

## **Appendix 1**

### **Chardstock Neighbourhood Development Plan Basic Conditions Statement**

**January 2017**

## **1 Legal Requirements**

1.1 This statement has been prepared by Chardstock Parish Steering Group on behalf of Chardstock Parish Council (CPC) to accompany the submission to East Devon District Council (EDDC) of the Chardstock Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2 CPC registered the parish of Chardstock as a Neighbourhood Area on 28 June 2012. Following a consultation period, during which no objections were raised, this registration was approved by EDDC on 16 October 2012. The Neighbourhood Plan has been prepared by CPC, the qualifying body, for the area covering Chardstock Parish as designated by EDDC.

1.3 The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2013 to 2031. It does not contain policies relating to excluded development as laid out in the regulations.

1.4 The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that the Neighbourhood Plan will have met the basic conditions if it:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

## **2 Introduction and Background**

2.1 Initial consultations started in November 2012, which led to the establishment of a Neighbourhood Plan Steering Group in June 2014. The group contained members of the wider public as well as the Parish Council. The rationale for producing the plan is as follows.

- The community wanted to have an influence on the type, scale, design and form of development in the parish for the period up to 2031.
- We wanted to develop a plan which gives greater weight to environmental and landscape issues and policies in the Blackdown Hills Area of Outstanding Natural Beauty.

- We wanted to have a say in how our valued assets are protected, maintained and enhanced and how we can ensure that our services and facilities are sustained.
- We wanted to have some control over local planning decisions.
- We wanted to maintain the special character of our rural landscape and environment.

| <b>Timeline for the process of developing the plan</b>  | <b>Date</b>                   |
|---|-------------------------------|
| Steering group set up. Agreement to use Stuart Todd Associates as Consultants. Questionnaire developed.   | June 2014                     |
| Launch event  | 4–5 July 2014                 |
| Publication of the Neighbourhood Plan Questionnaire. Copies sent to each household.   | July–August 2014              |
| Questionnaire feedback. Key issues identified. Findings displayed in Community Hall.  | 24–5 October 2014             |
| Consultations with external stakeholders.   | July 2014                     |
| Production of draft plan, Issues Paper, Basic Conditions Statement and Consultation Statement.  | September 2014                |
| Test of draft plan by sustainability appraisal.   | September 2014                |
| Some refining of the plan as we waited for the new East Devon Plan, finally issued January 2016. Residents kept informed using the Parish Newsletter. | September 2014 – January 2016 |
| Independent housing survey by Devon Communities Together and Devon Rural Partnership focusing on affordable housing needs in Chardstock Parish.       | June–July 2015                |
| Results of survey incorporated into Neighbourhood Plan.   | September–October 2015        |
| Circulation of pre-publication draft to focus group and discussion with the group at formal meeting.  | March–April 2016              |
| Incorporation into plan of the feedback from the focus group.   | April 2016                    |
| Submission of new draft plan to EDDC for opinion as to broad conformity with strategic policies of the EDDC Local Plan.                               | April 2016                    |
| Exhibition at Community Hall to inform residents. Copies of draft plan delivered to each household.   | 9–10 September 2016           |
| Consultations with external stakeholders and residents.   | September–November 2016       |
| Incorporation of feedback into revised draft plan.  | January 2017                  |
| Production of Basic Conditions Statement and Consultation Statement   | January 2017                  |

### **3 Conformity with National Planning Policy**

3.1 The Neighbourhood Plan has been prepared in conformity with the policies set out in the National Planning Policy Framework (NPPF) of April 2012. It also gives regard to the 12 core planning principles contained in paragraph 17 of the National Planning Policy

Framework, alongside the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formation of neighbourhood plans.

3.2 Table 1 sets out a summary of how each policy conforms to the NPPF. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

#### **4 General conformity with the strategic policies of the development plan**

4.1 The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the development plan for the area.

4.2 The current development plan for the area is the adopted East Devon Local Plan 2013–2031.

4.3 Table 2 sets out how each policy is in general conformity with the East Devon Local Plan 2013–2031.

#### **5 Contribution to the achievement of sustainable development**

5.1 A neighbourhood plan must take into account the need to contribute to the achievement of sustainable development. This involves working to address the three separate strands of sustainability – economic, social and environmental. Since 1945, Chardstock village has almost doubled in size – in particular through council housing and a modern development built by Redrow Homes in the 1980s. The infrastructure still has to catch up with this growth, as the parish has poor roads in many parts, particularly in outlying areas, the provision of mains gas and foul water drainage is deficient, and there are localised flooding problems. Access to public transport is difficult, so that parishioners are reliant on private transport. While any further housing development would exacerbate all these problems, we have noted that two “affordable” houses may be required in the future.

5.2 In our vision for Chardstock, we state that we have a viable and successful community offering a good quality of life and opportunities for old and young alike to contribute to and participate in its future. As guardians of a parish set in the Blackdown Hills AONB, we look to maintain both its built and its natural assets, particularly the Conservation Area. These are assets which attract people to settle here or to visit as tourists. To survive a community must be organic. There are strong economic, social and environmental reasons to encourage the growth of small businesses in the parish. Likewise we are sensitive to the needs of people requiring small or more affordable homes, although at present there is no pressing need for such development.

Our planning objectives are in line with this vision. This Neighbourhood Plan aims to ensure that development:

- helps to support and sustain local businesses, including farming; recognising that, subject to some constraints, working from home has an important role to play in the local community, it will encourage local employment rather than commuting (CPNP 01);
- contributes wherever possible to reducing the parish's carbon footprint by not increasing the use of private cars and by encouraging the adoption of both energy efficiency and the use of alternative energy sources (CPNP 01);
- protects the integrity of Chardstock's Conservation Area, its buildings, spacing and street environment (CPNP 02);
- protects all listed buildings in the parish (CPNP 02);
- respects the character of existing buildings and is sensitive to the streetscene and rural nature of the parish (CPNP 03);
- places no further significant stress on the parish's road system, does not cause a significant increase in either the amount or the speed of traffic, and prioritises road safety at entrances, junctions, crossings and other points of risk (CPNP 03);
- is properly controlled to ensure that it does not disturb the peaceful, rural atmosphere of the parish and maintains 'dark skies at night' (CPNP 03);
- protects all natural environments and habitats, including the distinctive landscape and ecology, as assets for the present and the future (CPNP 04).

5.3 Table 3 sets out an assessment of each policy of the plan and how it impacts on each of the three strands of sustainability – economic, social and environmental.

## **6 Compatibility with EU obligations and legislation**

6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. Considerable emphasis has been placed throughout the consultation process on ensuring that no sections of the community have been isolated or excluded.

6.2 A screening process was carried out by East Devon District Council in June 2016 which determined that the Neighbourhood Plan did not require a Strategic Environmental Assessment.

6.3 It was also determined in June 2016 that the plan did not require a Habitats Regulations Assessment.

**Table 1**

**How the NP policies conform to the NPPF**

| <b>NP Policy Number and Title</b>   | <b>NPPF Paragraphs</b>   | <b>Comment on Conformity</b>   |
|---|--|--|
| <p>CPNP 01<br/>Sustainable development</p>                                    | <p>NPPF document, p. 2, 'Achieving sustainable development'; paragraphs 17.6, 95, 97</p> | <p>Conforms to p. 2 and §§ 95 &amp; 97 of the document by considering the economic, social and environmental roles in development. The policy seeks to promote a low carbon economy and the use of renewable resources (§ 17.6).</p>   |
| <p>CPNP 02<br/>Protecting the Conservation Area and other heritage assets</p> | <p>Paragraphs 58.2, 58.4, 58.6, 132-5</p>  | <p>Conforms to §§ 58.2 &amp; 132-5 by recognising the need to preserve or enhance the historical and architectural character of buildings and to reflect the history of the area. There is a requirement that developments near listed buildings should be sympathetic and harmonious (§ 58.4).</p>  |
| <p>CPNP 03<br/>Protecting the built environment</p>                           | <p>Paragraphs 17.5, 32.3, 58.4, 110, 123, 125</p>  | <p>Conforms to § 17.5 through its requirement to respect the status of the Blackdown Hills AONB. The policy recognises that road safety and sustainable transport should be considered as part of any development (§ 32). It also highlights the need to respect the requirement to take into account character, building materials and building density (§ 58.4) Noise and light pollution are considered in conformity with §§ 110, 123 and 125.</p> |
| <p>CPNP 04<br/>Protecting the natural environment</p>                         | <p>Paragraphs 109, 110, 115, 123, 125</p>  | <p>The policy conforms to §§ 109 &amp; 110 by recognising the need for guardianship of habitats and watercourses and the conservation of the landscape (§§ 115, 123, 125).</p>   |

Table 2

Conformity with East Devon Local Plan 2013-2031

| NP Policy and Title   | Relevant Local Plan Policy   | Comment on Conformity   |
|---|--|---|
| <p>CPNP 01<br/>Sustainable development</p>                                    | <p>Strategy 3 - in particular a) and b); Strategy 5; Strategy 7; Strategy 38; Key Issues and Objectives, 4.1, 1d); Development Management Policies D1; D6, 21.13; E5</p> | <p>Conforms to Strategies 3 &amp; 38 and Management Policies D11 &amp; D6, §21.3, by emphasising that new developments take account of energy and resource efficiency as well environmentally sound methods of energy generation. Conforms to Strategies 5 &amp; 7 by considering the effect of new businesses on the local environment.<br/>Conforms to Key Objective §4.1, 1d), by promoting home working to reduce commuting.<br/>Conforms to Management Policy E5 by promoting the development of small-scale enterprises which put limited extra pressure on the infrastructure and the local environment.</p> |
| <p>CPNP 02<br/>Protecting the Conservation Area and other heritage assets</p> | <p>Strategy 5; Strategy 7; Key Issues and Objectives, 4.1, 9p)</p>   | <p>Conforms to Strategies 5 &amp; 7 and Key Issues and Objectives §4.1, 9p) by ensuring that developments respect the integrity of the countryside, as well as the Conservation Area and other listed buildings.</p>  |
| <p>CPNP 03<br/>Protecting the built environment</p>                           | <p>Strategy 7, especially 6.23; Development Management Policies D1, E5, EN10, TC2, TC7</p>   | <p>Conforms to Strategy 7, § 6.23, and Management Policy D1 by stipulating the need to respect the protected status of the Blackdown Hills AONB and the character of its buildings and</p>  |

|   |   |   |
|---|---|---|
|   |   | <p>settlements. Recommendations are also made concerning those parts of the parish not within the AONB. Conforms to Management Policy E5 by ensuring that commercial development will not have a detrimental effect on the environment. Conforms to Management Policies EN10, TC2 &amp; TC7 by ensuring that any development should enhance the appearance and character of surrounding properties and take into account road safety.</p> |
| <p><b>CPNP 04</b><br/><b>Protecting the natural environment</b></p> | <p><b>Strategy 3, in particular a) and b); Strategy 5, especially 6.17 6.18; Strategy 7, 6.23; Key Issues and Objectives, 4.1, 6m), Development Management Policy EN4</b></p> | <p><b>Conforms to Strategies 3 &amp; 5, §§ 6.17, 6.18, Key Issues and Objectives §4.1, 6m), and Development Management Policy EN4 by ensuring that developments should not adversely affect biodiversity, important habitats or watercourses. Conforms to Strategy 7, §6.23, and Development Management Policy EN4 by ensuring that the visual appeal of the landscape will not be degraded by developments.</b></p>                      |



Table 3

Contribution to the achievement of sustainable development

**\*\* Very positive impact \* Positive impact - Neutral impact x Negative impact xx Very negative impact**

| NP Policy Number and Title   | Economic         | Social           | Environmental    | Comments  |
|--|------------------|------------------|------------------|---|
| <p><b>CPNP 01</b><br/>Sustainable development</p>                                    | <p><b>**</b></p> | <p><b>**</b></p> | <p><b>**</b></p> | <p>The policy covers stress on the infrastructure - in particular, roads and drainage and the need to control commuting. Energy and resource efficiency and environmentally friendly energy generation is covered.</p>        |
| <p><b>CPNP 02</b><br/>Protecting the Conservation Area and other heritage assets</p> | <p><b>-</b></p>  | <p><b>*</b></p>  | <p><b>**</b></p> | <p>The policy makes specific recommendations about development within the Conservation Area and the protection of listed buildings. The aim is to preserve and enhance the area's historical and architectural character.</p> |

|  |                  |                 |                  |  |
|--|------------------|-----------------|------------------|--|
| <p><b>CPNP 03</b><br/> <b>Protecting the built environment</b></p>   | <p><b>**</b></p> | <p><b>*</b></p> | <p><b>**</b></p> | <p><b>This policy reinforces the protected status of the Blackdown Hills AONB and promotes the AONB's design guide for buildings. Road safety is emphasised and noise and light pollution are covered.</b></p> |
| <p><b>CPNP 04</b><br/> <b>Protecting the natural environment</b></p> | <p><b>-</b></p>  | <p><b>-</b></p> | <p><b>**</b></p> | <p><b>This policy is concerned with the protection of the rural landscape - in particular, important habitats and watercourses.</b></p>  |