

The Parish of
Ashbury Neighbourhood Plan 2018 - 2031
Basic Conditions Statement

Published by the Ashbury Neighbourhood Plan Steering Group on behalf of Ashbury Parish Council under the Neighbourhood Planning (General) Regulations 2012 (as amended)

September 2018

1 INTRODUCTION

1.1 This Statement has been prepared by the Parish of Ashbury Neighbourhood Plan [ANP] Steering Group on behalf of Ashbury Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, the Vale of White Horse District Council (“the District Council”), of the Parish of Ashbury 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 on behalf of the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Ashbury, as designated by the District Council on the 19th September 2016 (see Fig “x” below). The policies described in Section 7 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. It does not contain policies relating to excluded development as defined by, and in accordance with, the Regulations. The plan period of the Neighbourhood Plan is from 1st April 2018 to 31st March 2031.

1.3 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.

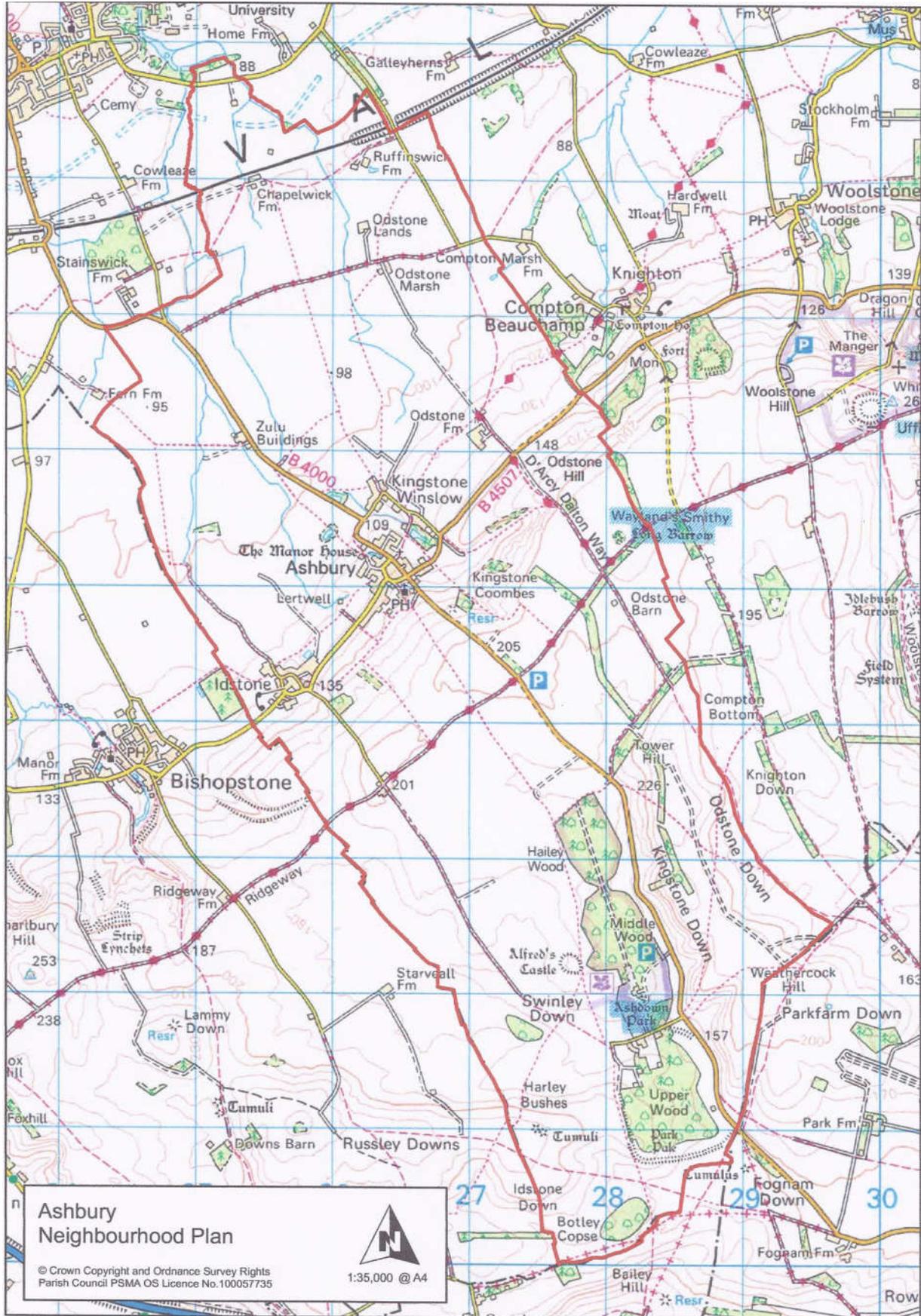
1.4 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- ***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), and:***
- ***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.***
- ***The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.***

1.5 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further 2 basic conditions in addition to those set out above, these are:

- ***the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)***
- ***having regard to all material considerations, it is appropriate that the Neighbourhood Development Order is made (see Schedule 3 to the Neighbourhood Planning (General) Regulations 2012 (as amended), where the development described in an order proposal is Environmental Impact Assessment development.***

Fig x - The Designated Parish of Ashbury Neighbourhood Plan Area



2 BACKGROUND

2.1 The decision to proceed with a Plan was made by the Parish Council in 2016. A chief concern was to ensure that local planning policies were sufficiently robust & specific to protect the character of the parish, and especially the unique historic character of the settlements, at a time when the trend towards relaxation of planning restrictions was gathering pace. For this reason, the Neighbourhood Plan is designed to complement and refine as appropriate the policies of the Vale of White Horse Local Plan 2031 Part 1[LPP1] adopted on 14th December 2016, and the emerging Local Plan 2031 Part 2 [LPP2].

2.2 A Neighbourhood Plan Steering Group was formed by the Parish Council, comprising parish councilors and members of the local community and it was delegated authority to make day-to-day decisions on the Neighbourhood Plan. However, as a qualifying body, the Parish Council itself approved the publication of the Pre-Submission Neighbourhood Plan of June 2018 and now the Submission Neighbourhood Plan of September? 2018.

2.3 There has been very considerable community engagement activity on the Plan. This is laid out in detail in the separate Consultation Statement, which is published by the Parish Council as part of the submission documentation. The Parish Council has worked closely with officers of the District Council during the preparation of the Neighbourhood Plan to ensure the relationship between the Plan and the policies of LPP1 and reasoning and evidence of the emerging LPP2 have been properly understood. The Steering Group has also benefited from the professional planning and design advice of Jeremy Flawn of Bluestone Planning LLP, a practice which is now being consulted by The Vale of the White Horse District Council.

2.4 The Neighbourhood Plan contains eight land use policies and the Parish Council has deliberately sought to focus policies on the key issues that matter to the local community and to avoid proposing policies that may duplicate national planning guidance and/or development plan policies that are already material considerations in determining future planning applications.

3 CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The ANP has been prepared with 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.

3.2 In overall terms, there are three NPPF paragraphs that provide general guidance on neighbourhood planning, to which the ANP has directly responded:

Para 16

3.3 The Parish Council believes the ANP is planning positively for future development in the Parish within the considerable environmental constraints that apply, and that it is consistent with the provisions of the LPP1. The parish is very rural in character and remote from the larger populations of the district and, with the exception of Ashdown, a National Trust estate afforded commensurate protection; the principal areas of habitation comprise spring-line settlements located against the escarpment that leads onto the North Wessex Downs.

3.4 In fact some 50% of the parish including Ashdown is located within the North Wessex Downs, an Area of Outstanding Natural Beauty. Idstone and a large proportion of Ashbury village are designated Conservation Areas, containing many listed buildings and other buildings of significant interest, as do the hamlets of Kingstone Winslow & Odstone. As Ashbury village is designated a 'smaller village' in the district settlement hierarchy, while the other settlements are all considered 'open countryside' there is no expectation of any major development within the parish. However, Policies 1 & 4 allow for small infill development schemes within suitable locations of the built up areas of the parish.

Para 183

3.5 The ANP establishes a clear vision and objectives for the parish that reflect the views of the majority of the local community. It has sought to translate the objectives into a small number of meaningful planning policies to complement other development plan policies for managing development proposals.

Para 185

3.6 The Parish Council believes the ANP, as is highlighted below, is in general conformity with all the relevant policies of LPP1 and the emerging LPP2 and this has been confirmed by officers of VWHDC. The ANP is considered to strike a positive balance between the considerable policy constraints of the Parish and the need to support some degree of change within the settlements.

3.7 The ANP avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan and other adopted supplementary planning guidance into specific policies that better address the social needs and unique qualities of the parish. Once made, the ANP should be easily considered alongside the LPP1, the emerging LPP2 and any other material considerations in determining planning applications.

3.8 The ANP policies are set out below, together with a brief summary of how each policy meets one or more of the specified "Basic Conditions". The particular paragraphs referred to in the respective tables are those considered the most relevant to each policy but are not intended to be an exhaustive list of all relevant paragraphs.

4 ANP POLICIES

PROTECTING THE BUILT ENVIRONMENT

Objective 1: To ensure that new development respects the form and function of the settlements in the Parish, and is designed to a high quality which is compatible with the local character.

Objective 2: To identify, protect and enhance the Parish's heritage assets.

Policy 1: Design and Heritage

New development will be supported provided that it:

- **Is in-keeping with the scale, form, layout, appearance and density of adjacent development**
- **Makes a positive contribution to local character and distinctiveness**
- **Does not adversely impact upon the amenity of neighbouring dwellings or give rise to the potential for harm to the amenity of proposed dwellings**
- **Is built to a high standard using appropriate materials and construction methods that reflect the requirements set out in the policies of the Development Plan and guidance contained in the Vale of White Horse Design Guide 2015 or their successor documents**
- **Enhances or better reveals the significance of the heritage assets of the Parish**
- **Includes appropriate landscape mitigation measures to reduce the impact of the built form and ensure that development is in keeping with the existing rural character of the settlements**
- **Complies with the other policies in the Development Plan.**

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16, 20(d), 78-79, 122(d, e), 124-131, 185 and 189-202
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 23, 37, 39, 40, 44 and Saved Local Plan policies DC3, DC6, DC9, DC10, HE1, HE4, HE5, HE7, HE8, HE9, HE10, HE11, NE6, NE9
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

Policy 2: Key Views and Vistas

Developments which maintain or enhances the identified key views and vistas will be strongly supported. The key views and vistas are defined on Figures 7.24, 7.26 and 7.27.

Reference will be made to the Character Appraisal and associated maps/plans in determining applications that affect the identified key views and vistas.

Policy 3: Dark Night Skies

1. Development proposals that conserve and enhance relative tranquillity, in relation to light pollution and dark night skies, and comply with other relevant policies will be permitted, provided it can be demonstrated that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations) for lighting within environmental zones, and have regard to the following hierarchy:

- a) The installation of lighting is avoided;**
- b) If lighting is installed it is necessary for its intended purpose or use and any adverse impacts are avoided; and**
- c) If it is demonstrated that (a) or (b) is not achievable, then adverse impacts are appropriately mitigated.**

2. To be appropriate, lighting for development proposals should ensure that:

- a) The measured and observed sky quality in the surrounding area is not reduced;**
- b) Lighting is not unnecessarily visible in nearby designated and key habitats;**
- c) The visibility of lighting from the surrounding landscape is avoided; and**
- d) Building design that results in increased light spill from internal lighting is avoided, unless suitable mitigation measures are implemented.**

Basic Conditions Check [applicable to Policy 2, Policy 3 or both]:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16, 78, 170-172 and 180
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 37, 44 and Saved Local Plan policies NE6, NE9
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

HOUSING

Objective 3: To maintain the Parish’s rural setting, while retaining the openness between the settlements to protect their individual identity.

Objective 4: To limit new housing development to small “infill” schemes only so as not to harm the rural character of the Parish.

Policy 4: Spatial Plan

The settlements of the Parish have developed around a series of natural springs, separated by largely undeveloped and open tracts of land. In order to maintain the separation between these settlements, residential development will be supported where:

- ***It does not adversely impact on the Parish’s rural landscape setting or erode the separation of the current spring-line settlements; and***
- ***In the case of Ashbury village, it comprises limited infill development within the continuous built-up areas of the settlement or it is allocated in the Local Plan Part 2;***
- ***In the case of Kingstone Winslow, Idstone and Odstone it is limited to that which is considered appropriate development in the countryside (as specifically set out in other relevant policies in the Development Plan or national policy).***

Proposals to redevelop brownfield land in the Parish will be determined in accordance with the policies in the Development Plan and national planning policy.

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16, 77-79, 170 and 172
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 3, 4, 20, 43, 44 and Saved Local Plan policies NE6, NE9
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn’t require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

TRANSPORT & ACCESSIBILITY

Objective 5: To improve accessibility by non-vehicular modes of transport by promoting improvements to existing footpath linkages.

Objective 6 To protect and improve public transport services to/from Swindon and Shrivenham.

Objective 7: To ensure adequate levels of off-road parking provision to accompany new development.

Policy 5: Transport & Accessibility

All new development should:

- ***Provide off-street parking in accordance with the County Council's adopted standards so as to avoid increasing demand for on-street parking;***
- ***Avoid giving rise to adverse impacts on road safety within the Parish, particularly for pedestrians & cyclists;***
- ***Maximise opportunities for sustainable, non-vehicular movement both within and between the settlements in the Plan area.***

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16, 98 and 102-111
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 33, 35, 37 and Saved Local Plan policies TR5, TR6
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

OPEN SPACE

There are several areas of private and public land within the Parish that are significant and valuable to the community: the allotments to the south of the B4507 to the south-east of Ashbury village, and Wixes Piece within the village itself. The allotments are privately owned, while that at Wixes Piece is owned by the Parish. In addition, there are two other areas of importance to the community: the pond at Upper Mill, Kingstone Winslow, a key location for wildlife habitats, and The Green, Kingstone Winslow that serves as the focal point of the hamlet. These are sufficiently important to the Parish that the intention is to designate them as Local Green Spaces.

Objective 8: To maintain, enhance and improve access to public open spaces and protect them from development, and protect important local green spaces.

Policy 6: Local Green Spaces

The Neighbourhood Plan designates Local Green Spaces in the following locations as shown in Figure 7.29:

- i. i. **The Allotments, Ashbury Village**
- ii. ii. **Wixes Piece, Ashbury Village**
- iii. iii. **Upper Mill Pond, Kingstone Winslow**
- iv. iv. **The Green, Kingstone Winslow**
- i. v. **Chalk Springs / Millstream watercourses**

Development on the designated Local Green Spaces will only be considered acceptable in exceptional circumstances where it is compatible with the reasons for which the land was designated. Development that would improve access to, or enhance the use of such Spaces will be supported provided that the integrity of the Spaces remains intact.

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16 and 96-101
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 44, 45 and Saved Local Plan policies NE6, NE9
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

BETTER FACILITIES FOR LOCAL PEOPLE

Objective 9: To seek opportunities wherever possible to maintain and enhance the social and economic vitality of the Parish by supporting and expanding the range of services and facilities available locally to residents and visitors.

Policy 7: Community Facilities

Other than where specifically permitted as a result of existing permitted development rights or other policies in the development plan, proposals for the development of a building or land that comprises or accommodates a community facility will be resisted unless it can be shown that the facility:

- **is no longer viable; or**
- **is no longer needed; or**
- **can successfully be relocated within the relevant settlement.**

The facilities this policy applies to include (this list is not exhaustive):

- **Ashbury Village Hall**
- **Ashbury Village Shop & Tea Room**
- **Ashbury Evangelical Free Church**
- **The Church of St Mary the Virgin**
- **The Parish Infant School**
- **The Parish Pre-school**
- **The Rose & Crown Inn**
- **The Allotments**

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 16, 80-84 and 91-95
In general conformity with the strategic policies contained in the development plan?	In conformity with Saved Local Plan policies CF1, CF5, L4, L7
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the economic and social dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.

POLICY 8: Infrastructure

In order for the community of the Parish to continue to flourish in the future, it is necessary to ensure that an appropriate level of infrastructure is maintained commensurate with the needs of the community.

Active support will be given for development which is consistent with the other policies in this Neighbourhood Plan where it secures the provision or funding of infrastructure that mitigates the effects of the development, with particular regard to school capacity, sustainable transport measures, healthcare provision, sewerage treatment capacity, water supply, public open space and utility connections.

A list of the priorities is set out at Appendix 3 to the Neighbourhood Plan

Basic Conditions Check:

In line with national policy and guidance?	Consistent with NPPF 2018 Paragraphs 5, 6, 16, 20-22, 28, 34 and 54-56
In general conformity with the strategic policies contained in the development plan?	In conformity with Core Strategy Core Policies 7, 33, 35, 36, 37, 45 and Saved Local Plan policies CF2, H23, L8, L9, L10.
Contributes towards the achievement of sustainable development?	Contributes to the achievement of the social, economic and environmental dimensions of sustainable development (NPPF 2018 Paragraph 8).
Compatible with EU obligations (eg doesn't require a SEA)	Confirmed by SEA & HRA screening statement issued on 14th March, 2018.
Not likely to have a significant effect on a European site (see Conservation of Habitats and Species Regulations 2012)?	Plan does not seek to allocate sites for development and is therefore not likely to have a significant effect, as confirmed by SEA & HRA screening statement issued on 14th March, 2018.