

# **Draft Basic Conditions Statement**

January 2020

## **Draft Broad Chalke Neighbourhood Development Plan**

Text in pink will need to be updated before this report is finalised for submission to Wiltshire Council

## **A Introduction**

### **A1 Outline**

- A1.1 This Basic Conditions Statement demonstrates how the **Draft** Broad Chalke Neighbourhood Development Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsary Purchase Act 2004<sup>1</sup>.
- A1.2 The qualifying body (Broad Chalke Parish Council) is required to produce this statement in line with regulation 15(1)(d) and regulation 22 (1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- A1.3 This Basic Conditions Statement has been prepared with regard to the following guidance / legislation:
- The Planning Aid Guide 'Approaches to Writing a Basic Conditions Statement'<sup>2</sup>
  - The Planning Advisory Service 'Guide for Councils: Meeting your legal requirements for Neighbourhood Plans'<sup>3</sup>
  - The relevant extracts from the National Planning Practice Guidance<sup>4</sup>, and
  - The relevant Acts and Regulations which pertain to Neighbourhood Development Plans.
- A1.4 As part of Regulation 14 consultation, a draft of the Statement **will also be** provided to the Planning Department at Wiltshire Council for comment, **as** recommended by National Planning Guidance paragraph 067. **This section will be updated with any feedback from Wiltshire Council that arises from Regulation 14 consultation.**

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

<sup>2</sup> [https://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/Approaches\\_to\\_writing\\_a\\_basic\\_conditions\\_statement1.pdf](https://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/Approaches_to_writing_a_basic_conditions_statement1.pdf)

<sup>3</sup> <http://www.pas.gov.uk/documents/332612/1099329/Legal+compliance+guide+NDP+March+2015.pdf>

<sup>4</sup> <http://planningguidance.planningportal.gov.uk/>

## **B Legal Requirements**

*This part of the Basic Conditions Statement confirms that in the view of Broad Chalke Parish Council, the **draft** Broad Chalke Neighbourhood Development Plan meets the legal requirements for a Neighbourhood Development Plan.*

### **B1 The **draft** plan is being submitted by a qualifying body**

- B1.1 The Broad Chalke Neighbourhood Development Plan will be submitted by the qualifying body – Broad Chalke Parish Council.

### **B2 What is being proposed is a Neighbourhood Development Plan**

- B2.1 The Broad Chalke Neighbourhood Development Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### **B3 The proposed Neighbourhood Development Plan states the period for which it is to have effect.**

- B3.1 The **draft** Broad Chalke Neighbourhood Plan specifies the time period for which it is to have effect as 2019-2026.

### **B4 The policies do not relate to excluded development**

- B4.1 The Broad Chalke Neighbourhood Development Plan proposals do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **B5 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

- B5.1 The Broad Chalke Neighbourhood Development Plan proposals relate to the Broad Chalke Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to this neighbourhood area.
- B5.2 The Broad Chalke Neighbourhood Area was designated on 5<sup>th</sup> November 2014<sup>5</sup>, the Neighbourhood Area boundary is shown in **Appendix 1 to this Statement** and within the Broad Chalke Neighbourhood Development Plan. The Neighbourhood Area follows the Broad Chalke Parish boundary.

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<sup>5</sup> [https://wiltshire.objective.co.uk/portal/spatial\\_planning/np/broadchalke\\_np\\_desig](https://wiltshire.objective.co.uk/portal/spatial_planning/np/broadchalke_np_desig)

## C Basic Conditions

*This part of the Basic Conditions Statement confirms that in the view of Broad Chalke Parish Council, the **draft** Broad Chalke Neighbourhood Development Plan meets all of the basic conditions required for a Neighbourhood Plan.*

### C1 Have appropriate regard to national policy

C1.1 The National Planning Policy Framework (2019)<sup>6</sup> sets out the planning policies for England, together with the National Planning Practice Guidance (NPPG)<sup>7</sup>. Table 1 below briefly summarises how the national policies and guidance have been taken into account for each planning policy in the **draft** Broad Chalke Neighbourhood Plan. This approach follows the format employed by Arundel District Council in their Basic Conditions Statement, as referenced in Planning Aid Guidance as good practice<sup>8</sup>.

**Table 1- General conformity of Broad Chalke Neighbourhood Plan Policies with National Planning Policy Framework 2019**

Planning Policy Ref.	Planning Policy Title	Key NPPF Para. Cross Ref.	Commentary
1A	Development Strategy for Broad Chalke	13, 15, 29, 117, 119	<p>The development strategy for Broad Chalke supports and does not undermine the delivery of Wiltshire Council's strategic policies and provides local level detail (such as identifying important green spaces for protection) to the strategic designations (such as the Broad Chalke Conservation Area and emerging Settlement Boundary).</p> <p>By setting out a development strategy for the Parish, the policy promotes effective use of land while safeguarding and improving the environment.</p> <p>Through its site allocations, the Neighbourhood Plan takes a proactive role in identifying and helping to bring forward land that is suitable for meeting the development (housing) needs of the parish.</p>
2A	Important Green Spaces	91, 96, 97	<p>The policy recognises and works to protect locally important green spaces within Broad Chalke, contributing to opportunities for increasing the health and wellbeing of the community.</p>
2B	Ecology	170, 171, 174	<p>The policy works to protect and enhance biodiversity and wildlife habitats in the parish.</p> <p>The policy works to minimise the impacts on biodiversity, and identifies the existing ecological networks across the Parish.</p> <p>It recognises the importance of both nationally important sites and locally designated sites.</p>

<sup>6</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)

<sup>7</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>8</sup> [http://community21.org/downloads/Arundel%20Neighbourhood%20Plan\\_Basic%20Conditions%20Statement\\_Nov%202013.pdf](http://community21.org/downloads/Arundel%20Neighbourhood%20Plan_Basic%20Conditions%20Statement_Nov%202013.pdf)

2C	Addressing and Adapting to Climate Change	148, 149, 150	<p>The policy supports renewable energy in the parish to encourage a reduction in greenhouse gas emissions.</p> <p>The policy also reinforces national policy which requires mitigation and adaptation to climate change; locally recording flood risk and drainage information.</p>
3A	Heritage Assets	11, 184, 185, 187	<p>The policy recognises the importance of the heritage and archaeological assets of the parish. It also reinforces the importance of the areas of potential archaeological significance as identified in the Conservation Area Appraisal. The policy considers the importance of heritage assets as part of sustainable development.</p> <p>The policy is supported by the Broad Chalke Historic Environment Record as its evidence base.</p>
3B	Design and Character	124, 125, 126, 127	<p>The policy requires high quality design of new development in the parish. The policy is justified and supported by the Broad Chalke Neighbourhood Design Statement (2018), which is based on the Conservation Area Appraisal (updated in 2018 by the NDP group). This includes design guidance.</p> <p>The planning policy encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.</p>
3C	Landscape and Views	127, 170, 172, 180	<p>The policy works to protect and enhance the AONB, an identified valued landscape. The policy also recognises the importance of the dark sky landscape of Broad Chalke.</p> <p>The policy also works to protect locally identified valued landscapes by identifying key views within the parish to be maintained and protected as part of development proposals. These key views are lifted from the Broad Chalke Conservation Area Appraisal and Management Plan.</p> <p>In doing so, the policy ensures that developments are sympathetic to local character, including the surrounding landscape setting.</p>
4A	Site Allocation: Site 4	60-62, 69, 78 119, 171, 172	<p>Through this site allocation, the Neighbourhood Plan takes a proactive role in identifying and helping to bring forward land that is suitable for meeting the development (housing) needs of the parish.</p> <p>The site allocation is informed by the local Housing Needs Survey (2016) which assessed the type and tenure of housing needed for Broad Chalke, and found that there is a need for around six community led affordable homes in the Neighbourhood Area.</p>

			<p>The allocation is also informed by a robust site assessment process which identified this site as suitable for managed development (the parameters of which are set out in the policy criteria).</p> <p>Development of this site would enhance and maintain the vitality of the New Town area that already includes the local sports centre and village school.</p> <p>Broad Chalke is located entirely within Cranborne Chase AoNB and as such the extent of development within the Neighbourhood Area should be limited. The Neighbourhood Plan gives great weight to conserving the landscape and scenic beauty of the AoNB. The site allocation satisfies the criteria in paragraph 172 in the following ways:</p> <ul style="list-style-type: none"> <li>- Along with the allocation of Site 5 (policy 4B), this site allocation is needed in order to meet the evidenced based local housing need of Broad Chalke (see Broad Chalke Housing Needs Survey 2016).</li> <li>- The entire neighbourhood area is located within the AoNB and so there is no scope for meeting this evidenced based local need within Broad Chalke but outside of the AoNB area.</li> <li>- Policy 2.1 states a number of important site development criteria which must be satisfied by any development proposals which come forward for the site. The criteria mitigate against any detrimental effect on the environment that could be caused by development of the site.</li> </ul>
4B	Site Allocation: Site 5	60-62, 69, 78  119, 171, 172	<p>Through this site allocation, the Neighbourhood Plan takes a proactive role in identifying and helping to bring forward land that is suitable for meeting the development (housing) needs of the parish.</p> <p>The site allocation is informed by the local Housing Needs Survey (2016) which assessed the type and tenure of housing needed for Broad Chalke, and found that there is a need for around three open market homes in the Neighbourhood Area.</p> <p>The allocation is based upon a robust site assessment process which identified this site as suitable for development provided that any harm caused to the important landscape setting of Broad Chalke can be mitigated through managed development.</p> <p>Broad Chalke is located entirely within Cranborne Chase AoNB and as such the extent of development within the Neighbourhood Area</p>

			<p>should be limited. The Neighbourhood Plan gives great weight to conserving the landscape and scenic beauty of the AoNB. The site allocation satisfies the criteria in paragraph 172 in the following ways:</p> <ul style="list-style-type: none"> <li>- Along with the allocation of Site 4 (policy 4A), this site allocation is needed in order to meet the evidenced based local housing need of Broad Chalke (see Broad Chalke Housing Needs Survey 2016).</li> <li>- The entire neighbourhood area is located within the AoNB and so there is no scope for meeting this evidenced based local need within Broad Chalke but outside of the AoNB area.</li> <li>- Policy 2.2 states a number of important site development criteria which must be satisfied by any development proposals which come forward for the site. The criteria mitigate against any detrimental effect on the environment that could be caused by development of the site.</li> </ul>
5A	Local Facilities	20, 28, 91, 92	The policy recognises and works to protect community facilities in the neighbourhood area. This helps to support healthy, inclusive and safe places.
5B	Local Employment	81, 92, 112	<p>The policy encourages development and modernisation of existing facilities in the Parish to meet the needs of the community, and sustain levels of local employment.</p> <p>It also encourages home working (where adequately supported by broadband connections), planning to allow for new and flexible working practices.</p>

## **C2 Contributes to the achievement of sustainable development**

C2.1 The below approach follows the format employed by Broughton Astley Parish Council in their Basic Conditions Statement, as referenced in Planning Aid Good Practice Guidance<sup>9</sup>.

C2.2 The key ways that the Broad Chalke Neighbourhood Development Plan will help to contribute to meeting the objectives of sustainable development are detailed below:

- The Neighbourhood Plan contains policies which relate to the environmental, social and economic aspects of the Parish (Policies: ALL)
- The Neighbourhood Plan seeks to set out a coherent local strategy for the development of Broad Chalke: considering housing, employment, recreation, and community facilities. [Policies: 1A, 3B, 4A, 4B, 5A, 5B].
- The Neighbourhood Plan supports the protection and enhancement of environmental and historic assets. [Policies: 1A, 2A, 2B, 2C, 3A, 3B, 3C, 4A, 4B].
- The Neighbourhood Plan supports the protection and enhancement of local facilities and infrastructure. [Policies: 5A, 5B].
- The Neighbourhood Plan is positive and proactive. It seeks to shape and direct housing, employment and retail development to the most

<sup>9</sup> <http://broughtonastley.leicestershireparishcouncils.org/uploads/1752a98c6512905414323017.pdf>

appropriate locations in line with national policy considerations.  
[Policies: 1A, 3B, 4A, 4B].

### **C3 Be in general conformity with strategic local policy**

C3.1 The local policy which applied to the Broad Chalke Neighbourhood Development Plan Area can be found in the following key policy documents:

- Wiltshire Core Strategy (adopted 2015)
- Saved policies from the Salisbury District Local Plan
- The **draft** Wiltshire Housing Sites Allocations Plan, **as submitted to Secretary of State 31<sup>st</sup> July 2018 (emerging)**

C3.2 As the Local Plan is strategic in nature, general conformity will be considered against this.

C3.3 The qualifying body considers that Broad Chalke Neighbourhood Development Plan is in general conformity with the adopted Wiltshire Local Plan. This is outlined in **Table 2** below.

**Table 2 – NDP Policies General conformity with the Wiltshire Core Strategy 2015**

<b>Planning Policy Ref.</b>	<b>Planning Policy Title</b>	<b>Key Local Plan Cross Ref.</b>	<b>Commentary</b>
1A	Development Strategy for Broad Chalke	Core Policy (CP)1, CP2	Broad Chalke is identified as a Large Village in the Wiltshire Core Strategy. Policy 1A plans for an appropriate level of development to meet the local evidence based housing need, and improve employment opportunities, services and facilities within the Parish.  CP2 states that the limits of development may be altered through the identification of sites for development through Neighbourhood Plans – the Broad Chalke Neighbourhood Plan does this through policy 1A, and site allocation policies 4A and 4B.
2A	Important Green Spaces	CP52	The policy identifies locally important green spaces which are part of the Green Infrastructure network of the Parish, and are to be protected as part of any development.
2B	Ecology	CP50, CP52	The policy seeks to maintain and enhance wildlife habitats in the Parish, including aspects of the green infrastructure network, and to ensure no detrimental effect on sensitive species arises from development.
2C	Addressing and Adapting to Climate Change	CP41, CP57v	The policy encourages new development to incorporate design measures to reduce energy demand, and encourage the use of renewable energy e.g. use of solar panels on the south-facing roofs within the site allocation policy.
3A	Heritage Assets	CP58	The policy supports the conservation of the historic environment in Broad Chalke, including the nationally

			significant archaeological remains identified within the Parish.
3B	Design and Character	CP52, CP57, supporting para 6.132, CP58	<p>The policy requires development to take account of the local context and characteristics of Broad Chalke. Design features and guidance are detailed in the Broad Chalke Neighbourhood Design Statement (supplementary design guidance, which is encouraged in Core Policy paragraph 6.132).</p> <p>The policy requires development to enhance local distinctiveness by responding to the value of the historic environment of Broad Chalke. It also encourages development to be sympathetic to historic buildings and landscapes, as required by CP58.</p> <p>The policy requires high quality design for all new developments; enhancing local distinctiveness, responding positively to the existing characteristics of Broad Chalke, respecting and enhancing the historic environment, and protecting residential amenity.</p> <p>The policy also requires development to retain and enhance the existing green infrastructure network of the Parish.</p>
3C	Landscape and Views	CP51	The policy reinforces the special qualities of the Cranborne Chase AONB to be afforded great weight for conserving and enhancing. With its inclusion of 'iconic vistas', the policy requires development to protect and conserve the identified important views and visual amenity of the Parish. This contributes to the protection of the AONB valued landscape.
4A	Site Allocation: Site 4	CP1, CP2, CP33, para. 5.174, CP43, CP45, CP51, CP52, CP57, para. 6.132, CP58, CP60, CP61	<p>The policy allocates new housing in the Village limited to that to help meet the local housing needs of Broad Chalke, as is required by large villages, as set out in CP1 and CP45.</p> <p>The criteria within the allocation policy require development on this site to protect the built and natural environment of the area, as paragraph 5.174 of the Core Strategy sets out (referred to in policy CP33).</p> <p>Paragraph 5.174 also sets out the need for any development in the area to conserve the landscape of the Cranborne Chase AoNB (referred to in CP33). This is also required by policy CP51. As such, the criteria in policy 4A require any development of this site to ensure the setting of the AoNB is protected.</p>

			<p>This site allocation is made to provide community led housing which will be affordable for the local community (CP43).</p> <p>The policy also requires any development of this site to retain and protect existing boundary hedgerows and trees, contributing to the aims of policy CP52.</p> <p>Policy 4A requires development of this site to be of a high standard of design, as required by CP57, and be informed by the character and design of nearby existing development on Knighton Road. Objective 3 of the BCNP includes an updated version of the Broad Chalke Conservation Area Management Plan, updated to incorporate the whole of the Neighbourhood Area, and which must be used to inform any development of this site. This reflects the requirements of para. 6.132 of the Core Strategy (proposals having regard to relevant supplementary guidance on design e.g. Village Design Statements). By having regard to Objective 3 of BCNP, any development of this site must also conform with policy 3A (Heritage Assets), which ensures that heritage assets including the Conservation Area, Listed Buildings and Scheduled Ancient Monuments, are protected and enhanced. This conforms with CP58.</p> <p>The site is located in a sustainable location near to local facilities, as required by CP60 and CP61.</p>
4B	Site Allocation: Site 5	CP1, CP2, CP33, CP45, CP51, CP52, CP57, para. 6.132, CP58, CP60, CP61	<p>The policy allocates new housing in the Village limited to that to help meet the local housing needs of Broad Chalke, as is required by large villages, as set out in CP1 and CP45.</p> <p>The criteria within the allocation policy require development on this site to protect the built and natural environment of the area, as paragraph 5.174 of the Core Strategy sets out (referred to in policy CP33).</p> <p>Paragraph 5.174 also sets out the need for any development in the area to conserve the landscape of the Cranborne Chase AoNB (referred to in CP33). This is also required by policy CP51. As such, the criteria in policy 4B require any development of this site to ensure the setting of the AoNB is protected.</p> <p>The policy also requires any development of this site to retain and protect existing boundary hedgerows</p>

			<p>and trees, contributing to the aims of policy CP52.</p> <p>Policy 4B requires development of this site to be of a high standard of design, as required by CP57, and be informed by the character and design of nearby existing development. Objective 3 of the BCNP includes an updated version of the Broad Chalke Conservation Area Management Plan, updated to incorporate the whole of the Neighbourhood Area, and which must be used to inform any development of this site. This reflects the requirements of para. 6.132 of the Core Strategy (proposals having regard to relevant supplementary guidance on design e.g. Village Design Statements). By having regard to Objective 3 of BCNP, any development of this site must also conform with policy 3A (Heritage Assets), which ensures that heritage assets including the Conservation Area, Listed Buildings and Scheduled Ancient Monuments, are protected and enhanced. This conforms with CP58.</p> <p>The site is located in a sustainable location near to local facilities, as required by CP60 and CP61.</p>
5A	Local Facilities	CP1, CP33, CP49	<p>Broad Chalke is identified as a 'Large Village' in the Wiltshire Core Strategy, and so development is limited to that needed improve services and facilities in the village. A core part of this is retaining the existing range of facilities within Broad Chalke. The policy reinforces CP49 and identifies the local facilities in Broad Chalke that are to be protected.</p> <p>The policy also protects the existing Community Hub facility.</p>
5B	Local Employment	CP34(iii), CP35, CP39, CP40	<p>Broad Chalke is identified as a 'Large Village' in the Wiltshire Core Strategy, and so development is limited to that needed to improve employment opportunities in the village. This policy encourages development of tourist facilities in the Parish, subject to their suitability and impact on the local environment.</p> <p>The policy also protects the existing Community Hub facility.</p>

#### **C4 Be compatible with EU obligations**

C4.1 The Neighbourhood Plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Specifically:

- i) The Broad Chalke Neighbourhood Development Plan group has prepared an

evidence base which includes well documented evidence to underpin the policy approach. A summary of the local evidence is included as Section 7 of the Neighbourhood Plan.

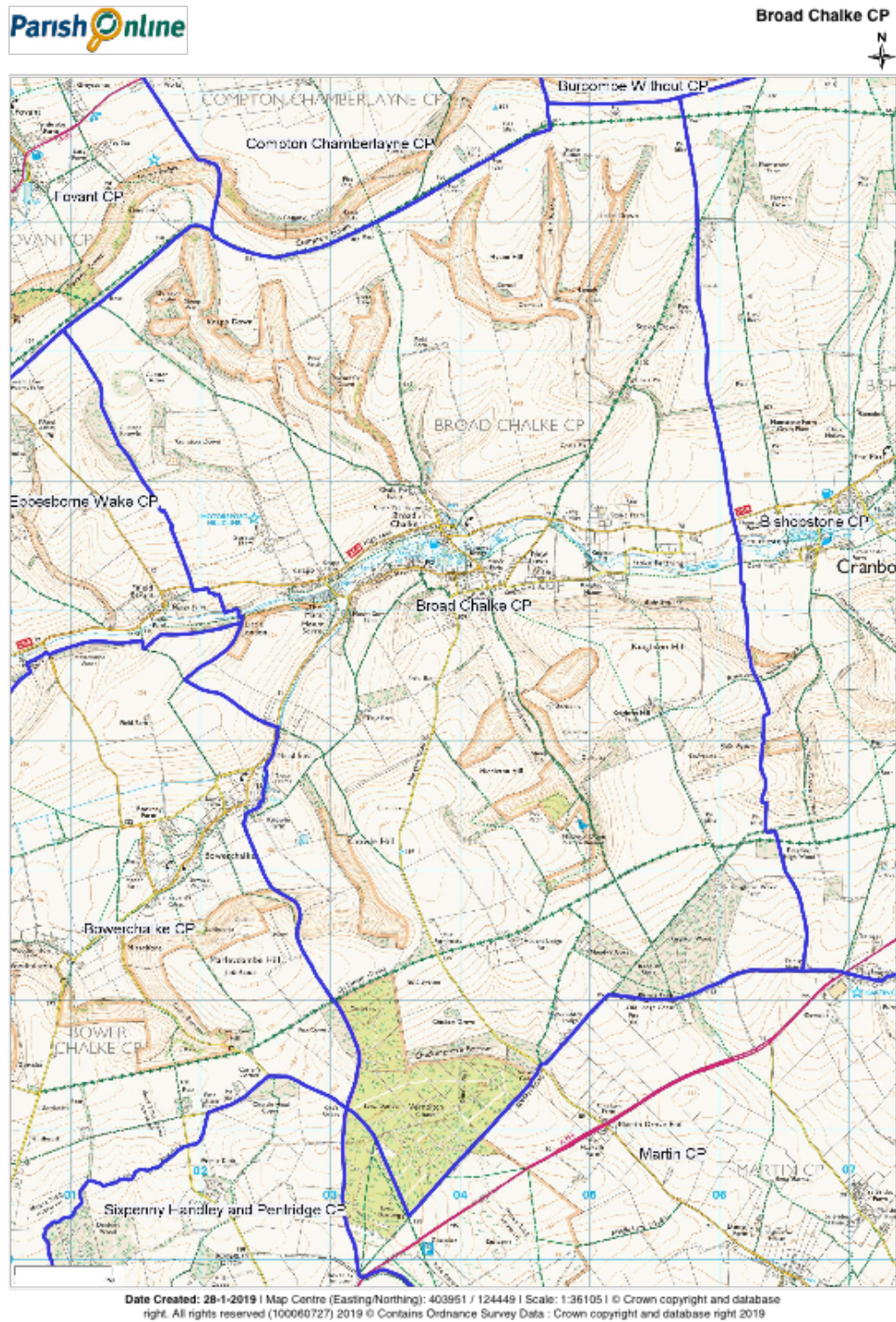
- ii) Wiltshire Council, in line with the requirements of the European Directive 2001/42/EC, has an obligation to determine whether the Plan is likely to have significant environmental effects. *To be updated as work progresses*

**C5 Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d)**

*To be updated as work progresses*

## Appendices

### Appendix 1: Map of designated Neighbourhood Plan Area



### Appendix 2: SEA Screening Opinion (July 2018 – see Neighbourhood Plan evidence base)