

STAVERTON NEIGHBOURHOOD PLAN 2016-2034

Statement of Basic Conditions

February 2023

Prepared by Staverton Neighbourhood Plan Group

<https://www.staverton.org/neighbourhoodplan/>

for Staverton Parish Council

<https://www.staverton.org/staverton-parish-council/>

Summary

The Statement of Basic Conditions accompanies the Staverton Neighbourhood Plan as submitted at Regulation 15 stage to South Hams District Council as the local planning authority.

It meets the requirements laid down in the Neighbourhood Planning (General) Regulations 2012 (herein referred to as “the Regulations”) and explains how the plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (herein referred to as “the Act”).

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INTRODUCTION

1. This Basic Conditions Statement sets out the way in which the Staverton Neighbourhood Plan meets the basic conditions set out in the Regulations. It accompanies the submission of the plan to South Hams District Council under section 15 of the Regulations.
2. The plan is submitted by Staverton Parish Council, the appropriate qualifying body. It covers the whole of Staverton parish, which is the area designated by South Hams District Council on 2nd September 2016. Details of the application and its approval are available on the district council's website at <https://www.neighbourhoodplanning.swdevon.gov.uk/staverton>. (See also **Appendix A**).
3. The plan has been prepared by the parish council assisted by a steering group and consultants. The assistance of the district council is also gratefully acknowledged.

LEGISLATIVE FRAMEWORK

4. This statement explains how the plan meets the requirements laid down in the Act and in the Regulations and in particular how it meets the 'basic conditions' for a neighbourhood plan (see para 7 below).
5. The plan relates to planning matters (the use and development of land) within the designated neighbourhood area and covers the period from 2019-2034, a period chosen to tie in with the horizon of the development plan for the South Hams - the Plymouth and South West Devon Joint Local Plan (the JLP).
6. It does not contain policies relating to excluded development – county matters, nationally significant infrastructure or other matters – as laid out in the Regulations.
7. Paragraph 8 of schedule 4B of the Act states that a plan (or neighbourhood development order) will have met the basic conditions if:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
 - b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
 - c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
 - d) the making of the order contributes to the achievement of sustainable development,
 - e) the making of the order 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),
 - f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and
 - g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

LOCAL CONTEXT AND THE NEED FOR A PLAN

8. Staverton parish lies on the north bank of the River Dart in south Devon, about 3 miles upstream from Totnes. Although the busy A38 trunk road and A384 pass along its western and southern boundaries, with Ashburton, Buckfastleigh and Totnes nearby, it is a deeply rural parish spread over some 2,100 hectares and at the 2021 Census was home to 806 people.
9. The parish is rich in history with a fine medieval bridge which still carries traffic across the Dart. The villages of Staverton and Woolston Green/Landscape are the main centres of population with many farmsteads and hamlets distributed across the parish.
10. The parish experiences the social, economic and environmental pressures and challenges commonly associated with an attractive rural location. The local economy rests primarily on agriculture and tourism. Job opportunities are few and house prices are high which can make it hard for local people, especially the young, to afford to stay in the parish. To address such issues the community has decided to produce a neighbourhood plan which aims to protect and enhance local assets and to foster a vibrant, healthy and prosperous future for Staverton.

PLAN PROCESS AND CONSULTATION

11. Following designation of the plan area by South Hams District Council in September 2016 a neighbourhood plan steering group was formed to guide the process locally. Surveys and consultations were carried out during 2017-18 as the plan began to take shape. In particular, a community questionnaire survey was undertaken in early autumn 2017, community consultation days took place in January 2017, May 2018 and September 2020, and a housing needs survey was conducted early in 2019.
12. A draft version of the plan was published for consultation in January 2022. The plan has been amended in light of representations received and is now submitted to South Hams District Council together with associated documents including this Basic Conditions Statement, the Statement of Consultation, Strategic Environmental Assessment (SEA), the Habitats Regulations Assessment (HRA), a Monitoring Report, and a schedule of evidence.
13. The district council will arrange for the plan's examination by an independent examiner who will decide whether it meets the basic conditions. If these conditions are considered to have been met the district council will hold a local referendum on the plan. So long as more than 50% of those voting in the referendum support the plan it will be declared "duly made" and will become part of the development plan and statutory planning decision making framework for the parish.
14. The neighbourhood plan website at <https://www.staverton.org/neighbourhoodplan/> shows the current state of progress.

VISION AND OBJECTIVES

15. The plan recognises that addressing **Climate Change** is of paramount importance and all policies have been written with this in mind. There will be a need to adapt and take on board more stringent guidelines as they are brought forward by government.
16. Based on the questionnaire survey and local events the following objectives and vision have been established for the plan:

- a) **Healthy Communities** – to provide facilities that promote a peaceful harmonious community spirit with healthy opportunities for all whilst maintaining the essence of a quiet rural environment.
- b) **Housing** – to deliver a varied and balanced mix of high quality homes that meet the needs of current and future residents in a manner that complements the character and identity of this rural parish.
- c) **Business and enterprise** – to deliver new and improved employment opportunities to help sustain a vibrant parish community with a balanced demographic profile that attracts and retains young people and working age families.
- d) **Design and heritage** – to deliver high quality development and encourage innovative design that is locally sympathetic with due consideration of the heritage of the parish as a whole.
- e) **Natural Environment** – to conserve and enhance the natural landscape and biodiversity of the parish, whilst improving green links and access to our green spaces for the enjoyment of current and future residents.
- f) **Transport** – to provide an infrastructure that supports both homes and business to thrive and to encourage the development of free flowing, safe and appropriate transport networks.
- g) **Energy efficiency and flooding** – to deliver new development with high energy efficiency and to encourage the production of energy from a range of appropriate renewable energy sources.

Vision for Staverton

A vibrant, resilient and sustainable community that enables all generations to flourish in work and leisure, committed to conserving and enhancing the special qualities of the natural environment of the parish and to becoming net zero carbon by or before 2030

POLICIES AND PROPOSALS

17. The plan's policies are laid out under seven main headings to correspond with the above objectives with 14 policies as follows:

POLICY SNP1: SUSTAINABLE COMMUNITIES

POLICY SNP2: SETTLEMENT BOUNDARIES

POLICY SNP3: LOCAL GREEN SPACES

POLICY SNP4: HOUSING DEVELOPMENT

POLICY SNP5: AFFORDABLE HOUSING AND SINGLE PLOT EXCEPTION SITES

POLICY SNP6: BUSINESS, EMPLOYMENT AND TOURISM DEVELOPMENT

POLICY SNP7: REUSE OF REDUNDANT FARM BUILDINGS

POLICY SNP8: BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE

POLICY SNP9: DESIGN AND CONSTRUCTION

POLICY SNP10: HERITAGE AND CONSERVATION
POLICY SNP11: LANDSCAPE AND BIODIVERSITY
POLICY SNP12: TRANQUILLITY AND DARK SKIES
POLICY SNP13: TRAVEL AND TRANSPORT
POLICY SNP14: RENEWABLE ENERGY
POLICY SNP15: ENERGY IN NEW DEVELOPMENT
POLICY SNP16: SUSTAINABLE DRAINAGE

SUBMISSION DOCUMENTS

18. In addition to the plan itself and this Statement of Basic Conditions the following documents have been prepared and submitted to South Hams District Council:
- a) **A Statement of Consultation** – setting out the community engagement and consultation undertaken from the outset of the process.
 - b) **A Monitoring Framework** – outlining a framework of performance indicators against which the effectiveness of the plan's policies can be assessed.

COMPLIANCE STATEMENT

19. The Staverton Neighbourhood Plan is now submitted in accordance with Part 5, Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. The Regulations set out the requirements for the submission of a neighbourhood plan, as follows:
1. **Plan proposals:** Where a qualifying body submits a plan proposal to the local planning authority, it must include –
 - a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
 - b) a consultation statement;
 - c) the proposed neighbourhood development plan; and
 - d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act
20. Part (a) is provided at **Appendix 1** to this statement and includes the map and a hyperlink to the application and designation notice. Parts (b) and (c) are now submitted alongside this document. The requirements of part (d) are that the plan meets the basic conditions which are (set out at para 7 above), that:
- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
 - b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,

- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- d) the making of the order contributes to the achievement of sustainable development,
- e) the making of the order 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),
- f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and
- g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

21. The following sections of this statement explain how the Staverton Neighbourhood Plan meets those requirements.

REGARD TO NATIONAL POLICES AND ADVICE

22. The National Planning Policy Framework (NPPF) was published in March 2012 and revised in July 2018 and July 2021. It provides a framework to plan for sustainable development, including by local communities through the production of neighbourhood plans.
23. The Staverton 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.
24. **Appendix 2** sets out the way that the policies of the plan conform with the NPPF.

ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

25. The policies of the plan aim to foster sustainable communities and to support development which will be sustainable and which will address local needs, particularly for homes and jobs. The plan establishes settlement boundaries for Staverton, Woolston Green and Memory Cross with clear policy distinctions inside and outside of those boundaries. It fosters sustainable housing provision and business growth, enhanced community infrastructure, good design, renewable energy and sustainable drainage.

CONFORMITY WITH STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

26. The development plan for the area is the Plymouth and South West Devon Joint Local Plan (the JLP), adopted in March 2019. It replaces the various plans which had preceded it. A Supplementary Planning Document (SPD) provides further detail.
27. The Staverton Neighbourhood Plan has been prepared in cooperation with the district council. It generally conforms with and does not undermine or constrain the strategic content of the JLP as it relates to Staverton.

28. 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 **Appendix 2** (along with details of conformity with the NPPF).

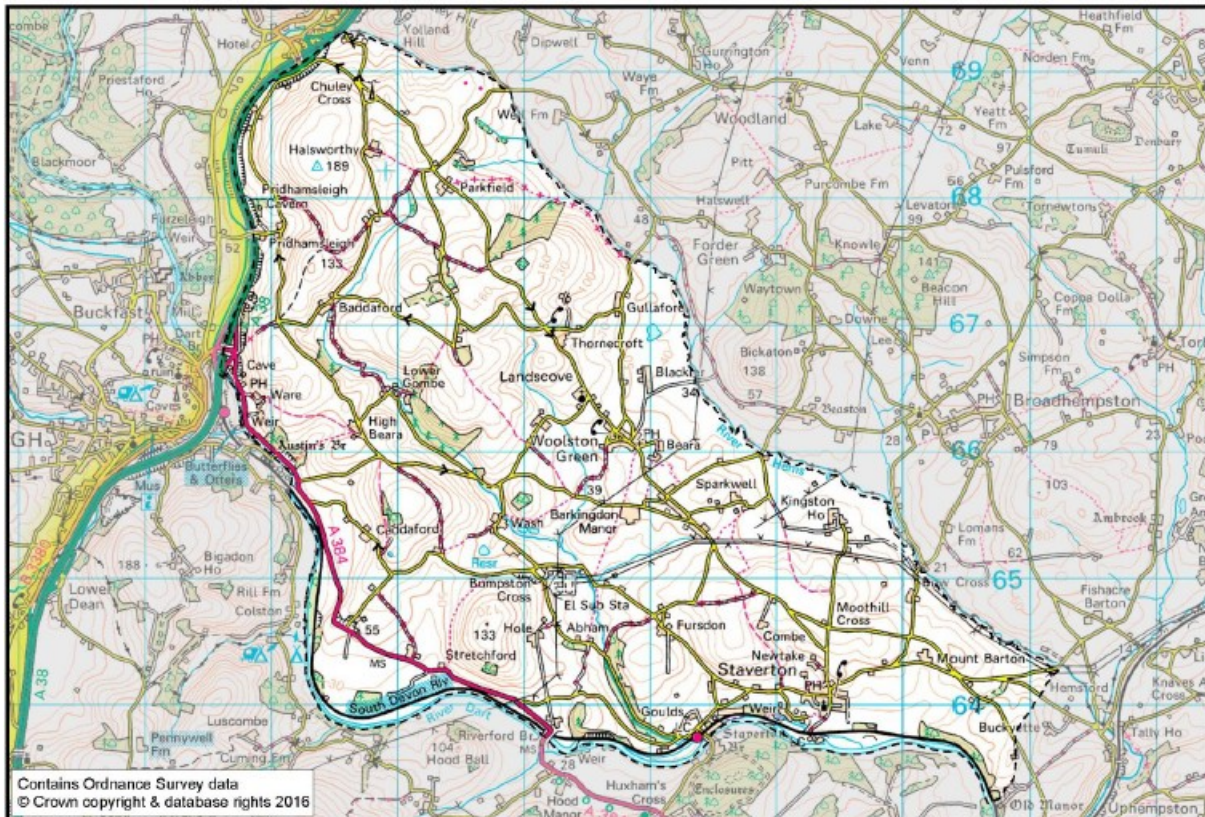
COMPATIBILITY WITH EU LEGISLATION

29. The Staverton 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 aimed to include all sections of the community, including hard-to-reach and under-represented groups such as young people and the disabled, with local events in accessible locations and an effective digital presence.
30. Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) have been carried out and the reports are now submitted to South Hams District Council alongside the plan.

APPENDIX 1

STAVERTON NEIGHBOURHOOD PLAN AREA DESIGNATION

1. The plan area shown on the map below is that confirmed on 2nd September 2016 by South Hams District Council.



2. The application for and notice of designation of the Staverton Neighbourhood Plan area can be found at <https://www.neighbourhoodplanning.swdevon.gov.uk/staverton>.

APPENDIX 2 – STAVERTON NEIGHBOURHOOD PLAN POLICIES' REGARD TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND GENERAL CONFORMITY WITH STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

1. The table below maps the policies of the Staverton Neighbourhood Plan, their regard for the National Planning Policy Framework (NPPF) and their general conformity with the strategic policies of the development plan for the area.

Staverton Neighbourhood Plan	Regard to NPPF	General conformity with strategic policies
Overall	<p>The plan has regard to the NPPF and particularly to the objectives for neighbourhood plans and in the achievement of sustainable development.</p> <p>It sets out a vision for the future and contains policies which respond to priority concerns expressed by the local community.</p> <p>It sets out a strategy that provides for sustainable development within its area.</p> <p>Its policies align with the NPPF in general and in particular ways as shown below.</p>	<p>The plan is in general conformity with the strategic policies of the development plan and in particular those contained in the South West Devon Joint Local Plan (the JLP) adopted in March 2019.</p> <p>JLP policy TTV25 is of key relevance.</p>
POLICY SNP1: SUSTAINABLE COMMUNITIES	<p>The policy has regard to NPPF part 2 (Achieving Sustainable Development) and Part 8 in promoting a healthy and safe community and safeguarding and enhancing local services and facilities.</p>	<p>The policy generally conforms with JLP policies SPT1, SPT2, SPT6, DEV3, DEV4, DEV5, DEV18 and DEV30.</p>
POLICY SNP2: SETTLEMENT BOUNDARIES	<p>The policy has regard to NPPF part 2 in aiming to facilitate sustainable development, part 5 in helping to deliver sufficient homes, part 6 in helping to build a prosperous rural economy, part 11 by making effective use of land, and parts 15 and 16 by aiming to conserve and enhance the landscape and historic environment.</p>	<p>The policy generally conforms with JLP policies SPT1, SPT2, SPT3, SPT12, TTV2 and TTV26.</p>

POLICY SNP3: LOCAL GREEN SPACES	The policy has regard to NPPF part 8 in promoting a healthy community and protecting green areas of particular local importance.	The policy generally conforms with JLP policy DEV27.
POLICY SNP4: HOUSING DEVELOPMENT	The policy has regard to NPPF part 2 in aiming to facilitate sustainable development, part 5 in helping to deliver sufficient homes, and part 11 by making effective use of land.	The policy generally conforms with JLP policies SPT1, SPT2, SPT3, TTV2, TTV25, DEV8, DEV9 and DEV10.
POLICY SNP5: AFFORDABLE HOUSING AND SINGLE PLOT EXCEPTION SITES	The policy has regard to NPPF part 2 in aiming to facilitate sustainable development, part 5 in helping to deliver sufficient homes, part 8 by promoting healthy and safe communities, and part 11 by making effective use of land.	The policy generally conforms with JLP policies SPT1, SPT2, SPT3, TTV2, TTV25, DEV8, DEV9 and DEV10.
POLICY SNP6: BUSINESS, EMPLOYMENT AND TOURISM DEVELOPMENT	The policies have regard to NPPF part 6 in seeking to support a prosperous rural economy.	The policies generally conform with JLP policies SPT1, SPT2, SPT4, TTV2, DEV14, DEV15 and DEV19.
POLICY SNP7: REUSE OF REDUNDANT FARM BUILDINGS		
POLICY SNP8: BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE	The policy has regard to NPPF part 10 in supporting high quality communications infrastructure for sustainable economic growth.	The policy generally conforms with JLP policies SPT2 and SPT8.
POLICY SNP9: DESIGN AND CONSTRUCTION	The policy has regard to NPPF parts 12 and 14 in aiming to ensure well designed places and helping to meet the challenges of climate change and flooding.	The policy generally conforms with JLP policies SPT1, SPT2, DEV2, DEV10, DEV20, DEV32 and DEV33.
POLICY SNP10: HERITAGE AND CONSERVATION	The policy has regard to the NPPF part 16 in aiming to conserve and provide for the enjoyment of historic assets.	The policy generally conforms with JLP policies DEV20 and DEV21.

POLICY SNP11: LANDSCAPE AND BIODIVERSITY	The policy has regard to NPPF part 15 in aiming to protect valued landscapes, allocating for development land with the least environmental and amenity value.	The policy generally conforms with JLP policies DEV20, DEV23, DEV24, DEV25, DEV27 and DEV28.
POLICY SNP12: TRANQUILLITY AND DARK SKIES	The policy has regard to NPPF parts 8 and 15 in aiming to safeguard tranquillity and prevent light pollution.	The policy generally conforms with JLP policies DEV2, DEV23 and DEV25.
POLICY SNP13: TRAVEL AND TRANSPORT	The policy has regard to NPPF parts 8 and 9 in promoting sustainable transport and opportunities for walking.	The policy generally conforms with JLP policies SPT1, SPT2, SPT9, SPT10 and DEV29.
POLICY SNP14: RENEWABLE ENERGY	The policies have regard to NPPF part 14 (meeting the challenge of climate change, flooding and coastal change).	The policies generally conform with JLP policies SPT1, SPT2, DEV32 and DEV33.
POLICY SNP15: ENERGY IN NEW DEVELOPMENT		
POLICY SNP16: SUSTAINABLE DRAINAGE		