

Clifford Chambers & Milcote Neighbourhood Plan

Basic Conditions Statement

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Services



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1. Introduction

- 1.1. This Basic Conditions Statement has been prepared to accompany the Clifford Chambers and Milcote Neighbourhood Development Plan (CCMNDP).

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 June 2019 (NPPF);

Section 3 Shows how the CCMNDP 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

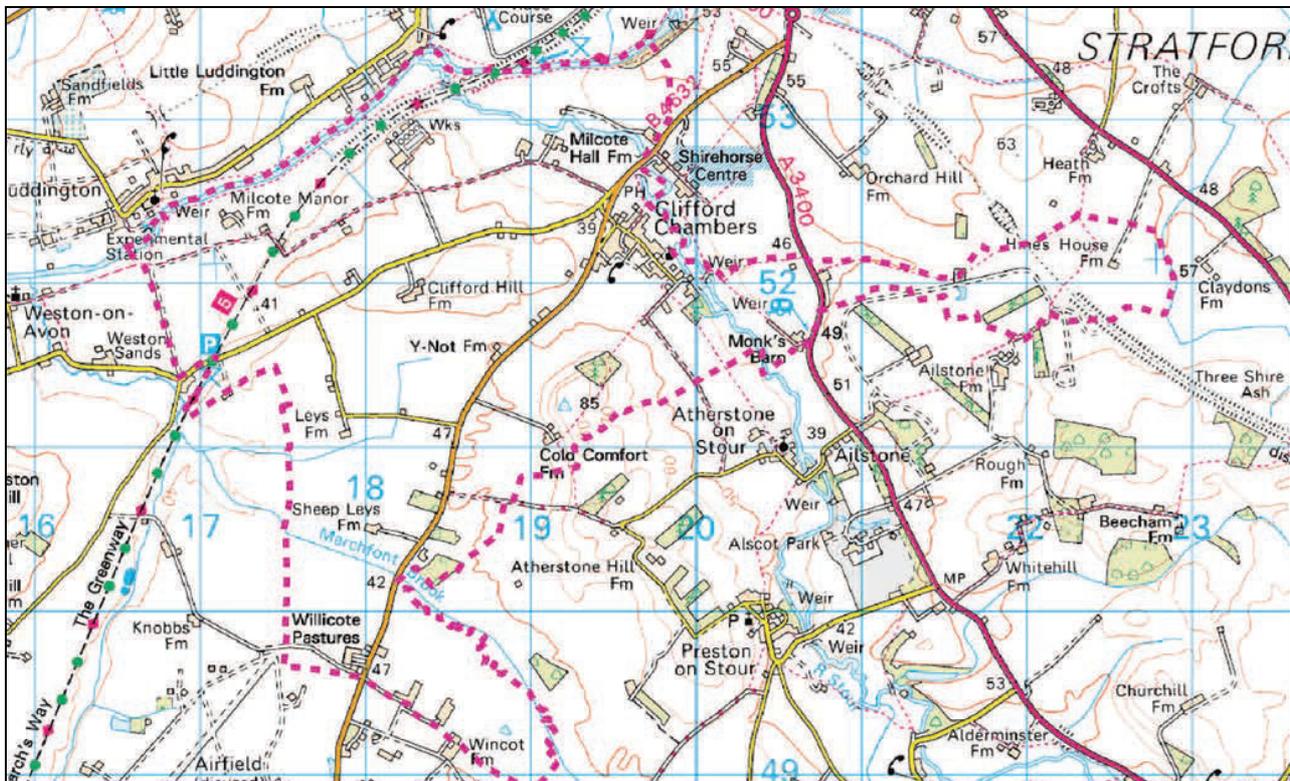
Section 5 Demonstrates compliance with the appropriate EU obligations.

The Qualifying Body

- 1.4. The CCMNDP is submitted by Clifford Chambers and Milcote Parish Council, who is the qualifying body as defined by the Localism Act 2011.

The Neighbourhood Area

- 1.5. The CCMNDP applies to the Parish of Clifford Chambers and Milcote 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 Clifford Chambers and Milcote 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 9 September 2014 and consequently the Parish of Clifford Chambers and Milcote was designated as a Neighbourhood Area.
- 1.7. Clifford Chambers and Milcote Parish Council confirms that the CCMNDP:
 - Relates only to the Parish of Clifford Chambers and Milcote 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. Clifford Chambers and Milcote is a village and a Parish in the county of Warwickshire. The Parish is predominately open countryside with the only settlement of Clifford Chambers and Milcote being located in the southern half of the Parish.



Clifford Chambers & Milcote Neighbourhood Area

- 1.9. Clifford Chambers and Milcote is a civil parish. Clifford Chambers is a small village located approximately two miles south of Stratford-upon-Avon town centre, in Warwickshire, England. It is on the B4632 road and one mile south of the A3400. It was formed by the 10th Century. The Manor House was and continues to be a key focal point of the Village and upholds the historical linear nature of the settlement area. The River Stour runs along the north-eastern edge of the village.
- 1.10. Milcote is a small village and was originally part of the ecclesiastical and Civil Parish of Weston -on -Avon with Milcote but became a Civil Parish in its own right in 1894. Milcote and the Civil Parish of Clifford Chambers merged in 2004 to form the Parish of Clifford Chambers and Milcote.

Plan Period

- 1.11. The CCMNDP 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.

2. National Planning Policy Framework

- 2.1. The CCMNDP must have appropriate regard to national planning policy. The following section describes how the CCMNDP relates to the National Planning Policy Framework (NPPF) revised June 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 Clifford Chambers and Milcote ’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 (not applicable to Clifford Chambers and Milcote);
- 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 CCMNDP policies contribute to the sustainability objectives of NPPF:

Achieving sustainable development

Housing Policy 1 supports new development within the village boundary. **Local Community Policy LC4** expects all new residential development within the Neighbourhood Area to include the necessary infrastructure to allow future connectivity to high speed broadband/internet.

Natural Environment Policy 1 requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible and demonstrate high levels of water efficiency.

Natural Environment Policies NE3 seeks to promote ecological harmony between development and local wildlife by encouraging all new development to demonstrate a high level of sensitive landscaping and native tree/hedge planting in order to reflect the rural character and heritage of the area and protect the welfare of local wildlife.

Plan making

Housing Policy 1 also allocates a strategic reserve site for the Neighbourhood Area if it is demonstrated that there is an identified local housing need. **Housing Policy 4** supports development on garden land within the village boundary provided proposals demonstrates certain criteria are met.

Delivering a sufficient supply of homes

Housing Policy 2 permits affordable housing development on small sites beyond, but reasonably near to, the Village Boundary provided proposals demonstrates certain criteria are met. **Housing Policy 1** also allocates a strategic reserve site for the Neighbourhood Area if it is demonstrated that there is an identified local housing need.

Building a strong, competitive economy

Housing Policy H3 encourages opportunities to protect and enhance local working and reduce the number of vehicle journeys including support for proposals that provide flexible space for home-based working or small scale, live-work units. **Local Community Policy LC4** enables home-working as it expects all new residential development within the Neighbourhood Area to include the necessary infrastructure to allow future connectivity to high speed broadband/internet.

Promoting healthy and safe communities

Natural Environment Policy 4 seeks to protect and enhance the rural tranquillity and dark skies environment and minimise light pollution. **Local Community Policy LC2** designates five Local Green Spaces, which include allotments and a formal sports and recreational space. **Traffic and Transport Policy TT1** requires all new development to include adequate and safe provision for off road parking and accessing arrangements. **Traffic and Transport Policy TT2** protects and encourages the expansion of the noted network of public rights of way for the promotion of safe walking and cycling. **Traffic and Transport Policy TT3** supports development proposals provided they do not compromise road safety or increase congestion within the Neighbourhood Area. Those that do increase traffic need to demonstrate that they do not further inhibit the free flow of traffic or exacerbate road safety concerns, including compromising existing pedestrian and cycle routes into the village centre.

Promoting sustainable transport

Housing Policy H3 encourages opportunities to protect and enhance local working and reduce the number of vehicle journeys including support for proposals that provide flexible space for home-based working or small scale, live-work units. **Traffic and Transport Policy TT1** requires all new development to include adequate and safe provision for off road parking and accessing arrangements. **Traffic and Transport Policy TT2** requires development to demonstrate how walking and cycling opportunities have been incorporated and connection made to existing routes. **Traffic and Transport Policy TT3** supports development proposals provided they do not compromise road safety or increase congestion within the Neighbourhood Area. Those that do increase traffic need to demonstrate that they do not further inhibit the free flow of traffic or exacerbate road safety concerns, including compromising existing pedestrian and cycle routes into the village centre.

Making effective use of land

Housing Policy 4 supports development on garden land within the village boundary provided proposals demonstrates certain criteria are met.

Achieving well-designed places

Local Community Policy LC3 details how developments can be designed in a manner which respects heritage assets and is appropriate to the village character and its immediate setting. **Traffic and Transport Policy TT1** requires all new development to provide off-road parking spaces.

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

Natural Environment Policy 1 requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible. It also requires new development proposals to demonstrate high levels of water efficiency and how they will mitigate the effects of pluvial and fluvial flooding and mitigate the contribution of foul water on future flooding events.

Conserving and enhancing the natural environment

Natural Environment Policy NE2 requires planning proposals requiring permission to demonstrate measures that ensure protection of the special landscape and scenic beauty of the two Valued Landscapes and Views identified in the plan. **Natural Environment Policy NE3** seeks to protect and enhance biodiversity in the natural environment with regard to woodland, copses, mature trees, hedgerows, endangered or priority species and watercourses. **Natural Environment Policy 4** seeks to protect and enhance the rural tranquillity and dark skies environment and minimise light pollution.

Conserving and enhancing the historic environment

The Neighbourhood Area contains a number of listed buildings and one conservation area. **Local Community Policy LC1** requires new developments to assess how they will impact any designated heritage assets and describe mitigation measures to protect them from harm. Developments that fail to conserve or enhance the character of the conservation area will not be supported.

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

Clifford Chambers and Milcote Neighbourhood Plan Policy ref.	NPPF Paragraph ref.
Housing	
Policy H1 - Housing Growth	14, 73, 78, 79a & c
Policy H2 - Local Housing Need	59-61, 63, 64d, 77, 79a & c
Policy H3 - Live Work Units	8a & b, 83a, 118a
Policy H4 - Use of Garden Land	122
Natural Environment	
Policy NE1 - Flood Risk and Surface Water Drainage	8c, 20b & d, 148-150, 155, 156, 163, 165
Policy NE2 - Protection of Valued Landscapes	8c, 170a & b
Policy NE3 - Maintaining 'Dark Skies'	8c, 180
Policy NE4 - Nature Conservation	8c, 20d, 127, 170a, b, d & e, 171, 174a, 175
Local Community	
Policy LC1 - Designated Heritage Assets	8c, 79b, 184, 185, 189, 190, 193—198
Policy LC2 - Designated Local Green Spaces	8c, 99-101
Policy LC3 - Responding to Local Character	8b, 122d & e, 125-127, 130, 170a
Policy LC4 - Promoting High Speed Broadband	8a & c, 20b, 83a, 112
Traffic and Transport	
Policy TT1 - Parking	8b, 102e, 105a, b & d
Policy TT2 - Walking and Cycling	91a & c, 98, 102c, 104d, 110a
Policy TT3 - Highway Safety	102, 181

3. Delivering Sustainable Development

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

3.1. Economic objective

- The CCMNDP policies seek to protect and enhance existing employment sites.
- The CCMNDP supports new employment sites and encourages local employment growth and opportunities.
- It supports home-working and live-work units through the use of flexible design and incorporated internet connectivity.

3.2. Social objective

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

Clifford Chambers and Milcote Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
Housing	
Policy H1 - Housing Growth	CS.15d, CS16, AS.10
Policy H2 - Local Housing Need	CS.18, AS.10
Policy H3 - Live Work Units	CS.1, CS.19, CS.22, CS23, AS.10
Policy H4 - Use of Garden Land	Cs.4, CS.9, AS.10
Natural Environment	
Policy NE1 - Flood Risk and Surface Water Drainage	CS.2, CS.4, CS.7, CS.9
Policy NE2 - Protection of Valued Landscapes	CS.5, CS.6, CS.7, CS.9, CS.15
Policy NE3 - Maintaining 'Dark Skies'	CS.6, CS.9
Policy NE4 - Nature Conservation	CS.5, CS.6, CS.7, CS.9
Local Community	
Policy LC1 - Designated Heritage Assets	CS.5, CS.8, CS.9, AS.10
Policy LC2 - Designated Local Green Spaces	CS.5, CS.6, CS.25
Policy LC3 - Responding to Local Character	CS.9, AS.10
Policy LC4 - Promoting High Speed Broadband	CS.22, CS.26, AS.10

Traffic and Transport	
Policy TT1 - Parking	CS.9, CS.26c
Policy TT2 - Walking and Cycling	CS.2, CS.7, CS.9, CS26.b.5
Policy TT3 - Highway Safety	CS.9.b7, AS.10, CS.26

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 CCMNDP.

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