

Burwash Neighbourhood Development Plan

Basic Conditions Statement

August 2020

1. Legal requirements

- 1.1 This statement has been prepared by Burwash NDP steering group on the behalf of Burwash Parish Council to accompany its submission to Rother District Council of the Burwash Neighbourhood Development Plan (NDP) under Regulation 15 of the Neighbourhood Planning Regulations 2017.
- 1.2 The Burwash NDP has been prepared by the Burwash Parish Council, a qualifying body, for the area covering the full parish, as designated by Rother District Council in June 2016.
- 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 2020 to 2028. 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. Meeting the basic conditions

- 2.1 Burwash Parish Council believes that its NDP meets the basic conditions as required by the legislation. The neighbourhood plan is in accordance with the Neighbourhood Plans (General) Regulations 2012, the National Planning Policy Framework (2012) and with the policies of Rother District Council.
- 2.2 The Localism Act 2012 enables communities to create a plan that reflects the needs of the local population and future residents. The Parish Council has worked closely with the community to create a plan that both reflects local aspirations and has widespread support.

3. Having regard to National Planning Policy

- 3.1 The NDP has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF). It also gives regard to the 6 planning principles contained in paragraph 16 of the National Planning Policy Framework, alongside the most recent National Planning Practice Guidance (NPPG) published by the Government in relation to the formation of Neighbourhood Plans.

- 3.2 Burwash NDP is in conformity with the National Planning Policy Framework which was taken into consideration at all stages in the development of this plan.
- 3.3 Paragraphs 1 and 2 of the NPPF require neighbourhood plans to take into account the policies in the NPPF and that, alongside other documents such as the Local Plan, these policies are a material consideration when determining planning applications.
- 3.4 Paragraph 16 of the NPPF states that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans and support local development, shaping and directing development in their area to meet the aspirations and needs of the local community.
- 3.5 Burwash Parish Council considers that this NDP supports these objectives. The range of policies in this Plan address the strategic agenda of Rother District Council and help shape and support appropriate development in the context of the communities wishes.
- 3.6 The table below sets out a summary of how the Burwash NDP has regard to the principles set out in Paragraph 16 of the NPPF.

| NPPF Principle (Paragraph 16) | Burwash NDP comment on conformity |
|---|---|
| Plans should be prepared with the objective of contributing to the achievement of sustainable development | Sustainable development has been a key concern in producing this NDP. Various policies have been formulated which support sustainable development <u>Supporting Burwash NDP policies:</u> GP05 Design standards GP08 Sustainable development EN01 Land Management |
| Plans should be prepared positively, in a way that is aspirational but deliverable | The formulation of this Plan has been undertaken to positively reflect deliverability of developments within this severely constrained location. |
| Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees | A Steering Group with representation from across the Parish including residents, businesses and other stakeholders has steered the production of this Plan. Widespread consultation has been undertaken throughout resulting in a significant level of responses at Regulation 14 showing overwhelming support for this Plan. |
| Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals | Burwash Parish Council believes the NDP policies provide a clear and understandable ‘roadmap’ for planning applicants. |

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| Plans should be accessible through the use of digital tools to assist public involvement and policy presentation | Burwash Parish Council adopted a wide range of options in order to maximise community involvement including both digital and other non-digital means of communication reflecting the community at large. |
| Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework (NPPF), where relevant) | Burwash Parish Council believe that this Plan provides clear unambiguous policies that apply to this area. |

4. General conformity with the strategic policies of the development plan

- 4.1 The Burwash NDP has been prepared so as 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 Rother Local Plan 2014-2028.
- 4.3 This table sets out the Burwash NDP policies that demonstrate conformity with Local Plan Policies

| Rother District Local Plan, Core Strategy 2014 — 2028 | Burwash NDP |
|--|---|
| Core Policy PC1 (Presumption in favour of sustainable development) | Supporting Policies: GP05 Design Statement GP08 Sustainable Development EN01 Land Management EN02 Natural Environment Protection |
| Core Policy OSS1 (Overall Spatial Development Strategy) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP04 Development Boundaries |
| Core Policy OSS2 (Use of Development Boundaries Policy) | Supporting Policies: GP04 Development Boundaries HO02 Rural Exception Sites |
| Core Policy OSS3 (Location of Development Policy) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP03 Heritage GP06 Existing Open Spaces GP07 New Open Spaces HO01 Housing Tenure and Mix |

| Rother District Local Plan, Core Strategy 2014 – 2028 | Burwash NDP |
|--|---|
| Core Policy OSS4 (General Development Considerations) | Supporting Policies: GP03 Heritage GP04 Development Boundaries HO01 Housing Tenure and Mix |
| Core Policy RA1 (Villages) | Supporting Policies: IN01 Pedestrian safety IN02 Parking IN03 Supporting businesses IN04 Retention of existing business premises GP03 Heritage GP07 New Open Spaces |
| Core Policy RA2 (General Strategy for the Countryside) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP03 Heritage EN01 Land Management EN02 Natural Environment Protection HO02 Rural Exception Sites |
| Core Policy RA3 (Development in the Countryside) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP03 Heritage GP04 Development Boundaries EN01 Land Management EN03 Green infrastructure: footpaths and bridleways |
| Core Policy SRM1 (towards a Low Carbon Future Policy) | Supporting Policies: GP05 Design Standards GP08 Sustainable Development EN04 Dark Skies |
| Core Policy CO1 (Community Facilities and Management) | Supporting Policies: GP06 Existing Open Spaces GP07 New Open Spaces EN03 Green infrastructure: footpaths and bridleways EN06 Integration of Landscaping |

| Rother District Local Plan, Core Strategy 2014 – 2028 | Burwash NDP |
|---|---|
| Core Policy CO3 (Improving Sports and Recreation Provision) | Supporting Policies: GP05 Design Standards GP06 Existing Open Spaces GP07 New Open Spaces IN03 Supporting businesses |
| Core Policy CO4 (Supporting Young People) | Supporting Policies: HO01 Housing Tenure and Mix HO02 Rural Exception Sites IN03 Supporting businesses IN04 Retention of existing business premises |
| Core Policy CO5 (Supporting Older People Policy) | Supporting Policies: GP05 Design Standards HO01 Housing Tenure and Mix HO02 Rural Exception Sites |
| Core Policy CO6 (Community Safety) | Supporting Policies: IN01 Pedestrian safety IN02 Parking EN03 Green infrastructure: footpaths and bridleways GP05 Design Standards |
| Core Policy LHN1 (Achieving Mixed and Balanced Communities) | Supporting Policies: HO01 Housing Tenure and Mix IN03 Supporting businesses IN04 Retention of existing business premises |
| Core Policy LHN2 (Affordable Housing) | Supporting Policies: HO01 Housing Tenure and Mix HO02 Rural Exception Sites |
| Core Policy LHN4 (Sites Wholly or Substantially for Affordable Housing) | Supporting Policies: HO01 Housing Tenure and Mix HO02 Rural Exception Sites |
| Core Policy EC1 (Fostering Economic Activity and Growth) | Supporting Policies: IN03 Supporting businesses IN04 Retention of existing business premises GP05 Design Standards |

| Rother District Local Plan, Core Strategy 2014 – 2028 | Burwash NDP |
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| Core Policy EC2 (Business Land and Premises) | Supporting Policies: IN03 Supporting businesses IN04 Retention of existing business premises GP05 Design Standards |
| Core Policy EC3 (Existing Employment Sites) | Supporting Policies: IN03 Supporting businesses IN04 Retention of existing business premises |
| Core Policy EC4 (Business Activities Elsewhere in the District Policy) | Supporting Policies: IN03 Supporting businesses |
| Core Policy EC5 (Key Sectors) | Supporting Policies: HO02 Rural Exception Sites IN03 Supporting businesses IN04 Retention of existing business premises |
| Core Policy EC6 (Tourism Activities and Facilities) | Supporting Policies: IN03 Supporting businesses |
| Core Policy EN1 (Landscape Stewardship Policy) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP04 Development Boundaries GP06 Existing Open Spaces GP07 New Open Spaces GP08 Sustainable Development EN01 Land Management EN02 Natural Environment Protection |
| Core Policy EN2 (Stewardship of the Historic Built Environment) | Supporting Policies: EN01 Land Management EN02 Natural Environment Protection EN05 Historic Landscape Environment GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP03 Heritage |

| Rother District Local Plan, Core Strategy 2014 – 2028 | Burwash NDP |
|--|---|
| Core Policy EN3 (Design Quality) | Supporting Policies: GP03 Heritage GP05 Design Standards GP08 Sustainable Development |
| Core Policy EN4 (Management of the Public Realm) | Supporting Policies: GP03 Heritage GP05 Design Standards GP06 Existing Open Spaces GP07 New Open Spaces |
| Core Policy EN5 (Biodiversity and Green Space) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP04 Development Boundaries GP06 Existing Open Spaces GP07 New Open Spaces EN01 Land Management EN02 Natural Environment Protection EN03 Green infrastructure: footpaths and bridleways EN05 Historic Landscape Environment |
| Core Policy EN6 (Flood Risk Management) | Supporting Policies: GP05 Design Standards GP08 Sustainable Development |
| Core Policy EN7 (Flood Risk and Development) | Supporting Policies: GP05 Design Standards GP08 Sustainable Development |
| Core Policy TR2 (Integrated Transport) | Supporting Policies: GP05 Design Standards IN01 Pedestrian safety IN02 Parking |

| Rother District Local Plan, Core Strategy 2014 – 2028 | Burwash NDP |
|--|---|
| Core Policy TR3 (Access and New Development Policy) | Supporting Policies: GP01 Protection of the Area of Outstanding Natural Beauty GP02 Views into and from the Area of Outstanding Natural Beauty GP05 Design Standards GP08 Sustainable Development |
| Core Policy TR4 (Car Parking) | Supporting Policies: GP05 Design Standards IN02 Parking |

5. Contribution to the achievement of sustainable development

5.1 Burwash Parish Council believes that the Burwash NDP addresses the three separate strands of sustainability: economic, social and environmental.

5.2 Policies which address environmental sustainability can be found in the following:

- GP01 Protection of the Area of Outstanding Natural Beauty
- GP02 Views into and from the Area of Outstanding Natural Beauty
- GP04 Development Boundaries
- GP05 Design Standards
- GP06 Existing Open Spaces
- GP07 New Open Spaces
- GP08 Sustainable Development
- EN01 Land Management
- EN02 Natural Environment Protection
- EN03 Green infrastructure: footpaths and bridleways
- EN05 Historic Landscape Environment
- EN06 Integration of Landscaping

Further evidence has been provided through the Strategic Environmental Assessment (SEA) which is included in the Burwash NDP at Appendix D and dealt with in Paragraph 6 below.

5.3 Economic Sustainability is supported through the following policies:

- IN03 Supporting businesses
- IN04 Retention of existing business premises
- HO01 Housing Tenure and Mix
- HO02 Rural Exception Sites

These policies recognise the need to support local businesses and encourage new ones to come forward. Housing remains a key economic concern for our local community and the Policies HO01 and HO02 look to ensure that future developments reflect our local housing need.

5.4 Social Sustainability is supported through the following policies

- HO01 Housing Tenure and Mix
- HO02 Rural Exception Sites
- IN03 Supporting businesses
- IN04 Retention of existing business premises

The Housing tenure and mix policy is a key element of Social Sustainability and will enable the residents to remain within this supportive community. With an increasingly elderly population and very limited transport, local shops and businesses are key for social sustainability as evidenced by the communities reliance on local businesses during the Covid 19 lockdown.

6. Compatibility with EU obligations and legislation

- 6.1 The Burwash NDP 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 to ensure that no sections of the community have been isolated or excluded.
- 6.2 In order to have the Burwash NDP tested, a screening opinion request was drawn up and submitted to RDC by our consultant. This opinion describes the impact of building on the environment in landscapes sensitive to development.
- 6.3 RDC consulted with other bodies and concluded that new developments would be likely to have significant environmental impacts. On this basis a Strategic Environmental Assessment was required and is included within the Burwash NDP submission as Appendix D.
- 6.4 RDC also concluded that the Burwash NDP is not likely to have a significant impact on the European Designated Protected Habitats (Habitats Regulations).