

**Loxley Parish
Neighbourhood Development Plan**

Basic Conditions Statement

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Planning
Services



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1. Introduction

- 1.1. This Basic Conditions Statement has been prepared to accompany the Loxley Parish Neighbourhood Development Plan (LPNDP).

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 LPNDP 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

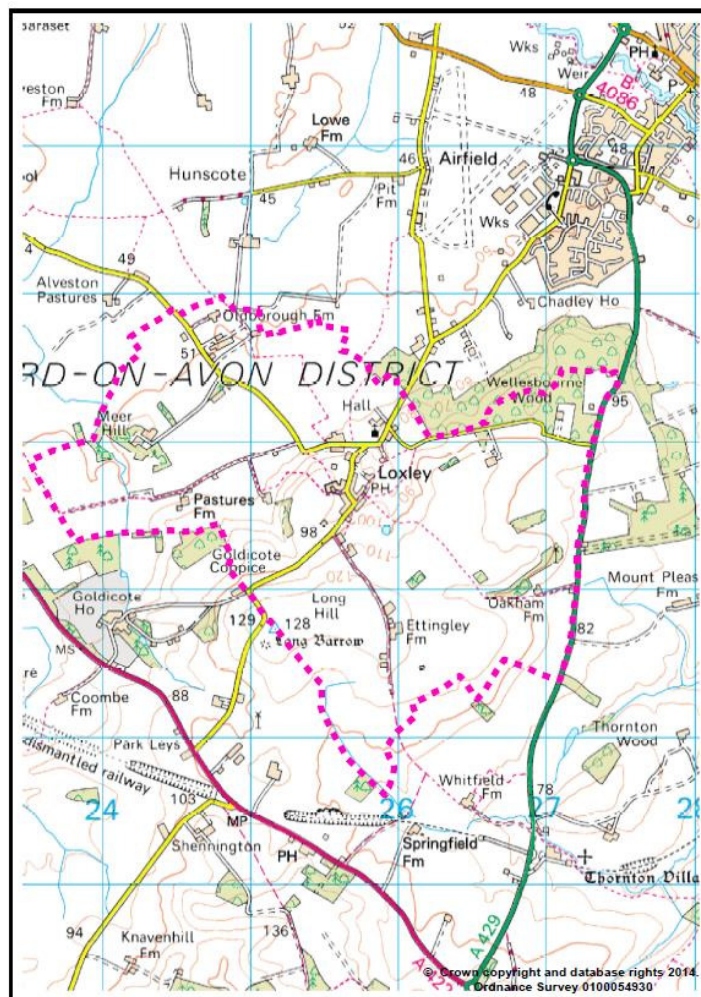
Section 5 Demonstrates compliance with the appropriate EU obligations.

The Qualifying Body

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

The Neighbourhood Area

- 1.5. The LPNDP applies to the Parish of Loxley 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 Loxley 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 18 February 2016 and consequently the Parish of Loxley was designated as a Neighbourhood Area.
- 1.7. Loxley Parish Council confirms that the LPNDP:
 - Relates only to the Parish of Loxley 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. Loxley is a village and a Civil Parish in Stratford-on-Avon District of Warwickshire. The parish of Loxley is located just 4 miles (6.5km) to the south-east of Stratford-Upon-Avon. It has a population of around 340 spread across 159 homes, largely located in two main residential communities – Loxley Village and the more recent Loxley Park.



Loxley Parish Neighbourhood Area

- 1.9. A large part of the village (to the south of the Stratford / Wellesbourne Road) sits within a designated 'Special Landscape Area'. It has good road links to nearby towns with Warwick to the north and Banbury to the southeast. It is straddled by the A422 to the west and the A429 to the east.

Plan Period

- 1.10. The LPNDP 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 LPNDP must have appropriate regard to national planning policy. The following section describes how the LPNDP 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 Loxley’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 Loxley’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 summarise how LPNDP policies contribute to the sustainability objectives of NPPF:

Achieving sustainable development

Policy H1 supports new development within the village boundary. **Policy H2** supports affordable housing development on rural exception sites beyond, but reasonably adjacent to, the Loxley development boundary. **Policy H3** requires new developments to have regard to drainage and flooding issues. **Policy H4** supports the re-use of rural buildings. **Policy H5** support proposals for replacement dwellings which respect the local character and appearance. **Policy NE2** seeks to enhance the natural and local environment by minimising negative impacts on biodiversity and providing net gains in biodiversity through retention of ecological habitats and networks and improved green infrastructure. **Policy NE3** encourages the protection and retention of existing trees and hedgerows and the new planting of native species. **Policy NE4** supports development proposals which produce renewable and low carbon energy. **Policy NE5** requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible. **Policy LC1** supports the improvement or enhancing of community assets - all of which help maintain a strong, healthy, vibrant and cohesive community. **Policy LC3** encourages the use of public routes through walking and cycling.

Plan making

Policy H1 allocates development sites and that enable residential development as required by SDC's Core Strategy strategic allocation for Loxley's class of village and future planned growth.

Delivering a sufficient supply of homes

Policy H1 designates development sites that enable residential development as required by SDC's Core Strategy strategic allocation for Loxley's class of village. **Policy H2** supports affordable housing development on rural exception sites beyond, but reasonably adjacent to, the Loxley development boundary. **Policy H4** supports the re-use of rural buildings.

Building a strong, competitive economy

Policy LC1 supports the improvement or enhancing of community assets including the school and the pub, which are also local employers within the village.

Promoting healthy and safe communities

Policy LC1 supports the improvement or enhancement of community assets - all of which help maintain a strong, healthy, vibrant and cohesive community. **Policies NE1 and LC2** seek to enhance a sense of well-being through the protection of Special Landscape Area and Valued Landscapes and the designation of three Local Green Spaces respectively, which includes the Recreation Ground. **Policy LC3** encourages the use of public routes through walking and cycling. **Policy TT1** requires development to include adequate and safe provision for off-road parking and accessing arrangements. **Policy TT2** requires proposals for new developments to demonstrate safe access to and from the development and that the safety of road users will not be compromised.

Promoting sustainable transport

Policy LC3 encourages the use of public routes through walking and cycling. **Policy TT1** requires development to include adequate and safe provision for off-road parking and accessing arrangements. **Policy TT2** encourages proposals for new developments, where appropriate, to take any available opportunities to provide new, or enhance existing, accessible and safe pedestrian and cycle routes from the development to the village centre and school.

Making effective use of land

Policy H4 supports the re-use of rural buildings. **Policy H5** support proposals for replacement dwellings which respect the local character and appearance.

Achieving well-designed places

Policy H3 requires new developments to sustain and enhance the distinctive character of the Neighbourhood Plan Area through its scale, density, massing, height, landscape design, layout and materials used. **Policy H1** says that new developments on the allocation sites should have regard to the **Village Design Statement in Appendix 1** details guidance on how new development can be integrated sensitively within the village. **Policy H5** support proposals for replacement dwellings which respect the local character and appearance. **Policies NE1 and LC2** seek to ensure that new developments will not adversely affect the Special Landscape Area, Valued Landscapes and designated Local Green Spaces. **Policy NE4** supports development proposals which produce renewable and low carbon energy. **Policy NE5** requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible.

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

Policy NE2 seeks to enhance the natural and local environment by minimising negative impacts on biodiversity and providing net gains in biodiversity through retention of ecological habitats and networks and improved green infrastructure. **Policy NE3** encourages the protection and retention of existing trees and hedgerows and the new planting of native species. **Policy NE4** supports development proposals which produce renewable and low carbon energy. **Policy NE5** requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible – which would mitigate the effects of pluvial and fluvial flooding and mitigate the contribution of foul water on future flooding events. **Policy LC1** supports the improvement or enhancing of community assets - all of which help maintain a strong, healthy, vibrant and cohesive community. **Policy LC3** encourages the use of public routes through walking and cycling.

Conserving and enhancing the natural environment

Policy NE2 seeks to enhance the natural and local environment by minimising negative impacts on biodiversity and providing net gains in biodiversity through retention of ecological habitats and networks and improved green infrastructure. **Policy NE3** encourages the protection and retention of existing trees and hedgerows and the new planting of native species. **Policies NE1** encourages the protection of Special Landscape Area and Valued Landscapes.

Conserving and enhancing the historic environment

Policy H3 requires new developments to sustain and enhance the distinctive character of the Neighbourhood Plan Area through its scale, density, massing, height, landscape design, layout and materials used. **Policy H1** says that new developments on the allocation sites should have regard to the **Village Design Statement in Appendix 1** details guidance on how new development can be integrated sensitively into the rural environment and village.

Policy H5 support proposals for replacement dwellings which respect the local character and appearance.

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

Loxley Neighbourhood Plan Policy ref.	NPPF Paragraph ref.
Housing and the Built Environment	
Policy H1 - Housing Growth	63, 79a, c & e
Policy H2 - Local Housing Needs	60, 63, 64d, 77, 79a & c
Policy H3 - Design and Character	8c, 122d & e, 125-127a, b & c, 130, 155, 156, 163, 165, 170a, b & d, 180, 184, 185, 189, 190, 193—198
Policy H4 - Re-use of Rural Buildings	63, 79c
Policy H5 - Replacement Dwellings	118d
Natural Environment	
Policy NE1 - Protection of Special Landscape Area and Valued Landscapes	8c, 170a & b
Policy NE2 - Biodiversity	8c, 170a, b, d & e, 172, 174, 175, 177, 180
Policy NE3 – Trees and Hedgerows	8c, 20, 127, 171, 172, 174, 175
Policy NE4 - Renewable and Low Carbon Energy	8c, 20d, 150, 151, 154a
Policy NE 5 - Flooding	8c, 20b & d, 148-150, 155, 156, 163, 165
Local Community	
Policy LC1 - Community Assets	8b, 83d, 91a & c, 92, 96, 97, 121b
Policy LC2 - Designated Local Green Spaces	8c, 99-101
Policy LC3 - Encouraging the Use of Public Routes	91a, 98, 102c, 104d, 110a
Traffic and Transport	
Policy TT1 - Local Parking Standard	8b, 91a, 98, 102c, 102e, 104d, 105a, b & d, 106, 110a
Policy TT2 - Highway Safety	8b, 102a, 103, 108b, 109, 110c

3. Delivering Sustainable Development

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

3.1. Economic objective

- The LPNDP policies seek to protect and enhance existing community assets, such as the pub and school which contribute to local employment.

3.2. Social objective

- The LPNDP supports new housing development within the Village Boundary. 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 seeks a harmonious relationship between developments and the local flora and fauna.
- It ensures that developments 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.
- It seeks to promote walking and cycling routes within the village.

4. General Conformity with Strategic Local Policy

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

Loxley Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
Housing and the Built Environment	
Policy H1 - Housing Growth	CS.15d, CS16, AS.10
Policy H2 - Local Housing Needs	AS.10
Policy H3 - Design and Character	CS.5, CS.8, CS.9, AS.10
Policy H4 - Re-use of Rural Buildings	CS.20d, AS.10
Policy H5 - Replacement Dwellings	CS.20c, AS.10
Natural Environment	
Policy NE1 - Protection of Special Landscape Area and Valued Landscapes	CS.5, CS.6, CS.7, CS.9
Policy NE2 - Biodiversity	CS.5, CS.6, CS.7, CS.9, CS.15
Policy NE3 – Trees and Hedgerows	CS.5, CS.6, CS.9
Policy NE4 - Renewable and Low Carbon Energy	CS.2, CS.3, CS.9
Policy NE 5 - Flooding	CS.2, CS.4, CS.7, CS.9
Local Community	
Policy LC1 - Community Assets	AS.10, CS.25
Policy LC2 - Designated Local Green Spaces	CS.5, CS.6, CS.25

Policy LC3 - Encouraging the Use of Public Routes	CS.2, CS.7, CS.9
Traffic and Transport	
Policy TT1 - Local Parking Standard	CS.9b.4 & 6, CS.26a & c
Policy TT2 - Highway Safety	CS.9b.7, CS.26a & b
Built Environment	
Policy 1 - Designated and Non-Designated Heritage Assets	CS.5, CS.8, CS.9, AS.10
Policy 2 - Responding to Local Character	CS.9, AS.10
Policy 3 - Energy Efficiency and Renewable Energy	CS.2, CS.3, CS.9
Policy 4 - Car Parking	CS.9, CS.26c
Policy 5 - Replacement Dwellings	CS.20c, AS.10
Policy 6 - Empty Homes and Redundant Agricultural Buildings	CS.20d, AS.10
Community Assets	
Policy 1 - Community Assets	AS.10, CS.25
Appendix 1 - Village Design Statement	
Materials and Construction	CS.8, CS.9
Infrastructure and Environment	CS.2, CS.3, CS.5, CS.6, CS.8, CS.9, CS.26c, AS.10

5. European Union Obligations

Strategic Environmental Assessment

- 5.1. A revised 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 27 February 2019 that a Strategic Environmental Assessment (SEA) is not required in respect of the LPNDP.

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