

Urban Vision Enterprise CIC
Turvey Neighbourhood Plan
Basic Conditions Statement
June 2020

Contents

1. Introduction	3
1.1 Purpose of the Report	3
2. Meeting Legal Requirements.....	4
2.2 General Legal Requirements.....	4
2.1 The Basic Conditions.....	5
3. Sustainable Development.....	6
3.1 Dimensions of Sustainable Development.....	6
3.2 Delivering Growth	6
3.3 Ensuring Growth is Sustainable	6
3.4 Achieving Sustainable Development.....	7
4. National Policy and Guidance	8
4.1 Having Regard to National Policy and Guidance.....	8
4.2 NPPF Policy Areas.....	9
5. Local Policy	13
5.1 General Conformity	13
5.2 Strategic Policies	13
5.3 Policy Comparison	14
5.4 Settlement Boundary	16
6. EU Obligations and Human Rights	17
6.1 Strategic Environmental Assessment	17
6.2 Habitat Regulations Assessment.....	17
6.3 EU Obligations.....	18
6.4 Human Rights	18
Appendix 1	19
Screening Outcomes	19
Appendix 2	20
Equalities Assessment.....	20
Contact.....	25

1. Introduction

1.1 Purpose of the Report

This is a Basic Conditions Statement, prepared to accompany the submission of the Turvey Neighbourhood Plan.

The statement explains how the Turvey Neighbourhood Plan meets the basic conditions and other legal requirements.

2. Meeting Legal Requirements

2.2 General Legal Requirements

Qualifying Body

The draft plan proposal has been prepared and submitted by Turvey Parish Council, which is the qualifying body.

The Neighbourhood Plan

The draft plan proposal relates to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended), Planning and Compulsory Purchase Act 2004 (as amended) and the Neighbourhood Planning Regulations 2012 (as amended).

Period of Effect

The draft plan proposal states the period for which it is to have effect.

Excluded Development

The draft plan proposal does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

Neighbourhood Area

The draft plan proposal relates to the Turvey Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to the Turvey Neighbourhood Area.

2.1 The Basic Conditions

The basic conditions that neighbourhood plans must meet are as follows:

- must be appropriate having regard to national policy
- must contribute to the achievement of sustainable development
- must be in general conformity with the strategic policies in the development plan for the local area
- must be compatible with EU obligations

In addition, the plan must meet requirements of human rights law.

Regulations specify an additional basic condition that a plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.

The following chapters of this statement deal with the basic conditions in more detail.

3. Sustainable Development

3.1 Dimensions of Sustainable Development

The National Planning Policy Framework states that sustainable development has economic, social and environmental dimensions.

The draft plan proposal takes a balanced approach to enabling growth, but also considering economic, social and environmental sustainability.

3.2 Delivering Growth

The draft plan proposal seeks to deliver growth through the following means:

Site Allocations: The plan allocated sites for housing development (Policy T1).

Meeting Local Need: The sites would accommodate around 50 houses, which is in excess of the identified need of 35 houses.

Local Energy: Incorporation of local energy generation within development schemes is supported (Policy T7).

Effective Growth: The plan recognises that growth depends on the achievement of good design (Policy T7).

Transport Provision: The plan requires a balanced range of transport provision (Policy T11).

Employment: The plan supports the provision of new and expanded employment and community facilities (Policy T12).

3.3 Ensuring Growth is Sustainable

The draft plan proposal addresses sustainability in the following ways:

Housing Mix and Standards: The plan requires affordable housing to be delivered locally and sets other requirements for new housing, including cycle storage facilities (Policy T2).

Natural Environment: The plan protects the natural environment and identifies local natural features of particular value (Policy T3).

Local Green Space: The plan designates and protects spaces of special community value as Local Green Space (Policies T4 and T5).

Impacts of Drainage: The impacts of drainage have to be considered and capture and storage of water is encouraged (Policy T6).

Sustainable Design and Character: The importance of design to achieving sustainable growth is recognised and specific aspects of sustainable design are set out (Policy T7). Local character is also addressed (Policy T8).

Heritage: The plan identifies key heritage settings, adding a local dimension to national policy on heritage (Policy T9).

Sustainable transport: The plan requires sustainable forms of transport to be considered and highlights congestion points on the highway network. For infrastructure improvements, impacts on heritage have to be considered (Policy T11). The plan protects the route for a proposed new cycle path (Policy T13).

3.4 Achieving Sustainable Development

The combination of policies enabling growth and those addressing economic, social and environmental sustainability mean that the plan will help to achieve sustainable development. This takes account of the needs of current and future generations.

4. National Policy and Guidance

4.1 Having Regard to National Policy and Guidance

The draft plan proposal has had regard to the National Planning Policy Framework 2019 (NPPF) and Planning Practice Guidance (PPG).

The central theme of the NPPF is the presumption in favour of sustainable development. Three overarching objectives are stated for achieving sustainable development in Paragraph 8:

- a) an economic objective ...
- b) a social objective ...
- c) an environmental objective ...

Paragraph 9 states:

“these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework...”

The Turvey draft plan proposal has the following aims/objectives:

- A. To ensure that Turvey is a sustainable place to live, meeting the needs of the local population by:
 - Providing a mixed range of new housing, to meet local need;
 - Ensuring housing supports, and is supported by, a balanced range of local facilities and community infrastructure;
 - Enabling and encouraging sustainable life, work and travel patterns, supported by adequate transport infrastructure.
 - Ensuring that shops, pubs and community facilities are protected, and new facilities are supported where appropriate.
- B. To protect, enhance and promote the character of the Parish, its historic and rural environment by:
 - Conserving its distinct identity and outstanding landscape setting and natural features;
 - Conserving or enhancing the historic environment and heritage assets within the village;
 - Ensuring development protects local wildlife features and those connected to the village in the wider landscape;
 - Ensuring development is well designed, contributing to the distinctive sense of place and enhancing valued historic environment and landscape assets.

These address a range of economic, social and environmental issues.

The neighbourhood plan is based on a range of evidence, in line with planning practice guidance. This includes evidence on housing need, the natural and historic

environments, assessment of potential housing sites, transport, flood risk, and other economic, social and environmental factors.

Rigorous selection processes were undertaken both for the selection for housing sites for allocation and of Local Green Spaces for designation. These processes are set out in background evidence and analysis documents prepared by AECOM and the qualifying body.

4.2 NPPF Policy Areas

The NPPF was revised in February 2019 and contains a number of policy areas. The following table details the policy areas that are most relevant to the Turvey draft plan proposal.

NPPF Policy	Turvey Aim	Turvey Policies
Delivering a sufficient supply of homes ...to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed... ...that the needs of groups with specific housing requirements are addressed...	Aim A	Policies T1 and T2 deal with housing site allocations and housing mix and standards to meet local need. Sustainable design of housing is dealt with in policy T7.
Building a strong, competitive economy ...planning policies should... ...set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth...	Aim A	Policy T12 supports new and expanded employment and community facilities.
Promoting healthy and safe communities ...planning policies and decisions should aim to achieve	Aims A and B	Policy T12 supports new and expanded employment and community facilities.

<p>healthy, inclusive and safe places which...</p> <p>...promote social interaction...</p> <p>...are safe and accessible...</p> <p>...enable and support healthy lifestyles...</p>		<p>Policies T4 and T5 Designate and protect Local Green Spaces.</p> <p>Policy T7 deals with sustainable design.</p>
<p>Promoting sustainable transport</p> <p>...transport issues should be considered from the earliest stages of plan-making and development proposals, so that...</p> <p>...the potential impacts of development on transport can be assessed...</p> <p>...opportunities from existing and proposed transport infrastructure, and changing transport technology and usage, are realised...</p> <p>...opportunities to promote walking, cycling, and public transport use are identified and pursued...</p> <p>...the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account...</p> <p>...patterns of movement, streets, parking and other transport considerations are integral to the design of schemes...</p>	Aim A	<p>Policies T11 and T13 deal with sustainable transport, including walking and cycling.</p> <p>Policy T7 deals with sustainable design, including pedestrian connectivity and permeability.</p>
<p>Making effective use of land</p> <p>... Planning policies and decisions should promote an effective use of land in meeting</p>	Aims A and B	<p>Policy T1 makes housing site allocations.</p>

<p>the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions...</p> <p>... encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;...</p> <p>... recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;...</p> <p>... give substantial weight to the value of using suitable brownfield land within Settlements...</p> <p>... promote and support the development of under-utilised land and buildings,...</p>		<p>Policies T3, T4 and T5 protect the natural environment and Local Green Spaces.</p> <p>Policy T6 addresses flood risk.</p> <p>Policy T7 sets out requirements for sustainable design.</p>
<p>Achieving well-designed places</p> <p>...plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable...</p> <p>...design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics...</p>	Aims A and B	<p>Policy T7 deals with sustainable design. This includes pedestrian connectivity and permeability.</p> <p>Policy T8 deals with local character.</p> <p>Heritage assets and key settings are addressed in Policy T9.</p>

<p>Meeting the challenge of climate change, flooding and coastal change</p> <p>...the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change...</p> <p>...it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience...</p> <p>...encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure...</p>	Aims A and B	<p>Policy T6 addresses flood risk.</p> <p>Sustainable design is addressed in Policy T7.</p> <p>Balanced and sustainable transport provision is required by Policy T11, whilst Policy T13 addresses improvement of cycling facilities.</p> <p>The plan supports a balanced mix of uses, including housing, employment and community facilities.</p>
<p>Conserving and enhancing the natural environment</p> <p>...planning policies and decisions should contribute to and enhance the natural and local environment...</p>	Aim B	<p>Policy T3 relates directly to the protection of the natural environment, adding a local dimension.</p>
<p>Conserving and enhancing the historic environment</p> <p>...heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites...</p> <p>...plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets at risk through neglect, decay or other threats...</p>	Aim B	<p>Policy T9 provides a local dimension to heritage policy, including identification of key settings.</p> <p>Policy T8 deals with design and local character.</p>

5. Local Policy

5.1 General Conformity

It should be noted that general conformity relates to the policies of the neighbourhood plan taken as a whole, considered against the strategic local policies taken as a whole.

The draft plan proposal has been drafted against the context of strategic local policies and, taken as a whole, does not undermine and helps to deliver the spatial strategy of the Local Plan.

5.2 Strategic Policies

The strategic policies in the Bedford Borough Local Plan 2030 (adopted January 2020) are:

- 2S Healthy communities
- 3S Spatial strategy
- 4S Amount and distribution of housing development
- 5S Development in villages with a Settlement Policy Area
- 7S Development in the countryside
- 28S Place making
- 35S Green infrastructure
- 36S Forest of Marston Vale
- 41S Historic environment and heritage assets
- 42S Protecting biodiversity and geodiversity
- 46S Use of previously developed land and use of undeveloped land
- 47S Pollution, disturbance and contaminated land
- 50S Water resources
- 51S Climate change strategic approach
- 58S Affordable housing
- 59S Housing mix
- 69S Amount and distribution of employment development
- 72S Additional strategic employment development
- 77S Hierarchy of town centres
- 86S Delivering Infrastructure
- 90S Transport infrastructure and network improvements

5.3 Policy Comparison

Local Plan Policy	Turvey Neighbourhood Plan Policies
2S Healthy communities	Policy T12 supports new and expanded employment and community facilities.
3S Spatial strategy	The plan policies, particularly T1 and T12 support a balanced mix of uses, including housing, employment and community facilities to support the spatial strategy.
4S Amount and distribution of housing development	Policies T1 and T2 deal with housing site allocations and housing mix and standards to meet local need.
5S Development in villages with a Settlement Policy Area	Policy T1 support housing, employment and community facilities in the Policy Settlement Area; and extends it for allocations.
7S Development in the countryside	Policy T1 and T12 support growth within a revised Settlement Policy Area only.
28S Place making	Policy T7 deals with sustainable design, including housing, the public realm, pedestrian connectivity and permeability.
35S Green infrastructure	Policy T3 protects the natural environment. Policies T4 and T5 Designate and protect Local Green Spaces.
36S Forest of Marston Vale	Policy T3 relates directly to the protection of the natural environment, adding a local dimension.
41S Historic environment and heritage assets	Policy T8 deals with design and local character. Heritage assets and identification of key settings are addressed in Policy T9.
42S Protecting biodiversity and geodiversity	Policy T3 protects the natural environment.

		Policies T4 and T5 Designate and protect Local Green Spaces.
46S	Use of previously developed land and use of undeveloped land	The rationale to Policy T12 identifies opportunities to redevelop previously developed land.
47S	Pollution, disturbance and contaminated land	Policy T3 protects the natural environment.
50S	Water resources	Policy T3 protects the natural environment. Policy T6 addresses flood risk.
51S	Climate change strategic approach	Policy T7 deals with sustainable design, covering housing, the public realm and renewable energy.
58S	Affordable housing	Policy T2 requires affordable housing to be tenure blind.
69S	Amount and distribution of employment development	Policy T12 supports new and expanded employment and community facilities.
72S	Additional strategic employment development	Policy T12 supports new and expanded employment and community facilities.
77S	Hierarchy of town centres	Policy T12 aims to enhance Turvey's role in meeting community needs.
86S	Delivering Infrastructure	Policy 10 seeks broadband in new developments. Policy T11 deals with sustainable transport.
90S	Transport infrastructure and network improvements	Balanced and sustainable transport provision is required by Policy T11, whilst Policy T13 addresses improvement of cycling facilities. Policy T7 deals with sustainable design, including pedestrian connectivity and permeability.

5.4 Settlement Boundary

The draft plan proposal does amend the settlement boundary for Turvey. This is necessary to accommodate growth and is based on a rigorous site selection process. This does not in any way undermine the spatial strategy in the Local Plan, but helps to achieve Local Plan strategic policies, as demonstrated in the policy comparison.

6. EU Obligations and Human Rights

6.1 Strategic Environmental Assessment

The plan has been screened for Strategic Environmental Assessment (SEA). This included consultation with national statutory bodies. Natural England, the Environment Agency and Historic England responded and indicated that the plan would not have significant environmental impacts or affect a European site. Copies of their letters are included in the Turvey Strategic Environmental Assessment Screening Report October 2019.

The screening report concluded that the neighbourhood plan would not have significant environmental impact (see Appendix 1). A copy of the screening report forms part of the neighbourhood plan submission.

6.2 Habitat Regulations Assessment

There are no European sites within or immediately adjacent to the Neighbourhood Area.

The consultation response of Natural England states:

'Natural England agrees with the report's conclusions that the Turvey Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required'.

The 'Habitat Regulations Assessment for the Turvey Neighbourhood Development Plan 30 October 2019' refers to the HRA for the Bedford Borough Local Plan to 2030, which identified likely significant effects on two European sites, The Ouse Washes (SAC/SPA/Ramsar) and Portholme (SAC), downstream of Bedford. Policies within the Local Plan should protect the European sites, if followed. Screening of the Turvey Neighbourhood Development Plan identified the same likely significant effects on the two European sites, but at a reduced scale. As a consequence of the screening, amendments were made to the Turvey Neighbourhood Plan policies.

The HRA report concluded:

'This HRA concludes that the Turvey Neighbourhood Development Plan can proceed as it will not have adverse impacts on any European sites, the qualifying features and/or the integrity of those sites itself or in combination with other plans that have currently been adopted'.

6.3 EU Obligations

Given the above screening outcomes, which take account of the responses of national statutory bodies, the draft plan proposal meets the basic conditions relating to not breaching EU obligations and Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.4 Human Rights

The draft plan proposal is a result of extensive engagement with the local community and stakeholders, from the earliest stages of the process. This has informed the content of the draft plan.

Statutory consultation (Regulation 14) was undertaken and this took account of consultation case law, including compliance with Gunning principles.

An equalities assessment is included at Appendix 2. This indicates that the plan would have positive impacts for people with protected characteristics.

The draft plan proposal meets human rights requirements.

Appendix 1

Screening Outcomes

The following is an extract from the Turvey Strategic Environmental Assessment Screening Report October 2019.

6. Screening Outcome

- 6.1 The screening assessment undertaken in Section 5 concludes that it is unlikely there will be any significant environmental effects arising from the Turvey NDP. This conclusion is supported by screening opinion evidence from the three statutory bodies (Environment Agency, Natural England, Historic England) consulted. See Appendix 1,2 and 3.
- 6.2 Based on the above information, the 'Responsible Body' being Turvey Parish Council concludes that a Strategic Environmental Assessment is not required.

The following is an extract from the 'Habitat Regulations Assessment for the Turvey Neighbourhood Development Plan 30 October 2019':

- 1.1.7 This HRA concludes that the Turvey Neighbourhood Development Plan can proceed as it will not have adverse impacts on any European sites, the qualifying features and/or the integrity of those sites itself or in combination with other plans that have currently been adopted.

Appendix 2

Equalities Assessment

i. Legal Requirements

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. Protected characteristics are defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

An Equalities Assessment is a systematic analysis of a policy or policies in order to scrutinise the potential for an adverse impact on a particular group or community, in particularly those with a protected characteristic.

An assessment has been made on whether the Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics. If the impact is negative, this is given a high, medium or low assessment. The following table describes these:

Impact	Description
High	A significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.
Medium	Some potential impact exists, some mitigating measures are in place, poor evidence.
Low	Almost no relevancy to the process, e.g. an area that is very much legislation-led.

ii. Turvey General Population Characteristics

Sourced from the 2011 Census key statistics the following table illustrates the age structure of the Parish residents.

Age structure	Persons	
	count	%
All usual residents	1,225	100.0
Age 0 to 4	61	5.0
Age 5 to 7	35	2.9
Age 8 to 9	25	2.0
Age 10 to 14	85	6.9
Age 15	17	1.4
Age 16 to 17	38	3.1
Age 18 to 19	21	1.7
Age 20 to 24	40	3.3
Age 25 to 29	41	3.3
Age 30 to 44	234	19.1
Age 45 to 59	300	24.5
Age 60 to 64	111	9.1
Age 65 to 74	109	8.9
Age 75 to 84	75	6.1
Age 85 to 89	23	1.9
Age 90 and over	10	0.8
Mean Age	43	-
Median Age	45	-

(Source: www.nomisweb.co.uk/reports/localarea?compare=E04011917, accessed 16th June 2020).

Sourced from the 2011 Census key statistics the following table illustrates the Ethnic Groups who live in the Parish.

Ethnic group	Persons	
	Turvey Parish	
	count	%
All usual residents	1,225	100.0
White	1,175	95.9
English/Welsh/Scottish/Northern Irish/British	1,124	91.8
Irish	14	1.1
Gypsy or Irish Traveller	0	0.0
Other White	37	3.0
Mixed/multiple ethnic groups	21	1.7
White and Black Caribbean	5	0.4
White and Black African	3	0.2
White and Asian	8	0.7
Other Mixed	5	0.4
Asian/Asian British	16	1.3
Indian	13	1.1
Pakistani	0	0.0
Bangladeshi	0	0.0
Chinese	0	0.0
Other Asian	3	0.2
Black/African/Caribbean/Black British	13	1.1
African	7	0.6
Caribbean	4	0.3
Other Black	2	0.2
Other ethnic group	0	0.0
Arab	0	0.0
Any other ethnic group	0	0.0

(Source: <https://www.nomisweb.co.uk/reports/localarea?compare=E04011917>,
accessed 16th June 2020).

iii. Impacts on Protected Characteristics

Age:

The plan seeks to accommodate housing need and growth, to address identified local need. Policy T1 allocated sites for housing growth, whilst Policy T2 deals with housing mix and standards. This will help to ensure that housing provision caters for all ages, including younger people (first time buyers) and older people looking to downsize.

Policy T3 protects the natural environment of the village, which benefits all ages. Policies T4 and T5 protect green spaces of community value, again for the benefit of all ages.

Policies T7 and T8 deal with design, including pedestrian convenience. The creation of more sustainable buildings and places should benefit all ages. Policy 9 protects key heritage settings.

Policies T11 and T13 support a balanced range of transport provision, recognising that not all have access to cars (in particular the young and the elderly).

Policy T12 supports new and employment and community facilities, benefiting all ages and creating economic opportunity for people that work.

The impact on all ages will be positive.

Disability:

Policies T1 and T2 deals ensure that housing provision caters for a range of needs, dealing also with room standards.

Policy T7 and T8 deal with design, including pedestrian convenience and explicit recognition of the needs of wheelchair users.

Policy T11 supports a balanced range of transport provision.

Policy T12 supports new local community facilities.

The impact on people with disabilities will be positive.

Maternity and Pregnancy:

Key issues for women who are pregnant or who have young children are access to appropriate housing, flexible employment, local community facilities and a well-designed and accessible environment. Policies T1, T2, T3, T4, T5, T7, T11 and T12 address these issues.

The impact on pregnant women will be positive.

Race:

For the most part, the plan will have an equal impact on the local population regardless of ethnicity.

The plan includes provision of housing for a range of local needs (Policies T1 and T2).

The impact will be positive on people of all races.

Sex (Gender):

The Neighbourhood Plan contains no specific policies or proposals for any particular gender. The policies have been written to provide equal opportunity to any gender in respect of the provision of development and access to facilities.

No gender is disadvantaged by any of the policies and proposals in the Neighbourhood Plan. People will benefit equally from the implementation of the Neighbourhood Plan. This includes people with prams or pushchairs.

The impact will be positive for all genders.

Religion, Gender Re-assignment, Sexual orientation:

Key issues for religious groups are discrimination relating to employment, housing and the provision of services.

Key issues for LGBT+ people are personal relationships, discrimination and hate crime.

The Neighbourhood Plan cannot directly address the social attitudes that underpin hate crimes. However, it does seek to provide a well-designed and safe built environment for all.

The impact will be positive on all people, regardless of religion or LGBT+ status.

iv. Conclusion

The Neighbourhood Plan provides a strategy for the development of the neighbourhood area, and a range of policies and proposals, which will result in positive benefits for the local community, including those with protected characteristics.

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