

**CLEEVE PRIOR**  
**NEIGHBOURHOOD DEVELOPMENT**  
**PLAN 2016 - 2031**

**Basic Conditions Statement**

**April 2017**

# 1. Introduction

- 1.1. This statement has been prepared by Cleve Prior Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Wychavon District Council (WDC). of the Cleve Prior Neighbourhood Plan (“the Neighbourhood Plan”). The submission is made under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
- 1.2. The Neighbourhood Plan has been prepared by the Parish Council, as a qualifying body, for the whole of the Parish of Cleve Prior. This Neighbourhood Area was formally designated by WDC in September 2012.
- 1.3. The policies and proposals set out in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan is from 2016 to 2031. It does not contain policies relating to excluded development according to the Regulations.
- 1.4. This Statement addresses each of the “basic conditions” as set out in the Regulations. It explains how the Neighbourhood Plan meets the requirements of Schedule 4B to the Town and Country Planning Act 1990, as applied to Section 38A of the Planning and Compulsory Purchase act 2004.
- 1.5. The basic conditions are as follows:
  - having regard to the national policies and advice issues by the Secretary of State, it is appropriate to make the Neighbourhood Plan;
  - the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
  - the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
  - the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations;
  - prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan.

## **2. Background**

2.1 The Parish Council commenced the preparation of the Neighbourhood Plan in 2012. Following the publication of the Localism Act 2011, the government was keen to promote and develop the concept of neighbourhood planning and provided funds to assist local councils who were keen to prepare plans for their area. Cleeve Prior was one of the “front runners” selected, and was encouraged by Wychavon District Council to engage in the process.

2.2 To manage and deliver the preparation of the Neighbourhood Plan, the Parish Council set up a Neighbourhood Plan Group. Throughout the preparation of the plan, the group has worked with officers of WDC, and has reported to the Parish Council at each key stage. It has been a longer than anticipated process, due to a number of external factors beyond the control of the Parish Council. In the early stages of plan preparation, the group worked in parallel with the preparation of the South Worcestershire Development Plan (SWDP), which was formally adopted by WDC in March 2016.

2.3 As a result of this close working relationship, the Neighbourhood Plan positively reflects the aims, objectives and policies of the SWDP. This relationship is described in more detail in Section 5 below. In the SWDP, Cleeve Prior is designated as a Grade 3 village where there is a presumption against development except for local needs. The emphasis in the Neighbourhood Plan has therefore been on conservation of the village character and the maintenance of its community.

2.4 The plan has undergone a series of iterations over a period of four years. At the outset, one of the main issues raised in consultation was the future of the Gypsy and Traveller Site, located to the west of the Evesham Road. As shown in the written statement, this has been subject to detailed investigation, coupled to public consultation. The final version of the Neighbourhood Plan now contains a policy (CP11) for the redevelopment of the site for housing. As the site is outside the boundary of the village, the proposal is technically for development in the open countryside, contrary to the SWDP. The special circumstances surrounding this decision are explained in the reasoned justification to policy CP11 and in documents contained in the evidence base.

## **3. Conformity with National Policy**

3.1 The Neighbourhood Plan has been prepared with regard to the National Planning Policy (NPPF) of April 2012. It has also been considered against the national Planning Practice Guidance (PPG), published by the government on-line from March, 2014.

3.2 Where appropriate, this submission document, and the pre-submission versions of the plan, has made reference to the NPPF against each of the policies. Further reference has been made in the supporting text and in the evidence base. In overall terms, there are four specific paragraphs in the NPPF to which the Neighbourhood Plan has responded in accordance with government advice.

#### Paragraph 16

3.3 The Parish Council submits that the Neighbourhood Plan positively supports the strategic objectives and policies of the SWDP, shaping and directing development in the area. At the same time, the plan also has a clear vision to protect and enhance the character of the area and its community assets for the benefit of the local community.

#### Paragraph 183

3.4 The Parish Council strongly believes that the vision for the area, expressed in Chapter 3 of the Neighbourhood Plan, reflects the views of the majority of the local community. It takes the aspirations of the community and translates them into the policies of the plan. Thus, future planning applications will be determined having full regard to the Neighbourhood Plan, which will be a part of the development plan for the area.

#### Paragraph 184

3.5 The plan positively supports development in the Parish of Cleeve Prior appropriate to the needs of the area. It does not advocate less development than proposed in the SWDP, nor does it undermine its strategic policies. The justification for the housing development on the Gypsy and Traveller site (policy CP11) sets out the special circumstances supporting the allocation of this land for development.

#### Paragraph 185

3.6 The Neighbourhood Plan is extensively cross-referenced to the SWDP, but avoids duplicating the policies of the latter. At the same time, the plan translates the general policies of the SWDP into a Cleeve Prior context. Once made, the Neighbourhood Plan can be considered alongside the SWDP and any other material considerations in determining planning applications.

3.7 Summarised in tabular form below is a summary of how each of the Neighbourhood Plan policies conforms to the NPPF. The NPPF paragraphs referred to are the ones considered to be most relevant to each policy – it is not an exhaustive list.

<b>NP Policy</b>	<b>Title</b>	<b>NPPF</b>	<b>Commentary</b>
CP1	Sustainable Development	14&16	Incorporates the key NPPF principle of promoting sustainable development
CP2	Conservation Area	126 to 134	Refers to conservation and enhancement of the historic environment .
CP3	Local Green Spaces	76/77	Designation of Local Green Spaces
CP4	Buffer Zone	73/74	Protection of open spaces
CP5	Biodiversity	117/118	Conserve and enhance biodiversity
CP6	Affordable housing	54/55	Housing in rural areas
CP7	Mix of Housing Types	50	Creation of sustainable and mixed communities
CP8	Design	58	Support for design quality
CP9	Sustainable standards	95	Support for a low carbon future
CP10	Employment	28	Supporting a strong rural economy
CP11	Gypsy and Traveller Site	54/55,111	Housing in rural areas to support local needs. Re-use of brown-field land

## **4. Contributing to the Achievement of Sustainable Development**

- 4.1 Throughout its preparation, the emerging Neighbourhood Plan has had regard to the principles of sustainable development as set out in the NPPF. As explained in the text, the plan has had a strong relationship to the SWDP, which was adopted in March 2016.
- 4.2 Because of this close linkage to the SWDP, the Neighbourhood Plan has not been subjected to a separate Strategic Environmental Assessment (SEA) or a Sustainability Appraisal. During the drafting stage of the Neighbourhood Plan, officers at Wychavon District Council were asked to provide a Screening as to whether an SEA was required. Having consulted with the statutory bodies, the view was given that SEA was not necessary.
- 4.3 At the final stage of preparation, following the pre-submission consultation, a new policy CP11 was inserted. As this was concerned with the redevelopment of the Gypsy and Traveller site, Wychavon District Council were asked again to provide an opinion as whether SEA was required. The view was that, in view of the previous investigation, SEA was not required.
- 4.4 The objectives in Chapter 4 of the Neighbourhood Plan provide the balance between the environmental, economic, and social aims of sustainable development. Given the characteristics of this rural community, the primary aim of the plan is to protect and enhance the environment (policies CP2 – CP5). Environmental principles are also embodied in policies CP8 and CP9, which seek achieve high quality design which respects local character and is climate change proofed.
- 4.5 Economic principles of sustainability are embodied in policy CP10, which seeks to promote local business and employment. Social aspects are incorporated in the housing policies, which seek to ensure appropriate developments for local needs.
- 4.6 The sustainability of policy CP11 has been subject to more detailed scrutiny. As explained more fully in the plan, the redevelopment of the Evesham Road site has a number of benefits. First and foremost, the policy would secure the regeneration of a severely run-down area, with consequent benefits for the environment, landscape, and biodiversity. There would also be social benefits for the local community in terms of additional support for the local school and improvements to village facilities and infrastructure. There would also be positive stimulation of the village economy.

- 4.7 On balance, the plan will secure clear benefits to the local community, not only in environmental terms. There will also be clear and realisable social benefits from the redevelopment of the Gypsy and Traveller site.

## 5. General Conformity with the Development Plan

- 5.1 The Cleeve Prior Neighbourhood Plan has been prepared to ensure that it is in general conformity with the strategic policies of the SWDP, which is the statutory development plan for the area. As described above, the Neighbourhood Plan has been generated in close parallel to the SWDP, which was formally adopted by Wychavon District Council on 25<sup>th</sup> February 2016.
- 5.2 In terms of conformity, the Neighbourhood Plan benefits from an up-to-date set of strategic policies on the SWDP. Wherever possible, in the written statement, reference is made to other specific policies in the SWDP. This is over and above the requirement of general conformity with the strategic policies.
- 5.3 A list of the strategic policies in the SWDP is set out in a report **Strategic Policies for Neighbourhood Planning**, produced by the South Worcestershire Councils. The list is appended at the end of this Basic conditions Statement.
- 5.4 An assessment of the general conformity of the Neighbourhood Plan and the appropriate strategic policies is set out in the ensuing paragraphs. Not all of the strategic policies apply to the Cleeve Prior Neighbourhood Plan.

### SWDP1

- 5.5 As explained in Section 4 above, the Neighbourhood Plan fully embraces the principles of sustainable development as set out in SWDP1. Part B of the policy recognises that planning applications will be determined in accordance with Neighbourhood Plans. It is recognised that CP11 may not comply fully with the SWDP, but there special circumstances which, on balance, are supportive of the policy to redevelop the gypsy and traveller site.

## SWDP2

- 5.6 In line with the SWDP2, the Neighbourhood Plan contains a positive policy (CP10) to deliver job opportunities. The plan also seeks to provide for the delivery of sufficient housing to contribute towards the objectively assessed needs of Wychavon to the year 2030 (policies CP6 and CP7). It also seeks to safeguard the open countryside by concentrating development in and around the village of Cleeve Prior See also policies CP2 – 5). The redevelopment of the gypsy and traveller site (policy CP11) would contribute to the restoration and enhancement of the countryside around the site. In policy CP11, there is a commitment to the effective re-use of accessible, suitable, and environmentally-acceptable brown-field land.
- 5.7 In SWDP2, Cleeve Prior is a Category 3 settlement where infill development within defined settlement boundaries would be acceptable. This principle is applied in policies CP6 and CP7 of the Neighbourhood Plan. The scale and type of development proposed is appropriate to the size and scale of Cleeve Prior, its landscape character and social infrastructure. Policy SWDP2 does support the development of brown-field land which accords with policy CP11.

## SWDP3

- 5.8 There are no allocations of either housing or employment land in the SWDP with regard to Cleeve Prior. Nevertheless the developments which are proposed or permitted during the plan period will contribute to the objectively assessed needs of the Wychavon Sub-Area.

## SWDP4

- 5.9 There are no specific policies in the Neighbourhood Plan on transport and highways, as these matters are beyond the control of the Parish Council and, to some extent, WDC. Nevertheless, the plan is supportive of local transport cycling and footpath links. The redevelopment of the gypsy and traveller site will provide opportunities for the enhancement of local transport infrastructure.

## SWDP5

- 5.10 The Neighbourhood Plan acknowledges the opportunities for green infrastructure, with proposals for Local Green Spaces (policy CP3) and the establishment of a landscaped buffer zone between the Evesham Road site and the core of the village (policy CP4). The plan also recognises the importance of the Cleeve Prior Bank and the River Avon, which are essential components of the green infrastructure network.



#### SWDP6

- 5.11 One of the key aims of the Neighbourhood Plan is the protection and enhancement of the historic environment. This is expressed in policy CP2 and the supporting text.

#### SWDP7

- 5.12 The Neighbourhood Plan recognises the importance of developing and maintaining infrastructure. The redevelopment of the Evesham road site (policy CP11) will provide opportunities for some enhancement of local infrastructure networks.

#### SWDP12

- 5.13 The economy of the Parish is centred on agriculture, and the diversification of farming is supported by the Parish Council. Policy CP10 supports the creation of new businesses and employment in Cleeve Prior, provided there is no conflict with the Conservation Area and other policies designed to protect the character of the area.

#### SWDP13

- 5.14 In accordance with the aims of policy SWDP13, the Neighbourhood Plan seeks to make the most effective use of land in the Parish. This is achieved in policy CP6 by the concentration of housing development in and around the village core, strengthened in policy CP4 by the designation of a local strategic gap between the south western edge of the village and the housing allocation on the gypsy and traveller site off the Evesham Road. As set out in the Written Statement, policy CP11 aligns with SWDP13 in that it secures the re-use of previously developed land. In turn these policies help to protect the surrounding countryside and the Best and Most Versatile Agricultural Land (see also paragraph 5.23 of the Written Statement).

#### SWDP14

- 5.15 Within the village it is expected that any future developments will be below the threshold of 5 dwellings specified in this policy. In policy CP11 of the Neighbourhood Plan, there is an expectation that there will be an appropriate mix of market housing,

#### SWDP15

- 5.16 The issues of housing needs in the Parish are discussed in paragraphs 5.30 – 5.34 of the Written Statement. The results from the household surveys and Wychavon District Council’s returns showed that there is a low level of need for affordable housing. This will be kept under review, and policy CP7 of the Neighbourhood Plan recognises that the Plan will need to address any future housing needs.

#### SWDP17

- 5.17 In policy CP11, the Neighbourhood Plan allocates the Gypsy and Traveller site off the Evesham Road for housing. The justification for the policy is fully set out in paragraphs 5.49 – 5.75 of the Plan. In the negotiation of policy CP11, the Neighbourhood Plan Group has had full regard to the Worcestershire Gypsy and Traveller Accommodation Assessment Report and the emerging Site Allocations SPD. Clearly, policy CP11 is fully in conformity with SWDP17.

#### SWDP21

- 5.18 Design is an important issue in Cleeve Prior and its importance was stressed by local people in the rounds of consultation. The aims of SWDP21 are expressed in the Neighbourhood Plan, particularly in policies CP8 and CP9. Policy CP11 also contains provision for high quality design.

#### SWDP22

- 5.19 The Neighbourhood Plan strongly supports the aims of SWDP22 and the Worcestershire Biodiversity Action Plan. Local sites and areas of importance are set out in policy CP5.

#### SWDP27

- 5.20 In its lead policy CP1, the Neighbourhood Plan fully supports the principles of sustainable development. This is reflected in policy CP9 and paragraph 5.38 of the Plan, in line with the aims of SWDP27.

#### SWDP28

- 5.21 The bulk of the village is within Flood Zone 1, although there are large areas to the north and east in Flood Zones 2 and 3. The allocation in policy CP11 is in Flood Zone 1, and is separated from the River Avon by the Cleeve Hill bank. There have been localised incidences of flooding in recent years and these will be tackled by the Parish Council in collaboration with the appropriate authorities (see paragraph A11).

## SWDP59

- 5.22 As Cleeve Prior is a Category 3 Village, there are no housing allocations under this policy. The policy, however, does make provision for local initiatives coming forward in Neighbourhood Plans. In the justification for policy CP11, the Neighbourhood Plan conforms to the general aims of SWDP59

## **6. Compatibility with EU Legislation**

- 6.1 The Neighbourhood Plan has had full regard to the rights and freedoms of citizens guaranteed under the European Convention on Human rights and the Human Rights Act 2004. In the consideration of policy CP11, it was acknowledged that the redevelopment of the gypsy and traveller site (policy CP11) would be dependent on the ability of WDC to secure the re-location of residents to other pitches in the District.
- 6.2 As outlined above, the District Council provided a Screening Opinion which is submitted with this document It stated that SEA was not required for the Plan. The Neighbourhood Area is not in close proximity to any European designated nature sites. Accordingly, an Appropriate Assessment is not required under the Habitats Regulations.

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