



Granborough Neighbourhood Plan

Basic Conditions Statement

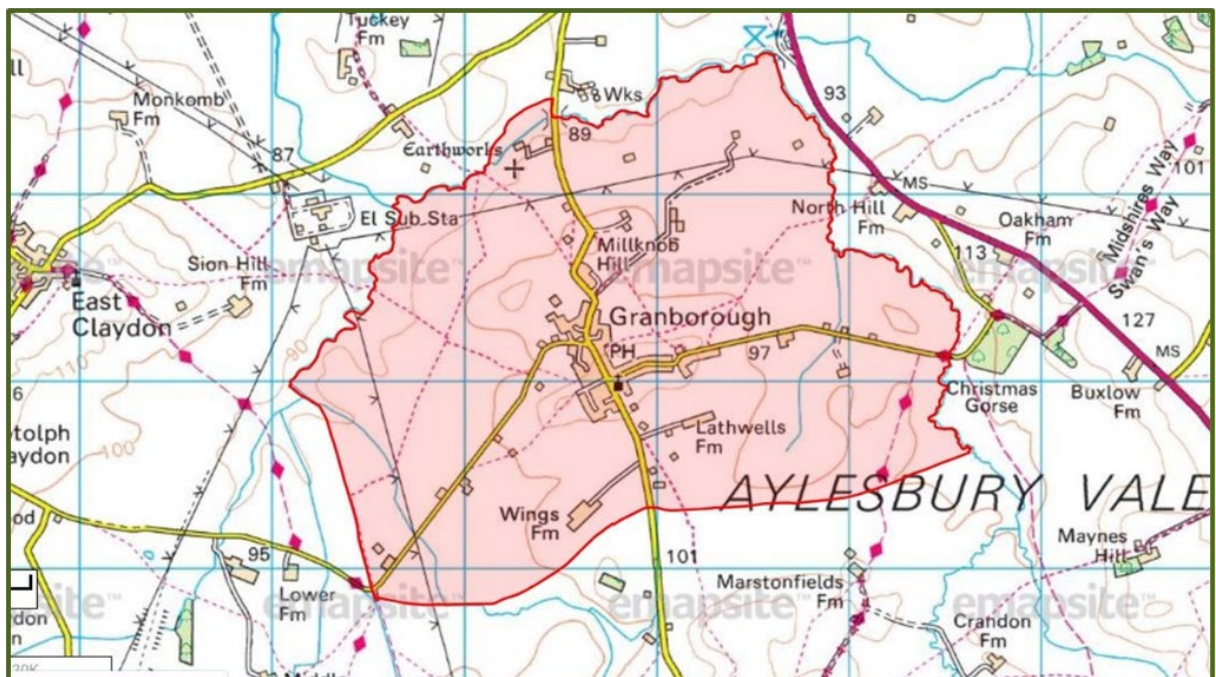
Submission: August 2021

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1. Introduction

- 1.1. This Statement has been prepared by Granborough Parish Council (GPC) to accompany the Granborough Neighbourhood Plan 2020-2035 (Submission Version August 2021) on submission to Buckinghamshire Council (BC) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 as amended (“the Regulations”).
- 1.2. The Neighbourhood Plan has been prepared for the Neighbourhood Area covering the whole of the Parish, as designated by Aylesbury Vale District Council (now Buckinghamshire Council) on 11th September 2012. (see Figure 1 below).
- 1.3. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1st April 2020 to 31st March 2035.
- 1.4. The Neighbourhood Plan does not contain policies relating to excluded development in accordance with the Regulations. The document also contains a number of non-statutory proposals that relate to Aspirations which do not form part of the examined ‘neighbourhood development plan’ but provides a ‘wish list’ that has emerged during consultation that the Parish Council has considered during the preparation of the document.
- 1.5. The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of schedule 4B to the Town and Country Planning Act 1990.
- 1.6. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - 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
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development
 - The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations



Map of Parish Grid Ref: SP 7674 2501 (License Code PSGA No. 010C)

Figure 1: Map showing extent of Neighbourhood Planning Area

2. Background

- 2.1. The plan preparation has been led by GPC, through the Neighbourhood Plan Steering Group. It has comprised three main stages:
 - Evidence gathering and community engagement which has been incorporated into the Neighbourhood Plan
 - Pre-Submission Neighbourhood Plan May 2021 (Consultation Draft version); the draft plan and accompanying background documents were published for more than 6 weeks in accordance with regulation 14 of the Regulations.
 - Submission Neighbourhood Plan (August 2021) which takes into account representations received on the earlier version and has been modified for submission to BC; it is accompanied by the Basic Conditions Statement and the Consultation Report.
- 2.2. GPC has consulted the local community extensively throughout the process.
- 2.3. The GPC website <https://www.granborough.org/parish-council/> has been used throughout the process to disseminate information and publicise consultations. A number of methods to raise awareness have been used, including banners, flyers and notices on the Parish Council noticeboards.
- 2.4. The Draft Neighbourhood Plan was formally consulted upon from the 23rd May 2021 to 4th July 2021. Full details are set out in the Consultation Statement Report.
- 2.5. It has also worked closely with officers of BC since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the NP and the emerging Local Plan.
- 2.6. The Plan has not duplicated Local Plan policies which will be used in determining planning applications. This has allowed the Neighbourhood Plan to focus on a smaller number of locally relevant and important policies.

3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and the revised Framework of July 2021 and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.
- 3.2. There are several NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:
- 3.3. In relation to the presumption in favour of sustainable development:
 - Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.
 - Paragraph 13: neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
 - Paragraph 14: reminds us of the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to be significantly and demonstrably outweigh the benefits provided, four criteria apply.
- 3.4. The Parish Council believes that the Neighbourhood Plan is planning positively for future development in the parishes and supports the delivery of the strategic policies of the adopted Development Plans as advised in the above paragraphs of the NPPF.
- 3.5. Paragraphs 18 and 21 advise that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the Neighbourhood Plan contains such policies.
- 3.6. Advice on non-strategic policies and the role of neighbourhood plans is identified in paragraphs 29 and 30. The Neighbourhood Plan establishes a shared vision for the area and its policies shape, direct and help deliver sustainable development. It has sought to translate objectives into a number of meaningful planning policies to complement other development plan policies for managing development.

- 3.7. The Neighbourhood Plan strikes a positive balance between the policy constraints of the Parish and the need to support the general requirements of the development plan as set out in section 5 below.
- 3.8. The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a local context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.
- 3.9. Set out below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: NPPF Conformity

Policy	Policy Title	NPPF Para no.	Commentary
RC1	Rural Character	126, 127, 130, 174, 175	Sets the context for new development to ensure rural character is retained.
RC2	Landscape	126, 127, 130 174	The setting of the built forms of the settlement in the Parish is very important in the context of NPPF policies which seek to ensure development contributes to and enhances the natural environment.
RC3	High Quality Design	92, 126, 127, 130	This policy seeks high quality sustainable design for new development which respects the character of the village
HE1	Protecting and enhancing local heritage assets	130, 189, 195, 199, 201, 203	Seeks to conserve and non-designated historic assets and their setting
B1	Nature Conservation	174, 175, 179	New development is expected to retain natural features, and enhance them and plant new landscaping
GSR1	Local green spaces	98, 99, 101, 102, 103	Designates Local Green Spaces in line with the criteria set out in the NPPF
H1	Housing	78, 79, 126	The emphasis on supporting new development within the Settlement Boundary is consistent with NPPF policies particularly given the lack of local facilities. Requires a mix and variety of housing for all new development over 2 dwellings, including smaller units.
HSAT1	Highway Safety and Access	100, 104, 108, 112	The policy seeks to improve/provide traffic calming, connectivity and access with encouragement for additional rights of way and safe route for pedestrians and cyclists. Requires new development to manage traffic and ensure new traffic related infrastructure is appropriate to the rural character
CF1	Community facilities	92,93,	Promotes protection of existing community facilities which are locally valued and increase community cohesion

4. Contribution to Sustainable Development

- 4.1. Buckinghamshire Council has determined that a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have a significant environmental effect, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. The report is dated December 2020.
- 4.2. However, the basic condition of “contributing to the achievement of sustainable development” requires a broader scope of assessment to embrace social and economic as well as environmental objectives. For completeness therefore, Table 2 summarises the economic, social and environmental attributes of each policy.

- 4.3. The vision and objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to retain and encourage the local facilities and of meeting the need for new homes for the local community. Economic goals are relatively limited in scale in the Parish, but the provision of local business is recognised. Environmental goals include the protection and enhancement of the area's natural and historic environment.
- 4.4. However, the objectives make clear that there are environmental parameters within which these social and economic goals must be kept by ensuring development is in scale with the rural character of the existing parish.
- 4.5. The chosen policies therefore translate the objectives of the Neighbourhood Plan into viable and effective development management policies which will deliver strong social, economic and environmental impacts.
- 4.6. The sustainability attributes of each policy are summarised in the table below.

Table 2: Sustainability Attributes

Key: *positive - neutral x negative

Policy	Policy Title	Soc	Econ	Env	Commentary
RC1	Rural Character	*	*	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents. There is a minimal economic positive impact because the policy allows for appropriate development.
RC2	Landscape	*	-	*	Ensures the rural and historic character of the Parish landscape is retained which is beneficial to both the environment and the wellbeing of residents
RC3	High Quality Design	*	*	*	In economic terms, this policy is only slightly positive because well designed places and buildings can ensure value is retained/increased, but it is positive in environmental and social terms. It seeks to ensure that important design and biodiversity features are retained and enhanced
HE1	Protecting and enhancing local heritage assets	*	-	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design
B1	Nature Conservation	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
GSR1	Local Green Spaces	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
H1	Housing	*	*	x	This policy may have a negative impact on the environment, because it allows new housing. However, there are positive effects on social wellbeing by providing housing and also economic benefits by construction and by bringing in additional residents who can support local facilities. A housing mix which reflects the needs of the village will bring positive social benefits by rebalancing the housing stock towards smaller homes.
HSAT1	Highway Safety and Access	*	x	*	Ensuring the traffic environment is safe for pedestrians and does not lead to inappropriate levels of traffic is both positive for the environment and for social goals. Economically the policy may have a negative impact as it would prevent uncontrolled expansion of businesses. The provision of footpath and cycleways improve the health of

Policy	Policy Title	Soc	Econ	Env	Commentary
					residents and also is a positive benefit for the environment, reducing pollution.
CF1	Community facilities	*	*	*	The retention and encouragement of community facilities will clearly be positive in terms of wellbeing and social aspects of village life as well as retaining local businesses.

5. General Conformity with Strategic Local Policy

- 5.1. Granborough Parish lies within the local planning authority of the new Buckinghamshire Council, which was formed in April 2020. However, the most recent development plan was started by the former Local Authority for the area, which was Aylesbury Vale District Council. It will eventually replace the adopted Local Plan which was made in 2004 (the Aylesbury Vale District Local Plan 2004), many of whose policies are deemed out of date. Nevertheless, the saved policies of the Local Plan are those used for assessing planning applications and with which the Neighbourhood Plan policies need to be in general conformity. The emerging Vale of Aylesbury Plan 2013-2033 (VALP) is at an advanced stage in preparation, with further Main Modifications being consulted upon between December 2020 and February 2021 following Examination hearings and Main Modifications. There were further hearings in April 2021 and it may be some time before an Inspector's Report is received and the Plan can be adopted. The Buckinghamshire Council's website provides the most up to date position.
- 5.2. The 2004 AVDLP predates the existence of the Localism Act published almost a decade later and so makes no provision for translating generic planning policy into a distinct parish-based plan. However, the Neighbourhood Plan generally conforms to the relevant saved policies of the Aylesbury Vale District Local Plan (AVDLP) of 2004. The policies starting with GP are all those that are saved which are applicable to the whole district, including Granborough, except GP3 as this was superseded by the NPPF. There is no definition of 'strategic' policy available for the AVDLP, so all the relevant saved policies are listed below. All of the policies for Rural Areas (starting with RA) which are not location specific, are applicable. There are a large number of other saved policies, but most of them are not relevant to the Neighbourhood Plan.
- 5.3. The following Table 3 sets out the comparison of Neighbourhood Plan policies with policies from the 2004 Local Plan. There is no requirement for the Neighbourhood Plan Policies to be in conformity with emerging policies of the VALP. However, the approach and policies of the Neighbourhood Plan are in general conformity with the strategy of VALP in terms of:
- Allocating no sites for development due to the unsustainable nature of the smaller village (VALP Policy S2 Spatial strategy for growth)
 - Requiring High Quality Design (VALP Policy BE2 Design of new development)
 - Limiting new housing development to within the settlement boundary (VALP Policy D3 Housing Development at smaller villages)
 - Supporting the historic environment (VALP Policy BE1)
 - Supporting the natural environment (VALP Policy NE2 Biodiversity and geodiversity, NE5 Landscape character and locally important landscape, NE9 Trees, hedgerows and woodlands)
 - Retaining and supporting community facilities and green spaces (VALP Policy D6, Town, village and local centres to support new and existing communities, NE7 Local Green Space, I3 Community facilities and assets of community value)
- 5.4. Accordingly, the Neighbourhood Plan is in general conformity with the Local Plan and the policies have been designed to add local context to the development plan policies of the area.

Table 3: Conformity with AVDLP Saved Policies

AVDLP Policy	Subject	Neighbourhood Plan Policy	How the Neighbourhood Plan conforms with AVDC Policies
GP2	Affordable Housing	H1	Whilst affordable housing is not specifically sought in the policies over and above Local Plan requirements, smaller homes are sought which may be cheaper to purchase. BC will determine if affordable units are sought on the site through the planning application process.
GP4	Affordable housing on small sites	H1	This policy applies to all housing developments
GP8	Protection of Amenity of Residents	RC3	Protects amenities of residents against impact of new development
GP32	Retention of shops, public houses and post offices	CF1	Protects and supports facilities
GP35	Design of new developments	RC3	Protect and enhance built and natural qualities, features, historic environment of the Parish
GP38	Landscaping of new developments	RC3	Provision of landscaping
GP39	Existing trees and hedgerows	RC2, RC3	Establishes need to retain trees and hedgerows
GP40	Retention of existing trees and hedgerows	RC2, RC3	Establishes need to retain trees and hedgerows
GP91	Provision of Amenity Areas	GSR1	Provision of a play area and open areas is integral to the committed developments. Maintenance arrangements and funding will be sought for new green spaces.
GP93	Safeguarding of community buildings and facilities	CF1	Protects facilities
GP94	New community facilities	CF1	Encourages provision
RA2	Coalescence of Settlements	H1	The policies restrict inappropriate development in the countryside
RA13	Development within Rural Settlements	H1	Infill housing is permitted where amenity and local character are respected.
RA36	Protection against excessive traffic generation	HSAT1	Requires new development to improve highway safety and the road network.

6. Compatibility with EU Legislation

- 6.1. **Strategic Environmental Assessment.** A formal screening opinion has been issued by BC, available to view on the Parish Council's website at <https://www.granborough.org/wp-content/uploads/sites/97/2021/03/Granborough-FINAL-SEA-and-HRA-screening-report-Dec-2020.pdf>. No SEA was required as set out in Section 5 of that report. The Council received a response from the Environment Agency and Natural England, the latter noting that they agreed with the Council findings that the Granborough NP does not require a full SEA to be undertaken. The Neighbourhood Plan has accordingly been prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).
- 6.2. **Habitats Regulations.** The Neighbourhood Area is approximately 20km from the Chilterns Beechwoods Special Area of Conservation (SAC). However, the scope of the Neighbourhood Plan, which does not allocate any sites for development, is not likely to exacerbate the vulnerabilities of the SAC. The screening

was carried out by BC as a part of the SEA screening (see link above). Paragraph 6.1 of the report states that *“The Neighbourhood Plan is not likely to lead to adverse effects on any European sites alone or in combination. There is no requirement to prepare an appropriate assessment.”* The Council received a response from the Environment Agency and Natural England, the latter noting that they agreed with the Council findings that the Granborough NP does not require a full SEA to be undertaken.

- 6.3. **Human Rights.** The 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. The overall purpose of the Neighbourhood Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people’s views and in the light of evidence gathered for the parish, in order to meet the needs expressed and to address the issues identified. In order to confirm that the NP does not have any unintended consequences for particular groups the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. “Protected characteristics” are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.4. An assessment has been made on whether the policies in the Neighbourhood Plan have a positive, negative, or neutral impact on each of the protected characteristics – see Table 4.
- 6.5. Certain protected characteristics are not affected by the Neighbourhood Plan, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same way.

Table 4: Human Rights

Policy	Policy Title	Outcomes for persons with certain protected characteristics
RC1	Rural Character	Neutral impact
RC2	Landscape	Neutral impact
RC3	High Quality Design	Broadly positive impact
HE1	Protecting and enhancing local heritage assets	Neutral impact
B1	Nature Conservation	Neutral impact
GSR1	Local Green Spaces	Broadly positive impact
H1	Housing	Broadly positive impact
HSAT1	Highway Safety and Access	Neutral impact
CF1	Community facilities	Broadly positive impact

7. Conclusion

- 7.1. Granborough Neighbourhood Plan has been carefully prepared in accordance with the requirements of the Regulations and satisfies the Basic Conditions as set out in Paragraph 1.6 thereby contributing to the achievement of sustainable development.