

Bearley Neighbourhood Plan

Basic Conditions Statement

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APS Avon
Planning
Services



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1. Introduction

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

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 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 revised in February 2019 (NPPF);

Section 3 Shows how the BNDP 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 District Council (SDC) Core Strategy; and

Section 5 Demonstrates compliance with the appropriate EU obligations.

The Qualifying Body

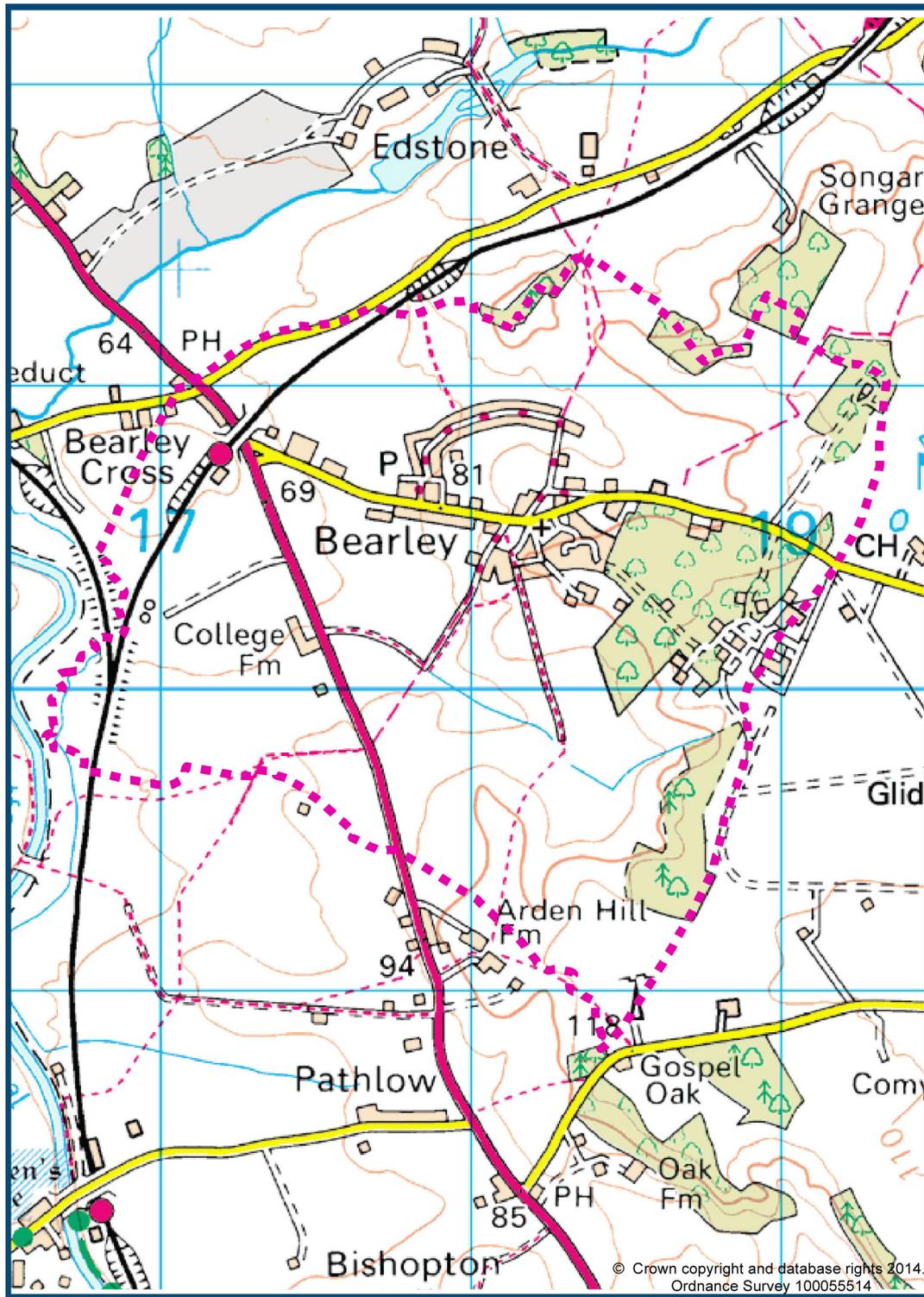
- 1.4. The BNDP is submitted by Bearley Parish Council, who is the qualifying body as defined by the Localism Act 2011.

The Neighbourhood Area

- 1.5. The BNDP applies to the Parish of Bearley which is within the Stratford-on-Avon District of Warwickshire. In accordance with Part 2 of the Regulations, SDC, as the local planning authority, publicised the Neighbourhood Area application from Bearley 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 8 September 2014 and consequently the Parish of Bearley was designated as a Neighbourhood Area.
- 1.7. Bearley Parish Council confirms that the BNDP:
 - Relates only to the Parish of Bearley 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.
- 1.8. Bearley is a village and civil parish. The Neighbourhood Area is bound on the north by Wooton Wawen and Langley, on the east by Snitterfeld, and on the south and west by Aston Cantlow. The western boundary is between a stream running out of Edstone Lake and the railway line to Warwick.
- 1.9. It is predominantly open countryside except along its eastern boundary, where part of the extensive wood known as Bearley Bushes forms the village boundary.
- 1.10. At Bearley Cross, the road running west to Alcester and east to Warwick is crossed by the A3400 from Stratford-upon-Avon to Henley-in-Arden.
- 1.11. The village is dominated by large open spaces with tall mature trees, in a largely rectangular village habitation pattern of development. The village and parish are washed over by Green Belt.

Plan Period

- 1.12. The BNDP states that the period it relates to is from 2011 until 2031. The period has been chosen to align with the dates of SDC's Core Strategy.



Bearley Neighbourhood Area

2. National Planning Policy Framework

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

Sustainable Development

- 2.2. The central theme throughout 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.
- 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 NPPF 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 NPPF. The NPPF chapters to which Bearley’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
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment; and
- Conserving and enhancing the historic environment.

2.9. The tables below summarises how BNDP policies contribute to the sustainability objectives of NPPF:

Achieving sustainable development

Policy H1 supports new development within the Built-up Area Boundary. **Policy H2** supports affordable housing development on small sites adjacent to the village boundary. **Policy H3** supports the redevelopment of brownfield land for new housing. **Policy H4** supports development on garden land provided certain conditions are met. **Policy ECON2** supports the protection and enhancement of existing employment sites as well as encouraging the growth of local employment. **Policy BNE10** supports the conversion to housing, permanent business space or residential tourist accommodation of redundant buildings built of traditional materials and of architectural merit, provided it can be converted without significant modification, rebuilding or extension. **Policy BNE11** supports and encourages bringing empty homes back into use. **Policies NNE1, NNE2 and NNE3** seek to reinforce the existing ecological harmony between development and local wildlife.

Plan making

In accordance with paragraphs 143-147 of the NPPF, only limited forms of development can take place within the Neighbourhood Area given its Green Belt status. The BNDP respects this situation and therefore does not contain any site allocations for housing or employment.

Delivering a sufficient supply of homes

In accordance with national policy, only limited infilling within in the village, rural workers dwellings, replacement dwellings, the reuse of buildings and rural exception housing can be accommodated within the Neighbourhood Area given its Green Belt status. **Policy H1** supports new development within the Built-up Area Boundary. **Policy H2** supports affordable housing development on small sites adjacent to the village boundary. **Policy H3** supports the redevelopment of brownfield land for new housing subject to compliance with nation Green Belt policy. **Policy H4** supports development on garden land provided certain conditions are met. **Policy BNE10** supports the conversion to housing, permanent business space or residential tourist accommodation of redundant buildings built of traditional materials and of architectural merit, provided it can be converted without significant modification, rebuilding or extension. **Policy BNE11** supports and encourages bringing empty homes back into use.

Building a strong, competitive economy

Policy ECON1 seeks to protect and support existing employment sites. **Policy ECON2** supports the protection and enhancement of existing employment sites as well as encouraging the growth of local employment. **Policy IN4** supports proposals which increase the opportunity for residents of all ages to access further education and learning acquiring new skills and life skills.

Promoting healthy and safe communities

Policy BNE5 requires all development proposals to demonstrate how the design is influenced to by the need to plan positively to reduce crime and the fear for crime. **Policy NNE4** designates four Local Green Spaces, which include formal sports and recreational spaces, as well as informal areas of play and open space. **Policy AFC1** supports proposals which enhance and improve existing community facilities and does not support their loss or partial loss unless it can be replaced or is no longer actively used. **Policy AFC2** encourages safe walking and cycling as well as the protection, enhancement, expansion and promotion of the positive use of public rights of way. **Policy AFC3** seeks to protect, enhance and expand existing formal and informal sport and recreational facilities.

Promoting sustainable transport

Policy IN1 supports sustainable transport and home working by requirement new developments to demonstrate a connection to a fibre optic network. **Policy IN3** ensures that new development does not adversely affect and/or impact on levels of highway safety to all users especially pedestrians and cyclists and ensures sufficient of-road parking. **Policy BNE7** requires new developments should provide secure storage space for cycles and demonstrate how pedestrian and cycle routes to local amenities have been taken into consideration and, where possible, created, improved or maximised.

Making effective use of land

Policy H3 supports the principle of the redevelopment of brownfield land for new housing. **Policy H4** supports development on garden land providing it preserves or enhances the area's character, preserves neighbouring properties' amenities and provides adequate parking and access. **Policy BNE3** seeks to ensure effective and efficient use of land, in particular the reuse of land or bringing properties back into use. **Policy BNE8** resists development the best and most versatile agricultural land. **Policy BNE10** supports the conversion to housing, permanent business space or residential tourist accommodation of redundant buildings built of traditional materials and of architectural merit, provided it can be converted without significant modification, rebuilding or extension. **Policy BNE11** supports and encourages bringing empty homes back into use.

Achieving well-designed places

Policies BE1 and BE2 requires proposals to demonstrate and detail how developments should / will be designed in a manner which respects heritage assets, impact on flooding and tranquillity and is appropriate to the Bearley's local rural character and its immediate setting. **Policy BNE5** requires all development proposals to demonstrate how the design is influenced to by the need to plan positively to reduce crime and the fear for crime. **Policy BNE7** requires new developments should provide secure storage space for cycles and demonstrate how pedestrian and cycle routes to local amenities have been taken into consideration and, where possible, created, improved or maximised. **Policy IN3** ensures that new development does not adversely affect and/or impact on levels of highway safety to all users especially pedestrians and cyclists and ensures sufficient of-road parking.

Protecting Green Belt land

Policy H1 defines the village boundary and where new residential development will be supported. All areas outside the boundary are classed as countryside and Green Belt. New residential development in the countryside and Green Belt is limited to dwellings for rural workers, replacement dwellings, rural exception sites and reuse of existing buildings of permanent and substantial construction.

Meeting the challenge of climate change, flooding and coastal change

Policy NNE7 supports proposals for renewable energy where it can be demonstrated to benefit the community and is economically viable. **Policies IN1 and IN2** require new developments to mitigate the effects of pluvial and fluvial flooding, mitigates the contribution of foul water on future flooding events and include comprehensive energy efficiency measures in their designs.

Conserving and enhancing the natural environment

Policy NNE4 designates four local green spaces. **Policies NNE1, 2, 3 & 6** seek to ensure that development should protect and, where possible, enhance the local environment and minimise impact on biodiversity and provide net gains where possible. The items these policies address include the ecological quality of waterways and the protection of Sites of Special Scientific Interest, Potential Local Wildlife Sites and individual species. **Policy NNE5** requires development proposals to demonstrate how they are appropriate to, integrate with and possibly enhance the character of the landscape setting, including important local features. It also identifies eleven valued landscapes and local vistas. **Policy BNE6** seeks to

reduce light pollution and contribute to dark skies.

Conserving and enhancing the historic environment

The Neighbourhood Area contains a number of listed buildings and one Conservation Area. **Policy BNE1** details design guidance on how new development can be integrated sensitively, e.g. through building material, layout, landscaping and boundary treatment. **Policy BNE2** seeks to preserve, protect and enhance local heritage assets.

2.10. The table below provides a matrix of the BNDP policies against the relevant paragraphs of the NPPF:

Bearley Neighbourhood Plan Policy ref.	NPPF Paragraph ref.
5.1 Housing	
H1 Village Boundary	11, 13, 68a, 69, 79a, c & e, 145f & g
H2 Affordable Housing	60-63, 64d, 77, 79a
H3 Use of Brownfield Land	117, 118c, 145f & g, 146d
H4 Use of Garden Land	118d, 145e & g
H5 Marketing Housing Mix	60 - 62
5.2 Economy	
ECON1 Protecting and Supporting Existing Employment Sites	8a, 80-84, 145
ECON2 Promoting New Employment Opportunities	8a, 80-84
5.3 Built Neighbourhood Environment	
BNE1 Responding to Local Rural Character	28, 122d & e, 124-128, 170, 172, 184, 185, 189, 190, 193--198
BNE2 Preservation of Heritage Assets	79b, 184, 185, 189, 190, 193-198
BEN3 Effective and Efficient Use of Land	84, 117, 118c & d, 122d & e, 123
BNE4 Neighbourhood Design Guidelines	15, 20b, 28, 34, 78, 122d, 124-128, 145c, 147, 149, 184, 185, 193 -202
BNE5 Designing Out Crime	91b, 127f
BNE6 Lighting	8c, 180c
BNE7 Parking and Access	29, 30, 102, 105, 108, 110c
BNE8 Agricultural Land	170b
BNE9 Replacement Dwellings	118d, 122d, 124 -132, 145d, e & g,
BNE10 Reuse or Change of use of Buildings	79, 108b, 146d, 148
BNE11 Empty Homes and Spaces	118d
BNE12 Skyline Protection	147, 170a & b, 172

5.4 Natural Environment	
NNE1 Protection of Sites of Special Scientific Interest and Potential Local Wildlife Sites	8c, 174, 175, 177
NNE2 Protection of Natural Features and Other Areas of Rich Biodiversity	8c, 170, 171, 174, 175, 177
NNE3 Biodiversity and Protection of Individual Species	8c, 170, 174, 175, 177
NNE4 Designated Local Green Spaces	99-101
NNE5 Valued Landscapes, Vistas and Skylines	8c, 170a & b, 174, 175, 177
NNE6 Ecological Surveys	8c, 170, 174, 175, 177
NNE7 Renewable Energy	8c, 20d, 150-154
5.5 Infrastructure	
IN1 Infrastructure Criteria	8c, 20b & d, 26, 29, 112, 148-151, 155, 156, 163, 165
IN2 Drainage and Flooding	8c, 20b & d, 26, 29, 112, 148, 149, 151, 155, 156, 163, 165
IN3 Highway Safety	29, 30, 102, 104, 105, 108, 109, 110c
IN4 Learning and Education	94
5.6 Amenities, Facilities and Community	
AFC1 Protecting and Enhancing Existing Community Facilities	8b, 28, 83c, 91a & c, 92, 97
AFC2 Encouraging Safe Walking and Cycling	91, 92, 98, 102c, 104d, 110a
AFC3 Sports and Recreation	8b, 83c, 91, 92, 97

3. Delivering Sustainable Development

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

3.1. Economic objective

- The BNDP policies seek to protect and enhance existing employment sites.
- The BNDP supports new employment sites and encourages local employment growth and opportunities where there is no conflict with Green Belt policy.
- It supports home-working and live-work units through the use of flexible design and incorporated internet connectivity.

3.2. Social objective

- The BNDP supports new housing development within the Village Boundary, on brownfield sites and garden land. It also supports the principle of rural exception housing.
- 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 local green spaces, footpath, bridleways and valued landscapes which support the community's health, social and cultural well-being.
- It encourages the protection of local social and recreational amenities and businesses which serve the current and future needs of the community.

3.3. Environmental objective

- It protects the valued countryside and Green Belt surrounding the village, including agricultural and horticultural land.
- It seeks a harmonious relationship between developments and the local flora and fauna.
- It ensures development 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 locality (which appears to be partly related to climate change) and requires all developments to mitigate any future contribution to this by minimising off-site run-off and incorporating sustainable drainage systems.
- It encourages new developments to make effective use of renewable energy and resource recycling.

4. General Conformity with Strategic Local Policy

- 4.1. The BNDP 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.
- 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 NPPF 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 BNDP supports the delivery of the strategic policies of the Core Strategy, and contains no conflicts with these policies.
- 4.5. The BNDP builds on, adapts or otherwise makes use of selected Core Strategy policies to suit the local environment and economy of Bearley.
- 4.6. The table below provides a matrix indicating the relationship between the BNDP policies and the SDC Core Strategy policies:

Bearley Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
5.1 Housing	
H1 Village Boundary	CS.10, CS.15d, CS16, AS.10
H2 Affordable Housing	CS.10, CS.15d, CS.16b, CS.18
H3 Use of Brownfield Land	CS.10, AS.10
H4 Use of Garden Land	CS.9, CS.10, AS.10
H5 Marketing Housing Mix	CS.19
5.2 Economy	
ECON1 Protecting and Supporting Existing Employment Sites	CS.1, CS.22, CS23, AS.10
ECON2 Promoting New Employment Opportunities	CS.1, CS.22, CS23, AS.10
5.3 Built Neighbourhood Environment	
BNE1 Responding to Local Rural Character	AS.10, CS.9
BNE2 Preservation of Heritage Assets	CS.5, CS.8, CS.9, AS.10
BEN3 Effective and Efficient Use of Land	CS.1, CS9, CS20
BNE4 Neighbourhood Design Guidelines	AS.10, CS4b &c, CS.9, CS.10
BNE5 Designing Out Crime	CS.9b.7

BNE6	Lighting	CS.9
BNE7	Parking and Access	CS.9b, CS.26
BNE8	Agricultural Land	AS.10
BNE9	Replacement Dwellings	AS.10, CS.9, CS.10, CS.20
BNE10	Reuse or Change of use of Buildings	AS.10, CS.9, CS.10, CS.20
BNE11	Empty Homes and Spaces	CS.20d
BNE12	Skyline Protection	AS.10, CS.5, CS.6, CS.9, CS.10
5.4 Natural Environment		
NNE1	Protection of Sites of Special Scientific Interest and Potential Local Wildlife Sites	CS.6
NNE2	Protection of Natural Features and Other Areas of Rich Biodiversity	CS.5, CS.6, CS.7
NNE3	Biodiversity and Protection of Individual Species	CS.5, CS.6
NNE4	Designated Local Green Spaces	CS.5, CS.6, CS.9, CS.25
NNE5	Valued Landscapes, Vistas and Skylines	CS.5, CS.6, CS.7, CS.9
NNE6	Ecological Surveys	CS.2, CS.5, CS.6, CS.7
NNE7	Renewable Energy	CS.2, CS.3
5.5 Infrastructure		
IN1	Infrastructure Criteria	CS3, CS4
IN2	Drainage and Flooding	CS.2, CS.4, CS.7, CS.9
IN3	Highway Safety	CS.9, CS.20e, CS.26
IN4	Learning and Education	CS.25
5.6 Amenities, Facilities and Community		
AFC1	Protecting and Enhancing Existing Community Facilities	AS.10, CS.25
AFC2	Encouraging Safe Walking and Cycling	CS.2, CS.7, CS.9
AFC3	Sports and Recreation	AS.10, CS.25

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 February, 2019.
- 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 by SDC in a letter dated 1 March 2019 that a Strategic Environmental Assessment (SEA) is not required in respect of the BNDP.

Habitat Regulations Assessment

- 5.4. 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.
- 5.5. 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

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