



Bere Regis Parish Council Neighbourhood Plan

Basic Conditions Statement Including Policy Conformity Statement

Produced September 2018

Introduction

Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011) requires 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 meet 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 Bere Regis Neighbourhood Plan has been prepared and submitted by Bere Regis Parish Council.

Is what is being proposed 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 Bere Regis Neighbourhood Plan will have effect from the date of submission until 2034.

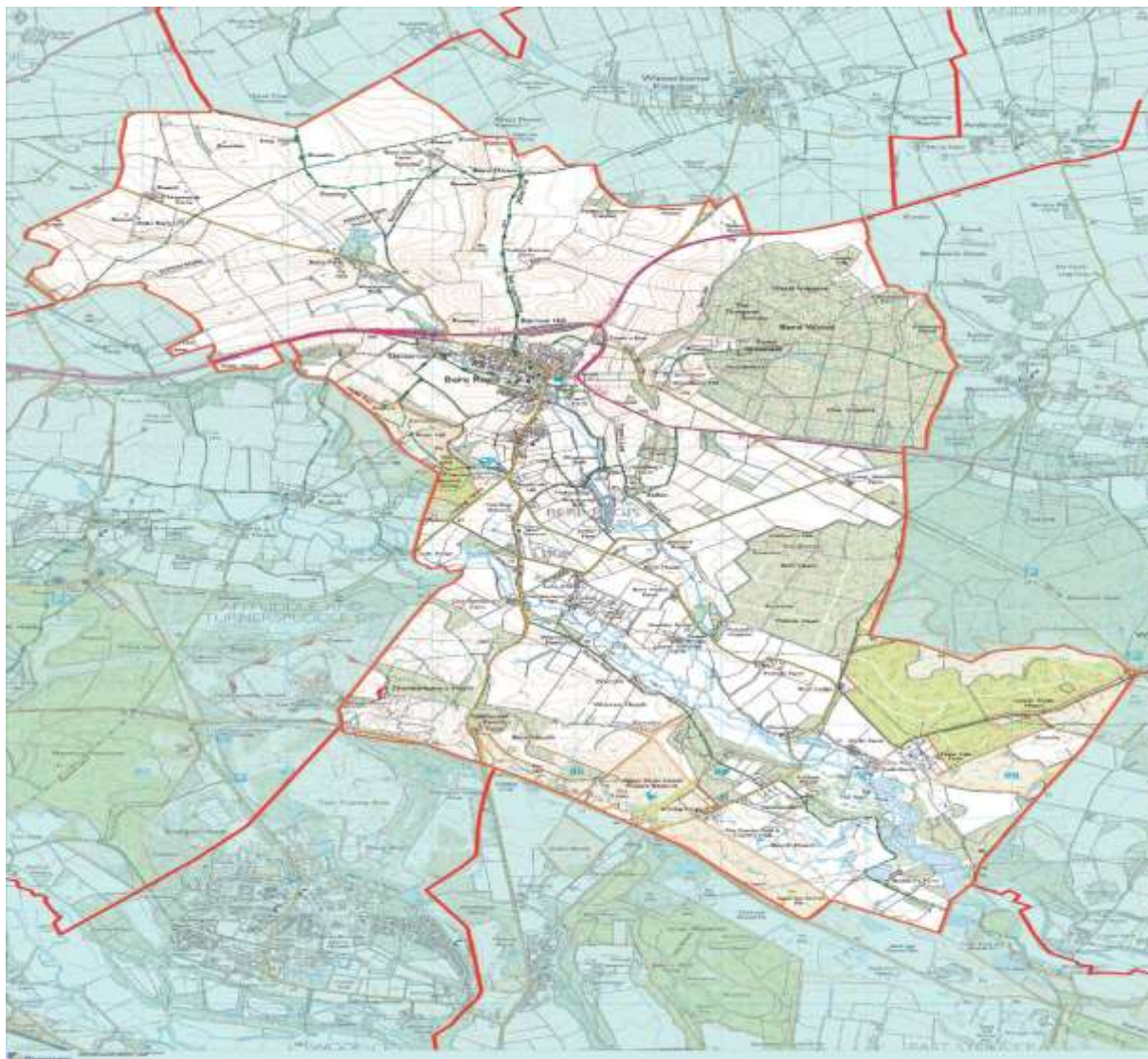
Do any of the policies relate to excluded development?

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 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 Bere Regis Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.

Bere Regis Neighbourhood Plan Area



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The application for the area was from Bere Regis Parish Council in Purbeck and was agreed in August 2012 by Purbeck District Council'

National and Local Policy context

The following sections review 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 the Purbeck Local Plan, which was adopted in 2012 and is currently under review.

The response from statutory undertakers and, specifically, the local planning authority, Purbeck District Council (PDC), at pre-submission consultation stage, have confirmed that the content and draft policies of the neighbourhood plan are in 'general conformity' with the NPPF and local plan. Some amendments have been suggested arising from the consultation. These have been carefully considered by the Parish Council and where appropriate amendments to the plan have been agreed. The assessment of policies below is based on the amended version.

Policy Conformity Statement

The Bere Regis Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State. The Plan also is in general conformity with the strategic policies contained in the Purbeck Local Plan Part One and its subsequent pre-submission draft.

The following table reviews the extent to which the policies of the submission version of the Bere Regis 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 (Purbeck Local Plan, adopted November 2012). The responses from statutory undertakers and specifically Purbeck District Council at the pre-submission consultation stage have been taken into account in finalising this conformity statement.

Neighbourhood Plan Policy	Local Plan Policies	National Planning Policy
<p>BR1 Settlement Boundaries</p> <p>This neighbourhood plan proposes changes to the settlement boundary as based on findings detailed in the supporting evidence and agreed with the Local Planning Authority.</p>	<p>Bere Regis is defined as a ‘key service village’ having the highest level of services and population in North-west Purbeck and, as such, should be the focus of development. Under Policy LD, new development should be concentrated within the settlement boundary. The Local Plan provides for settlement extensions in Bere Regis to accommodate the additional housing requirement.</p>	<p>All plans and policies should be based upon and reflect the presumption in favour of sustainable development i.e. they should seek opportunities to meet the development needs of their area; have sufficient flexibility to adapt to rapid change – unless specific policies in the NPPF indicate development should be restricted or the adverse impacts of the development would significantly and demonstrably outweigh the benefits.</p>
<p>BR2 SANG</p> <p>A Suitable Area of Natural Greenspace of approximately 3.9ha will be created.</p>	<p>The Dorset Heathlands Supplementary Planning Document (SPD) states provides guidance as to when a SANG might be required and what it needs to achieve. Generally, residential sites approaching 50 or more homes will require a SANG to mitigate the impact of new residential development on heathland. Natural England have been extensively consulted during the production of the plan and have advised on the location and size of the SANG shown in the final plan.</p>	
<p>BR3 Nitrogen Mitigation</p> <p>Developers must follow policies and guidance provided by Purbeck District Council, including the Nitrogen Reduction in Poole Harbour Supplementary Planning Document.</p>	<p>The Purbeck Local Plan includes a policy on the protection of Poole Harbour Special Protection Area (SPA) and Ramsar site for breeding passage and wintering birds. Policy PH requires that new</p>	

	developments must incorporate measures to secure effective avoidance and mitigation of the potential adverse effects of nutrient loading on the ecological integrity of the Poole Harbour internationally designated sites.	
<p>BR4 Bere Regis Groundwater</p> <p>New developments will need to meet the requirements of the district flood risk policy. There may also be a need to incorporate flood alleviation measures and sealed sewerage systems. Septic tanks should only be used where groundwater levels allow appropriate operation. Consultation must be undertaken by developers with the Lead Flood Authority and with Wessex Water and appropriate measures have been agreed where necessary.</p>	<p>The Purbeck Local Plan Policy GP requires that development will be permitted if there is no risk to the quality or quantity of groundwater. Development should have no impact on licensed supplies or any other private supplies or water features. Within Groundwater Source Protection Areas, additional safeguards may be required in consultation with the EA.</p>	<p>Protecting people and property from flooding is a requirement set out in the NPPF.</p>
<p>BR5 Noise Attenuation</p> <p>Noise attenuation will be provided along the northern boundary of the Back Lane site. This might be achieved by the creation of noise attenuation bunds using surplus excavated material.</p>		
<p>BR6 Affordable Housing Tenure</p> <p>All residential development sites will deliver 40% affordable housing on site unless exempted by national legislation, offset by development of affordable housing elsewhere, or the allocation is offset by a financial contribution from the developer.</p>	<p>Policy AH of the Purbeck Local Plan requires an affordable housing contribution of 40%. If this is not feasible, the Council will seek to secure equivalent off-site provision and, where this is undeliverable, the payment of a commuted sum to the equivalent amount of on site provision.</p>	
<p>BR7 Residential Development</p> <p>New residential development has been allocated across 5 sites around the village. These have been determined by way of a selection process.</p>	<p>The original Purbeck Local Plan required 50 new homes in Bere Regis. This was subsequently increased to 70.</p>	<p>The NPPF requires Purbeck District Council to provide the supply of housing required to meet the needs of present and future generations, meeting the full, objectively assessed needs for both market and affordable housing.</p>

<p>BR8 North Street Employment Development that supports local employment will be allowed on the allocated site.</p>	<p>The Purbeck Local Plan allocated a small employment site near the filling station to provide employment opportunities.</p>	
<p>BR9 Community Facilities and Services Existing community facilities and services will be safeguarded through policies in the Purbeck Local Plan. New community facilities will be encourage to locate within the defined settlement boundary.</p>	<p>The Purbeck Local Plan Policy CF requires new community facilities and services to locate within a defined settlement boundary.</p>	
<p>BR10 Local Green Space Existing areas of open space will be designated Local Green Space. Additionally, 3 further parcels of land will be given this designation.</p>	<p>The Purbeck Local Plan requires that existing areas will be protected.</p>	

Conformity Assessment

Throughout the production of this plan, Bere Regis Parish Council have worked closely with Purbeck District Council officers to ensure there is conformity with the Adopted Purbeck Local Plan and the amendments emerging following the Local Plan Review.

Advice has been taken from Natural England with regard to the SANG location and size and Habitat Risk Assessments have been carried out for all potential development sites. We have worked with Dorset Wildlife Trust to identify all the sites of national and international importance throughout the parish and to ensure none of them are impacted by any of the proposed development. It is our intention to continue to work and be guided by them in respect of the SANG management in the coming years.

The Environment Agency recommended that the plan ensures protection and enhancement of the green infrastructure in the area, and it should look to enhance the riverine environment to ensure that it maximises its benefits to the environment and people. The plan was subsequently amended to take this into account.

Local need for housing has been considered via a Housing Needs Survey conducted at the outset of the neighbourhood plan. This helped to inform the decision in BR6 that the 40% affordable housing would be made up from:

- 70% affordable housing for rent
- 10% discounted market sales homes that must be purchased and re-sold at a set proportion of open market value and will, in the first instance, be available to local people
- 10% shared ownership homes i.e. where people own part of the dwelling and rent the remainder for a Registered Social Landlord
- 10% starter homes

The definition of affordable homes recognises the aspirations of those who might rent and those that might seek to buy an affordable home.

The Plan seeks to provide greater clarification on local character without being overly prescriptive. Historic England sought assurance that the impact on heritage assets has been properly considered

such as through the involvement of the Purbeck District Council Conservation Officer and this was subsequently done.

The proposed local green spaces have been considered in the light of the criteria set out in the NPPF. Their main reason for designation has been explained in the supporting text, and the designations were supported through local consultations.

Contributing to the Achievement of Sustainable Development

The Bere Regis Neighbourhood Plan contributes to the achievement of sustainable development.

The NPPF states that there should be a presumption in favour of sustainable development. Sustainable means ensuring that better lives for ourselves isn't at the expense of the quality of lives of future generations. Development means growth. Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.

The neighbourhood plan sets out how growth can be accommodated in the neighbourhood plan area, to help meet the economic and social needs of the community whilst respecting the environmental constraints and opportunities for enhancement. It has been drafted taking into account the policies in the emerging Local Plan and national planning policy.

Consideration of Designated Historical Assets and Conservation Areas

The Bere Regis Neighbourhood Plan has special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses. The plan also has special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.

Historic England were consulted during the production of the Plan, both at the outset in 2013 and then again in June 2018 during the formal statutory authorities consultation period. They commented on the need to demonstrate that the site allocation has taken due account of relevant heritage considerations, particularly when considering the settings of heritage assets. The District Council Design and Conservation Officer was subsequently consulted, and we will receive a formal response to this in the upcoming District Council consultation.

The history of the village and what it represents have been considered throughout the drawing up of the Plan and it requires that developments adjoining the Conservation Area respect the character and appearance of the Conservation Area. It also stresses that, due to the rich history of the area, developers will be required to contact the County Archaeologist to ascertain whether site investigations will be required on any of the sites, to record any undesignated assets that might exist.

Those sites adjoining the Conservation Area must further be designed sympathetically to reflect local architecture and use of traditional materials will be encouraged.

Compatibility with EU obligations

The Bere Regis Neighbourhood Plan do not breach, and is otherwise compatible with, EU obligations.

Regard has been taken of the European Designations and Habitat Risk Assessments were carried out on the proposed sites and the findings recorded within the Supporting Evidence (SE) section of the Plan. A Strategic Environmental Assessment (SEA) has also been undertaken and is available to view within the SE. Nothing in the Plan is deemed EIA development.