# **Shillingstone Neighbourhood Plan**

# **Basic Conditions Statement**

**Shillingstone Parish Council** 



### Introduction

Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011) says that when a neighbourhood plan proposal is submitted to the local planning authority, it needs to be accompanied by two statements. These are:

- A consultation statement
- A statement on how the plan meets legal requirements (sometimes referred to as a basic conditions statement).

This is the basic conditions statement, which explains how:

- the plan meets the legal requirements in terms of its contents and coverage
- the plan has had appropriate regard to national policy and is in general conformity with the strategic policies in the development plan for the local area
- the plan will contribute to the achievement of sustainable development and is compatible with EU obligations

### Contents and coverage – meeting the legal requirements

Has the draft plan been submitted by a qualifying body?

Yes – The Shillingstone Neighbourhood Plan has been prepared and submitted by Shillingstone Parish Council

Is what is being proposed is a neighbourhood development plan?

Yes - the plan proposal 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.

Does the proposed neighbourhood plan state the period for which it is to have effect?

Yes – The Shillingstone Neighbourhood Plan will have effect from 2016 until end of March 2031

Do any of the policies relate to excluded development?

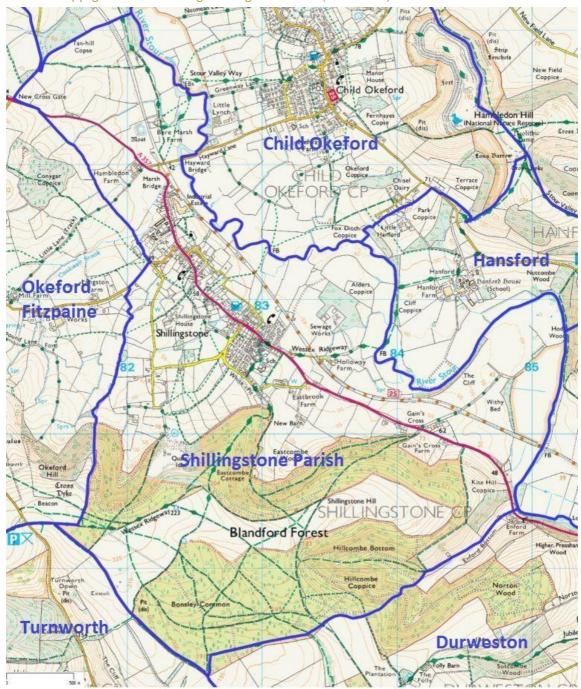
No - the neighbourhood plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or development that falls within Annex 1 to Council Directive 85/337/EEC.

Do any of the policies relate extend beyond the neighbourhood area or cover an area where there is a neighbourhood development plan already in place?

No - the neighbourhood plan proposal relates to the Shillingstone Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.

## Shillingstone Neighbourhood Plan Area

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The application for the area was from Shillingstone Parish Council in North Dorset was agreed by North Dorset District Council on 16 September 2013.

https://www.dorsetforyou.com/neighbourhoodareaapplicationanddesignation/north

# **National and Local Policy context**

The following sections reviews the extent to which the policies of the submission neighbourhood plan have regard to national policy and guidance and are in general conformity with the strategic policies of the local development plan for the area. At the time of writing this is primarily the North Dorset Local Plan Part 1, which was adopted by North Dorset District Council In January 2016

### Shillingstone Neighbourhood Plan - Policy Conformity Statement

## **Policy Conformity Statement**

This conformity statement reviews the extent to which the policies of the submission version of the Shillingstone Neighbourhood Plan have regard to national policy and guidance (primarily the National Planning Policy Framework) and are in general conformity with the strategic policies of the local development plan for the area (the North Dorset Local Plan Part 1 adopted January 2016). The saved policies from the 2003 Local Plan are not strategic in nature and therefore have not been included as part of this assessment.

The appraisal of individual neighbourhood plan policies is covered under the following section/s (which broadly aligns to the order set out in the National Planning Policy Framework):

Policy 1.	Local green spaces	COMMUNITY FACILITIES
Policy 2.	Rural lanes and tracks	ENVIRONMENT and HERITAGE
Policy 3.	The character and design of new development	<u>DESIGN</u> and <u>ENVIRONMENT and HERITAGE</u>
Policy 4.	Important community facilities	COMMUNITY FACILITIES
Policy 5.	Development within the settlement boundary	SETTLEMENT STRATEGY
Policy 6:	Housing types and sizes	<u>HOUSING</u> and <u>DESIGN</u>
Policies 7 to 13.	Possible development sites	<u>HOUSING</u> and <u>EMPLOYMENT</u> <u>SETTLEMENT STRATEGY</u> and <u>ENVIRONMENT and HERITAGE</u>

Neighbourhood Plan Policy (submission)	National Planning Policy (NPPF and NPPG)	Local Plan policies (2016)
issues that would indicate additional land should be allocated for these uses, and the Local Plan would permit non-commercial community facilities on the edge of the village where no suitable sites exist within the settlement.  As such, the approach taken in the Plan provides the flexibility to meet the anticipated level of local	184: Neighbourhood plans and orders should not promote less development than set out in the Local Plan.	
need.		
EMPLOYMENT	1. Building a strong, competitive economy / 3. Su	pporting a prosperous rural economy
Rey policies:  Policies 7 - 13. Possible development sites  Conformity assessment  The plan provides the ability for further employment land to come forward within the settlement boundary and the Local Plan policies also support the extension of existing sites and reuse of existing buildings.  Although one of the sites is currently in employment use, the site is not a defined employment site or noted in the 2007  Employment Land Review carried out by North Dorset District Council. The Local Plan identifies that there is a significant surplus of employment land available in the rural area (Fig 6.1) and there was no evidence of demand for employment land demand locally.  A balanced approach is taken to retain a degree of employment through the provision of live-work units on that site (Antell's Haulage) and at Whitepit Farm.	21: Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.  22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. The NPPF places emphasis on having regard to market signals and the relative need for different land uses to support sustainable local communities.  28: Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; promote the development and diversification of agricultural and other land-based rural businesses;	POLICY 11: THE ECONOMY  States that economic development in the countryside (including villages such as Shillingstone) will be supported by enabling rural communities to plan meet their own local needs, particularly through neighbourhood planning  It goes on to state that existing employment sites and sites identified for future employment uses will be protected from other forms of development.

support sustainable rural tourism and leisure

Neighbourhood Plan Policy (submission)	National Planning Policy (NPPF and NPPG)	Local Plan policies (2016)
	developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.	
HOUSING	6. Delivering a wide choice of high quality homes	

### **Key policies:**

Policy 6: Housing types and sizes
Policies 7 - 13. Possible development sites

#### **Conformity assessment**

There is no specific number of houses for Shillingstone specified in the Local Plan. An assessment of likely need / demand based on available information suggests that about 40 new homes over the plan period would be a good amount of development for this area. This would provide a reasonable level of growth similar to that which has happened in the past, and help deliver some affordable housing for local people.

The potential development sites have the capacity to deliver at least this amount of housing, with some flexibility.

Evidence suggests that the need for smaller homes is particular relevant to this area, which differs from the Local Plan assumptions. As such a more flexible approach is proposed that is based more on the character of the area. This does not preclude a mix of small and larger houses from coming forward, but provides a more locally based policy for determining the exact mix. The need for affordable housing is highlighted on those sites which can accommodate 11 or more units, in line with the Local Plan policy.

54 In rural areas, be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. In particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

Written ministerial statement by Brandon Lewis on support for small-scale developers, custom and self-builders of 26 March 2015 made reference to reducing unfair, disproportionate costs on small sites by introducing a 10 unit threshold below which affordable housing and tariff-style section 106 contributions should not be sought. This Statement has been declared unlawful and is no longer incorporated into the NPPG following the High Court ruling in August 2015.

#### POLICY 6: HOUSING DISTRIBUTION

In the countryside (including Stalbridge and the villages) the level of housing and affordable housing provision will contribute towards meeting identified local and essential rural needs. At least 825 dwellings will be provided in the countryside (including Stalbridge and the villages) during the period 2011 - 2031.

#### **POLICY 7: DELIVERING HOMES**

#### **Housing Mix**

All housing should contribute towards the creation of mixed and balanced communities. The Council will seek to support the delivery of about 40% of market housing as one or two bedroom properties and about 60% as three or more bedroom properties, with an emphasis on the provision of two and three bedroom properties. About 60% of affordable housing as one or two bedroom properties and about 40% as three or more bedroom properties.

These proportions will be the starting point for negotiations on all sites where 10 or more dwellings, although a different mix may be permitted if it can be soundly justified by local circumstances or viability considerations. On sites of less than 10 dwellings, a mix of house sizes appropriate to each specific site will be sought

POLICY 8: AFFORDABLE HOUSING

Neighbourhoo	d Plan Policy (submission)	National Planning Policy (NPPF and NPPG)	Local Plan policies (2016)
			Development that delivers eleven or more net additional dwellings and which has a maximum combined gross floorspace of more than 1,000 square metres, including housing on mixed-use sites, will contribute to the provision of affordable housing.
DESIGN		7. Requiring good design	
clarification on included in the prescriptive. The policy on h need to consid	design seeks to provide greater local character than currently Local Plan, without being overly nouse types and sizes highlights the ler the provision of sufficient ag and outside amenity space as	17: Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas.  58: Neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.  58: Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.  58: Create visually attractive places as a result of good architecture and appropriate landscaping.  59: Avoid unnecessary prescription or detail - concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.  125 By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity,	Where settlement boundaries exist, or are created or modified in neighbourhood plans, local communities are encouraged to develop more detailed policies relating to infilling and should be sensitively designed to the local context and to respect the amenity of adjoining properties

Neighbourhood Plan Policy (submission)	National Planning Policy (NPPF and NPPG)	Local Plan policies (2016)
	intrinsically dark landscapes and nature conservation.	
COMMUNITY FACILITIES	8. Promoting healthy communities	
Rey policies: Policy 1. Local green spaces Policy 4. Important community facilities Conformity assessment The proposed local green spaces have been considered in light of the criteria set out in the NPPF. Their main reason for designation has been explained in the table on Page 6, and the designations were strongly supported through the local consultations. The community facility policy is broadly in line with the Local Plan policy and approach and makes clear those facilities that the community consider should be safeguarded.	28: Promote the retention and development of local services and community facilities in villages.  70: Neighbourhood plans should promote the retention and development of local services and facilities in villages. Plan positively for the provision and use of community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments  74: Playing fields should not be built on unless an assessment has been undertaken that they are surplus to requirements or would be replaced by equivalent or better provision.  76: Identify for special protection green areas of particular importance to them. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.  77: The Local Green Spaces designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance; and where the green area concerned is local in character and is not an extensive tract of land.	Existing community halls, places of worship and other non-commercial community facilities are protected and new facilities provided where there is an identified need. In the countryside, such facilities may be permitted on the edge of the built-up area of Stalbridge or the District's villages to support a rural community, where no suitable sites exist within the relevant settlement.  POLICY 15: GREEN INFRASTRUCTURE  Neighbourhood Development Plans should consider measures that assist in delivering key green infrastructure benefits as outlined in this policy and the objectives of the Green Infrastructure Strategy, including the designation of Local Green Space, where appropriate

Neighbourhoo	d Plan Policy (submission)	National Planning Policy (NPPF and NPPG)	Local Plan policies (2016)		
ENVIRONMENT and HERITAGE		11. Conserving and enhancing the natural environment 12. Conserving and enhancing the historic environment			
Conformity ass The policy on the tracks highlighter protection as a landscape. Sind the key attributed character. The potential character. The potential character assessed for the and this has she policies to ensurable appropriately. It is appropriately that the conformed that the conformation is unlikely as the conformation of the	Rural lanes and tracks The character and design of new development Possible development sites  sessment he protection of rural lanes and ts the need to have regard to their key characteristic of the local hilarly the policy on design reflects tes that contribute towards local  development sites have been eir ecological and heritage assets, aped the specific detail in the are each site is developed. The assessments have that development in these ikely to cause harm to biodiversity ets, and the AONB team have in their view the proposals will not be impact on the setting of the	17: Contribute to conserving and enhancing the natural environment. Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.  109: The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.  115: Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in such areas.  131 In determining planning applications, local planning authorities should take account of:  •the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;  •the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and  •the desirability of new development making a positive contribution to local character and	POLICY 4: THE NATURAL ENVIRONMENT  Where development takes place, buffers should be provided to environmental assets to improve their biodiversity value and facilitate adaptation to climate change. Where opportunities exist, new habitats should be created to enhance this network further.  Developments are expected to respect the natural environment including the designated sites, valued landscapes and other features that make it special. Developments should be shaped by the natural environment so that the benefits it provides are enhanced and not degraded.  The landscape character of the District will be protected through retention of the features that characterise the area.  Within the areas designated as AONB and their setting, development will be managed in a way that preserves conserves and enhances the natural beauty of the area  POLICY 5: THE HISTORIC ENVIRONMENT  Any development proposal affecting a heritage asset (including its setting) will be assessed having regard to the desirability of sustaining and enhancing the significance of that asset and securing a viable use for it that is most consistent		

with its conservation.

distinctiveness.

Policy 3 (Climate Change) of the adopted Local Plan states that neighbourhood plans will be required to consider local community actions that will help to mitigate and adapt to climate change. Although there is no specific policy on climate change, care has been taken to ensure that development sites are not in areas which are likely to be at increased flood risk as a result of climate change. There was not sufficient evidence available to justify additional optional standards for energy or water efficiency in line with the changes to Building Regulations (which accompanied the withdrawal of the ability to specify Code for Sustainable Homes levels). The landscape sensitivity study for renewables1 indicated much of the area was likely to be of moderate-high to high sensitivity, and even where it may in general be lower to small scale renewables there were aspects specific to Shillingstone which would suggest that locally the sensitivity may be higher. As such, no further consideration was given to this as it could potentially be picked up through the Local Plan review taking a more strategic approach. No further local community actions were identified.

Landscape Character	Part of	AONB	Sensitivity to wind energy	Sensitivity to solar PV energy
Chalk Valley And Downland	Upper North Winterborne Valley	,		Moderate-high sensitivity to solar PV developments of less than 10 hectares and high sensitivity to larger developments.  Potential higher where on higher ground towards the northern end of the LCA
Chalk Ridge / Escarpment	North Dorset Chalk Escarpment	wholly within	<b>Highly</b> sensitive to wind energy development of any scale.	<b>High</b> sensitivity to solar energy development of any scale.
Rolling Vales	South Blackmore Rolling Vales	partly within	Moderate-high sensitivity to single turbines of less than 35m height and high sensitivity to larger or multiple turbines. Sensitivity could be higher where a turbine detracts from views of the chalk escarpment, such as near Shillingstone (Hod Hill)	Low-moderate sensitivity to developments of less than 1 hectare, moderate-high sensitivity to solar PV developments of 1 to 10 hectares and high sensitivity to larger developments. Smaller developments sensitivity could be higher where location is on an exposed or significantly undulating slope, particularly if it is visible in the same context as more distinctive parts of the chalk escarpment, such as near Shillingstone (Hod Hill), or where it would detract from the green, patchwork character of the landscape, as observed from elevated viewpoints (particularly those in AONB settings).

<sup>&</sup>lt;sup>1</sup> Landscape Sensitivity to Wind and Solar Energy Development in North Dorset District, Prepared by LUC April 2014

Landscape Character	Part of	AONB	Sensitivity to wind energy	Sensitivity to solar PV energy  Moderate sensitivity to developments of less than 1 hectare, moderate-high sensitivity to solar PV developments of 1 to 10 hectares and high sensitivity to larger developments.  Sensitivity could be higher, for example, where:	
Valley Pasture	Upper Stour Valley	partly within	Moderate-high sensitivity to single turbines of less than 35m height and high sensitivity to larger or multiple turbines. Sensitivity could be higher, for example, where:		
			<ul> <li>Land use is rough pasture/water meadow;</li> </ul>		
			<ul> <li>Fields front onto the river;</li> </ul>	<ul> <li>Land use is rough pasture/water</li> </ul>	
			<ul> <li>Field boundaries are well treed,</li> </ul>	meadow;	
			making the landscape smaller in scale;	<ul> <li>Fields front onto the river;</li> </ul>	
				<ul> <li>There are prolonged views from long distance recreational routes;</li> </ul>	<ul> <li>Fields lack screening from trees, high hedges or woodland blocks;</li> </ul>
	towards Hambledon Hill, Hod Hill and	<ul> <li>There are prolonged views from long distance recreational routes;</li> </ul>			
		the 'gap' in the chalk escarpment.	<ul> <li>Location is prominent in views from or towards Hambledon Hill, Hod Hill and the 'gap' in the chalk escarpment.</li> </ul>		

# Contributing to the Achievement of Sustainable Development and compatibility with EU obligations

Natural England, Historic England, and the Environment Agency were consulted By North Dorset District Council on the contents of an SEA screening report (the screening report having been prepared by the Parish Council), in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. All parties agreed with the conclusion that the Shillingstone Neighbourhood Plan is unlikely to have significant environmental effects. A screening determination to this effect was issued on 30 March 2016.

Natural England also confirmed that the proposals are unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further habitats regulation assessment.

The National Planning Policy Framework states that there should be a presumption in favour of sustainable development. Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.

A sustainability check against the North Dorset Local Plan sustainability objectives was carried out as part of the SEA screening, as summarised in the table below

Key:

adverse impact likely

negligible impact likely

positive impact likely

impact likely

impact likely

impact likely

impact likely

impact likely

North Dorset Local Plan sustainability objectives		Impact	Justification
Social progress that recognises the needs of everyone	Provide housing including affordable housing that meets the needs of the community	© ©	The plan provides sufficient land to meet the projected local housing needs, including a degree of flexibility in the choice of sites. The delivery of affordable housing on these will be dependent on site viability, but there is potential for further sites to come forward separately as rural exception sites.
	Create balanced communities where housing, employment and community facilities are delivered to meet needs, improving access to essential services	☺	The plan provides sufficient land to meet the projected housing needs, and looks to retain and where appropriate improve the community facilities that are considered essential by local residents. There is no evidence to suggest there is any significant demand for new employment land in the parish, although the provision of live-work units and small scale workshops would be possible on some of the identified sites.
	Improve the health and wellbeing of the population through reducing poverty and encouraging healthy lifestyles	©	The retention of recreation spaces and community facilities, and the location of new development close to these facilities, should all help meet this objective
	Reduce barriers to individuals participating fully in their community promoting a strong, vibrant and inclusive way of life	☺	The plan looks to retain and where appropriate improve the community facilities that are considered essential by local residents.
	Improve quality of life through well designed inclusive	<b>:</b>	The design standards, based on the positive aspects of local character, should support

	North Dorset Local Plan sustainability objectives		Justification
	developments		inclusive designs.
	Reduce the impact of climate change, including flood risk and make best use of the opportunities that arise	<b>=</b>	No development is proposed in areas at risk of flooding. Where appropriate the need for a flood risk assessment is identified.
Effective protection of the environment	Protect and where opportunities arise, enhance habitats and biodiversity	☺	No development is proposed in areas of known high biodiversity value. The designation of local green spaces has taken into account the biodiversity benefits of wildlife corridors through the built up areas of the village. As with all planning applications, a biodiversity appraisal and mitigation plan will be required on greenfield sites greater than 0.1ha, or where there are known protected species or important habitats/habitat features.
Effective protection	Improve the quality of the built environment, protecting the district's heritage assets and distinct townscape	☺	The development proposals are well related to the existing built up areas of the village.  The design standards are based on an appraisal of the positive elements of local character, and take into account the historic importance of the Listed buildings and Conservation Area.
	Recognise the importance of the district's distinct rural landscapes beyond just the aesthetic value	<b>=</b>	No significant development is proposed in the Dorset AONB or the more rural, undeveloped parts of the parish.  The designation of local green spaces has taken into account the contribution these make to the rural character of the area.
es	Reduce impacts on the environment	<u> </u>	There are no notable impacts that require mitigation, and policies include mitigation where appropriate.
Prudent use of natural resources	Reduce pressure on the district's natural resources, reducing waste and promoting the wise use, reuse and recycling of land and resources	☺	The geology of the lower valley floor outside the immediate floodplain means that the soils are generally of very good agricultural quality (Grade 2), and therefore this resource could be lost to development. The only area of farmland identified as a potential development site (Hine Town Lane – North) is approximately 0.7ha in size, and therefore the potential loss is not considered significant.
Pr	Promote energy and resource efficiency, encouraging clean energy production	<b>(2)</b>	The plan relies on the strategic policies of the local plan and national policy for this objective
Maintena nce of sustainab	Improve the competitiveness of the district's economy through provision of the necessary infrastructure for a more	•	The plan relies on the strategic policies of the local plan and national policy for this objective

North Dorset Local Plan sustainability objectives		Impact	Justification
	sustainable economy		
	Enable local needs to be met locally, encouraging more sustainable forms of travel	<b>(1)</b>	There is no evidence to suggest there is any significant demand for new employment land in the parish, although the provision of live-work units and small scale workshops would be possible on some of the identified sites.
	Encourage innovation, improve productivity, regenerate towns and villages creating a business environment in which new businesses start and existing businesses grow	<b>(2)</b>	There is no evidence to suggest there is any significant demand for new employment land in the parish, although the provision of live-work units and small scale workshops would be possible on some of the identified sites.
	Improve skills and incomes of the lowest paid and provide satisfying work opportunities for all so that people can realise their full potential	<b>©</b>	There is no evidence to suggest there is any significant demand for new employment land in the parish, although the provision of live-work units and small scale workshops would be possible on some of the identified sites.

This assessment demonstrates that the plan will have a largely positive or neutral impact, and therefore provides evidence that the plan "contributes to the achievement of sustainable development" as required to be tested under Schedule 4B section 8(2)b of the Town and Country Planning Act 1990.

No breaches or incompatibility with EU and European Convention of Human Rights law have been identified.