Mabel’s Farm Development	CS.15, CS.16, CS.18, CS.19, AS.10
HG.4 Relocation of Mabel’s Farm	CS.22, AS.10
HG.5 Sites 2 and 3	CS.11, CS.15, CS.16, AS.10
<b>Development Criteria</b>	
DC.1 Development within the Neighbourhood Area	CS.4b, CS.5, CS.8, CS.9, CS.15d, CS16, CS.26, AS.10
DC.2 Built-Up Area Boundary	AS.10
DC.3 Infill within the Built-Up Area Boundary	CS.9, CS.15, CS.26, AS.10
DC.4 Pedestrian Access to Amenities	CS.2, CS.9, CS.26.b.5
DC.5 Valued Landscapes, Vistas and Skylines	CS.5, CS.6, CS.7, CS.9, CS.15
DC.6 Environmental Sustainability	Strategic objective 5, CS.2, CS.3, CS.9
DC.7 Local Parking Standards and Traffic Management	CS.9b, CS.26

<b>Heritage and Archaeological Assets</b>	
HA.1 Heritage and Archaeological Assets	CS.5, CS.8, CS.9, AS.10
<b>Local Green Spaces</b>	
LGS.1 Local Green Spaces	CS.5, CS.6, CS.9, CS.25
<b>Infrastructure</b>	
INF.1 Flooding	CS.2, CS.4, CS.7, CS.9
INF.2 Foul Water Drainage Mitigation	CS.2, CS.4, CS.7, CS.9
<b>Natural Environment</b>	
NE.1 Biodiversity, Wildlife and Habitat Conservation and Protection	CS.5, CS.6, CS.7
NE.2 Aquatic Habitats	CS.5, CS.6, CS.7
NE.3 Boundary Treatments and Landscaping	CS.5, CS.6, CS.9
NE.4 Allotments and Orchards	CS.2, CS.7, CS.25
NE.5 Tranquillity	CS.9, CS.11, AS.10
NE.6 Dark Skies	CS.9, CS.11
<b>Economy, Tourism and Local Amenities</b>	
ETA.1 Encouraging Local Employment	CS.7, CS.9, CS.22, CS.24, AS.10
ETA.2 Home-working and Internet Connectivity	CS.22, CS.26, AS.10
ETA.3 Rural Tourism	CS.22, CS.24, AS.10
ETA.4 Sustaining Local Amenities	AS.10, CS.25
ETA.5 Safe Walking and Cycling	CS.2, CS.7, CS.9, CS26.b.5
<b>Design Principles</b>	
DP.1 Design Principles and Design Guide	CS.2, CS.3, CS.5, CS.6, CS.7, CS.8, CS.9, CS.11, CS.15, CS.26, AS.10

## 5. European Union Obligations

### Strategic Environmental Assessment

- 5.1. A Strategic Environmental Assessment (SEA) screening exercise was undertaken by Lepus on behalf of Stratford-on-Avon District Council (SDC) in April 2018. The process suggested that the INDP was screened in for assessment.
- 5.2. The screening exercise involved consultation with the statutory environmental bodies (Historic England, Natural England and the Environment Agency).
- 5.3. All three bodies have returned consultations and it was confirmed that the INDP would be screened in for the SEA.
- 5.4. The final Environmental Report was completed in January 2019. The consultation period on the report concluded on 25 February 2019.
- 5.5. The report found that the INDP policies complied with SEA objectives as summarised in tables:
  - ‘Table N.1: Anticipated residual effects of the NDP post mitigation’ (pp.4&5)’ and
  - ‘Table 7.4: SEA scoring matrices for policies proposed in the NDP post mitigation and enhancement’ (p.70)

*(Strategic Environmental Assessment of the Ilmington Neighbourhood Development Plan, Environmental Report, January 2019, Lepus Consulting for Stratford-on-Avon District Council*

**Table N.1:** Anticipated residual effects of the NDP post mitigation.

Topic	Residual effects
Cultural Heritage	<ul style="list-style-type: none"> <li>• It is anticipated that there will be a change to the setting of features of cultural heritage importance, namely Ilmington Conservation Area and a number of Listed Buildings, due to development at the allocated sites. Impacts associated with this are anticipated to be negligible due to the implementation of Housing and Development and Development Criteria policies.</li> <li>• Impacts on above and below ground features of archaeological importance will be mitigated through the implementation of the Heritage and Archaeological Assets policy.</li> <li>• Development Criteria and Natural Environment policies, which promote implementation of the sensitive design, will ensure that future development is sensitively designed to minimise effects on the setting of historical features within the village.</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>• It is anticipated that there will be a change in the local character of the village as a result of development at allocated sites. This may affect the setting and views for users of the Cotswold Area of Outstanding Natural Beauty (AONB), Public Rights of Way (PROW) and residents within the village itself. However, implementation of the Development Criteria policies will ensure that these impacts will be negligible</li> <li>• The Future Housing and Development, Development Criteria, Local Green Space and Natural Environment policies, which promote implementation of sensitive design, prevent incursion of development into the countryside, safeguard valued landscapes, vistas and skylines and protect the setting of the Cotswold AONB will ensure that any future development within Ilmington will be sensitive to local landscape character.</li> </ul>
Water and Flooding	<ul style="list-style-type: none"> <li>• The NDP is anticipated to direct residential development away from areas at risk of fluvial flooding.</li> </ul>
	<ul style="list-style-type: none"> <li>• It is anticipated that the NDP will result in development within areas at risk of low and medium surface water flooding and adjacent to areas at high risk of surface water flooding. This is likely to exacerbate local surface water flooding issues. However, the implementation of the Infrastructure policies will reduce this impact to one of negligible significance.</li> </ul>

**Table 7.4:** SEA scoring matrices for policies proposed in the NDP post mitigation and enhancement

	SEA Objective 2	SEA Objective 3	SEA Objective 4
	Cultural Heritage	Landscape	Water and Flooding
HG1	o	o	o
HG2	o	o	o
HG3	+	+	o
HG4	+/-	+/-	+/-
HG5	+	+	o
HG6	o	o	o
DC1	+	+	o
DC2	+	+	o
DC3	+	+	o
DC4	o	o	o
DC5	+	+	o
DC6	o	o	+
DC7	o	o	o
HA1	+	+	o
LGS1	+	+	o
INF1	o	o	+
INF2	o	o	+
NE1	+	+	o
NE2	+	+	+
NE3	+	+	o
NE4	+	+	o
NE5	+	+	o
NE6	o	+	o
ETA1	o	o	o
ETA2	o	o	o
ETA3	o	o	o
ETA4	o	o	o
ETA5	o	o	o

**Key**

o Negligible

+ Minor Positive

- Minor Negative

+/- Uncertain

## Human Rights

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