

# **Beaudesert & Henley-in-Arden Neighbourhood Development Plan**

## **Basic Conditions Statement**

**May 2023**

# 1. Introduction

- 1.1. This Basic Conditions Statement has been prepared to accompany the Beaudesert & Henley-in-Arden Neighbourhood Development Plan (BHNDP).

## 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 (NPPF) as revised in July 2021;
  - Section 3 Shows how the BHNDP 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.

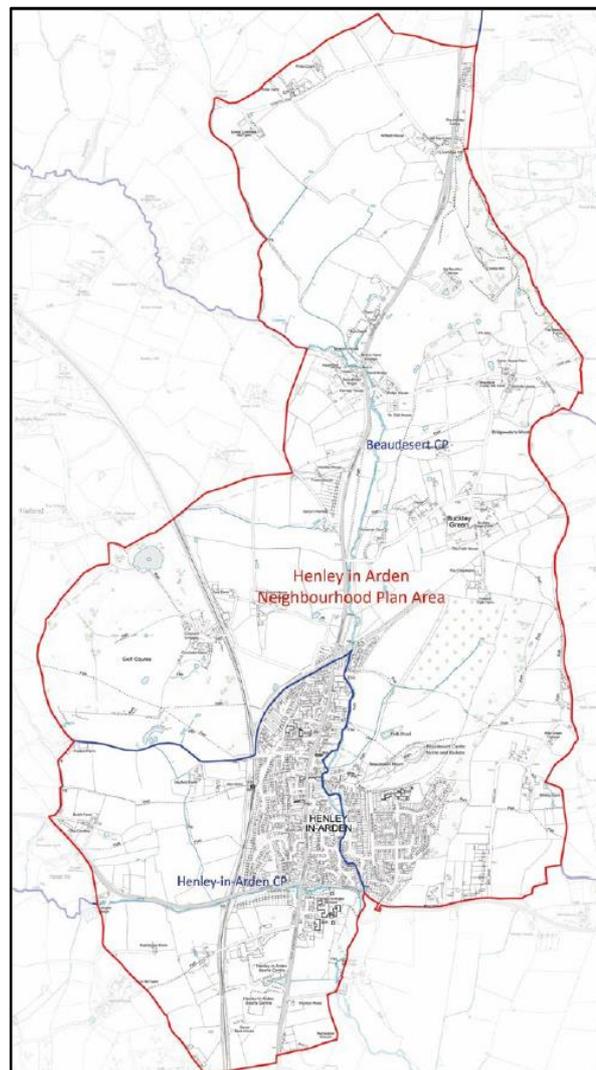
## The Qualifying Body

- 1.4. The BHNDP is submitted by Beaudesert & Henley-in-Arden Parish Council, who is the qualifying body as defined by the Localism Act 2011.

## The Neighbourhood Area

- 1.5. The BHNDP applies to the joint parishes of Beaudesert and Henley-in-Arden 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 the joint Beaudesert and Henley-in-Arden Parish Councils 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 6 October 2014 and consequently the parishes of Beaudesert and Henley-in-Arden were designated as a Neighbourhood Area.
- 1.7. The joint Beaudesert and Henley-in-Arden Parish Councils confirms that the BHNDP:
  - Relates only to the joint parishes of Beaudesert and Henley-in-Arden 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.

### *Beaudesert & Henley-in-Arden Neighbourhood Area*



- 1.8. Beaudesert is a village, civil parish and former manor in the Stratford-on-Avon district of Warwickshire, England, half a mile east across the River Alne to the north and west of Henley-in-Arden, to which it is closely associated. The main village, consisting of the church and a single short street of houses, stands close to the river and directly opposite Henley Church. Behind the village to the east rises the hill, locally known as 'The Mount', crowned with the earthwork remains of Beaudesert Castle of the De Montforts. According to the 2001 census it had a population of 919, increasing to 990 at the 2011 Census.
- 1.9. Henley-in-Arden (often referred to simply as Henley) is a village in the Stratford-on-Avon District in Warwickshire, England. The name is a reference to the former Forest of Arden. Henley-in-Arden is approximately 9 miles west of the county town of Warwick, 15 miles southeast of Birmingham, 9 miles east of Redditch and 9 miles north of Stratford upon Avon (where the road between Stratford and Henley was named Henley Street).
- 1.10. The town lies at a crossroads between the A3400 and the A4189 roads and is the starting point for the circular Arden Way path. It is located in a valley of the River Alne, which separates Henley from the adjacent settlement of Beaudesert.
- 1.11. Henley is known for its variety of historic buildings, some of which date back to medieval times, and its wide variety of preserved architectural styles. The one-mile-long (1.6 km) High Street is a conservation area. It also lies on the Heart of England Way. In the 2001 census the town had a population of 2,011, increasing to 2,074 at the 2011 census.
- 1.12. Although Beaudesert is a separate civil parish, Henley and Beaudesert effectively form a single entity and share a joint parish council.

### **Plan Period**

- 1.13. The BHNDP 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 BHNDP must have appropriate regard to national planning policy. The following section describes how the BHNDP relates to the National Planning Policy Framework (NPPF) revised July 2021.

### 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, beautiful and safe built environment places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, help 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 18 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 give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 69a) 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 Beaudesert & Henley-in-Arden’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 Beaudesert & Henley-in-Arden’s case: Local Green Spaces);
- 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 BHNDP policies contribute to the sustainability objectives of NPPF:

### Achieving sustainable development

**Policy H1** supports development and infill in the Built-up Area Boundary (BUAB).

**Policy H2** supports the provision of Affordable Housing through a Rural Exception Site.

**Policy E1** aims to protect and support existing employment where change of use or redevelopment is applied for by ensuring certain criteria are met such as: Unacceptable environmental problems associated with a site are addressed and that there is a sufficient supply of sites for a range of employment uses to meet short- and longer-term requirements.

**Policy E2** supports proposals for new employment sites which encourage local employment growth.

**Policy E3** supports proposals for new or improved leisure and tourism-based services and facilities.

**Policy E4** requires all new residential and commercial developments to provide the necessary

infrastructure to facilitate fibre optic connection for high-speed internet access.

**Policy E4** supports new or enhanced telecommunications development.

**Policy E5** supports home-based working by encouraging all new dwellings within the Town Boundary to provide flexible space adaptable for a home office and cabling to support broadband.

**Policies C1 & C3** ensure that existing Community Assets/Sports and Leisure Facilities are protected and supports proposals to enhance and improve them.

**Policy N1** supports proposals for development incorporating renewable technologies.

**Policy B1** requires development proposals to respect the local character, building styles and materials and settlement pattern and seeks to preserve or enhance heritage assets, landscape and biodiversity. It seeks the incorporation of high standards of energy efficiency in the design and build of the proposed dwellings and where practical that they should be carbon neutral.

**Policy B2** supports the reuse of rural buildings through the conversion of existing agricultural buildings of architectural merit to housing, business space or residential tourist accommodation with safe and convenient access.

**Policy B3** reduces the risk of flooding by requiring SuDs where appropriate and the use of permeable paving. It supports water efficiency measures such as the reuse/recycling of water. It safeguards water quality by requiring proposals for new developments to demonstrate adequate water supply and water treatment/foul water drainage

## Plan making

**Policy H1** supports development in the Settlement Boundary.

**Policy E2** supports proposals for new employment sites which encourage local employment growth.

**Policy E5** supports proposals for home-based working.

**Policy B2** supports the reuse of rural buildings through the conversion of existing agricultural buildings of architectural merit to housing, business space or residential tourist accommodation with safe and convenient access.

## Delivering a sufficient supply of homes

**Policy H1** supports development within the Settlement Boundary.

**Policy H2** promotes the provision of Affordable Housing through a Rural Exception Site

**Policy E7** supports proposals for small-scale live-work developments.

**Policy B2** supports the reuse of rural buildings through the conversion of existing agricultural buildings of architectural merit to housing, business space or residential tourist

## Building a strong, competitive economy

**Policy B1** aims to protect and support existing employment where change of use or redevelopment is applied for by ensuring certain criteria are met such as: Unacceptable environmental problems associated with a site are addressed.

**Policy E2** supports proposals for new employment sites which encourage local employment growth.

**Policy E3** supports proposals for new or improved leisure and tourism-based services and facilities.

**Policy E4** requires all new residential and commercial developments to provide the necessary infrastructure to facilitate fibre optic connection for high-speed internet access.

**Policy E5** supports home-based working by encouraging all new dwellings within the Town Boundary to provide flexible space adaptable for a home office and cabling to support broadband.

## Promoting healthy and safe communities

**Policy B1** seeks to ensure the necessary infrastructure for emergency vehicle access and provides adequate safe off-road parking and requires all new development to be sympathetic to the rural surroundings and preserve the tranquility of the around the Town and countryside.

**Policies C1 & C3** ensures that existing Community Assets/ Sports and Leisure Facilities are protected and supports proposals to enhance and improvement them Protecting and Enhancing Existing Community Assets/Facilities.

**Policy C2** designates a number of Local Green Spaces, many of which provide recreational space for residents. These include the allotments gardens, Jubilee Park, Riverlands, Littleworth and Memorial Sports Ground.

## Promoting sustainable transport

**Policy B1** seeks to ensure the necessary infrastructure for emergency vehicle access and provides adequate safe off-road parking.

**Policy E2** supports proposals for new employment sites which encourage local employment growth provided it doesn't create an unacceptable impact due to traffic generation.

**Policy E5** supports proposals for home-based working which does not result in unacceptable traffic movements and requires them to have an appropriate level of off road parking.

## Making effective use of land

**Policy H1** supports development and infill in the Settlement Boundary.

**Policy E2** supports proposals for new employment sites which encourage local employment growth.

**Policy E5** supports proposals for home-based working.

**Policy B2** supports the reuse of rural buildings through the conversion of existing agricultural buildings of architectural merit to housing, business space or residential tourist accommodation with safe and convenient access.

## Achieving well-designed places

**Policy B1** introduces design standards and requires incorporation of high standards of energy efficiency in the design and build of the proposed dwellings and where practical that they should be carbon neutral. It seeks to ensure the necessary infrastructure for emergency vehicle access and to provide appropriate and safe off-road parking. It requires proposals for new development to consider flood risk and the inclusion of sustainable drainage systems.

The policy requires development proposals to respect local character, building styles and materials and settlement pattern and seeks to preserve or enhance heritage assets, landscape and biodiversity. It seeks the incorporation of high standards of energy efficiency in the design and build of the proposed dwellings and where practical that they should be carbon neutral. The policy particularly supports housing development proposals which can demonstrate achieving a 'Green' score across all criteria when evaluated against Building for Life 2012 (BfL 12).

**Policy E5** supports home-based working by encouraging all new dwellings within the Settlement Boundary to provide flexible space adaptable for a home office.

**Policy N2** supports proposals for development incorporating renewable technologies.

**Policy B3** reduces the risk of flooding by requiring SuDs where appropriate and the use of permeable paving. It supports water efficiency measures such as the reuse/recycling of water. It safeguards water quality by requiring proposals for new developments to demonstrate adequate water supply and water treatment/foul water drainage.

## Protecting Green Belt land

The BHNDP does not allocate any land within the Green Belt for development and all policies respect national Green Belt policy. Henley-in-Arden is inset in Green Belt. The rest of the Neighbourhood Area is washed over by Green Belt. The need to protect the Green Belt surrounding Henley is recognised throughout the Plan.

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

**Policy B1** requires incorporation of high standards of energy efficiency in the design and build of the proposed dwellings which where practical should be carbon neutral. It requires proposals for new development to consider flood risk and inclusion of sustainable drainage systems.

**Policy N2** supports proposals for development incorporating renewable technologies.

**Policy B3** reduces the risk of flooding by requiring SuDs where appropriate and the use of permeable paving. It supports water efficiency measures such as the reuse/recycling of water. It safeguards water quality by requiring proposals for new developments to

## Conserving and enhancing the natural environment

**Policy C2** designates six Local Green Spaces.

**Policy B1** requires development proposals to respect the local character including the landscape and biodiversity and requires all new development to be sympathetic to the rural surroundings and preserve the tranquility of the around the village and countryside.

**Policy N2** encourages all new developments to protect all trees and hedges where appropriate, as per BS 5837: 2012. It requires new trees and hedges to be planted where they cannot be retained.

**Policy N3** requires new development to have regard for valued views.

## Conserving and enhancing the historic environment

The Neighbourhood Area contains a wealth of listed buildings and a conservation area.

**Policy B1** requires development proposals to respect the local character, building styles and materials, settlement pattern and preserve or enhance the heritage assets, the landscape and biodiversity.

**Policy B4** will not support development proposals which cause harm to the special historical or architectural fabric and interest of listed buildings, Scheduled Monuments and the Henley Conservation Area and their settings. It requires proposals to conserve the settings of listed buildings, scheduled monuments and conservations areas.

The table below provides a matrix of the BHNDP policies against the relevant paragraphs of the NPPF:

Beaudesert & Henley-in-Arden Neighbourhood Plan Policy ref.	NPPF Paragraph ref.
<b>Housing</b>	
Policy H1: Housing Growth	11, 28, 78 - 80a, c & e, 108b, 120d, 125, 147-150 11, 13, 68a, 69, 79a, c & e, 145f & g 28, 77-79a, c & e, 118d 122a & d, 125
Policy H2: Affordable Housing	20a, 34, 41, 62-65, 72, 78, 149 f & g,

Economy	
Policy E1: Protecting and Supporting Existing Employment Sites	8a, 20a, 81, 82a & c, 84, 85, 86c, 123
Policy E2: New Employment Opportunities	8a, 20a, 81, 82a & c, 84, 85, 86c, 104d, 134, 136, 149
Policy E3: Leisure and Tourism	8a, 20d, 84
Policy E4: High Speed Internet Access	20b, 114
Policy E5: Home Based Working	8a, 82c & d, 84a,

Community	
Policy C1: Protecting and Enhancing Existing Community Assets/Facilities	8b, 20c, 84d, 92a & c, 93, 123b, 130f
Policy C2: Designated Local Green Space	8c, 101 - 103
Policy C3: Sports and Leisure Facilities	8b, 20c, 84d, 92a & c, 93, 123b, 130f

Natural Environment	
Policy N1: Renewable energy	8c, 20d, 154-158a
Policy N2: Trees and Hedgerows	8c, 20d, 130b & c, 131, 174b & d, 175, 179, 180
Policy N3: Valued Views	8c, 20d, 174a & b

Built Environment	
Policy B1: Design Quality	8b & c, 20, 28, 92b, 124d & e, 126-130, 174, 199-204 Flooding: 8c, 20b & d, 153, 155, 159, 169 Broadband: 20b, 114 Parking: 29, 30, 104e, 105, 107, 108, 110c
Policy B2: Reuse of Rural Buildings	61, 64, 80, 84a, 120d, 152
Policy B3: Water Management	8c, 20b & d, 152, 153, 154a, 155, 167c, 169, 174e
Policy B4: Designated Heritage Assets	20d, 189, 190, 194, 195, 199-204

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

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

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

- The BHNDP policies seek to protect and enhance existing employment sites.
- The BHNDP 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 BHNDP supports new housing development within the Town Boundary or adjacent to it such as small scale schemes and rural exception sites.
- It encourages a well-designed and safe environment which will ensure the village continues to evolve in accordance with residents' wishes.
- It protects and enhances local green spaces 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 promotes biodiversity and the retention of trees and hedgerows.
- It ensures development within or near the conservation areas is undertaken with sensitivity and an awareness of their impact on the setting of the Town'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 water recycling.

## 4. General Conformity with Strategic Local Policy

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

Beaudesert & Henley-in-Arden Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
<b>Housing</b>	
Policy H1: Housing Growth	CS.9, CS.15b, CS.26, AS.10
Policy H2: Affordable Housing	CS.18

<b>Economy</b>	
Policy E1: Protecting and Supporting Existing Employment Sites	CS.1, CS. 10, CS.22, CS.25, AS.4, AS.10
Policy E2: New Employment Opportunities	CS.1, CS.7, CS.22, AS.4, AS.10
Policy E3: Leisure and Tourism	CS.1, CS. 10, CS.22, AS.4, AS.10
Policy E4: High Speed Internet Access	CS.22, CS.26, AS.10
Policy E5: Home Based Working	CS.22, CS.26, AS.10

<b>Community</b>	
Policy C1: Protecting and Enhancing Existing Community Assets/Facilities	AS.4, CS.10, AS.10, CS.25
Policy C2: Designated Local Green Space	CS.5, CS.6, CS.25
Policy C3: Sports and Leisure Facilities	AS.4, CS.10, AS.10, CS.25

<b>Natural Environment</b>	
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Policy N1: Renewable energy	Strategic objective 5, CS.2, CS.3, CS.9.5, CS.10,
Policy N2: Trees and Hedgerows	CS.5 - CS.7, CS.9, AS.4
Policy N3: Valued LViews	CS.5 - CS.7, CS.9, CS.15 requirements

Built Environment	
Policy B1: Design Quality	CS.2 – CS.4, CS.7 - CS.9, AS.10
Policy B2: Reuse of Rural Buildings	CS.5, AS.10, CS.10, CS.15b
Policy B3: Water Management	CS.2, CS.4, CS.7, CS.9
Policy B4: Designated Heritage Assets	CS.5, CS.8, CS.9, AS.4, 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).
- 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 25 July 2023 that a Strategic Environmental Assessment (SEA) is not required in respect of the BHNDP.

### **Habitat Regulations Assessment**

- 5.4. An HRA screening was also undertaken by Lepus and it has been recommended the NDP not be screened into the HRA process.
- 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 BHNDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.