

BRIXTON NEIGHBOURHOOD PLAN 2014-2034

PROPOSED MODIFICATION

BASIC CONDITIONS STATEMENT REVISION

The original Basic Conditions Statement has been amended below (changes highlighted) to update it to refer to the proposed Modification

1.0 LEGAL REQUIREMENTS

1.1. This statement has been prepared by the Brixton Neighbourhood Plan Group on behalf of Brixton Parish Council. It accompanies the submission to South Hams District Council of the **proposed modification** to the Brixton Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2. The Neighbourhood Plan **modification proposal** is submitted by Brixton Parish Council, the appropriate qualifying body. It covers the area designated by South Hams District Council on 15th July 2015. Details of the application and its approval are available on the district council's website at:
<http://old.southhams.gov.uk/shneighbourhoodplans>.

1.3. The modification to the plan has been prepared on behalf of the Parish Council by a coordinating group with assistance from a planning consultant. The assistance of the District Council is also gratefully acknowledged.

1.4. The plan relates to planning matters (the use and development of land) in the designated neighbourhood area. It covers the period from 2014-2034, a period chosen to tie in with the emerging new development plan for the South Hams.

1.5. It does not contain policies relating to excluded development – county matters, nationally significant infrastructure or other matters – as laid out in the Regulations.

1.6. The designated neighbourhood plan area is shown on the map in Appendix 1 **of the original NP**.

It includes the whole of Brixton parish, but excludes the new town of Sherford.

1.7. The following statement addresses each of the four 'basic conditions' required by the Regulations and explains how the neighbourhood plan **and its proposed modification** meets the requirement of paragraph 8 of schedule 4B of the 1990 Town and Country Planning Act.

1.8. The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- a. has regard to national policies and Secretary of State guidance;
- b. contributes to the achievement of sustainable development;
- c. is in general conformity with the strategic policies of the development plan for the area; and
- d. is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

2.0 LOCAL CONTEXT AND THE NEED FOR A PLAN MODIFICATION

2.1. Brixton is a rural parish lying adjacent to the eastern boundary of Plymouth. The parish population is less than 2,000 people.

2.2. The parish has experienced considerable pressure from developers to expand housing, particularly in the village of Brixton. The rate of growth of housing in the village since 2014 has been 25% and has resulted in a cumulative impact on the rural character of the village, against the requirements of the Local Development Framework and the emerging Joint Local Plan.

2.3 The need for the proposed modification arises from the recognition that some clarification of the policies intended to protect the Green Corridors and the Brixton Open Gap require clarification.

3.0 PLAN PROCESS AND CONSULTATION

3.1. The district council confirmed the area to be covered by the plan in July 2015.

3.2. A working group chaired by the chair of the Parish Council organised Public events, questionnaire surveys and open days for consultation on the original made plan, and a dedicated web page was launched. This group described the proposed modification/ in the document entitled "Modification Proposal", which was the subject of a consultation in accordance with Regulation 14 of Neighbourhood Planning (General) Regulations 2012, between 12 December 2022 and 23 January 2023. Two responses were received, including one supportive and one objection. Having considered these responses the Parish Council unanimously agreed to continue with the submission of the modification.

4.0 VISION AND OBJECTIVES

4.1. The plan including the proposed modification is based on the Vision produced by the local community:

4.2. Brixton parish offers the opportunity to embrace village and rural life: a sense of community, tranquillity, a safe environment with public green spaces and beautiful landscapes. Our community benefits from both the South Devon Area of Outstanding Natural Beauty and the close proximity to the historic port city of Plymouth, with all the advantages of connectivity, culture, educational facilities, heritage, employment, sport and commerce.

Our vision is:

- to conserve and enhance the rural and historic environment of Brixton parish, with its beautiful landscape of woods, farmland and estuary;
- to retain the identity and independent character of Brixton village and its surrounding hamlets;
- to nurture thriving communities across the parish by providing improved facilities and taking opportunities to meet the needs and wishes of the community.

4.3 The plan's objectives and policies have been set in response to the priorities identified by the local community under 6 themes:

Environment

Transport

Employment

Community Facilities

Sport and Recreation Development

5.0 POLICIES AND PROPOSALS

5.1. The plan's policies respond to the community's priorities and seek to establish a basis for support to the parish's sustainable growth and to conserve and enhance assets.

5.2. The policies fall under the six themes. They include policies to protect the AONB, other sensitive areas and important local assets, foster good design and construction, enable business development, infrastructure and the vitality of the local community.

6.0 SUBMISSION DOCUMENTS

1.1. The following documents have been prepared to support the proposed modification to the Brixton Neighbourhood Plan.

a) The Modification proposal

b) The Neighbourhood Plan incorporating the amended Map Env 3 – the neighbourhood development plan for the designated area containing policies to guide future development in the area.

c) The Statement of Consultation – setting out the community engagement and consultation undertaken in relation to the proposed modification.

d) The Strategic Environmental Impact (SEA) and Habitats Regulations Assessment (HRA) Screening Opinions – setting out the view of the local planning authority (South Hams District Council) as to whether SEA or HRA are required.

e) The original Map En3 and the amended version of that Map, which clearly shows the minor changes proposed.

7.0 COMPLIANCE STATEMENT

7.1. The Modification Proposal to the Brixton Neighbourhood Plan was made available for consultation from 12 December 2022 for six weeks in accordance with Part 5, Regulation

14 of the Neighbourhood Planning (General) Regulations 2012.

7.2. Responses to the comments received are set out in a Response Report which was submitted to South Hams District Council.

7.3. Following consultation on the modification proposal no amendments were considered by the Parish Council to be necessary

7.4. The plan and its proposed modification meet the basic conditions which are (as set out at para 1.8 above), that:

- the plan has regard to national policies and advice contained in guidance issued by the Secretary of State.
- the plan contributes to the achievement of sustainable development.

- the plan is in general conformity with the strategic policies contained in the development plan for the area.
 - the plan does not breach and is compatible with EU obligations.
- 7.5. The following sections of this statement explain how the Brixton Neighbourhood

8.0. REGARD TO NATIONAL POLICIES AND GUIDANCE

8.1. The National Planning Policy Framework (NPPF) was published in March 2012. It provides a framework for planning for sustainable development, including by local communities through the production of neighbourhood plans.

8.2. The Brixton Neighbourhood Plan aims to focus on those planning matters which have been identified as priority concerns by the local community. It seeks to neither hinder nor duplicate policies in existing plans, which should be read alongside the neighbourhood plan. Both independently of one another and in combination the plans meet the requirements of the NPPF.

8.3. **Annex 1 of the original Neighbourhood Plan** sets out the way that the policies of the plan conform with the NPPF.

9.0. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

9.1. The Plan's objectives are set squarely within the bounds of sustainable development. It provides for:

1. economic sustainability through its provisions for development, job creation and protection,
2. social sustainability through its support for maintenance and development of community infrastructure and housing development; and
3. environmental sustainability through its promotion of sustainable construction and care of local heritage, green spaces and natural resources.

9.2. Sustainability is a key aspect of the plan, and in particular of the following policies:

1. Env1 and Dev 1 – AONB protection and sustainable design
2. Env3 – Priority habitats
3. Env 4 – Green corridor
4. Env 5 - Local Green Spaces
5. Env 8 and Dev 4 – Renewable energy
6. Sar 1 – Sport and recreation spaces
7. Tpt 1 – Sustainable Transport
8. Dev 2 – Housing design and standards.

10.0 CONFORMITY WITH STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

10.1. The development plan for the area is set to be the Plymouth and South West Devon Joint Local Plan (the JLP). Until that plan's final adoption the development plan also includes the South Hams Local Development Framework (LDF) Core Strategy (2006), Affordable Housing DPD (2008), Development Policies DPD (2010), and a series of Site Allocations DPDs, including one for the Rural Areas including Brixton (2011) plus a number of saved policies from the South Hams Local Plan (1996). Several adopted

Supplementary Planning Documents (SPDs) provide further detail.

10.2. The Brixton Parish Neighbourhood Plan has been prepared in co-operation with the District Council. The Plan conforms with and does not undermine or constrain the strategic content of the emerging JLP or adopted LDF and saved local plan policies inasmuch as they relate to Brixton parish.

10.3. More detail about the way in which the Plan's policies generally conform with the strategic content of the development plan policies is set out in Annex 1 (along with details of conformity with the NPPF).

11.0 COMPATIBILITY WITH EU LEGISLATION

11.1. The Brixton Parish 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 1998. The consultation process has strived to include all sections of the community, including hard-to-reach and under-represented groups such as young people and the disabled.

11.2. Screening opinions have been provided by South Hams District Council in relation to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA). In consideration of the SEA, amendments have been made to the draft Plan to enable the draft screening report to be updated to conclude that a full SEA is not needed. Assessment under the HRA was deemed not required. Refer to Appendix 2, **Annex 2 of the original Plan**.