

Witley Neighbourhood Plan

J - Basic Conditions
Statement

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1.0 Introduction and General Legal Requirements

1.1 This section details compliance with the general legal requirements of Neighbourhood Development Plans. In relation to relevant aspects of Schedule 4B of the Town and Country Planning Act 1990, we make the following confirmatory statements (noting the modifications enacted by Section 38A of the Planning and Compulsory Purchase Act) [Legislation references in square brackets]:

1. **Witley Parish Council** is a qualifying body and is therefore entitled to submit a draft neighbourhood development plan to the local planning authority whose area it lies within (Waverley Borough Council) [Schedule 4B 1(1)].
2. The submission includes a draft of the Witley Neighbourhood Plan [Schedule 4B 1(2)(a)].
3. The following statement summarises the Witley Neighbourhood Plan and sets out why they should be made in the proposed terms [Schedule 4B 1(2)(b)]:

The Witley Neighbourhood Plan is a Neighbourhood Development Plan developed and submitted by Witley Parish Council. The Plan has been developed through ongoing community involvement and engagement, during which time contributors have helped to identify the key issues the Plan should focus on, develop policies and refine the Plan itself. Following pre-submission consultation, which concluded on 17 June 2019, the Plan is submitted to Waverley Borough Council (WBC) along with this Legal Compliance Statement (including Basic Conditions Statement) and other supporting documents.

The Witley Neighbourhood Plan includes policies related to the use of land in Witley Parish only. The policies of the Neighbourhood Development Plan are arranged under seven chapters:

- *New Development during the Plan Period (eleven policies);*
- *Heritage and Landscape Conservation (four policies);*
- *Amenities (six policies);*
- *Transport (seven policies);*
- *Economy (three policies);*
- *Natural Environment (four policies);*
- *Infrastructure and Delivery Monitoring (three policies).*

The Neighbourhood Plan policies relates to development in the neighbourhood area. Some policies relate to specific sites while some relate to all land in the neighbourhood area.

The Neighbourhood Development Plan should be made in the proposed terms because it is prepared and submitted in accordance with the general legal requirements of a Neighbourhood Development Plan (as set out in Section 1 of this report) and conforms to the Basic Conditions of Neighbourhood Development Plans (as set out in Sections 2-5 of this report).

4. The Neighbourhood Development Plan is in a prescribed form as it has clearly identified planning policies supported by additional text as required [Schedule 4B 1(3)(a)].
5. The Neighbourhood Development Plan is accompanied by a number of supporting documents, including those prescribed by Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012, namely a map identifying the area, a consultation statement (demonstrating compliance with Regulation 15(2) and titled as an 'Engagement Report'), the proposed neighbourhood development plan and a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act (Sections 2-5 of this Legal Compliance Statement (including Basic Conditions Statement)) [Schedule 4B 1(3)(b)].
6. The qualifying body has sent to the prescribed persons a copy of the proposed Neighbourhood Development Plan and all prescribed supporting documents [Schedule 4B 1(4)(a-c)].
7. The submitted Neighbourhood Development Plan conforms to the requirements of the Neighbourhood Planning Regulations (2012, as amended) relevant to the preparation and submission of a neighbourhood plan. Compliance with all aspects of the regulations related to consultation is set out in the supporting Engagement Statement [Schedule 4B 1(6)].

1.2 In relation to Section 38A of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:

1. Witley Parish Council is a qualifying body and is therefore entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood

development plan.

2. The Witley Neighbourhood [Development] Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area and in certain policies in relation to parts of the neighbourhood area.
3. The requirements of Schedule 4B are taken into account in the preparation of this Neighbourhood Development Plan (taking into account the modifications set out at Section 38C) and this report expresses compliance with those policies.
4. The remainder of Section 38A does not relate to the duties of the qualifying body when submitting a Neighbourhood Plan.

1.3 In relation to Section 38B of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:

1. Paragraph 1.3 of the Neighbourhood Plan expresses the period over which it is will take effect. The Neighbourhood Plan has a base date of 2017 and will run to 2032.
2. The Neighbourhood Plan and its policies do not relate to excluded development, as defined by section 61K of the Town and Country Planning Act 1990, including County matters (such as minerals or waste development) and nationally significant infrastructure projects.
3. The Witley Neighbourhood Plan Area was designated by Waverley Borough Council on 4th November 2014.
4. The Neighbourhood Plan policies are in accordance with the statements or other information in the Plan, however, we note that should any conflict be interpreted this would be resolved in favour of the policy.

1.4 This Statement demonstrates compliance with the "Basic Conditions". Neighbourhood Plans must conform to the relevant Basic Conditions set out in Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990. It is required by Regulation 15(1)(d) of the Neighbourhood Planning Regulations (2012, as amended). The Basic Conditions are:

1. To have appropriate regard to national planning policies and advice;
2. To contribute to the achievement of sustainable development;
3. To be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Local Plan (Core Strategy) 2012 and the London Plan 2016; and
4. To meet the relevant EU obligations.

Structure of this Report

- 1.5 The remainder of this Statement addresses each Basic Condition set out at Paragraph 1.4 on a chapter-by-chapter basis.

2.0 To have appropriate regard to national planning policy and advice

2.1 National Planning Policy and Advice is primarily contained within:

- The National Planning Policy Framework (2019);
- National Planning Practice Guidance; and
- Written Ministerial Statements.

National Planning Policy Framework

2.2 The National Planning Policy Framework (NPPF) sets out the approach to planning policy making and planning decision taking in England. There is a duty of Neighbourhood Plans to have regard to the statements made in the NPPF. Each relevant section of the NPPF is set out below and accompanied by proportionate evidence demonstrating that the Witley Neighbourhood Plan and its policies have regard to its contents.

2.3 The Plan has regard to relevant policies within the NPPF in relation to:

- Achieving sustainable development;
- Plan-making;
- Decision-making;
- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Ensuring the vitality of town centres;
- Promoting healthy and safe communities;
- Open Space and Recreation
- Promoting sustainable transport;
- Supporting high quality communications;
- Making effective use of land;
- Achieving well-designed places;
- Protecting Green Belt land;
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment;

- Conserving and enhancing the historic environment;
- Facilitating the sustainable use of minerals.

Achieving sustainable development

2.4 This section sets out the dimensions of sustainable development in the context of the planning system. These dimensions are considered in Section 3 of this report, when assessing the contribution of the Neighbourhood Plan in the context of the dimensions of sustainable development.

Plan-making

2.5 The Witley Neighbourhood Plan sets out a framework at neighbourhood level that addresses economic, social and environmental priorities, and a vehicle for local people to shape their neighbourhood.

2.6 Paragraph 16 of the Framework states that plans should:

- a. be prepared with the objective of contributing to the achievement of sustainable development;*
- b. be prepared positively, in a way that is aspirational but deliverable;*
- c. be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d. contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e. be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

2.7 It is confirmed that the Witley Neighbourhood Plan meets these requirements and in response to Paragraph 16:

- a. Has been prepared with the objectives of sustainable development in mind (refer to chapter 3 of this report);

- b. Has been prepared in a positive fashion and is deliverable;
- c. Has been prepared in consultation with local community members and the WBC;
- d. Contains clearly written policies;
- e. Will be accessible digitally, through the Witley Parish Council website and the WBC website;
and
- f. Serves a clear purpose.

2.8 Paragraph 29 of the Framework states that '*Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*'

2.9 The Neighbourhood Plan includes policies that promote appropriate development within the Neighbourhood Plan Area. The policies do not promote less development than is set out in the Waverley Local Plan Part 1 (LPP1). Chapter 3 of the Neighbourhood Plan sets out the Overall Vision for the plan period, and importantly notes that "*New housing will be designed to a high standard and well integrated into the existing built environment. It will support resource-efficient, sustainable living.*"

Decision-Making

2.10 The Witley Neighbourhood Plan provides a tool to help decision makers to assess applications for sustainable development, as described in Paragraph 38 of the Framework.

Delivering a sufficient supply of homes

2.11 At the heart of planning policy is the Government's objective to deliver a sufficient level of housing to meet objectively assessed housing needs. Paragraph 69 of the Framework identifies that '*neighbourhood planning groups should consider the opportunities for allocating small and medium-sized sites suitable for housing in their area.*'

2.12 It was originally intended for the WNP to allocate sites, but in March 2018 Witley Parish Council and the Neighbourhood Plan Steering Group decided to hand formal responsibility for site allocation back to WBC. As a result, Waverley Local Plan Part 2 will allocate sites for housing.

2.13 Witley Neighbourhood Plan sets out the following policies that aim to support the Government’s objective to deliver a sufficient supply of homes.

Policy	Policy Title
ND1	Locations for Future Growth
ND2	Housing Mix
ND3	Affordable Housing
ND4	Provision of accessible and adaptable housing
ND5	Specialist housing for Older People

2.14 The policies identified above are in accordance with the Framework.

Building a strong, competitive economy

2.15 The Framework outlines that all planning policies and decisions should help to create conditions for economic prosperity. Paragraph 83d) states that policies should enable ‘*the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship*’. Policies drafted as part of the Witley Neighbourhood Plan conform with the Framework whereby they aim retain and enhance community facilities, local green spaces and local shops.

2.16 The Witley Neighbourhood Plan sets out the following policies that aim to support the Government’s objective to support economic growth and productivity.

Policy	Policy Title
ND7	Integration of Major Developments
ND11	Services Infrastructure
A1	New Community Healthcare Hub
A3	Local Green Spaces
A6	Community Halls
E1	Retail Uses
E2	Employment Sites

E3	Home Workers
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2.17 The policies identified above are in conformity with the Framework.

Ensuring the vitality of town centres

2.18 The Framework identifies that policies should support the role of town centres and town centre uses at the heart of local communities, and further explores that towns centres can play a role at the heart of communities. While the Neighbourhood Plan area does not feature a town centre, it does have a functioning local economy that plays an important role in the wider retail hierarchy.

2.19 The Witley Neighbourhood Plan sets out the following policy that supports the vitality of town centre uses at the heart of the community.

Policy	Policy Title
E1	Retail Uses

2.20 The policies identified above are in conformity with the Framework.

Promoting healthy and safe communities

2.21 Chapter 8 of the Framework addresses the Government’s objective to create healthy, inclusive and safe places and promote social interaction, safe and accessible, and foster healthy lifestyles. Paragraph 91 of the Framework identifies the means by which this can be achieved.

2.22 The Witley Neighbourhood Plan sets out the following policies that support the promotion of healthy and safe communities.

Policy	Policy Title
ND4	Provision of accessible and adaptable housing
ND5	Specialist housing for Older People
ND9	Safe and Secure Design
A3	Local Green Spaces

A4	Future Green Spaces
T4	Transport Assessments and Air Quality
T6	Cycling
NE1	Environmental Implications of Development

2.23 The policies identified above are in conformity with the Framework.

Open Space and Recreation

2.24 Paragraph 96 of the Framework states that *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate”.*

2.25 The Witley Neighbourhood Plan sets out the following policies that have been included specifically to include facilitate access for Witley residents to open spaces, recreation and sports facilities.

Policy	Policy Title
A3	Local Green Spaces
A4	Future Green Spaces
A5	Play Areas, Recreation Grounds and Sports Facilities
A6	Community Halls

Promoting sustainable transport

2.26 The Framework outlines that transport issues should be considered in plan-making and development proposals. Of particular relevance to the neighbourhood plan area, is the Framework’s requirement at Paragraph 102d), 102e) and 102f) to consider opportunities to promote walking, cycling and public transport use, the environmental issues of traffic and transport infrastructure, and patterns of movement, streets and parking.

2.27 The Witley Neighbourhood Plan sets out the following policies that have been included specifically to contribute to the promotion of sustainable transport.

Policy	Policy Title
ND10	Energy Efficiency and Design
T1	Improving the Pedestrian Environment
T2	New Highways Design
T3	Parking
T4	Transport Assessments and Air Quality
T5	Travel Plans
T6	Cycling

2.28 The policies identified above are in conformity with the Framework.

Supporting high quality communications

2.29 The Framework identifies that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Paragraph 112 sets out that '*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.*'

2.30 The Witley Neighbourhood Plan sets out the following policy that has been included to ensure that high quality and reliable communications infrastructure can be delivered.

Policy	Policy Title
ND11	Services Infrastructure

2.31 The policy identified above is in conformity with the Framework.

Making effective use of land

2.32 Ensuring the effective use of land is described in Chapter 11, and at Paragraph 117, the Framework states that '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.*'

2.33 The Witley Neighbourhood Plan sets out the following policies that have been included to ensure the Plan promotes the effective use of land in line with Paragraph 117 and Chapter 11 of the Framework.

Policy	Policy Title
ND1	Locations for Future Growth
ND2	Housing Mix
ND3	Affordable Housing
ND4	Provision of accessible and adaptable housing
ND5	Specialist housing for Older People
ND6	General Design Principles
ND7	Integration of Major Development Proposals
ND8	Safeguarding Residential Amenity
E1	Retail Uses
E2	Employment Sites

2.34 The policies identified above are in conformity with the Framework.

Achieving well-designed places

2.35 Chapter 12 of the Framework focusses on working towards creating well-designed places, as a key aspect of sustainable development. Paragraph 124 states '*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*'

2.36 The Witley Neighbourhood Plan sets out the following policies that have been included to promote well-designed places.

Policy	Policy Title
ND4	Provision of accessible and adaptable housing

ND6	General Design Principles
ND7	Integration of Major Development proposals
ND8	Safeguarding Residential Amenity
ND9	Safe and Secure Design

2.37 The policies identified above are in conformity with the Framework.

Protecting Green Belt Land

2.38 The Government attaches great importance to protecting the Green Belt and through Chapter 13 of the Framework, sets out the purposes of the Green Belt. Where exceptional circumstances have been demonstrated to exist (as is the case within Waverley via the LPP1 process) paragraph 136 outlines that Green Belt boundaries can be altered. Paragraphs 138 and 139 set out the principles for defining Green Belt boundaries.

2.39 The Witley Neighbourhood Plan sets out the following policy that has been included to help inform that preparation of the Waverley Local Plan Part 2 which will include a Green Belt boundary review within the Neighbourhood Plan area.

Policy	Policy Title
ND1	Locations for Future Growth

2.40 The policy identified above is in conformity with the Framework.

Meeting the challenge of climate change, flooding and coastal change

2.41 The Framework identifies that planning should support the transition to a low carbon future in a changing environment, and a proactive approach to mitigating and adapting to climate change. In doing so plans are required to tackle the long term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies have been included in the draft Plan that serve the purposes, as described in paragraphs 148 and 149 of the Framework.

2.42 The Witley Neighbourhood Plan sets out the following policies that have been included to contribute to tackling the issue of climate change.

Policy	Policy Title
ND10	Energy Efficiency and Design
T1	Improving the Pedestrian Environment
T4	Transports Assessments and Air Quality
T6	Cycling
NE1	Environmental Implications of Development
NE2	Trees and Hedgerows
NE3	Biodiversity
NE4	Flood Risk

2.43 The policies identified above are in conformity with the Framework.

Conserving and enhancing the natural environment

2.44 At Chapter 15 the Framework instructs that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 170e) states that policies can enhance the local environment by '*preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans*'.

2.45 Witley Neighbourhood Plan sets out the following policies that have been included to contribute to tackling the issue of climate change.

Policy	Policy Title
T4	Transports Assessments and Air Quality
NE2	Trees and Hedgerows
NE3	Biodiversity

NE4	Flood Risk
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2.46 The policies identified above are in conformity with the Framework.

Conserving and enhancing the historic environment

2.47 Chapter 16 of the Framework focusses on the conservation and enhancement of historic environment. Paragraph 184 states that historic '*assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*'. Paragraph 185 identifies that '*Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets*'. The draft Plan has included a policy specifically for the purposes of meeting the requirements of Chapter 16 of the Framework.

2.48 The Witley Neighbourhood Plan sets out the following policy that has been included to contribute to the conservation and enhancement of the historic environment.

Policy	Policy Title
HC1	Landscape Conservation
HC2	Statutory Listed Buildings
HC3	Conservation Areas
HC4	Non-designated heritage assets

2.49 The policy identified above is in conformity with the Framework.

Facilitating the sustainable use of minerals

2.50 The Government accords a chapter of the Framework to ensuring that there is a sufficient supply of minerals for future development. The Neighbourhood Plan does not provide for the extraction of minerals, and therefore this chapter of the Framework is not relevant.

National Planning Practice Guidance

[Neighbourhood Plans \(Section ID: 41\)](#)

- 2.51 This section advises on the neighbourhood planning system including key stages and decisions such as deciding neighbourhood areas, legal tests for neighbourhood plans, the preparation of a basic conditions statement and the process of independent examination and referendum.
- 2.52 This statement demonstrates how the Witley Neighbourhood Plan meets the basic conditions required to pass examination, as set out under paragraphs 065-068 (Ref: 41-065-20140306) of the NPPG.
- 2.53 In response to the question "Can a neighbourhood plan come forward before an up-to-date Local Plan is in place?", NPPG states that:

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.

Paragraph: 009 Reference ID: 41-009-20190509

Revision date: 09/05/2019

- 2.54 The Neighbourhood Plan is prepared in accordance with the adopted LPP1 which contains the strategic policies for Waverley Borough, but also direction of the emerging Waverley Local Plan Part 2 (LPP2) which contains the non-strategic policies. The more strategic natured policies in the Neighbourhood Plan are formed in line with both the adopted LPP1 and where relevant the emerging LPP2. It is anticipated that there will be no meaningful degree of variation between the strategic policies of the Neighbourhood Plan and any policy elements within the future LPP2 that are more strategic in nature. In the event that there is any variation, the LPP2 would take precedence over the Neighbourhood Plan as the LPP2 is not scheduled for adoption until after the

Neighbourhood Plan has been 'made'.

3.0 To contribute to the achievement of sustainable Development

3.1 The following sections outline how the Witley Neighbourhood Plan contributes to the achievement of sustainable development.

Role and definition of sustainable development

3.2 Paragraph 7 of the Framework sets out that *'the purpose of the planning system is to contribute to the achievement of sustainable development'*, noting that the remainder of the Framework defines the government's view of what constitutes sustainable development.

3.3 Paragraph 11 of the Framework states that a presumption in favour of sustainable development is at the heart of the Framework.

3.4 Paragraph 8 of the Framework defines the 'dimensions' of sustainable development to be economic, social and environmental. It further sets out roles of the planning system in relation to these dimensions as follows:

- a. ***'an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b. ***a social objective*** — *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c. ***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.*

3.5 This section reviews the Witley Neighbourhood Plan in the context of these dimensions, individually and collectively. Where aspects of the Neighbourhood Plan have an impact on more than one dimension of sustainability it is noted.

Assessment

Delivering economic sustainability

3.6 The Witley Neighbourhood Plan seeks to contribute to the delivery of economic sustainability. There are a number of sites within the Witley Neighbourhood Plan area that offer employment opportunities for both medium and small businesses, in addition to work-from-home scenarios. Chapter 6.0 of the Plan focusses around ensuring that residents of Witley have access to appropriate amenities, including local shops and community facilities.

3.7 The Neighbourhood Plan contributes to delivering economic sustainability through:

- Supporting our network of local shops, restaurants and pubs;
- Protecting and supporting the enhancement of employment sites; and
- Supporting residents working in Witley Parish.

Delivery social sustainability

3.8 The Witley Neighbourhood Plan seeks to contribute to the delivery of social sustainability. The Neighbourhood Plan provides a platform for supporting a healthy Witley community, by encouraging new development to match demands and providing enhanced and accessible community facilities and local services.

3.9 The Neighbourhood Plan contributes to delivering social sustainability through:

- Facilitating new residential development that meets a variety of different local needs, such as affordable and specialist housing;
- Providing a vehicle for the development of high quality homes, with a particular focus on family homes, within the Neighbourhood plan area;
- Supporting attractive new development that complements the surrounding built environment;
- Enhancing the accessibility of amenities such as healthcare facilities and community facilities;

- Encouraging and facilitating active transport;
- Ensuring that future residential development is well designed and secure from crime;
- Protecting existing community facilities and green spaces,
- Providing a platform to increase the provision of local green spaces to ensure they are increasingly accessible, and in doing so maintaining spaces for people to gather and socialise;

Delivering environmental sustainability

3.10 The Witley Neighbourhood Plan seeks to contribute to environmental sustainability. The Neighbourhood Plan provides specific policies to the effect, with particular concentration on biodiversity and flood risk. The Plan seeks to improve the local environment by improving air quality, retaining existing trees and promoting tree planting, and protecting existing green spaces and local amenities.

3.11 The Neighbourhood Plan contributes to environmental sustainability specifically through:

- Promoting the facilities for sustainable modes of transport;
- Requiring new development to consider environmental impacts such as water and air pollution;
- Encouraging new developments to maximise opportunities to provide net gains in relation to ecological and geological assets, in addition to mitigating against any unavoidable adverse environmental impacts;
- Restricting the loss of trees and established hedgerows;
- Enhancing the protection of local biodiversity from new development;
- Ensuring new and existing residents and businesses are not exposed to unacceptable flood risk in relation to new development.

4.0 To be in general conformity with the strategic policies contained in the Development Plan

Introduction

- 4.1 This section analyses the general conformity of the Neighbourhood Plan and its policies against the strategic planning policies in the Waverley Development Plan. The adopted Development Plan is comprised of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (LPP1) and the 'Saved Policies' of the Local Plan 2002 (LP2002). The Waverley Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) is in the process of being prepared. LPP2 is scheduled for Regulation 19 consultation in early 2020. However, the policies within the LPP2 are intended to be non-strategic in nature.
- 4.2 National Planning Practice Guidance makes the following comments on what is meant by the terms "general conformity" and "strategic policies":

'What is meant by 'general conformity'?

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- 1. whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;*
- 2. the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;*
- 3. whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and*
- 4. the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach'.*

(Paragraph: 074 Reference ID: 41-074-20140306)

'What is meant by strategic policies?'

Paragraph 20 of the National Planning Policy Framework sets out the strategic matters about which are expected to be addressed through policies in local plans or spatial development strategies. The basic condition addresses strategic policies no matter where they appear in the development plan. Paragraph 21 sets an expectation that plans should make explicit which policies are strategic policies. (Paragraph: 075 Reference ID: 41-075-20190509)

'How is a strategic policy determined?'

Strategic policies will be different in each area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- whether the policy sets out an overarching direction or objective*
- whether the policy seeks to shape the broad characteristics of development*
- the scale at which the policy is intended to operate*
- whether the policy sets a framework for decisions on how competing priorities should be balanced*
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the local plan or spatial development strategy*
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the local plan or spatial development strategy*
- whether the local plan or spatial development strategy identifies the policy as being strategic.*

Planning practice guidance on plan-making provides further advice on strategic policies. (Paragraph: 076 Reference ID: 41-076-20190509).

'How does a qualifying body know what is a strategic policy?'

A local planning authority should set out clearly its strategic policies in accordance with paragraph 21 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner. (Paragraph: 077 Reference ID: 41-077-20190509).

- 4.3 The Waverley Local Plan Part 1, entitled 'Strategic Policies and Sites' contain the policies WBC consider are strategic in nature these being:

Policy Number	Policy Name
SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy

ALH1	The Amount and Location of Housing
ST1	Sustainable Transport
ICS1	Infrastructure and Community Facilities
AHN1	Affordable Housing on Development Sites
AHN2	Rural Exception Sites
AHN3	Housing Types and Size
AHN4	Gypsies, Travellers and Travelling Showpeople Accommodation
EE1	New Economic Development
EE2	Protecting Existing Employment Sites
TCS1	Town Centres
TCS2	Local Centres
TCS3	Neighbourhood and Village Shops
LRC1	Leisure and Recreation Facilities
RE1	Countryside beyond the Green Belt
RE2	Green Belt
RE3	Landscape Character
TD1	Townscape and Design
HA1	Protection of Heritage Assets
NE1	Biodiversity and Geological Conservation
NE2	Green and Blue Infrastructure
NE3	Thames Basin Heaths Special Protection Area
CC1	Climate Change
CC2	Sustainable Construction and Design
CC3	Renewable Energy Development
CC4	Flood Risk Management

Assessment

4.4 Table 1 assesses the Neighbourhood Plan policies in the context of the adopted strategic Development Plan policies for Waverley (these namely being the policies within LPP1) that are relevant to the Witley Neighbourhood Plan Area. While there is no basic condition relating to general conformity with the non-strategic policies for Waverley (these namely being the Saved Policies of the Local Plan 2002, and the emerging LPP2) (see NPPG Paragraph: 009 Reference ID: 41-009-201602111), the Witley Neighbourhood Plan has been formed in collaboration with WBC with the aim of seeking general conformity with the LPP2. In view of this, consideration has also been given within Table 1, where relevant, to general consistency with Saved Policies and emerging LPP2 policies.

Table 1: Strategic Policy General Conformity Schedule

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy ND1 – Locations for Future Growth	PS2: Spatial Strategy ALH1: The Amount and Location of Housing RE2: Green Belt			Policy ND1 is in general conformity with the relevant strategic policies as the policy supports the delivery and allocation of housing at Witley; and identifies an additional reasonable alternative option for a 'broad area for potential adjustment to the Green Belt boundary' for consideration as part of the LPP2 process.
Policy ND2 – Housing Mix	AHN3: Housing Types and Size			Policy ND2 is in general conformity with the relevant strategic policy as the policy provides recommended housing mix that reflects neighbourhood specific evidence. Policy AHN3 seeks to make provide for a housing mi there needs the needs of the community.

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy ND3 – Affordable Housing	AHN1: Affordable Housing on Development Sites			Policy ND3 is in general conformity with the relevant strategic policy as it provides local context to Policy AHN1 i.e. distinguish between the parts of the Parish within the AONB (designated rural areas) and part outside of the AONB.
Policy ND4 – Provision of accessible and adaptable housing	AHN3: Housing Types and Sizes	D9: Accessibility		<p>Policy ND4 is in general conformity with the relevant strategic policies as the policy seeks to ensure that new housing meets the needs of older and disabled people.</p> <p>Policy ND4 is also generally consistent with the relevant non-strategic Saved Policy which seeks to provide or improve accessibility for everyone, including people with disabilities and those with young children.</p>
Policy ND5 – Specialist housing for Older People	AHN3: Housing Types and Sizes			Policy ND5 is in general conformity with the relevant strategic policy as the policy seeks to ensure that new housing meets the needs of older people.
Policy ND6 – General Design Principles	TD1: Townscape and Design	D4: Design and Layout	DM1: Environmental Implications of Development DM2: Quality Places through Design	<p>Policy ND6 is in general conformity with the relevant strategic policies as the policy provide design guidance to inform development proposal development and decision-making.</p> <p>Policy ND6 is also generally consistent with the relevant non-strategic Saved Policy and emerging LPP2 policy which provide design guidelines.</p>

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy ND7 – Integration of Major Development proposals	TD1: Townscape and Design RE3: Landscape Character			Policy ND7 is in general conformity with the relevant strategic policies as the policy seeks to ensure that new development protect character and amenity through integration with the existing built form of the Parish. The policy also seeks to protect and enhance the character and qualities of the AONB.
Policy ND8 – Safeguarding Residential Amenity	TD1: Townscape and Design		DM3: Safeguarding Amenity DM4: Public Realm	Policy ND8 is in general conformity with the relevant strategic policy as the policy seeks to maximise opportunities to improve the quality of life and health and well-being through ensuring appropriate internal and external space is delivered as part of new developments. Policy ND8 is also generally consistent with the relevant emerging non-strategic policies which seek to provide borough wide guidelines.
Policy ND9 – Safe and Secure Design		D8: Crime Prevention	DM5: Safer Places	There is no relevant adopted strategy policy regarding safe and secure design. Policy ND9 is therefore in general conformity with the strategic policies. Policy ND9 is also generally consistent with the relevant non-strategic Saved Policy and emerging LPP2 policy which seek safe and secure design.

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy ND10 – Energy Efficiency and Design	CC1: Climate Change CC2: Sustainable Construction and Design			Policy ND10 is in general conformity with the relevant strategic policies as the policy seeks to promote sustainable patterns of development and reduce the impact of climate change through energy efficiency and design measures.
Policy ND11 – Services Infrastructure	ICS1: Infrastructure and Community Facilities			Policy ND11 is in general conformity with the relevant strategic policy as the policy seeks to ensure that there is sufficient existing service and utility infrastructure capacity or the new capacity is secured prior to occupation of any development.
Policy HC1 – Landscape Conservation	RE3: Landscape Character			Policy HC1 is in general conformity with the relevant strategic policy as the policy seeks to protect and enhance the AONB and Areas of Great Landscape Value.
Policy HC2 – Statutory Listed Buildings	HA1: Protection of Heritage Assets	HE1: Protection of Listed Buildings HE3: Development Affecting Listed Buildings or their Setting HE5: Alteration or Extension of Listed or Locally Listed Buildings HE10: Heritage Features	DM19: Development Affecting Listed Buildings, and/or their Settings	Policy HC2 is in general conformity with the relevant strategic policy as the policy seeks to protect Listed Buildings. Policy HC2 is also generally consistent with the relevant non-strategic Saved Policy and emerging LPP2 policy which seek to protect and enhance Listed Buildings

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy HC3 – Conservation Areas	HA1: Protection of Heritage Assets	HE8: Conservation Areas	DM20: Conservation Areas	<p>Policy HC3 is in general conformity with the relevant strategic policy as the policy seeks to protect Conservation Area.</p> <p>Policy HC3 is also generally consistent with the relevant non-strategic Saved Policy and emerging LPP2 policy which seek to protect and enhance Conservation Areas.</p>
Policy HC4 – Non-designated heritage assets	HA1: Protection of Heritage Assets	HE4: Change of Use of Listed or Locally Listed Buildings	DM22: Non-Designated Heritage Assets	<p>Policy HC42 is in general conformity with the relevant strategic policy as the policy seeks to protect and promote heritage assets.</p> <p>Policy HC4 is also generally consistent with the relevant non-strategic Saved Policy and emerging LPP2 policy which seek protect heritage assets.</p>
Policy A1 – New Community Healthcare Hub	ICS1: Infrastructure and Community Facilities			Policy A1 is in general conformity with the relevant strategic policy as the policy seeks to support proposals for a new community healthcare hub should it be required to support future healthcare needs within the Parish.
Policy A2 – School and Nursery Provision	ICS1: Infrastructure and Community Facilities	CF3: Educational Establishments		Policy A2 is in general conformity with the relevant strategic policy as the policy seeks to support proposals for new school and nursery provision should it be required to support future education needs within the Parish.
Policy A3 – Local Green Spaces		DM18: Local Green Space		<p>There is no relevant adopted strategy policy regarding Local Green Spaces. Policy A3 is therefore in general conformity with the strategic policies.</p> <p>Policy A3 is also generally consistent with the relevant emerging LPP2 policy which outlines appropriate forms of development within Local Green Spaces.</p>

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy A4 – Future Green Spaces	LRC1: Leisure and Recreation Facilities	DM18: Local Green Space		<p>Policy A4 is in general conformity with the relevant strategic policy as the policy seeks to protect and increase the quantity of public open space.</p> <p>Policy A4 is also generally consistent with the relevant emerging LPP2 policy which outlines appropriate forms of development within Local Green Spaces.</p>
Policy A5 – Play Areas, Recreation Grounds and Sports Facilities	LRC1: Leisure and Recreation Facilities			Policy A5 is in general conformity with the relevant strategic policy as the policy seeks to protect and increase the quantity of play areas, recreation grounds and sports facilities.
Policy A6 – Community Halls	LRC1: Leisure and Recreation Facilities			Policy A6 is in general conformity with the relevant strategic policy as the policy seeks to improve existing indoor sports, leisure and cultural facilities.
Policy T1 – Improving the Pedestrian Environment	ST1: Sustainable Transport		DM7: Accessibility and Transport	<p>Policy T1 is in general conformity with the relevant strategic policy as the policy seeks to increase sustainable transport choices through improving the pedestrian environment.</p> <p>Policy T1 is also generally consistent with the relevant emerging LPP2 policy which seek prevent development from compromising pedestrian movement.</p>
Policy T2 – New Highways Design	ST1: Sustainable Transport		DM7: Accessibility and Transport	<p>Policy T2 is in general conformity with the relevant strategic policy as the policy seeks to increase sustainable transport choices through improving highway and junction design.</p> <p>Policy T1 is also generally consistent with the relevant emerging LPP2 policy which outlines highway design and layout measures.</p>

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy T3 - Parking	ST1: Sustainable Transport			Policy T3 is in general conformity with the relevant strategic policy as the policy seeks to ensure an appropriate level of car parking is provided in accordance with local standards.
Policy T4 – Transport Assessments	ST1: Sustainable Transport			Policy T3 is in general conformity with the relevant strategic policy as the policy seeks to ensure that a Transport Assessment is prepared and submitted as part of any major development proposal.
Policy T5 – Travel Plans	ST1: Sustainable Transport			Policy T5 is in general conformity with the relevant strategic policy as the policy seeks to ensure that a travel plan is prepared and implemented where development proposals are likely to generate a significant number of trips.
Policy T6 - Cycling	ST1: Sustainable Transport			Policy T6 is in general conformity with the relevant strategic policy as the policy seeks to support a proposal to encourage cycling as a sustainable mode of transport.
Policy T7 – Accessibility in the Transport Network	ST1: Sustainable Transport	M9: Provision for People with Disabilities and Mobility Problems	DM7: Accessibility and Transport	<p>Policy T7 is in general conformity with the relevant strategic policy as the policy improve accessibility.</p> <p>Policy T7 is also generally consistent with the relevant non strategic Saved Policies and the emerging LPP2 policies which seeks to improve accessibility people with mobility disabilities.</p>
Policy E1 – Retail Uses	TCS3: Neighbourhood and Village Shops			Policy E1 is in general conformity with the relevant strategic policy as the policy seeks resist the loss of shops and services which are important to the local community.

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy E2 – Employment Sites	EE1: New Economic Development EE2: Protecting Existing Employment Sites	IC2: Safeguarding Suitably Located Industrial and Commercial Land		<p>Policy E2 is in general conformity with the relevant strategic policies as the policy seeks to protect of the loss of existing employment uses and where appropriate support their intensification The policy also supports the delivery of new local employment space.</p> <p>Policy T7 is also generally consistent with the relevant non strategic Saved Policy which seeks to safeguard employment land.</p>
Policy E3 – Home Workers				<p>There is no relevant adopted strategy policy regarding safe and secure design. Policy E3 is therefore in general conformity with the strategic policies.</p>
Policy NE1 – Environmental Implications of Development	TD1: Townscape and Design NE1: Biodiversity and Geological Conservation	D1: Environmental Implications of Development	DM1: Environmental Implications of Development	<p>Policy NE1 is in general conformity with the relevant strategic policies as the policy seeks to ensure that measures to maintain and improve quality of life and health and well-being are delivered. The policy also ensures that pollution and contamination are minimised and areas of ecological and / or geological value are protected.</p> <p>Policy NE1 is also generally consistent with the relevant non strategic Saved Policies and the emerging LPP2 policies which seeks ensure that development will not result in material detriment to the environment.</p>

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy NE2 – Trees and Hedgerows	NE1: Biodiversity and Geological Conservation (LP NE1) NE2: Green and Blue Infrastructure		DM8: Trees, Woodland, Hedgerows and Landscaping	<p>There is no relevant adopted strategy policy regarding safe and secure design. Policy NE2 is therefore in general conformity with the strategic policies.</p> <p>Policy NE2 is also generally consistent with the relevant emerging LPP2 policy which seeks to protect trees, woodland and hedgerows.</p>
Policy NE3 - Biodiversity	NE1: Biodiversity and Geological Conservation NE2: Green and Blue Infrastructure NE3: Thames Basin Heaths Special Protection Area ICS1: Infrastructure and Community Facilities			<p>Policy NE3 is in general conformity with the relevant strategic policies as the policy seeks protect and enhance of biodiversity and geological assets.</p> <p>The policy also ensures that residential development that may have an impact on the SPA provides appropriate mitigation measures.</p>

Neighbourhood Plan Policy	Adopted Local Plan Part 1 Policies	Local Plan 2002 Saved Policies	Emerging Local Plan Part 2 Policies	General Conformity Consideration
Policy NE4 – Flood Risk	CC4: Flood Risk Management		DM1: Environmental Implications of Development	<p>Policy NE4 is in general conformity with the relevant strategic policy as the policy seeks to reduce the risk of flooding arising as a result of new development.</p> <p>Policy NE4 is also generally consistent with the relevant emerging LPP2 policy which outlines that development should avoid causing an unacceptable increase in flood risk.</p>
Policy ID1 – Community Infrastructure Levy	SP2: Spatial Strategy ICS1: Infrastructure and Community Facilities			Policy ID1 is in general conformity with the relevant strategic policies as the policy seeks to ensure that appropriate CIL payments are made to mitigate the impact of development.
Policy ID2 – Off-Site Infrastructure Contributions	SP2: Spatial Strategy ICS1: Infrastructure and Community Facilities			Policy ID2 is in general conformity with the relevant strategic policies as the policy seeks to ensure that appropriate financial contributions are provided to mitigate the impact of development.
Policy ID3 - Monitoring				There is no relevant adopted strategy policy regarding safe and secure design. Policy ID3 is therefore in general conformity with the strategic policies.

5.0 To meet the relevant EU obligations

5.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The table below sets out how the Witley Neighbourhood Plan meets the relevant EU obligations.

Obligation	How the Neighbourhood Plan is in conformity
The requirement to screen for and (if necessary) prepare a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)	WNP has screened the Neighbourhood Plan to assess if an SEA is required and has concluded one is not. This is included at Supporting Document H.
The requirement to screen for and (if necessary) prepare a Habitats Regulations Assessment in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended)	The SEA Screening considers this matter and concludes there is no need for a Habitats Regulations Assessment (See Supporting Document H).
Requirements with regards to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).	The SEA Screening concludes that the Neighbourhood Plan will not have a significant effect on a European site (See Supporting Document H).

6.0 Summary

- 6.1 This Basic Conditions Statement demonstrates that the Witley Neighbourhood Plan meets the legal requirements (including basic conditions) required of Neighbourhood Development Plans. We therefore recommend that Waverley Borough Council allows the Neighbourhood Plan to proceed to consultation prior to examination.