

Uffington and Baulking Neighbourhood Plan

2011-2031

BASIC CONDITIONS STATEMENT

**Uffington Parish Council
and Baulking Parish Meeting**

Submission Version

October 2018

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Introduction

The Uffington & Baulking Neighbourhood Plan has been produced as a result of the output from a Community Led Plan (CLP), which was published in Spring, 2015, which highlighted a range of matters which the Parishioners of the two villages had strong views about.

At the Public Consultation following the release of the CLP, it was understood that the opportunity provided by Neighbourhood Development Planning, most especially in regard to housing, was the correct path to follow. Accordingly, a Steering Group was established in September 2015, and the plan presented here, along with the supporting documentation, is the culmination of the past three years work, by a dedicated team of volunteers.

The concurrent work of the Vale of the White Horse District Council on its Local Plan (in two parts, the first adopted December 2016, the second, as yet unadopted), indicated that the opportunity to have input to future local development, as stated at Paragraph 183 of the 2012 NPPF, should be taken:

“Neighbourhood Planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”

The vision for the Plan is ‘that in 2031, the community, comprising the villages of Uffington and Baulking, will still sit in a peaceful rural setting, dominated by two of the most famous landmarks in the country: White Horse Hill and the Ridgeway. There will continue to be strategic gaps between the villages consisting of farmland and wooded areas, as we will have protected the surrounding countryside from inappropriate development. There will, however, have been some building, consistent with the VWHDC Local Plan, and having regard to our Housing Needs Assessment, to address the current and future needs of all sections of our community. Our heritage assets will have been protected. We will have done our best to stimulate the local economy and to optimise opportunities for employment in the neighbourhood. The facilities, services and infrastructure will have been properly maintained and upgraded where possible, to a standard fit for a time approaching the middle of the 21st century’.

The main purpose of the Plan is to define land-use policies that can be used to help determine planning applications (and appeals) within the designated area. The resulting policies, which have been the subject of significant local consultation, do not allocate land for development, and therefore the resultant plan is ‘non-allocating’. Consequently, the Vale of the White Horse District Council determined that neither a Strategic Environmental Assessment (SEA) nor a Habitats Regulations Assessment (HRA) was required.

The Steering Group of the qualifying body has sought to create a plan which addresses the issues of today, and a positive and directed view of future development, to meet the needs of appropriate housing for local people, and new incoming residents, whilst meeting the need for sustainable development, without detriment to the nature of the locality. This is a fine balance, but it is believed that with the evidence base submitted, that justification for the declared policies, achieves the need to meet the basic conditions, and establishes ‘general conformity’ with the strategic policies of the Development Plan.

1. Legal Requirements

1.1 This Basic Conditions Statement has been produced to explain how the Uffington & Baulking Neighbourhood Plan (UB-NP) has been prepared in accordance with Section 15 of the Neighbourhood Planning (General) Regulations 2012, (as amended).

1.2 The Statement addresses each of the five 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of Paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.

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

a) 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;

b) the making of the neighbourhood plan contributes to the achievement of sustainable development;

c) the making of the neighbourhood plan is in 'general conformity' with the strategic policies contained in the development plan for the area of the local authority, in this case the Vale of the White Horse District Council;

d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

e) prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with, in connection with the proposal for the Neighbourhood Development Plan.

Supporting Documents and Evidence

1.4 The Uffington & Baulking Neighbourhood Plan and its supplementary evidence documents, are supported by a Consultation Statement, a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Statement Opinion document, and this Basic Conditions Statement.

Key Statements

1.5 Uffington Parish Council, together with Baulking Parish Meeting, is a qualifying body and entitled to submit a Neighbourhood Plan. The Uffington & Baulking Neighbourhood Plan expresses policies that relate to the development and use of land, only within the designated neighbourhood plan area.

1.6 The neighbourhood area is contiguous with the parish boundaries, as shown in the map accompanying the neighbourhood area designation. See Figure 1.

1.7 The Uffington & Baulking Neighbourhood Plan covers the period from 2011 to 2031. This aligns with the dates of the Vale of the White Horse District Council Local Plan(s) stated period.

1.8 The Neighbourhood Plan does not deal with excluded development such as 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 (as amended).

1.9 The Uffington & Baulking Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Uffington & Baulking as designated by the Vale of the White Horse District Council on 9th March 2017. The complete document of designation can be found at:

<https://www.ubwnp.net/app/download/11669321/2017-03-09+Uffington+signed+area+designation.pdf>

1.10 There are no other neighbourhood plans in place for the Uffington & Baulking neighbourhood area.

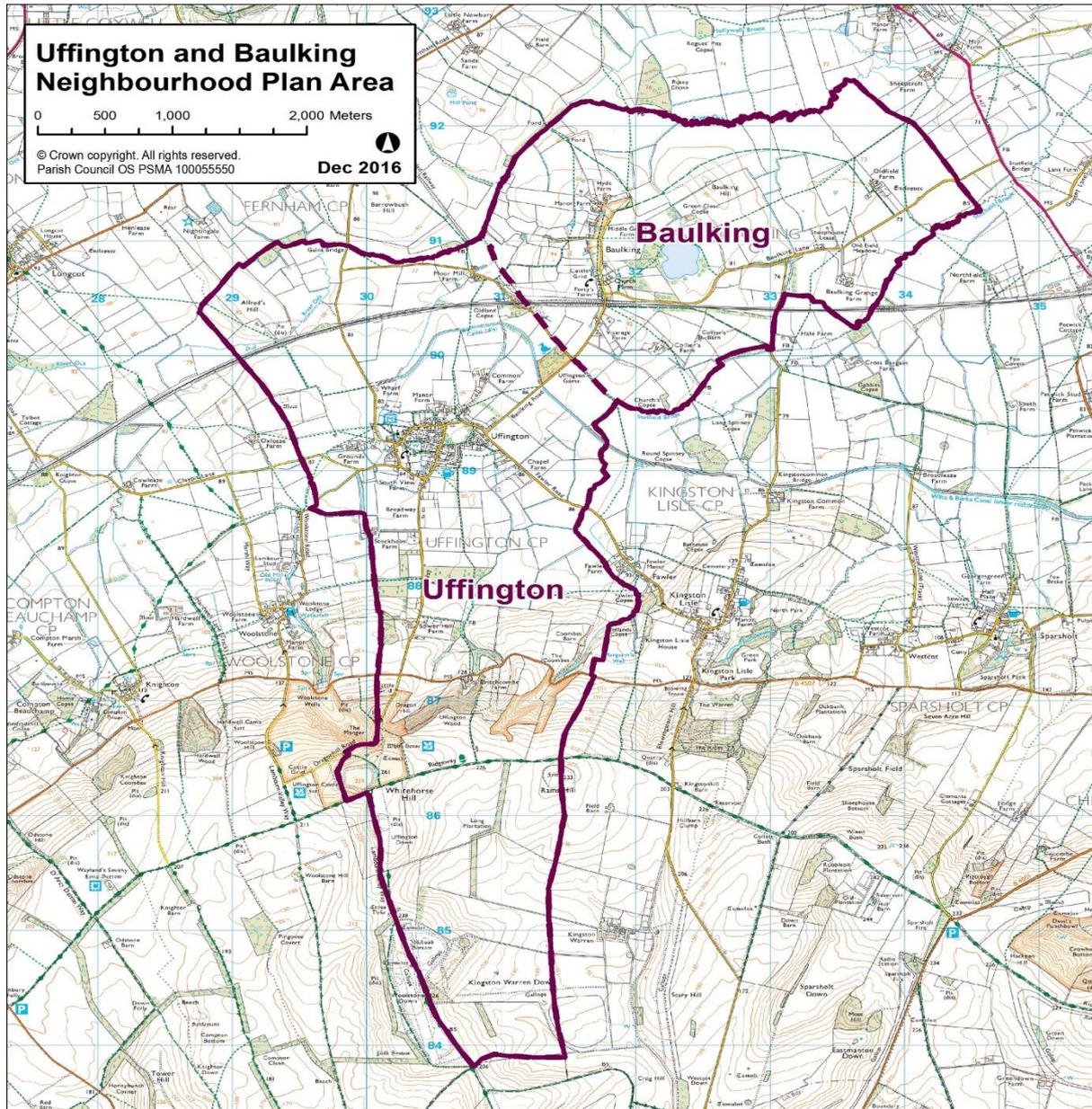


Figure 1 - Designated Area map for UB-NP

2. Conformity with National Planning Policy

2.1 It is required that the Uffington & Baulking Neighbourhood Plan has appropriate regard to national planning policy, principally provided by the National Planning Policy Framework (NPPF) and advice contained in guidance issued by the Secretary of State (TCPA1990 Schedule 4B (8) (2) (a)).

2.2 A revised NPPF was published 24th July 2018. The UB-NP is subject to the governance of the 2012 NPPF, as submission precedes the January 24th, 2019, cut-off date (Source: 2018 NPPF Para.214)

2.3 The NPPF in sections 183-185 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan (See Pt.4.1 a & b, below). Once adopted the NP will become part of the 'Development Plan'.

2.4 This section demonstrates that the UB-NP has regard to relevant policies within the NPPF in:

a) Landscape b) Housing c) Design d) Economy and Employment e) Sustainability and Infrastructure

Table.1 below, indicates how each UB-NP policy has regard to the NPPF:

UB-NP Policy	NPPF PARAGRAPH	Regard to NPPF
Policy L1 – Landscape Capacity	17, 109, 115, 170	This policy seeks to conserve and enhance the natural environment and character of the designated area.
Policy L2 – Landscape Assessments	17, 109, 115, 170	This policy seeks to ensure that the natural environment and character of the designated area is protected by a formalised process.
Policy L3 – Identification of Local Green Spaces	17, 76,77, 78	This policy seeks to protect the 'green' community areas and bio-hotspots of the designated area.
Policy H1 – Number and Mix of Housing: Uffington & Baulking	17, 47, 50, 54, 55	This policy seeks to ensure delivery of a (wide) choice of quality homes through planning to meet local housing requirements and needs.
Policy H2 – Housing Development: Uffington & Baulking	17, 55, 56-66 (Paragraph 58 in particular), 109, 115	This policy seeks to provide housing where it will maintain or enhance the vitality of the rural community, respect the character of the locality and promote sustainable development. If available, utilising redundant farm buildings whilst also protecting the area of outstanding natural beauty.

UB-NP Policy	NPPF PARAGRAPH	Regard to NPPF
Policy H3 – Housing Development: Baulking	17, 55, 109	This policy seeks to serve Baulking, which is a smaller settlement but which supports the services of its neighbour, to mutual benefit, and which can add to sustainable development, within the NP area. Please refer to Reference Document K of the main plan for an evidence-based justification of this policy to fulfil Para.17.1 of the NPPF that the first core principle of planning is: ‘to empower local people to shape their surroundings with succinct local and neighbourhood plans, setting out a positive vision for the future of the area.’
Policy H4 – Housing Development within Conservation Areas or the setting of Conservation Areas, and Listed Buildings: Uffington & Baulking	17, 128, 133-138	This policy seeks to ensure that assessment of the significance of a heritage asset and/or setting, must be made, proportionate to the importance and setting, and that any development conserves and/or enhances the area, inclusive of views and habitat.
Policy D1- Use of the Design Guide	17, 56-58, 60-66	This policy seeks to stress the importance of built design to the environment, most especially in the countryside, responding to local character and history, reflecting local design and finishes.
Policy D2- Building Scale and Design	17, 56-58, 60-66	This policy seeks to ensure good quality architecture to meet the environment but not stifling creative innovation as long as it is compatible with local distinctiveness, now, and into the future with regard to size, mass and composition.
Policy D3- Development Boundaries	17, 56-58	This policy seeks to ensure that design must seek to create a sense of place, and through appropriate boundaries integrate new into existing features of the environment, to maintain important qualitative factors such as views and habitat.
Policy D4- Highways and Footpaths	17, 35, 58, 75	This policy seeks to ensure that planning will protect and enhance public rights of way and access, preserve the rural character of the area, and encourage safe, uncluttered layouts.
Policy D5- Utility Supply	17, 137-138, 162	This policy seeks to ensure that utility services blend into the environment, both natural and built, and must be ideally buried in new development, so as to enhance views and protect conservation areas.
Policy D6- Dark Skies	17, 125	This policy seeks to minimise light pollution to maintain the rural character of the area, by encouraging good design and use of lighting.

UB-NP Policy	NPPF PARAGRAPH	Regard to NPPF
Policy EE1- Commercial development	17, 28	This policy seeks to ensure economic growth to create jobs and prosperity through sustainable growth and expansion of business and enterprise in this rural areas, and to maintain that which exists now.
Policy EE2- Agricultural Development (diversification)	17, 28	This policy seeks to promote the development and diversification of agriculture and other land based rural businesses.
Policy EE3- Small Shops and Businesses	17, 28, 70	This policy supports the retention and development of local services and community facilities, plus encourages development of home based businesses and enterprise.
Policy EE4- Tourist and Leisure Facilities	17, 28	This policy supports sustainable tourism and leisure development, as long as it does not detract from the rural character and heritage assets of the area.
Policy S1 – Green Infrastructure and Wildlife Corridors	17, 109, 118 Pts. 4 & 5	This policy seeks to conserve ancient flora and fauna and to incorporate bio-diversity in and around new development.
Policy S2 – Flooding	17, 100-104	This policy seeks to avoid flooding of all water types, covering both high-risk areas, and worsening of low risk/new areas through development.
Policy S3 – Mobility and Safe Movements within Settlements	17, 35, 39	This policy seeks opportunities for the use of sustainable transport modes, parking provision, inclusive of safe and secure new development layout, and options to include plug-in charging, amongst other.
Policy S4 - Amenities	17, 70, 175	This policy will ensure that CIL is used to support amenities and for the maintenance of community facilities and the placing of funds in the neighbourhoods where the development takes place, in line with prevailing regulations.

Table 1 - Policy Table with regard to the NPPF

3. Contribution towards Sustainable Development

3.1 The NPPF states in Paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and, 'should be seen as a golden thread running through both plan-making and decision-taking'.

3.2 The NPPF states in Paragraph 7, that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, and this Neighbourhood Plan comprises a local balance of these.

- The social goals are to maintain a thriving community within both Uffington and Baulking, recognising that the community, and its needs, may change over time. This it seeks to achieve by supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality-built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- The economic goals are to retain and improve the existing employment opportunities within Uffington and Baulking, and when/if, possible, encourage new employment through either commercial or rural development. This it seeks to achieve by contributing to, and supporting, the development of a responsive and competitive local economy, by growth, innovation and a positive approach to development requirements, including the provision of infrastructure;
- The environmental goals are to protect the environment and ensure that any development recognises this in its design, landscaping and access. This it seeks to achieve through its policies on design, landscape and housing by contributing to protecting and enhancing the natural, built and historic environment and, as part of this, helping to improve sustainability by mitigating the impact on biodiversity, with policies regarding green infrastructure, flooding and light pollution, plus encouraging greener use of mobility.

3.3 The Neighbourhood Plan has regard to those dimensions set out in the NPPF, relevant to the Plan Area, delivering sustainable development through:

i) Social Goals: The key policies as listed in Table.1 are: L3, H1, H3, H4, D3, D4, D6, EE3, S1, S3, S4.

The Plan and its policies are based upon the output from the community led CLP, which clearly indicated that Uffington & Baulking were beautiful villages to live in, offering rural life, but in close proximity to employment. The social policies seek therefore to support the high qualitative virtues of the area, whilst enabling a controlled approach to development to ensure the future growth of the villages by delivering a range of quality homes to meet local needs, for those now, and in the future (H1, H3, H4). Careful moderation of development will ensure the history of the area, the continuance of an unspoilt landscape (D3, D4, D6) supporting a rural habitat (L3, S1, S3) with a suitable range of infrastructure to meet the needs of the residents in terms of amenities (L3, EE3, S4) and thereby ensure a vibrant, healthy community..

ii) Economic Goals: The key policies as listed in Table.1 are: EE1, EE2, EE3, EE4.

Principally an agricultural area, the policies set, reflect the need to encourage development of rural based business (EE2), but also the need to support commercial activity at our one existing site (EE1), or through development of home based businesses (EE3), a growing trend. In conjunction with this

the village shop, post office and pub will benefit (EE3), and also through any growth in tourism, a major source of income to the area (EE4).

iii) Environmental Goals: The key policies as listed in Table.1 are: L1, L2, L3, H2, H3, H4, D1, D2, D3, D4, D5, D6, S1, S2, S3.

The conservation of the area landscape is paramount (L1, L2), and all the policies seek to maintain both the historic and natural environment but with the knowledge that some controlled development (H2, H3, H4) is necessary to ensure the future of the villages. The design policies (D1, D2, D3, D4, D5, D6) are all geared to ensuring that the scenic virtues of the area are maintained, in regard to development appearance, plus green spaces (L3) and by the mitigation of the impact on the natural environment of new development (S1, S2, S3).

3.4 In addressing the above Plan Area sustainability considerations, this Neighbourhood Plan pays particular regard to NPPF, Paragraph 10, which requires that: ‘Plans and decisions take account of local circumstances so that they respond to the different opportunities for achieving sustainable development in different areas’; i.e. what constitutes sustainable development will be different in different areas. This is of importance to the UB-NP, as the Vale of the White Horse Local Plan Pt.1, has determined Uffington as a Larger Village, and Baulking as ‘open countryside.’

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

4.1 The Development Plan currently consists of the following:

a) The Vale of the White Horse Local Plan Part.1 2011-2031.

b) Saved Policies of the Vale of the White Horse Local Plan 2011.

**The Vale of the White Horse Local Plan Part.2 2011-2031 is at the time of writing, unadopted. As appropriate, strategic policies expected in LPP2, have been referenced to indicate conformity.

4.2 The policies of the UB-NP are shown in Table. 2 below, with a statement to outline ‘general conformity’ with the strategic policies of the Development Plan.

4.3 Any Development Plan policy that is not identified in Table 3 is not considered to be relevant to the UB-NP, because the UB-NP does not have any policies that directly relate to it.

To clarify the mix of Vale/Development Plan policies, please reference the following:

Black = LPP1 policies : Red = Saved policies 2011 : Blue = As yet unadopted LPP2 policies.

UB-NP Policy	VOWHDC Strategic Policy	UB-NP: General Conformity with VOWHDC Strategic Policies
Policy L1 – Landscape Capacity	CP44 Landscape	This policy seeks to ensure that development does not exceed land capacity and capability. This assessment is based upon the independent consultancy Landscape Capacity Survey commissioned by the NP Steering Group.
Policy L2 – Landscape Assessments	CP44 Landscape	This policy aims to ensure that each site is assessed proportionately, relative to that

UB-NP Policy	VOWHDC Strategic Policy	UB-NP: General Conformity with VOWHDC Strategic Policies
		development proposed, against the criteria of the LCS and in line with CP44.
Policy L3 – Identification of Local Green Spaces	CP44 Landscape CP45 Green Infrastructure CP46 Conservation and Improvement of Biodiversity	This policy aims to add and protect areas of green space for the local communities as identified, or offered by them. This will protect established green areas (CP44) and ensure that they are maintained and/or added to, by any new development in line with CP46 and 45.
Policy H1 – Number and Mix of Housing: Uffington & Baulking	CP3 Settlement Hierarchy CP4 Meeting Our Housing Needs CP22 Housing Mix CP20a	This policy reflects that no housing allocation was given via CP3 and 4. So the NP via an independent consultancy Housing Needs Survey and Assessment, have established local need, by house use/type and number, reflecting LP policy guideline, plus possible affordable quota if development of qualifying size; thereby addressing CP22. Any development will add to ‘windfall’ to CP20a of the LPP2 upon being adopted.
Policy H2 – Housing Development: Uffington & Baulking	CP4 Meeting Our Housing Needs	This policy adds more detail to Policy H1, specifically the required detail of location, and design guidance.
Policy H3 – Housing Development: Baulking	CP3 Settlement Hierarchy CP4 Meeting Our Housing Needs CP20a	Specific policy for Baulking village, which by settlement hierarchy is in open countryside, but has an evidenced need (Evidence in Reference Document K of the Plan) for housing. ‘General Conformity’ is met by specific proven need. Any development will add to ‘windfall’ to CP20a of the LPP2 upon being adopted.
Policy H4 – Housing Development within Conservation Areas or the setting of Conservation Areas, and Listed Buildings: Uffington & Baulking	CP39 The Historic Environment	This policy, based upon CP39, outlines the need for all proposed new development to conserve or enhance conservation areas and/or listed buildings, plus respect non-classified heritage assets and archaeological features.

UB-NP Policy	VOWHDC Strategic Policy	UB-NP: General Conformity with VOWHDC Strategic Policies
Policy D1- Use of the Design Guide	CP37 Design and Local Distinctiveness CP40 Sustainable Design and Construction	This policy aligns with the Vale Design Guide 2015 and both the Core Policies CP37 and 40, to promote good design, local distinctiveness and sustainable construction as applicable.
Policy D2- Building Scale and Design	CP39 The Historic Environment	This policy, reflective of the values of policy D1, adds specific detail to finish, mass and the historic environment reflecting CP39's purpose, and drawing extensively from the Vale Design Guide 2015.
Policy D3- Development Boundaries	CP37 Design and Local Distinctiveness	This policy indicates the need for new development to address the need to integrate into the existing environment, most particularly with regard to points i & iii of CP37.
Policy D4- Highways and Footpaths	CP35 Promoting Public Transport, Cycling and Walking CP 37 (vi) Design and Local Distinctiveness	Whilst a design policy, based specifically upon DG31 of the Vale design Guide 2015, the objective is to maintain or create cycle and footpaths to encourage non-vehicle movement (CP35), and maintain the local rural nature of the area per CP37 (vi).
Policy D5- Utility Supply		There is no policy with regard to this specific matter in LPP1 (or 2) or the Saved policies 2011
Policy D6- Dark Skies	CP44 Landscape Pt.vi	This policy seeks to ensure that within the landscape, light pollution at any new development is not an issue, to maintain the dark skies of the locality, as indicated at Pt.vi of CP44.
Policy EE1- Commercial development	CP28 New Employment Development on Unallocated Sites	This policy seeks to encourage development of the Uffington Trading Estate, the only brownfield site in the NP area. It is not on the saved sites list for LPt1 or those saved from the 2011 LP, but is an established trading site, would benefit from further development and could create local employment in line with CP28.

UB-NP Policy	VOWHDC Strategic Policy	UB-NP: General Conformity with VOWHDC Strategic Policies
Policy EE2- Agricultural Development (diversification)	CP28 New Employment Development on Unallocated Sites E18-21 (DP11)	The provision within CP28 for re-use of buildings in rural areas is encouraged by this policy, along with other rural diversification. Saved policies from 2011, E18-21, reflect this NP policy, and will become DP11 of the LPP2, but are not strategic policies.
Policy EE3- Small Shops and Businesses	S13-14 (DP13)	This policy seeks to support the local shops, and small businesses based from home. There is no specific strategic policy in the LPP1 for this. S13 & S14 of the Saved 2011 policies reflect this policy, and will become DP13 of the LPP2, but are not strategic policies.
Policy EE4- Tourist and Leisure Facilities	CP31 Development to Support the Visitor Economy	This policy aligns with CP31 in supporting suitable development of tourist and leisure facilities in the NP area commensurate with need, but with consideration of the visual and heritage impact.
Policy S1 – Green Infrastructure and Wildlife Corridors	CP44 Landscape CP45 Green Infrastructure CP46 Conservation and Improvement of Biodiversity	This policy seeks to ensure that any development integrates with the landscape (CP44), and that it must retain, and/or add, green and eco features inclusive of native plants, wildlife corridors and footpaths amongst other, mitigating any habitat loss (CP45 and CP46).
Policy S2 – Flooding	CP42 Flood Risk	This policy seeks to mitigate flooding, of any type, whether caused by new development itself, or by exacerbating a previous problem area. This must be addressed by any developer in line with CP42.
Policy S3 – Mobility and Safe Movements within Settlements	CP37 Design and Local Distinctiveness	This policy seeks to ensure that sustainable and energy efficient means of mobility will be encouraged, and safe design of roads and parking areas in new developments are put in place reflecting Pts. iv & xi, especially.
Policy S4 - Amenities	CP7 Providing Supporting Infrastructure and Services	This policy is to ensure that all new development must provide infrastructure through CIL when applicable, as outlined in CP7.

Table 2 – Policy Table showing ‘general conformity’ with the strategic policies of the Development Plan.

5. Compatibility with EU OBLIGATIONS and Legislation

5.1 The Uffington & Baulking 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 Equalities Assessment statement is Reference Document G, to the main NP document.

5.2 The UB-NP submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) of the draft Neighbourhood Plan on June 6th 2017. On January 23rd, 2018, the Vale of the White Horse District Council formally determined that a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) were not required. The full screening statement is Reference Document J, to the main NP document, which outlines clearly why the NP is compatible with EU Obligations and Legislation.

6. Conclusion

6.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) and Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) are considered to be met by the Uffington & Baulking Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Uffington & Baulking Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the 1990 Act.