



# **OTTERTON PARISH NEIGHBOURHOOD PLAN**

## **Basic Conditions Statement**

### **ABSTRACT**

Basic Conditions  
Statement  
supporting the  
submission of  
Otterton's  
Neighbourhood  
Plan.

Otterton NPSG

# Otterton Neighbourhood Plan

## Basic Conditions Statement

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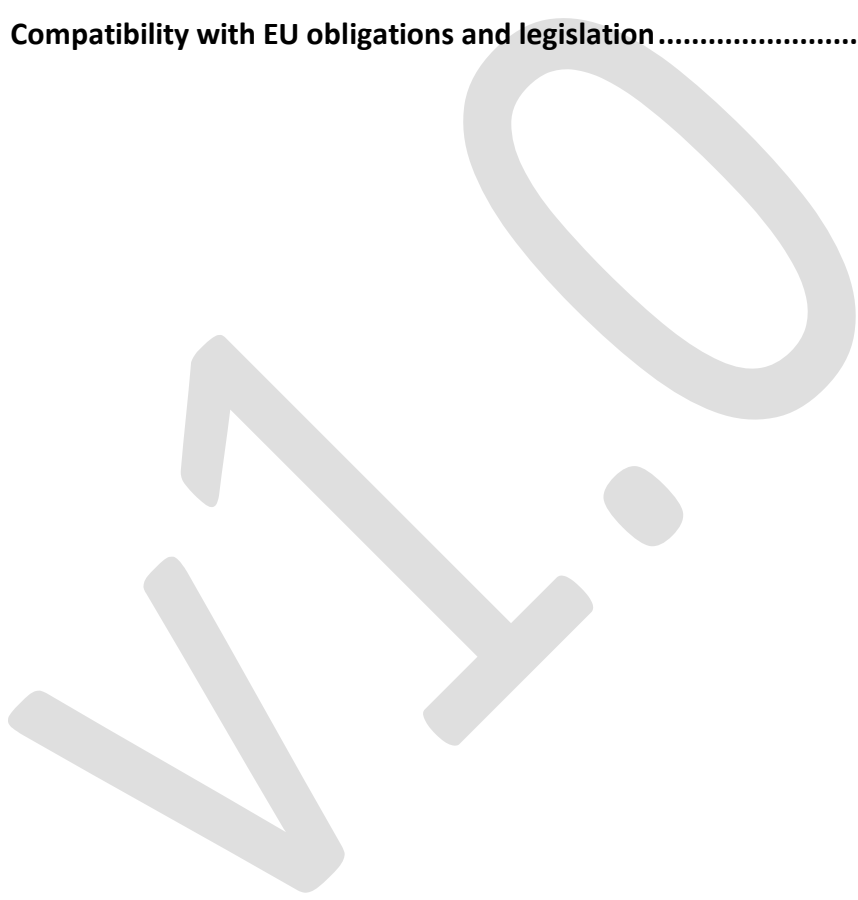
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### 1 Legal requirements

- 1.1 This statement has been prepared for Otterton Parish Council, to accompany its submission to East Devon District Council of the Otterton Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.
- 1.2 The Neighbourhood Plan and this Statement have been prepared by a delegated working group for the Otterton Parish Council, a qualifying body, for the area covering the whole Parish of Otterton, as designated by East Devon District Council on 3 September 2014.
- 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 2019 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 Right (ECHR) obligations.

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### 2 Introduction and Background

- 2.1 Otterton Parish Council (OPC) decided to register the parish of Otterton as a Neighbourhood Area in June 2014. The reason was that this would enable the community to have more influence over the future development of the Parish, and to ensure that its special rural character was protected. A Neighbourhood Plan Steering Group was set up, involving members of OPC and the community, and regular meetings held to progress the project.
- 2.2 The major events during the project to date and expected in the following months are set out below:

	Event	Date
1	Launch meeting	23.11.16
2	Neighbourhood Plan Questionnaire	Jun 2017
3	Questionnaire Feedback Events	Feb 2018
4	Production of first Draft Plan, initial review by EDDC NP Team and for consultation within Otterton	Mar – Jun 2019
5	Six week Consultation on draft ONP	Jun – Jul 2019
6	Consideration of comments and revision of draft ONP	Aug – Nov 2019
7	Approval by Parish Council and submission to EDDC	Nov 2019
8	Circulation of draft Plan by EDDC (expected)	Dec 2019
9	Formal Plan Inspection and revision (expected)	Jan – Feb 2020
10	Referendum (expected)	Mar 2020
11	Publication and adoption of approved Neighbourhood Plan (expected)	Apr 2020

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### 3 Having regard to National Planning Policy

- 3.1 The Neighbourhood plan has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF) of February 2019. It also gives regard to the 6 core planning principles contained in paragraph 16 of the National Planning Policy Framework, alongside the National Planning Practice Guidance (NPPG) published by the Government in March 2019 in relation to the formation of Neighbourhood Plans.
- 3.2 The table below sets out a summary of how each policy has regard 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.

**Table 1:** How the NP policies conform to the NPPF

<b>Policy Number and Title</b>	<b>NPPF Paragraph(s)</b>	<b>Comment on conformity</b>
ONP1 - Sustainable Development	NPPF sections 2, 3, 5, 6, 8, 9, 12, 14 and 15	Conforms to these sections by promoting sustainable development.
ONP2 - Protecting and Enhancing the Conservation Area and other Heritage Assets	Section 16 paragraph 185	Promotes development that contributes to the special character of the area, with attendant economic, social and environmental benefits.
ONP3 – Protecting and Enhancing the Built Environment	Sections 2, 5, 12 and 15 paragraph 127	Ensures good design that will add to the historic quality of the area, and be sympathetic to the environment and special landscape character of the area.
ONP4 – Protecting and Enhancing the Natural Landscape	Section 15 paragraphs 170, 172	Protects the special landscapes of the AONB and areas of biodiversity.
ONP5 – Protecting and Enhancing Wildlife in the Natural Environment	NPPF Section 15. Paragraphs 170 to 177	Supports biodiversity principles to protect species found within the Parish.

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<b>Policy Number and Title</b>	<b>NPPF Paragraph(s)</b>	<b>Comment on conformity</b>
ONP6 – Encouraging Small-scale Economic Development	Sections 6, 14, 15 Paragraph 83, 84, 172, 173	Balances the scale and extent of development in the interests of the scenic beauty and landscape of the area.
ONP7 – Ladram Bay Holiday Park Development	Sections 6, 9, 15 Paragraphs 83, 84, 111	Requires that the area's special landscape character is respected, and does not have an unacceptable impact on local roads.
ONP8 – Traffic and Travel around the Parish	Section 9 Paras 98, 102, 104, 110, 111	Promotes walking and cycling, helps reduce congestion by promoting alternative modes of transport.
ONP9 – Local Green Spaces	Section 8 Paras 99, 100, 101	Promotes health and well-being, and protects areas that are of value to the community.

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### 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 The table below sets out how each policy is in general conformity with East Devon Local Plan 2013-2031.

**Table 2:** How ONP policies support Local Plan strategic policies

<b>NP Policy Number and Title</b>	<b>Relevant local plan policy</b>	<b>Comment on conformity</b>
ONP1 - Sustainable Development	Strategies 3, 7, 27, 35, 38 Policies D1, D6, D7, D8, E5, EN21, TC2, TC3, TC4	Conforms to Policy D1 by ensuring new development does not adversely affect the distinctive historic character of the area, or any important landscape characteristics.
ONP2 - Protecting and Enhancing the Conservation Area and other Heritage Assets	Strategy 49 Policies EN8, EN9, EN10	Conforms to Policy EN9 by ensuring only sensitive development. Conforms to Policy EN10 by preserving and enhancing the Conservation Area.
ONP3 – Protecting and Enhancing the Built Environment	Strategies 44, 46, 48, 49; Policies D1, EN8, EN9, EN10	Conforms to Policy D1 by ensuring development is of high quality design and does not detract from the distinctive and historic character of the area.
ONP4 – Protecting and Enhancing the Natural Landscape	Strategies 3, 5, 7, 44, 46, 47; Policies EN4, EN13, EN14	Conforms to Policy EN4 by protecting sites from damaging development. Conforms to Policy EN14 by preventing development that would cause pollution.



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NP Policy Number and Title	Relevant local plan policy	Comment on conformity
ONP5 – Protecting and Enhancing Wildlife in the Natural Environment	Strategies 5, 7, 47; Policies EN4, EN5	Directly supports policies EN4 and EN5
ONP6 – Encouraging Small-scale Economic Development	Strategies 3, 5, 5B and 7; Policies D1, D2, D3, D7, D8, E4, E5, EN13, EN18, EN22, TC7	Conforms to Policies E4, E5 and D8 by requiring development to be compatible with its landscape setting, does not detract from the historic environment, or cause traffic or pollution problems.
ONP7 – Ladram Bay Holiday Park Development	Strategies 3, 5, 7, 33, 44; Policies E19, TC3, TC4, TC7	Policy E19 prohibits the expansion of the holiday park beyond its existing site boundaries in the AONB.
ONP8 – Traffic and Travel around the Parish	Strategy 5B; Policies TC3, TC4	Conforms with policy TC3 by promoting safe walking and cycling routes and restricting development that will cause congestion and environmental damage.
ONP9 – Local Green Spaces	Strategy 5; Policy RC1	Conforms to Policy RC1 by resisting the loss of public open spaces.

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### 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.
- 5.2 Our vision for Otterton is to retain its distinctive character through the thoughtful, sustainable, creative development of the social, emotional, physical, economic and environmental needs valued by the community. We wish to preserve and protect what is best and most distinctive about the Parish, whilst recognising the need for evolution, measured growth and careful development that will allow our community to thrive.
- 5.3 The objectives of the plan are set out below and their contribution to sustainable development is assessed:

**Table 3:** Contribution of ONP objectives to sustainable development

<b>Objectives</b>	<b>Contribution to sustainable development</b>
PO.1 Housing and Development	Promotes sustainable development, high quality design, the use of the latest technologies and protection of the environment.
PO.2 The Built Environment	Promotes design of the highest quality thereby conserving the built environment.
PO.3 The Natural Environment	Ensures the protection of landscape and biodiversity.
PO.4 Economy/Business/Employment	Supports economic activity that does not harm the environment.
PO.5 Ladram Bay Holiday Park	Allows for appropriate development which does not harm any aspect of the local environment.

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Objectives	Contribution to sustainable development
PO.6 Transport and Traffic	Improves social well-being by promoting safer travel, and reducing congestion and carbon footprint.
PO.7 Community Facilities and Leisure	Promotes social and physical activities and the well-being of the community.

**Table 4:** Assessment of each policy of the plan and how it impacts on each of the three strands of sustainability: economic, social and environmental.

NP Policy Number and Title	Economic	Social	Environmental	Comments
ONP1 - Sustainable Development	*	*	**	Encouraging high quality design will have a positive impact on the local environment.
ONP2 - Protecting and Enhancing the Conservation Area and other Heritage Assets	*	*	**	Preserves the special distinctive character of the parish and its historic buildings.
ONP3 – Protecting and Enhancing the Built Environment	*	*	**	Promotes good design and protects the rural environment.
ONP4 – Protecting and Enhancing the Natural Landscape	*	*	**	Protecting the natural environment will have a very positive impact, and will attract visitors which will have an economic benefit.
ONP5 – Protecting and Enhancing Wildlife in the Natural Environment	*	*	**	Protecting the natural environment will have a very positive impact, and will attract

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NP Policy Number and Title	Economic	Social	Environmental	Comments
				visitors which will have an economic benefit.
ONP6 – Encouraging Small-scale Economic Development	*	*	—	Helps to protect the sensitive environment.
ONP7 –Ladram Bay Holiday Park Development	*	*	*	Promotes sustainable development whilst protecting the environment.
ONP8 – Traffic and Travel around the Parish	—	**	**	Promoting safety (via traffic management), walking and cycling will have a very positive influence on the social well-being of the community and will benefit the local environment.
ONP9 – Local Green Spaces	—	**	**	This will have a very positive impact on the social wellbeing of the community and on the local environment.

\*\*Very positive impact   \*positive impact   —neutral impact   x negative impact  
 xx very negative impact

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### 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 1998. Considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded.

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