

STRETE NEIGHBOURHOOD PLAN



Draft Basic Conditions Statement

November 2017

Submitted by the qualifying body:

Strete Parish Council

<http://www.strete.org.uk>

for:

Strete Neighbourhood Plan

<http://strete.org.uk/neighbourhood/>

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1. LEGAL REQUIREMENTS

- 1.1. This statement has been prepared by the Strete Neighbourhood Plan Group on behalf of Strete Parish Council. It will accompany the submission to South Hams District Council of the Strete Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.
- 1.2. The Neighbourhood Plan will be submitted by Strete Parish Council, the appropriate qualifying body. It covers the area designated by South Hams District Council on 19th November 2015. Details of the application and its approval are available on the district council's website at <http://old.southhams.gov.uk/shneighbourhoodplans>.
- 1.3. The plan has been prepared on behalf of the parish council by a steering group and consultants. The assistance of the district council is also gratefully acknowledged.
- 1.4. It relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2014-2034, a period chosen to tie in with the emerging new development plan for the South Hams (the Plymouth and South West Devon Joint Local Plan).
- 1.5. It does not contain policies relating to excluded development – county matters, nationally significant infrastructure or other matters – as laid out in the Regulations.
- 1.6. The neighbourhood plan area is shown at Appendix 1. It includes the whole of Strete parish.
- 1.7. This statement addresses each of the four 'basic conditions' required by the Regulations and explains how the neighbourhood plan meets the requirement of paragraph 8 of schedule 4B of the 1990 Town and Country Planning Act.
- 1.8. The Regulations state that the neighbourhood plan will have met the basic conditions if it:
 - a) has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - b) contributes to the achievement of sustainable development;
 - c) is in general conformity with the strategic policies of the development plan for the area; and
 - d) is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

2. LOCAL CONTEXT AND THE NEED FOR A PLAN

- 2.1. Strete is a high coastal village and parish lying about 5 miles south of Dartmouth in Devon. The parish population is about 400 people, most of whom live in the village.
- 2.2. The parish experiences all the social, economic and environmental pressures and challenges associated with an attractive and popular coastal location. The local economy rests primarily on tourism and agriculture. Job opportunities are few and house prices are high which can make it hard for local people, especially the young, to afford to stay in the parish. To address such issues the community has decided to produce a neighbourhood plan.

3. PLAN PROCESS AND CONSULTATION

- 3.1. Strete Parish Council decided to proceed with the development of a neighbourhood plan in mid-2015. Two open meetings were held in the Parish Hall where almost 40% of the community of Strete came together and shared their views on what they would like to see included in the plan. An application to register the plan and its terms of reference were submitted to South Hams District Council and duly approved
- 3.2. A Steering Group, consisting of parish councillors and community volunteers, met for the first time in October 2015, and decided to form four working parties to deal with specific aspects of the Plan.
- 3.3. In March 2016 a household survey was carried out based on the matters raised at the initial open meetings. 47% of the local community responded, and those responses have been the basis for deciding priorities for the plan.
- 3.4. With volunteer and consultancy support a series of evidence papers was produced to support the development of the plan, a “call for sites” was issued in December 2016 and the plan began to take shape.
- 3.5. The neighbourhood plan website (<http://strete.org.uk/neighbourhood/>) shows a great deal of helpful information including the plan area, terms of reference, steering group minutes, meetings and consultations, a project timetable and every stage of progress.
- 3.6. The plan is now published in draft form for consultation in accordance with Part 5, Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. It will be open for comments for a period of 6 weeks (from XXXX to XXXX 2017). Representations received, responses to them and consequent changes to the plan will be set out in a Response Report.
- 3.7. The amended plan will then be submitted to South Hams District Council together with associated documents including the final versions of this Basic Conditions Statement, the Statement of Consultation, the Strategic Environmental Assessment (SEA), the Habitats Regulations Assessment Screening Opinion, a Sustainability Appraisal, the Monitoring Report, a schedule of evidence and the Response Report.
- 3.8. The district council will arrange for the plan's examination by an independent examiner who will decide whether it meets the basic conditions. If these conditions are considered to have been met the district council will hold a local referendum on the plan. So long as more than 50% of those voting in the referendum support the plan it will be declared “duly made” and will become part of the development plan and statutory planning decision making framework for the parish.

4. VISION AND OBJECTIVES

- 4.1. The local community expects the plan to:
 - a) respect and protect the precious natural and historic environment,
 - b) maintain and improve community facilities, services and infrastructure, and
 - c) support existing and new business opportunities and tourism,

in order to maintain and enhance the character and vitality of the village and parish, and allow sustainable development for natural growth to meet future local needs.

4.2. The vision of Strete is thus:

“to grow slowly and sustainably so that its high coastal character, sea views and natural beauty are preserved while meeting local needs and improving local services.”

- 4.3. The plan aims to create a place where the following objectives are achieved:
1. landscape character and the natural setting of the parish are maintained and enhanced, including the high coastal setting of the village, the outstanding sea views, woods and copses throughout the parish;
 2. the particular sensitivity and visual prominence of the landscape on the seaward side of the A379 is recognised and suitably protected;
 3. valued local green spaces are maintained and enhanced;
 4. local heritage is valued, conserved and enhanced, including local history, village form and character, architecture, footpaths and other important features, and new buildings are sympathetically designed;
 5. local tranquillity and dark skies are conserved;
 6. people are able to move more freely, safely and conveniently, with new and improved footpaths, particularly in the village;
 7. local needs are met through small organic developments, in scale with the locality and allowing future generations to maintain the viability of local businesses, but without substantially altering local character;
 8. there is economical use of resources so that future generations are not left a legacy of pollution, financial or environmental debt, with steady progress towards zero carbon energy and water footprints;
 9. local services are maintained, enhanced and extended with improved public car parking close to the coast path in the village, public transport to nearby centres maintained and enhanced and improved Broadband and Mobile Phone coverage, both for individuals and for businesses; and
 10. community well-being is enhanced and there are growing opportunities for people of all ages to expand and develop themselves, including public buildings and spaces to gather, pursue shared interests and contribute to the life of the community.

5. POLICIES AND PROPOSALS

5.1. The plan's policies are laid out under three main headings:

1. The Environment
2. Development and Homes
3. People and Community

5.2. Of particular local importance are policies seeking to protect sensitive parts of the coastal landscape and of the village, to safeguard local facilities and green spaces, to guard against harm to local tranquillity and dark skies, to establish a settlement boundary and to bring forward a mixed development at the heart of the village.

6. SUBMISSION DOCUMENTS

6.1. In addition to this Basic Conditions Statement, the following documents have been or are being prepared to support the Strete Neighbourhood Plan.

- a) **The Neighbourhood Plan** – the neighbourhood development plan for the designated area containing policies to guide future development in the area.
- b) **The Statement of Consultation** – setting out the community engagement and consultation undertaken from the outset of the process.
- c) **The Strategic Environmental Impact Assessment (SEA)** – assessing the environmental effect of the plan's policies.
- d) **The Habitats Regulations Assessment (HRA) Screening Opinion** – setting out the view of the local planning authority (South Hams District Council) that HRA is not required.
- e) **The Monitoring Framework** – outlining a framework of performance indicators against which the effectiveness of the plan's policies can be assessed.
- f) **The Evidence Schedule** – listing the key sources for evidence (other than community consultation) to underpin the plan.

6.2. Following the 6 weeks consultation on the draft plan the comments received will be considered and the steering group will decide whether any changes to the plan are required. The plan will then be submitted to South Hams District Council to arrange for:

1. a further 6 weeks for comment on the submitted plan;
2. the plan's independent examination; and (providing the plan meets the basic conditions set out at para 1.8 above)
3. a public referendum on the plan.

7. COMPLIANCE STATEMENT

7.1. The draft Strete Neighbourhood Plan is being made available for consultation from XXXX to XXXX 2017 in accordance with Part 5, Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

7.2. Responses to the comments received will be set out in a Response Report which will be among the documents submitted to South Hams District Council. Summaries of the responses received and copies of those from key consultees will also be made available at <http://strete.org.uk/neighbourhood/>.

7.3. Following consultation on the draft plan any amendments considered to be necessary will be made before the plan is submitted to South Hams District Council. Part 5, Paragraph 15 of the Regulations sets out the requirements for the submission of a neighbourhood plan, as follows:

Plan proposals: Where a qualifying body submits a plan proposal to the local planning authority, it must include –

- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) a consultation statement;

- (c) the proposed neighbourhood development plan; and
- (d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act

7.4. Part (a) is provided at **Appendix 1** to this statement and includes the map and a hyperlink to the application and designation notice. Parts (b) and (c) are now published in draft form alongside the draft plan and will be finalised as part of the plan's submission. The requirements of part (d) are that the plan meets the basic conditions which are (as set out at para 1.8 above), that:

- the plan has regard to national policies and advice contained in guidance issued by the Secretary of State.
- the plan contributes to the achievement of sustainable development.
- the plan is in general conformity with the strategic policies contained in the development plan for the area.
- the plan does not breach and is compatible with EU obligations.

7.5. The following sections of this statement explain how the Strete Neighbourhood Plan meets those requirements.

8. REGARD TO NATIONAL POLICIES AND GUIDANCE

8.1. The National Planning Policy Framework (NPPF) was published in March 2012. it provides a framework for planning for sustainable development, including by local communities through the production of neighbourhood plans.

8.2. The Strete Neighbourhood Plan aims to focus on those planning matters which have been identified as priority concerns by the local community. It seeks to neither hinder nor duplicate policies in existing plans, which should be read alongside the neighbourhood plan. Both independently of one another and in combination the plans meet the requirements of the NPPF.

8.3. **Appendix 2** sets out the way that the policies of the plan conform with the NPPF.

9. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

9.1. The plan's objectives are set squarely within the bounds of sustainable development. It provides for

1. economic sustainability through its provisions for development, particularly the proposed development at the site known as Cox's Field,
2. social sustainability through its support for maintenance and development of community infrastructure; and
3. environmental sustainability through its promotion of sustainable construction and care of local heritage, green spaces and natural resources.

9.2. A sustainability appraisal has been prepared and is published in draft form alongside the draft plan.

10. CONFORMITY WITH STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

10.1. The development plan for the area is set to be the Plymouth and South West Devon Joint Local Plan (the JLP), published for pre-submission consultation in March 2017.

Until that plan's adoption the development plan for the area includes the South Hams Local Development Framework (LDF) Core Strategy (2006), Affordable Housing DPD (2008), Development Policies DPD (2010), and a series of Site Allocations DPDs, including one for the Rural Areas including Strete (2011) plus a number of saved policies from the South Hams Local Plan (1996). Several adopted Supplementary Planning Documents (SPDs) provide further detail.

- 10.2. The Strete Neighbourhood Plan has been prepared in co-operation with the district council. It generally conforms with and does not undermine or constrain the strategic content of the emerging JLP or adopted LDF and saved local plan policies inasmuch as they relate to Strete.
- 10.3. More detail about the way in which the plan's policies generally conform with the strategic content of the development plan policies is set out in **Appendix 2** (along with details of conformity with the NPPF).

11. COMPATIBILITY WITH EU LEGISLATION

- 11.1. The Strete 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. The consultation process has aimed to include all sections of the community, including hard-to-reach and under-represented groups such as young people and the disabled, with local events in accessible locations and an effective digital presence.
- 11.2. Screening opinions were requested from South Hams District Council in relation to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA). The district council advised that SEA was required but that there was no need to carry out HRA. The SEA report is published alongside the draft plan.

APPENDIX 1 – STRETE NEIGHBOURHOOD PLAN AREA DESIGNATION

1. The plan area shown on the map below is that confirmed on 19th November 2015 by South Hams District Council.



2. The application for and notice of designation of the Strete Neighbourhood Plan area are at <http://old.southhams.gov.uk/shneighbourhoodplans>.

**APPENDIX 2 – STRETE NEIGHBOURHOOD PLAN POLICIES'
REGARD TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND
GENERAL CONFORMITY WITH STRATEGIC POLICIES OF THE DEVELOPMENT PLAN**

1. The table below maps the policies of the Strete Neighbourhood Plan, their regard for the National Planning Policy Framework (NPPF) and their general conformity with the strategic policies of the development plan for the area.

Strete Neighbourhood Plan	Regard to NPPF	General conformity with strategic policies
Overall	<p>The plan has regard to the NPPF and particularly to the objectives for neighbourhood plans and in the achievement of sustainable development.</p> <p>It sets out a vision for the future and contains policies which respond to priority concerns expressed by the local community.</p> <p>It sets out a strategy that provides for sustainable development within its area.</p> <p>Its policies align with the NPPF in general and in particular ways as shown below.</p>	<p>The plan is in general conformity with the strategic policies of the development plan and in particular those contained in the draft South West Devon Joint Local Plan 2017 (the JLP) and the South Hams LDF Core Strategy 2006 (the LDF).</p> <p>JLP policy TTV30 is of key relevance.</p>
SNP1: Protecting the Landscape	<p>The policy has regard to NPPF core principles to recognise the intrinsic character and beauty of the countryside, conserve and enhance the natural environment and encourage effective use of land.</p>	<p>The policy generally conforms with JLP policies DEV20, DEV24, DEV25 and DEV27. It also conforms with LDF policy CS9.</p>
SNP2: Heritage and Conservation	<p>The policy has regard to the NPPF core principle to conserve heritage assets and to part 12 (conserving an enhancing the historic environment).</p>	<p>The policy generally conforms with JLP policies DEV21 and DEV22. It also conforms with LDF policy CS9.</p>
SNP3: Coastal Setting and land south of the A379	<p>The policy has regard to NPPF core principle to recognise the intrinsic character and beauty of the countryside, and to its advice to protect and enhance distinctive coastal landscapes,</p>	<p>The policy generally conforms with JLP policies DEV20, DEV24, DEV25 and DEV27. It also conforms with LDF policy CS9.</p>

	especially Heritage Coast (NPPF Part 11).	
SNP4: Low Density Area	<p>The policy has regard to NPPF core principles to secure high quality design and a good standard of amenity, and to protect and conserve environmental and heritage assets.</p> <p>The policy requires that development be distributed and designed with due regard to the character of the localities (NPPF part 7).</p>	The policy generally conforms with JLP policies SPT2, DEV10, DEV20 and DEV24. It also conforms with LDF policy CS7.
SNP5: Tranquillity and Dark Skies	The policy has regard to NPPF core principles to contribute to conserving the natural environment and reducing pollution, and its advice to identify and protect areas of tranquillity (NPPF Part 11).	The policy generally conforms with JLP policies DEV2, DEV24 and DEV27.
SNP6: Development and the Settlement Boundary	<p>The policy has regard to NPPF core principles to support thriving rural communities, recognise the intrinsic character and beauty of the countryside, conserve and enhance the natural environment and encourage effective use of land.</p> <p>It clearly sets out where sustainable development can be located, to meet local needs and help support a prosperous local economy (NPPF part 3).</p>	The policy generally conforms with JLP policies SPT1, SPT2, SPT3, SPT11, TTV2, TTV31 and LDF policies CS1 and CS13.
SNP7: Design and Construction	<p>The policy has regard to NPPF core principles to always seek to secure high quality design and support the transition to a low carbon future.</p> <p>It aligns with NPPF part 7 (requiring good design) and part 10 (meeting the challenge</p>	The policy generally conforms with JLP policies SPT1, SPT2, DEV2, DEV10, DEV20, DEV34 and DEV35. It also conforms with LDF policy CS7.

	of climate change, flooding and coastal change).	
SNP8: Housing Development Site at Cox's Field	<p>The policy has regard to NPPF core principles to deliver needed homes and to support thriving rural communities. In particular it relates to part 6 (delivering a wide choice of high quality homes).</p> <p>It proposes a site where sustainable development can be located, to meet local needs and help support a prosperous local economy (NPPF part 3).</p>	The policy generally conforms with JLP policies SPT1, SPT2, SPT3, DEV8, DEV9, DEV10, TTV2, TTV31 and LDF policies CS1 and CS13.
SNP9: Principal Residence Requirement	The policy has regard to NPPF core principles to support the rural economy, deliver a choice of homes and promote healthy communities.	The policy generally conforms with JLP policy DEV8.
SNP10: Community Facilities and Infrastructure	The policy has regard to NPPF core principles to deliver sufficient community facilities to meet local needs and part 8 (promoting healthy communities).	The policy generally conforms with JLP policies SPT1, SPT2, SPT6, DEV3, DEV4, DEV5, DEV18 and DEV32.
SNP11: Local Green Spaces	The policy has regard to NPPF core principles to conserve and enhance the natural environment and promote healthy communities, particularly paras 76-78.	The policy generally conforms with JLP policy DEV29.
SNP12: Open Space at Cox's Field	The policy has regard to NPPF core principles to conserve and enhance the natural environment and promote healthy communities, particularly paras 76-78.	The policy generally conforms with JLP policy DEV29.
SNP13: Local Footpaths	The policy has regard to NPPF core principles to encourage and consider walking and give priority to pedestrian movements (NPPF Part 4).	The policy generally conforms with JLP policies SPT1, SPT2, SPT9, SPT10 and DEV31.

SNP614: Sustainable Tourism	The policy has regard to NPPF core principles to proactively drive and support sustainable economic development and part 3 (to support a prosperous rural economy).	The policy generally conforms with JLP policies SPT1, SPT2, SPT4, TTV2, DEV14, DEV15 and DEV19. It also conforms with LDF policies CS1, CS12 and CS13.
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APPENDIX 3 – COMPATABILITY WITH EU LEGISLATION

1. South Hams District Council, in commenting on the draft Strete Neighbourhood Plan gave screening opinions as to whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA).
2. It was concluded that HRA was not required but that SEA should be carried out.
3. The SEA report is accordingly published alongside the plan and is available on the neighbourhood plan website at <http://strete.org.uk/neighbourhood/>.