



Stewkley Parish Neighbourhood Plan 2013 - 2033

Basic Conditions Statement



Published by Stewkley Parish Council to accompany the Submission Stewkley Parish Neighbourhood Plan under the Neighbourhood Planning (General) Regulations 2012 (as amended) and in accordance with EU directive 2001/42

March 2020

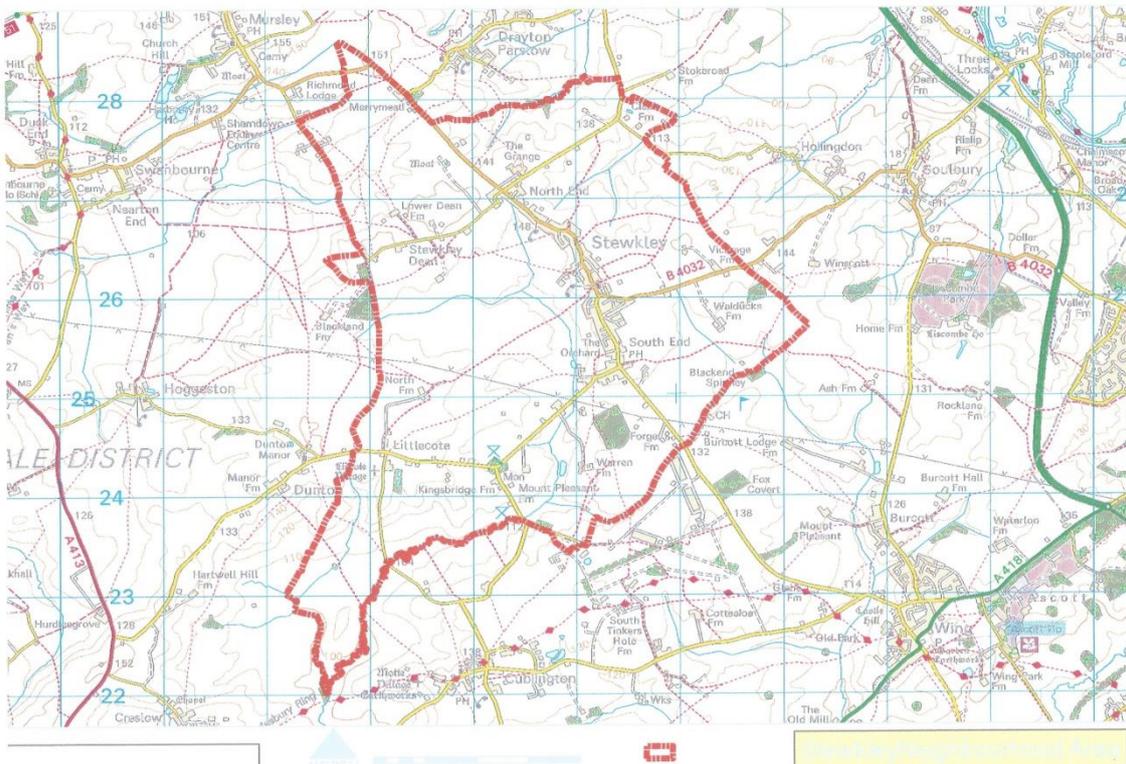
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1. Introduction

1.1 This Statement has been prepared by Stewkley Parish Council (SPC) to accompany the Stewkley Parish Neighbourhood Plan (SPNP) 2013-2033 (Submission Version March 2020) on submission to the local planning authority, Aylesbury Vale District Council (AVDC), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

1.2 The Neighbourhood Plan (NP) has been prepared by SPC, a qualifying body, for the Neighbourhood Area covering the whole of the parish of Stewkley, as designated by AVDC on 16 March 2016.



1.3 The policies described in the SPNP relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1 April 2013 to 31 March 2033 and it does not contain policies relating to excluded development in accordance with the Regulations. That period coincides with the Vale of Aylesbury Local Plan (VALP), which is nearing the end of its examination at the time the SPNP is submitted for its own examination.

1.4 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted SPNP meets the requirements of paragraph 8 of schedule 4B of the 1990 Town and Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- Having regard to National Policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan

- The making of the neighbourhood development plan contributes to the achievement of sustainable development
- The making of the neighbourhood development plan 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)
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations

2. Background

2.1 The plan preparation has been led by SPC, through the Neighbourhood Plan Steering Group (NPSG). It has comprised the following stages:

2.1.1 **Evidence Gathering** - In the early stages of the SPNP's preparation the Parish Council established a steering group to oversee its development. The NPSG was responsible for collating the evidence required to inform the plan, developing the content and consulting with the community. Nine Working Groups were formed to carry out investigations, gather evidence, consult with local people and begin to identify policies. The working groups covered the following themes: Amenities Conservation and Heritage

Elderly and Disabled	Schooling	Transport and
Planning and	Sports and Recreation	Infrastructure
Landscape	Business	Youth

2.1.2 **Regard for Local and National Policies** - the NPSG has worked closely with AVDC officers to ensure the evidence base and policy proposals will be in general conformity with the saved policies of the 2004 Aylesbury Vale District Local Plan (AVDLP) and with the reasoning and evidence of the emerging VALP.

2.1.3 **Consultation** - SPC consulted the local community extensively over the duration of the project. It has had valuable support from AVDC and other agencies in the development of its policies. Further details can be found in the Consultation Report (29 May 2019) which sets out the key findings that have informed development of the SPNP.

2.1.4 **SEA** - the relevant bodies were consulted in December 2017 and observations were used to inform the SEA Report, a draft of which was published alongside the Pre Submission SPNP for statutory consultation. A final version of the report has been completed for submission (see Section 4).

2.1.5 **Pre-submission Version of the Draft SPNP (June 2019)** and accompanying background papers were published for 6 weeks in accordance with Regulation 14 of the Regulations and the SEA directive.

2.1.6 **Submission Version of the SPNP (March 2020)** which takes into account representations received on the earlier version and has been modified for submission to AVDC; it is accompanied by the Sites Report, SEA Report, Consultation Statement and this Basic Conditions Statement. The working group reports are also available as background papers.

3. Conformity with National Planning Policy

3.1 The SPNP has been prepared with full regard to national policies as set out in the 2019 National Planning Policy Framework (NPPF 2019) dated February 2019 and amendment made in June 2019.

3.2 Guidance on neighbourhood planning is located in the following paragraphs of the revised NPPF:

3.2.1 Presumption in favour of sustainable development:

- NPPF Paragraph 8: sustainable development (amplified by AVDC's VALP Policy S1) - meeting the needs of the present without compromising the ability of future generations to meet their needs – requires plans to support 3 objectives:
 - The **economic** objective to support growth, innovation and productivity improvements.
 - The **social** objective to support strong, vibrant and healthy communities, meeting current and future needs.
 - The **environmental** objective to support protection and enhancement of the natural, built and historic environment.
- Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.
- Paragraph 13: 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.
- Paragraph 14: deals with situations where planning applications involve the provision of houses that conflict with the neighbourhood plan

SPC considers that the SPNP supports the strategic development needs of the district by setting out a range of policies that complement those of the emerging VALP, whilst also being consistent with those saved policies of the AVDLP that remain up to date. This includes making a small number of housing site allocations above the VALP provision to ensure housing growth over the remainder of the plan period will be plan-led by engaging the provisions of paragraph 14. The proposed homes are tailored to the needs and aspirations of the community and the likely future needs and aspirations, in accordance with the vision for the parish as set out in Section 2 of the Plan. It also ensures that the resultant development will be sustainable, specifically seeking:

- To protect and enhance potential **economic** growth (Policies STK13 and STK14).
- To ensure the long term health (in the widest sense) of the **social** community providing a mix of housing appropriate to the identified needs and aspirations of the community now and in the future (Policies STK2 and STK3). The plan also aims to preserve and enhance leisure, green infrastructure and community assets and access to such assets (Policies STK8, 9, 10 and 11).
- To protect and enhance our **environment**, historic, built and natural (including biodiversity. (Policies STK1, 4, 5, 9, 10 and 11).

3.2.2 Non-strategic Policies:

- Paragraph 18: advises that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the SPNP contains such policies.

- Paragraphs 28-30: provide advice on non-strategic policies and the role of neighbourhood plans. SPNP embraces a vision for the Parish that reflects the desires of the local community now and in the future. The policies in the plan help to shape, direct and deliver sustainable development to achieve the vision. In addition, where the survey of community desires and aspirations identified non-strategic issues, not suitable for a formal policy in planning terms, we have formulated appropriate Community Actions and Projects (CAPs).

3.2.3 Delivering a Sufficient Supply of Homes

- Paragraph 69 - neighbourhood planning groups are encouraged to consider the opportunities for allocating small and medium sized sites suitable for housing in their area. The SPC has consulted with all local landowners and, with the relevant landowners' agreement, identified 3 small-medium sized sites. Policy STK3 allocates those sites with the support of the relevant and interests. This provision will contribute to the supply of such rural sites in the remainder of the VALP plan period, as the focus of the VALP supply increasingly depends upon the delivery of strategic sites in the major settlements of the district.

3.2.4 Conserving and Enhancing the Historic Environment

- Paragraphs 184 and 193-197 relate to conservation and protection of heritage assets in a manner appropriate to their significance. The SPNP identifies policies that support these provisions.

3.3 Set out in the table below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table A: Neighbourhood Plan & NPPF Conformity Summary

SPNP Policy	NPPF Paragraph	Commentary
Policy STK1: Stewkley Settlement Boundary	15, 16, 17, 65, 122, 125	Settlement Boundary-type policies are a well-established means of enabling the plan-led system to operate effectively (as per §15) by distinguishing the built up area of the village from the surrounding countryside. The boundary has been drawn following the conventions used by local planning authorities that also use this policy type and accommodates the committed/built sites provided for in VALP (100 homes) and the sites allocated in Policy STK3. In which case, it has been positively prepared (§16b) and is consistent with emerging strategic policy (§17 and §65). The policy is also consistent with §122d and §125 in requiring the size and design of infill schemes within the boundary to maintain the tight grain of the village's essential character to provide clarity for applicants.
Policy STK2: Housing Type	125, 53	The policy is intended to address an under-supply in the current housing stock of 2 and 3 bedroom homes, relative to other villages, as per §61.
Policy STK3: Housing Allocations	17, 65, 69, 125	The allocated sites will increase the provision of new homes in the village over the plan period from the 100 homes proposed in the VALP to approx. 125 homes, representing

		<p>an increase in housing in the parish of just less than 3% and an increase in the housing contribution of ‘medium villages’ of less than 2% over the VALP provisions, post ‘Main Modifications’ Nov 2019. The policy is therefore consistent with strategic policy, as per §17, and with the VALP de facto housing requirement figure for the village proposed in Policy S3 of VALP (as per §65). The allocations are needed to engage the provisions of §14 to ensure the plan-led system continues to operate successfully in the village should there be further delays to the adoption of VALP and/or ongoing housing land supply difficulties in the District to March 2020 or in the County post April 2020. The sites are also needed to contribute to the supply of small and medium sites in the rural areas of the District/County to 2033, as per §69. The process for selecting the sites as followed the relevant guidance and legal requirements. The policy provisions for each site are intended to provide clear guidance to ensure that planning applications will deliver successfully designed schemes in due course, as per §125.</p>
Policy STK4: Village Character	125, 126, 127	<p>This policy defines the special qualities of the village and is intended to ensure that these qualities shape future development in the village, as per §125 and §127. The design expectations are made clear but are not intended to be overly prescriptive, so allow for innovative design solutions (§126). The policy is supported by the detailed guidance of the Conservation Area Appraisal, which remains a relevant and up to date design guide that covers almost all the village.</p>
Policy STK5: Buildings of Local Interest	8c,197	<p>The policy identifies ‘non-designated heritage assets’ in the parish so that applicants take their local significance into account when bringing forward proposals, as per §197. The buildings have been selected from analysis of the Conservation Area Appraisal, which was prepared in accordance with guidance from English Heritage.</p>
Policy STK6: Car Parking	105	<p>The policy accords with §105 in reflecting the importance of access to sufficient car parking spaces in a relatively remote rural village with poor public transport connectivity.</p>
Policy STK7: Cycle and Pedestrians	91, 98, 102	<p>The policy encourages healthy living by promoting walking and cycling within the Parish, as per §91 and §102, and by ensuring the network of existing routes, including public rights of way, is not harmed by new development (as per §98).</p>
Policy STK8: Community Assets	92	<p>The policy identifies those community facilities that are important to the local community, to ensure they are protected from harmful development, as per §92. However, it also recognises that the village already has the optimum number and range of such facilities to serve the local population and therefore it discourages proposals that will</p>

		lead to the creation of new facilities that may undermine the viability of the established facilities.
Policy STK9: Local Green Spaces	99, 100, 101	This policy identifies a number of sites to be designated as Local Green Spaces, by applying the tests of §100 in order to secure their long term protection via §101. They have been kept to a minimum and do not undermine the delivery of sustainable development in the Parish over the plan period, as per §99.
Policy STK10: Local Amenity Land	96, 97	The policy seeks to protect amenity land and, as important, to ensure that development that does not directly impinge on such land does not compromise amenity value, as per §96 and §97.
Policy STK11: Important Views	125, 185	The policy identifies a small number of key views within, to and from the Conservation Area using the Appraisal as the evidence base. The views contribute to defining the special qualities of the Area, as per §125, and specifically its heritage significance, as per §185.
Policy STK12: Biodiversity	170, 174	At the request of the County Council and Natural England, this policy restates the essential provisions of §170 and §174 in how the local planning system should protect and enhance biodiversity.
Policy STK13: Local Employment	83, 84	The policy promotes opportunities to create suitable rural employment for local people, to provide an alternative to commuting, in accordance with §83. It accepts that there are some successful, established employment uses outside the village boundary and §84 allows for the policy to encourage them to intensify/expand in appropriate ways.
Policy STK14: Broadband	112	This policy supports investment in securing the expansion of electronic communications networks in the Parish, including next Generation mobile technology (such as 5G) and full fibre broadband connections, as per §112.

4. Contribution to Sustainable Development

4.1 A Strategic Environmental Assessment (SEA) has been undertaken and concludes that the policies of the SPNP will have no significant environmental effects, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. Specifically, the report concludes that the policies have neutral environmental impacts, with a small number having positive effects and a small number having had the potential for negative effects, but which have been mitigated by the policy wording.

4.2 Given that the scope of the SEA is only on assessing environmental effects, its conclusions are supplemented by the analysis in Table B below, which includes the economic and social effects of each policy.

Table B: Neighbourhood Plan & Sustainable Development Summary

(+ positive, 0 neutral, - adverse effects)

Policy	Econ	Soc	Env	Commentary
Policy STK1: Stewkley Settlement Boundary	0	0	+	The policy will have a positive effect as the settlement boundary preserves the distinctive linearity of the settlement. All homes are and will be within a few hundred metres of footpaths to open countryside and/or recreation spaces, promoting the health of the community and of the local environment.
Policy STK2: Housing Type	0	+	0	The policy has a positive social effect in seeking to focus the supply of the majority new homes on specific mid-range types to tackle a relative under-supply in the village.
Policy STK3: Housing Allocations	+	+	0	The policy will have positive social and economic effects by delivering new homes in the village, creating construction jobs and helping meet local housing need. As per the SEA, the policy requirements will ensure the potential for adverse environmental effects is mitigated, resulting in a neutral effect.
Policy STK4: Village Character	0	+	+	The policy will have positive environmental and social effects in helping to maintain its distinctive character and identity.
Policy STK5: Buildings of Local Interest	0	+	+	The policy will have positive environmental and social effects in helping to maintain its distinctive character and identity.
Policy STK6: Car Parking	0	+	0	The policy will have a positive social effect by ensuring that the provision of car parking in the village is maintained and added to as new development schemes come forward. The village is relatively small, but isolated with poor public transport services, hence the scale of car trips on the road network is negligible and its environmental effects are neutral.
Policy STK7: Cycle and Pedestrians	0	+	+	The policy will have positive social and environmental effects by seeking to preserve and enhance cycle and pedestrian access throughout the parish, to the benefit of the environment, safety and health.
Policy STK8: Community Assets.	+	+	0	The policy will have a positive social effect as the assets to be protected are absolutely key to a strong and vibrant social community. It will

Policy	Econ	Soc	Env	Commentary
				also have a positive economic effect by ensuring that there is no over-supply of facilities, which may undermine their viability.
Policy STK9: Local Green Spaces	0	+	+	The policy will have positive environmental and social effects in helping to maintain its distinctive character and identity.
Policy STK10: Local Amenity Land	0	+	+	The policy will have positive environmental and social effects in helping to maintain its distinctive character and identity.
Policy STK11: Important Views.	0	+	+	The policy will have positive environmental and social effects in helping to maintain its distinctive character and identity.
Policy STK12: Biodiversity	0	0	+	The policy will have a positive environmental effect in protecting and enhancing local biodiversity value.
Policy STK13: Local Employment	+	0	0	The policy will have a positive economic effect by promoting access to rural jobs, which in turn should have a positive environmental effect by reducing the need for out-commuting. However, there is also the potential for some adverse environmental effect given the policy allows for the suitable intensification and expansion of established employment uses outside the settlement boundary. As a result, the policy has a net neutral effect.
Policy STK14: Broadband	+	+	+	The policy will have positive economic, social and environmental effects in enabling homeworking and employment growth, which in turn may reduce out-commuting. It will also enhance the quality of life in accessing modern internet-based services.

5. General Conformity with the Strategic Policies of the Development Plan

5.1 SPC considers the SPNP, as is highlighted below, is in general conformity with all the relevant saved, up to date policies of the AVDLP, but also anticipates the emerging VALP, with its strategic housing and other policies. Developments not currently foreseen within the parish will, of course, be subject to AVDC planning policies and restrictions, which are not repeated unnecessarily. Similarly, where Stewkley policies clearly reflect the intention and aims of AVDC policies, no further explanation is considered necessary.

SPNP Policy	AVDLP (VALP) Policy	Commentary
Policy STK1: Stewkley Settlement Boundary	RA13, RA14 (D2)	<p>This policy establishes and defines the Settlement Boundary to distinguish the consideration of planning applications within the settlement from those outside the boundary. In doing so, it replaces saved AVDLP policies RA13 and RA14 relating to development within and adjoining rural settlements in so far as they are applied in the designated neighbourhood area.</p> <p>The principle of using a development boundary policy as a mechanism to contain and manage the small amount of settlement growth is therefore consistent with national policy, provided, as here, the boundary defines the outcome of decisions made on the scale and location of growth in line with an as up-to-date as possible assessment of objectively assessed housing need.</p> <p>It is noted that the VALP does not define settlement boundaries in this way but continues to prefer a worded definition of the 'built up area' (see Policy D2), as per the AVDLP. However, the District Council has accepted the adoption of settlement boundaries in the many made neighbourhood plans in the District for the purpose of operating the application of policies requiring a determination of an urban or countryside status.</p>
Policy STK2: Housing Type	(H6)	There is no saved policy on this matter but VALP Policy H6 provides for new residential schemes to provide for a specific mix of housing to meet local needs.
Policy STK3: Housing Allocations	RA13, RA14, GP35, RA36, GP53 (BE1, BE2, BE4)	<p>This policy reserves land for small residential development schemes. The sites chosen are consistent with the VALP Policy D2 criteria but not with policies RA13 and RA14, as they extend the village along Wing Road rather than being contained within the built up area.</p> <p>The policy accords with Policy GP35 in establishing key design principles that reflect the distinct physical characteristics and natural qualities of the small sites and their surrounding landscape. It takes into account the proximity of the sites to the countryside and the importance of a high-quality scheme in this location more generally. The sites are not considered to be inappropriate for development, but the policy sets out the tests by which a successful design will be judged. The policy is not considered to be inconsistent with Policy RA36 on managing the effects of traffic on rural roads. The sites are small and adjoin established residential uses using the road. As such, they will not lead to 'excessive traffic generation' that will undermine the character of Wing Road as a rural road.</p>

		The policy accords with Policy GP53 on Conservation Areas as the sites respect and reinforce the linear settlement pattern of the Area and will enhance the southern entrance and setting to the Area by creating a new gateway to the village with high quality development. The policy requirements have been drawn from the Appraisal to ensure the schemes will be of a high quality. Policies BE1, BE2 and BE4 of VALP take forward policies GP35 and GP 53 and the policy thereby accords with their provisions.
Policy STK4: Village Character	GP35, GP53 (BE1, BE2, BE4)	The policy refines Policy GP35 and Policy GP53 by seeking to shape all development proposals in terms of appropriate design of new buildings but also of their surrounding spaces and landscape schemes, to reflect their local character area. It also defines views that each contribute to defining the character of the village and its setting. Policies BE1, BE2 and BE4 of VALP take forward policies GP35 and GP 53 and the policy thereby accords with their provisions.
Policy STK5: Buildings of Local Interest	(BE1)	There is no saved policy on this matter but the policy is consistent with the provisions of VALP Policy BE1.
Policy STK6: Car Parking	GP24 (T5)	This policy restates GP24 in requiring schemes to adhere to the necessary car parking standards and Policy T5 of VALP takes forward that policy in the same way.
Policy STK7: Cycle and Pedestrians	(T6)	There is no saved policy on this matter but the policy is consistent with the provisions of VALP Policy T6.
Policy STK8: Community Assets	GP32, GP93 (D6)	The policy complements Policy GP93 by seeking to protect community facilities that the local community strongly favours from unnecessary loss. It is further in line with saved policy GP32 that it supports the retention of existing commercial facilities that have community value if their viability can be demonstrated. A combination of VALP Policy D6 and Policy I3 takes forward these same principles. However, it refines each of these policies by discouraging proposals for new facilities for the reasons set out in the policy.
Policy STK9: Local Green Spaces	GP86, GP87 (I1)	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green Spaces. Although this type of designation was established by the NPPF and post-dates AVDLP, it remains in line with its policies GP86 and GP87 (and VALP Policy I1), which have a similar intent.
Policy STK10: Local Amenity Land	GP86, GP87 (I1)	This policy proposes a number of amenity spaces in the parish to be protected from development in line with policies GP86 and GP87 (and VALP Policy I1), which have a similar intent.

Policy STK11: Important Views	GP35, GP53 (BE1, BE2)	This policy complements policies GP35 and GP53 in that it defines a series of views that each contribute to defining the character of the village and its setting. The views are drawn from the evidence of the Conservation Area Appraisal and the policy seeks to ensure that the location and design of new development within or beyond the village have had proper regard to these views, so they are not unnecessarily obstructed or harmed. VALP Policies BE1 and BE2 carry forward these provisions.
Policy STK12: Biodiversity	(NE1, NE2)	There is no saved policy on this matter but the policy is consistent with the provisions of policies NE1 and NE2 of VALP.
Policy STK13: Local Employment	RA29	The Policy replaces Policy RA29 by being more permissive of proposals to intensify or expand those uses whether located inside or outside the village boundary. Policy RA29 is not considered up to date as it conflicts with NPPF §84.
Policy STK14: Broadband	100 (I6)	The policy is consistent with the provisions of saved Policy GP100 as well as Policy I6 of VALP.

6. Compatibility with EU Legislation

6.1 The SPNP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

6.2 A screening opinion was issued by AVDC in November 2016, which confirmed that the Neighbourhood Plan should be prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA). An SEA Scoping Report was published by the Parish Council for consultation with the statutory authorities in December 2017. The comments received were then taken into account when drafting the SEA which was published alongside the Pre-Submission SPNP for consultation with the statutory authorities as well as the general public. The final SEA is published alongside the Submission document.

6.3 The Neighbourhood Area is not in close proximity to any European-designated nature sites so does not require an Appropriate Assessment under the EU Habitats Regulations.