

THE FARNHAMS NEIGHBOURHOOD PLAN 2020 - 2042

BASIC CONDITIONS STATEMENT

JUNE 2024

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# 1. INTRODUCTION

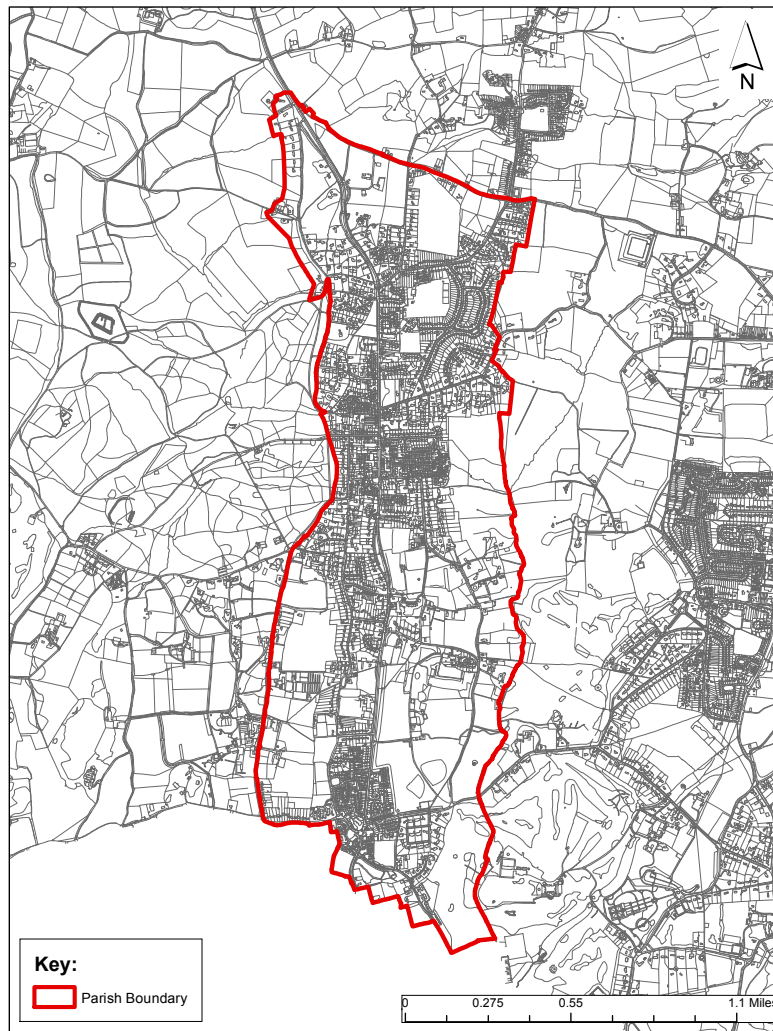
## The Neighbourhood Plan

1.1 This Statement has been prepared by ONH on behalf of Farnham Royal Parish Council (“the Parish Council”) to accompany its submission of the Farnhams Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority, Buckinghamshire Council (“BC”), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, the ‘Qualifying Body’, for the Neighbourhood Area (“the Area”), which coincides with the boundary of Farnham Royal Parish shown on Plan A below. BC designated the Area in July 2016.

1.3 ONH has provided the professional planning advice and support to the Parish Council throughout the project, alongside occasional help from officers of BC.

### Farnham Royal Parish



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Plan A: Farnham Royal Designated Neighbourhood Area

1.4 The Neighbourhood Plan contains 11 land use policies, which are defined on the Policies Map where they apply to a specific part of the Neighbourhood Area. The policies described in the Neighbourhood Plan relate to the development and use of land in the Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is to 2042, which corresponds with the plan period of the emerging Buckinghamshire Local Plan.

1.5 The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

### **The Basic Conditions**

1.6 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, 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.

1.7 The Regulations state that a Neighbourhood Plan will be considered to have met the 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;
- D. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development;
- E. 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); and
- F. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

1.8 It is noted that the Levelling Up & Regeneration Act 2023 has made provision for Condition E to be amended by replacing the current requirement with a narrower condition in respect of not undermining the housing site allocation provisions in an adopted Local Plan. However, at the time of the expected examination of the Neighbourhood Plan, the regulations enabling that part of the Act have not been made.

## 2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in July 2016. The key driver of this decision was a sense of wanting to protect the semi-rural environment and green spaces of the villages, but also to encourage more affordable well-designed housing for keyworkers, younger residents and downsizers.

2.2 A steering group was formed comprising the residents and Parish Council representatives. 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 plan in December 2023 and the Submission Plan now.

2.3 The Parish Council has consulted with the local community over the duration of the project. It has also sought to work closely with officers of BC 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 emerging Local Plan. The nature and outcome of these various publicity and consultation exercises are set out in the separate Consultation Statement.

### **3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY**

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. As demonstrated in Table A, this plan has taken to opportunity to revise development plan policies to reflect the amendments to the Use Classes Order introduced in September 2020 as they apply to this Area (PPG 13-009c). In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### **General Paragraphs**

3.2 The Parish Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area (as proposed in the Local Plan Review) (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §67/§68) are therefore not relevant to this Neighbourhood Plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

#### **Specific Paragraphs**

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

**Table A: Neighbourhood Plan & NPPF Conformity Summary**

Policy No.	Policy Title	Commentary
FAR1	Rural Resilience	These policies accord with §96 c) and §89 of the NPPF in providing planning policies which aim to achieve healthy, include and safe places through the identification of and promotion of “safe and accessible green infrastructure” that enable both Stoke Poges and the Farnhams to meet local business and community needs. By identifying the ‘shared woodland area’ and the important public right of way link through it which connects the two parishes and amenity open space within the green infrastructure network, the policies seek to provide “access to a network of high quality open spaces” (§102) and identifies open space for the application of §103. Policy FAR2 defines the green infrastructure network as one means of ensuring the future resilience to climate change impacts and to support nature recovery (§158 and §180).
FAR2	Green and Blue Infrastructure	The policy contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures through identifying, mapping, and safeguarding these components. It is therefore consistent with the aims of §180 and §185 in these respects.
FAR3	Local Green Spaces	The policy designates Local Green Spaces in accordance with §105-107, having demonstrated each space meets the criteria in §106. The policy resists all development proposals that will undermine the essential character of designated areas, unless there are very special circumstances as set out in §152, to justify why consent should be granted.
FAR4	Housing Mix and Tenure	The policy provides for “the size, type and tenure of housing needed for different groups in the community” (§63). It also specifies a starting point for the affordable housing tenure split that will be expected of developments (§64).
FAR5	Design Codes	‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’ (§132). The policy seeks to ‘set out a clear design vision and expectations’ (§132) and uses the model

		approach recommended by the National Model Design Code (§134).
FAR6	Local Heritage Assets	This policy identifies a number of local heritage assets to engage the provisions of §209. They have been derived from local history analysis and have been evaluated against the criteria advocated by Historic England.
FAR7	Local Community Uses and Pubs	These policies seek to protect popular and cherished community uses, pubs and early years provision facilities across the parish in line with §97.
FAR8	Early Years Provision	
FAR9	Farnham Common Village Centre	This policy seeks to promote the retention and development of the village centres to secure their vitality and viability in line with §88 and §97.
FAR10	Sustainable Travel	The policy requires that transport issues are considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued (§108). It also seeks to improve the use of public rights of way to encourage walking in the Parish, as per §104 and §110.
FAR11	Addressing the Performance Gap	§131 of the NPPF recognises that clarity on design expectations, and how these will be tested, is essential. The policy, in its Clause A, provides a means by which design expectations can be tested. To support the transition to a low carbon future in a changing climate, as per §157, the policy, in its Clause B, also encourages the use of PassivHaus, or equivalent, standard which is the most simply and cost-effective approach. To do so it is recognised that this kind of standard sometimes requires a trade-off with local design policy, mainly in terms of prevalent building orientation and density. The policy, in its Clause B, therefore recognises this tension and provides a means by which this tension can be balanced “so that it is evident how a decision maker should react to development proposals” bringing forward Passivhaus schemes, as per §16d. The policy in its Clauses C and D, uses the encouragement of the National Model Design Code to consider Resources and the provisions of §158 to guide future applicants to an open source guide, and require major development, to ensure such opportunities are not lost and are considered at the very initial design stages of schemes. The policy provisions overall are inspired by innovative development plan making work in other parts of the country that has demonstrated this type



		of provision is necessary and possible in managing development proposals until national policy provisions are implemented. Other neighbourhood plans that have included this identical provision have been successfully examined and made elsewhere, including by this LPA.
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## 4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 As neither a Sustainability Appraisal nor Strategic Environmental Assessment Report have been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (++) , minor positive (+), neutral (0), minor adverse (-) or significant adverse (--) effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
FAR1	Rural Resilience	++	0	++	These policies will have a significantly positive environmental and social effects in protecting the defined Green Infrastructure Network and identifying the shared back woodland which consists of a range of assets of biodiversity value in the Parish. Its economic effect is neutral.
FAR2	Green and Blue Infrastructure				
FAR3	Local Green Spaces	++	0	+	The policy will have a significant positive social effect in protecting a range of publicly accessible open spaces within the parish from inappropriate development. Research is clear that poor green space provision leads particularly to families seeking other places to live with green space for relaxation, recreation and sport. The policy will have a moderate environmental effect as some but not all the spaces have some environmental (e.g. biodiversity, heritage) value. Its economic effect is neutral.
FAR4	Housing Mix and Tenure	++	0	0	The policy will have a significant positive social effect by addressing an increasing imbalance in the range of housing types in the parish, that may result in a more balanced demographic profile in the longer term. Its economic and environmental effect is neutral.
FAR5	Design Codes	+	0	++	The policy will have a significant positive environmental effect and a minor positive social effect in conserving the essential character of the parish, and some of its history, which local people care about. Its economic effect is neutral.

FAR6	Local Heritage Assets	+	0	++	The policy will have a significant positive environmental effect and a minor positive social effect in ensuring that features of local historic and/or architectural value are understood and kept as far as possible in new development proposals as part of retaining the character of the parish, for the enjoyment of the local community. Its economic effect is neutral.
FAR7	Local Community Uses and Pubs	++	++	+	The policy will have significantly positive social and economic effects in seeking to protect community uses and pubs in the parish. It will have a minor positive effect on reducing car usage for shorter journeys and therefore positive environmental effects.
FAR8	Early Years Provision	++	0	+	The policy will have significant positive social effects in seeking to protect early years provision in the parish. It will have a minor positive on reducing car usage to larger towns outside the parish for the purpose of accessing early years provision. Its economic effect is neutral.
FAR9	Farnham Common Village Centre	++	++	+	The policy will have significant positive social and economic effects in seeking to resist changes to ground floor uses which result in the loss of a commercial, business or service use. It will have a minor positive effect on reducing car usage for shorter journeys and therefore positive environmental effects.
FAR10	Sustainable Travel	++	+	++	The policy will have significant positive environmental and social effects in reducing traffic to improve air quality and in encouraging healthier lifestyles by walking and cycling. The economic effects of walking and cycling should be positive - the parish would be a more attractive as place to live with less congestion, better air quality and ease of getting around. This could impact house prices and retail/ office attractiveness.
FAR11	Addressing the Performance Gap	++	++	++	The policy will have a significant positive environmental effect in maximising the zero-carbon performance of all new buildings. It will have increasingly positive social and economic effects in the ongoing financial savings to the building (residential and commercial) occupiers in very low energy costs.

## 5. CONDITION (E): 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 South Bucks former district area, that is the saved policies of the *South Bucks District Local Plan* adopted in March 1999 and the *South Bucks Core Strategy* adopted February 2011, which BC considers to be of a strategic nature (as per Planning Practice Guidance (§41-076)). The adopted Buckinghamshire Minerals and Waste Plan 2016 – 2036 also forms part of the development plan. In this respect the majority of the parish lies within a Minerals Safeguarding Area for sand and gravel and its Policy 1 therefore applies.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of any emerging Development Plan Documents, i.e. the emerging Buckinghamshire Local Plan. However, it is noted that the evidence base for emerging Development Plan Documents is important to informing the Neighbourhood Plan and conformity with emerging policies is crucial for the long-term success of the Neighbourhood Plan given that in the event of any future conflict the most recent policy will take precedent. At this stage, the emerging Buckinghamshire Local Plan is at the very early stages of preparation.

5.2 The South Bucks Core Strategy defines Farnham Common as a ‘Secondary Settlement’ and Farnham Royal is classed as a ‘Tertiary Settlement’. The parish currently lies entirely within the Green Belt, but the settlements of Farnham Royal and Farnham Common are ‘inset’ from the Green Belt.

5.3 The Neighbourhood Plan has sought to fit its policies with the vision and grain of the strategic policies of the South Bucks District Local Plan and Core Strategy in a complementary way. An assessment of the general conformity of each policy is contained in Table C below.

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

<b>Policy No.</b>	<b>Policy Title</b>	<b>Commentary</b>
FAR1	Rural Resilience	These policies are in general conformity with Core Strategy Policy 6 and Policy 7 in protecting existing important physical, social and green infrastructure and improving accessibility to services.
FAR2	Green and Blue Infrastructure	
FAR3	Local Green Spaces	There are no strategic policy provision for Local Green Spaces. However, the policy is in general conformity with the aims of Core Strategy Policy 5 in seeking to protect the most important open spaces within the inset settlement from harmful development.
FAR4	Housing Mix and Tenure	This policy is in general conformity with Core Strategy Policy 2 in drawing attention to the need for new homes to be of a type that reflects local needs. It also refines the tenure split recommended by the Affordable Housing SPD with a new split recommended by the Farnhams Housing Needs Assessment as updated and locally specific evidence.
FAR5	Design Codes	This policy is in general conformity with Core Strategy Policy 8 and South Bucks District Local Plan Policy EP3 and Policy H9 in providing a framework of consistent, high quality design the Farnhams.
FAR6	Local Heritage Assets	This policy is in general conformity with Core Strategy Policy 8 in seeking to protect, conserve and enhance local heritage assets.
FAR7	Local Community Uses and Pubs	This policy refines South Bucks District Local Plan Policy COM2 in defining those facilities in the Parish to which that policy applies.
FAR8	Early Years Provision	This policy is in conformity with the supporting text of South Bucks District Local Plan Policy COM1 which places emphasis on the provision of childcare facilities such as

		nurseries and crèches, citing the increase in opportunities this can provide for residents. The policy also refines South Bucks District Local Plan Policy COM2 by identifying the early years provision facilities in the parish area, to which the loss of which should be resisted.
FAR9	Farnham Common Village Centre	This policy updates the South Bucks District Local Plan Policies S2 to S4 by focusing on managing ground floor frontages of existing commercial, business and service uses in Farnham Common Village Centre, in so far as proposals require planning permission. It is consistent with the aims of those policies and of Core Strategy Policy 11 in seeking to maintain a critical mass of viable and vital services.
FAR10	Sustainable Travel	This policy is in general conformity with Core Strategy Policy 7 by providing a local element to its provisions through the identification of this network within the parish.
FAR11	Addressing the Performance Gap	This policy is in general conformity with Core Strategy Policy 12 and Policy 13 in promoting and encouraging energy efficiency and best practice in sustainable design and construction

## 6. CONDITION (F): COMPATABILITY WITH EU-DERIVED OBLIGATIONS

6.1 Buckinghamshire Council provided a screening opinion in January 2023 that has determined that a Strategic Environmental Assessment, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended), is not required, following consultation with statutory bodies as per those Regulations.

6.2 As set out in Section 4 the Parish Council has met its obligations in relation to the EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.3 The Parish Council has also met its obligations in relation to the habitats provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Parish Council provided Buckinghamshire Council with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. Buckinghamshire Council's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects. A copy of this screening outcome will be published alongside the Neighbourhood Plan.

6.4 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.5 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.6 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan includes some policies relevant to Air Quality. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they comprise small-scale interventions and do not negate from the framework for measurement and improvement of air quality set in the Directive.

## 7. SUMMARY

7.1 In Section 3 it is considered that each of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition A.

7.2 In Section 4 it is considered that each of the policies either contributes to the achievement of sustainable development or is neutral in its impact on one of more of the sustainability themes. As a result, the Neighbourhood Plan, as a whole, meets Condition D.

7.3 In Section 5 it is considered that all of the policies are in general conformity with the strategic policies of the adopted development plan, with no incidence of two or more strategic policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition E.

7.4 In Section 6 it is considered the making of the Neighbourhood Plan accords with all EU-derived environmental and other obligations. As a result, the Neighbourhood Plan, as a whole, meets Condition F.