

Nash Neighbourhood Plan

2018 – 2033

BASIC CONDITIONS STATEMENT

Published by Nash Parish Council under the Neighbourhood Planning (General) Regulations 2012

1. INTRODUCTION

1.1 This statement has been prepared by Nash Parish Council (“the Parish Council”) to accompany its submission to the local planning authority. Aylesbury Vale District Council (“the District Council”), of the Nash Parish Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

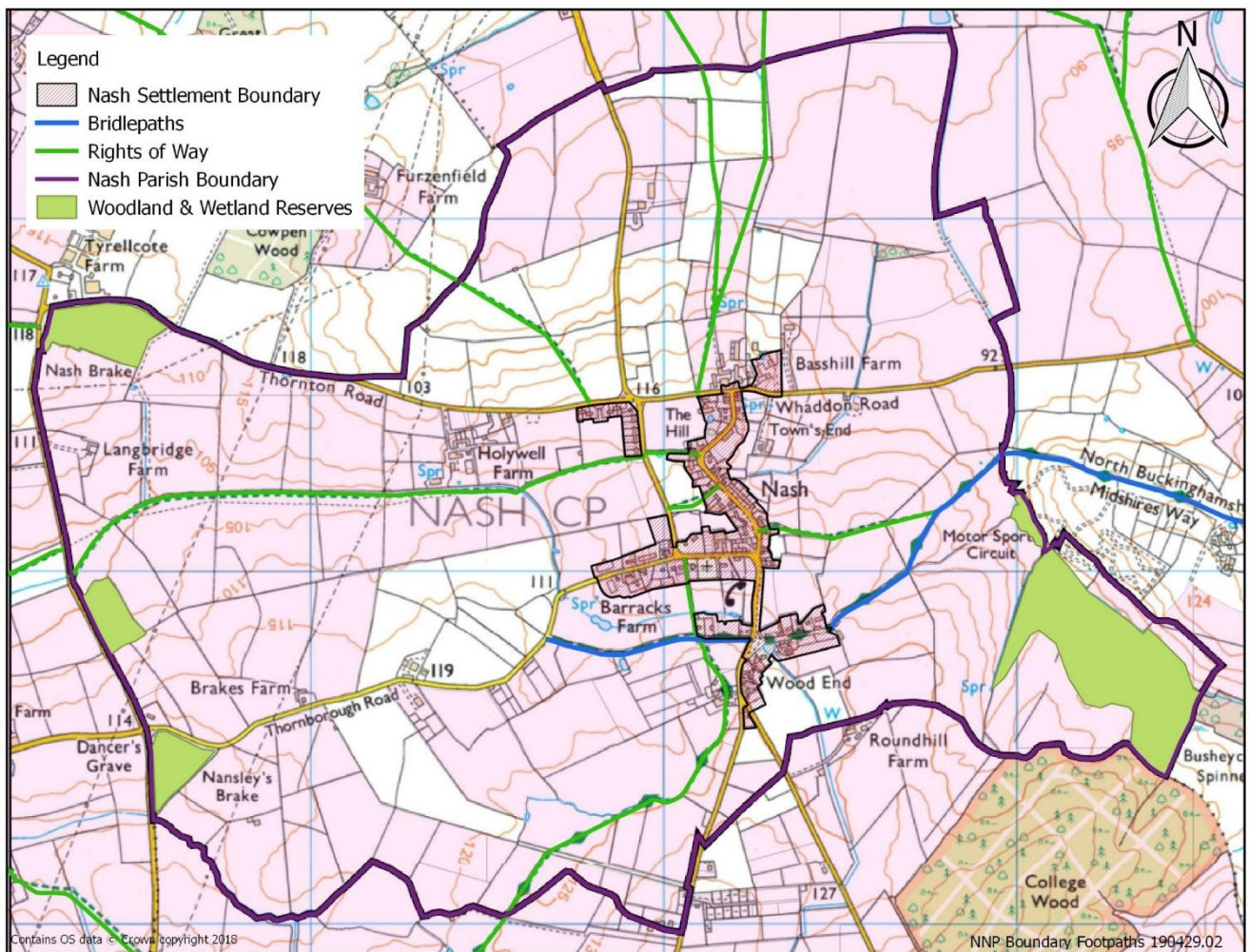
1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Nash, as designated by the District Council on 2 November 2015.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. They do not relate to ‘excluded development’, as defined by the Regulations. The plan period of the Neighbourhood Plan is from 1 April 2013 to 31 March 2033, which corresponds with the plan period of the Vale of Aylesbury Local Plan (VALP). The Nash Neighbourhood Plan has been drawn up to be compliant with the Vale of Aylesbury Local Plan 2013-2033, the VALP, which was adopted 15th September 2021

1.4 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 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the 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.



Designated Nash Neighbourhood Area

- The area coincides with the parish boundary and is centred on the village of Nash

2. BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in late 2015. The main reason for that decision was a sense of wishing to plan positively for the future of the Parish on a range of issues combined with the encouragement by Aylesbury Vale District Council to prepare Neighbourhood Plans.

2.2 A steering group was formed comprising volunteer resident and Parish Councillors from across Nash. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre Submission Neighbourhood Plan in December 2018 and of the Submission Neighbourhood Plan now.

2.3 The Parish Council has consulted the local communities extensively over the duration of the project. It has also worked closely with officers of the District Council 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 Neighbourhood Plan and the 2004 Aylesbury Vale District Local Plan (AVDLP) and the emerging VALP. The outcome of that work is the submission version of the Neighbourhood Plan. Further details on the governance and management of the project are contained in the separate Consultation Statement.

2.4 The Neighbourhood Plan contains eight (8) land use policies. Following extensive discussions with the village and consultation with the Parish Council's selected consultants, RCOH, it was decided that a "Criteria--based" NP would best support the wishes of the community in Nash, rather than a "Site -based" NP. For this reason, the NP recommends criteria for future development, rather than recommending specific sites within the Nash Settlement Boundary.

3. CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the 2019 version of the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

Para 16

3.2 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by making housing site allocations and supporting economic and community development in the villages, which accord with a clear spatial vision in the absence of an up-to-date Local Plan or tested objectively assessed housing need position. Given the uncertainties of the strategic policy framework – the VALP is not expected to be adopted until winter 2019/20 – it sets out a sensible strategy for developing Nash

Para 183

3.3 The Parish Council believes the Neighbourhood Plan establishes a vision, objectives and spatial strategy for the Parish that reflect the desires of the majority of the local community for the kind of place that the Parish should remain and how it may change for the better. Its proposals acknowledge and respect the close proximity of agricultural land to the village and the existence of farm housing within the Settlement Boundary.

Para 184

3.4 The Parish Council believes the Neighbourhood Plan, as highlighted below, is in general conformity with the few relevant, saved policies of the development plan. It is considered to strike a positive balance between the physical and policy constraints of the main village and the desire to steer development of the right type to the right locations.

3.5 There was no housing target for Nash in the Proposed Submission VALP as it was classified as a 'smaller village' and AVDC recommend that the amount of housing development is to come forward through neighbourhood plans or through the development management process.

Para 185

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a Parish context. Once made, the Neighbourhood Plan should be easily considered

alongside the development plan and any other material considerations in determining planning applications. In respect of the extent to which the Neighbourhood Plan has had regard to national policy in the NPPF, Table A below reviews each Plan policy in turn and identifies those NPPF paragraphs that are considered to be the most relevant.

Table A: Neighbourhood Plan & NPPF Conformity Summary

Policy	Title	Commentary
NNP1	Nash Village Settlement Boundary	This policy establishes a settlement boundary for Nash. It directs development to to within the Settlement Boundary as defined by the map within the plan, reflecting the presumption in favour of sustainable development, in accordance with par 68, 69 and 78. Development proposals outside the settlement boundary should accord with par 172 and 79a.
NNP2	Housing Development	Support for development within the neighbourhood plan area will be given provided the details meet criteria relating to scale, density, design, conservation matters, retains and enhances the natural environment, retains distinctive qualities of local green spaces, has no unacceptable adverse affects on neighbours. These considerations accord with advice at par 8, 11, 99,100,127,170 and 175
NNP3	Design in the Conservation Area	The policy supports development provided it conserves and enhances the Conservation Area in line with par 184, 185 and 192
NNP4	Important Views & Vistas	Development proposals must have full regard to their effects on the views and vistas identified in the conservation area appraisal. Reflects the guidance of par 170 and 190.
NNP5	Landscape	This policy protects and enhances the distinctive landscape which defines Nash in line with par 170
NNP6	Footpath & Bridleway Network	This policy aims to protect, enhance and provide new footpaths, bridleways and cycleways in and around the village, in line with par 102, 104 and 110.
NNP7	Biodiversity	This policy supports the protection of important ecological and biodiversity features and the movement of wildlife including the creation of wildlife corridors. This is in line with par 170,174 and 175.
NNP8	Employment	This policy encourages sustainable local employment in the form of home working, within the parish while wishing to maintain the thriving agricultural sector within the parish. This is in line with par 83

4. Contribution to Achieving Sustainable Development

4.1 The District Council provided a screening opinion on whether or not a Strategic Environmental Assessment (SEA) was required of the Neighbourhood Plan in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004. It concluded that no SEA would be necessary. AVDC checks this SEA screening opinion at each formal stage the neighbourhood plan reaches in case the screening needs to be updated because the plan has materially changed.

4.2 Notwithstanding that, the Nash PC, the Nash NP Committee and all residents who took an interest in the NP assume and expect that all future developments in Nash will be sustainable in themselves and enhance the sustainability of Nash in the future. As the NP is "Criteria-based" all criteria of the NP reflect this shared positive attitude towards achieving sustainable development.

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

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for the District. This is now the Vale of Aylesbury Local Plan (VALP) and was formally the saved policies of the Aylesbury Vale District Local Plan (AVDLP).

5.2 The VALP defines Nash as a “smaller village” in the settlement hierarchy of the district (as evidenced in the 2016 Settlement Hierarchy Assessment review) and made no other provisions that indicated the village would be part of any strategic-scale development proposals in the plan period.

5.3 For a number of reasons, primarily the views expressed by residents, the Parish Council has used a “Criteria-based” approach to define future development in Nash.

5.4 An assessment of the general conformity of each policy, and its relationship with VALP policy where relevant, is contained in Table B below.

Table B: Neighbourhood Plan & Development Plan Conformity Summary

Policy	Title	Commentary
NNP1	Nash Village Settlement Boundary	<p>AVDLP: Policy RA13 supports limited development within settlements listed at appendix 4, which includes Nash. Policy RA14 provides limited support for development on the edge of settlement for up to 5 dwellings on 0.2 acres. Policy RA2 restricts inappropriate development in the countryside.</p> <p>VALP Submission Version (Suggested Modification Version): Policy D3(D4) supports appropriate small scale development and in-filling in the built up area of smaller villages. Policies S2 and S3 set the strategic approach and spatial hierarchy for housing delivery, avoiding new development in the countryside beyond allocations.</p> <p>Policy NNP1: Nash is categorised as a smaller village and this policy is supportive of and aligned to these strategic policies.</p>
NNP2	Housing Development	<p>AVDLP: Policy GP35 sets general design elements which should be respected and complemented.</p> <p>VALP: Policy BE2 sets general design elements which should be respected and complemented, with further detail of the application of the policy to be provided in the District Design SPD.</p> <p>Policy NNP2: Supports this approach and provides further detail at a local level.</p>
NNP3	Design in the Conservation Area	<p>AVDLP: Policy GP 53 seeks to preserve or enhance the character and appearance of Conservation Areas.</p> <p>VALP: Policy BE1 seeks to preserve or enhance the historic environment and heritage assets.</p> <p>Policy NNP3: Supports and aligns to these policies without prejudicing creative architectural solutions.</p>
NNP4	Important Views & Vistas	<p>AVDLP: Policy GP 53 includes protection for the setting of the Conservation Area and views of and from it.</p> <p>VALP: Policy BE1 encompasses important views and vistas identified within Conservation Area appraisals. Policy BE2 seeks to ensure development respects and complements the effect on important public views and skylines.</p> <p>Policy NPP4: Highlights the contribution of important views to the special character of the village and the Conservation Area and is aligned with the strategic policies.</p>
NNP5	Landscape	<p>AVDLP: GP 40 opposes the loss of trees of landscape value. RA8 identifies Local Landscape Areas which are afforded particular protection.</p> <p>VALP: Policy NE 5(4) seeks to ensure development considers the characteristics of landscape areas and minimise and mitigate any harm.</p> <p>Policy NPP5: Identifies particular local landscape features and is aligned with the strategic policies.</p>

NNP6	Footpath & Bridleway Network	<p>AVDLP: GP 84 supports the retention and enhancement of public rights of way.</p> <p>VALP: C4 seeks to ensure the integrity and connectivity of public rights of way is maintained.</p> <p>Policy NNP6: Supports this policy approach and identifies the local network.</p>
NNP7	Biodiversity	<p>AVDLP: GP 66 is the only 'saved' policy on biodiversity from this plan, maximising natural assets associated with watercourses.</p> <p>VALP: NE 2(1) sets standards for biodiversity protection, enhancement and net-gain. NE 3(2) seek to conserve and enhance the value of watercourse corridors.</p> <p>Policy NNP7: This policy emphasizes the local natural assets and supports the approach to securing biodiversity net-gain from development.</p>
NNP8	Employment	<p>AVDLP: No relevant 'saved' policies.</p> <p>VALP: E4 supports the partial use of residential properties for business use where there aren't unacceptable impacts which would arise.</p> <p>Policy NPP8: Is aligned with the policy support for home-working and goes further to support proposals which will assist-home working i.e small extensions or out-buildings.</p>

6. Compatibility with EU Legislations

6.1 The District Council provided a screening opinion on whether or not a Strategic Environmental Assessment (SEA) was required of the Neighbourhood Plan in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004. It concluded that in the case of the Nash NP no SEA would be necessary.

6.2 There are no European designated nature sites in proximity to the Neighbourhood Area and therefore there has been no requirement for a Habitats Regulations Assessment under Article 6(3) of the EU Habitats Directive 92/43/EEC.

6.3 The Neighbourhood Plan has also had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.