

**Pitstone Neighbourhood Plan
2013 – 2033**

Basic Conditions Statement

**Published by Pitstone Parish Council under the
Neighbourhood Planning (General) Regulations 2012**

October 2015

1. Introduction

1.1 This Statement has been prepared by Pitstone Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Aylesbury Vale District Council ("the District Council"), of the Pitstone Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Pitstone, as designated by the District Council on the 20 November 2014. The policies described in Section 4 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. The Neighbourhood Plan also contains non-land use policies in Section 5, which are included for the completeness of the document. It is acknowledged that they do not form part of the Neighbourhood Development Plan for the purpose of the examination or in the subsequent consideration of planning applications. The plan period of the Neighbourhood Plan is from 1 April 2013 to 31 March 2033 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.3 The Statement addresses each of the four 'basic conditions' required by the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990.

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

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- the making of the neighbourhood development plan contributes to the achievement of sustainable development;
- the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

2.2 A Steering Group was formed comprising parish councillors and members of the local community and it was given authority by the Parish Council to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Parish Council must formally approve and promote the Neighbourhood Plan and accordingly approved the publication of the Pre-Submission Neighbourhood Plan of June 2015 and the Submission Neighbourhood Plan of October 2015.

2.3 There has been very considerable community engagement activity on the Plan. This is laid out in detail in the separate Consultation Statement, which is published by the Parish Council as part of the submission documentation. The Parish Council has also worked closely with officers of the District Council during the preparation of the Neighbourhood Plan to ensure the relationship between the Plan and the saved policies of the AVDLP and reasoning and evidence of the emerging Vale of Aylesbury Local Plan (VALP) have been properly understood.

2.4 The Neighbourhood Plan contains eight land use policies, some of which are defined on the Policies Map as being geographically specific. The plan has deliberately sought to avoid proposing policies that may duplicate national planning guidance and/or development plan policies that are already material considerations in determining future planning applications.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

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

Para 16

3.3 The Parish Council believes the Neighbourhood Plan is planning positively for future development in the Parish within the considerable environmental constraints that apply and that is consistent with the provisions of the AVDLP. Much of the parish is designated either as Green Belt, Area of Outstanding Natural Beauty or Area of Attractive Landscape where there is no expectation of any major development. Its policies are therefore focused on Pitstone village, setting out a series of design and other development principles to maintain its rural character.

Para 183

3.4 The Neighbourhood Plan establishes a clear vision for the parish that reflects the view of the majority of the local community. It has sought to translate the vision into a series of meaningful planning policies to plan for managing development proposals.

Para 185

3.5 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant policies of the AVDLP. It is considered to strike a positive balance between the considerable policy constraints of the Parish and the need to support change within the village.

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan and other adopted supplementary planning guidance into specific policies for the parish.

Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table A: Neighbourhood Plan & NPPF Conformity Summary

Policy No.	Policy Title	NPPF Para	Commentary
1	Pitstone Settlement Boundary	15, 50, 55, 110	<p>This policy establishes the key spatial strategy for directing future development proposals in the parish. It reflects the presumption in favour of sustainable development and will guide how development will be delivered over the plan period in line with Para 15 of the NPPF.</p> <p>This policy is proposing to establish the key spatial priority for the Neighbourhood Plan. It sets the strategic direction for all its other policies by steering new development into Pitstone village and by continuing to exert strong control over development proposals elsewhere in the countryside of the parish. Through establishing a 'Pitstone Settlement Boundary' the policy balances housing growth with the provisions of Para 110 of the NPPF in respect of preparing a plan to meet the development needs and at the same time minimising detrimental effects to the natural environment through allocating appropriate sites. In doing so, it does not place a cap on development as it allows for infill development proposals.</p> <p>The policy contributes to delivering a wide choice of high quality homes as set in Para 50 of the NPPF. This will enhance and maintain the vitality of the rural community and further avoid the delivery of isolated homes in the countryside. In these respects the policy is in line with Para 55. Although no sites have been allocated, the boundary is drawn to accommodate new housing proposals and the completion of the Pitstone Development Area masterplan, together allowing for approximately 170 new homes plus windfall development.</p>
2	Land at Marsworth Road / Vicarage Road	50, 70, 173	<p>This policy seeks to encourage the completion of the development scheme envisaged by the original masterplan. It rebalances the expectations of the original saved AVDLP Policy RA26 and the adopted masterplan for the Pitstone Development Area in respect of their requirements for new community facilities in order to encourage and enable the implementation of a successful scheme. This</p>

			provides for a larger housing scheme than originally envisaged but retains some community facilities as the site remains the best suited for such purposes in the village. The policy is therefore in line with many paras of the NPPF, notably 50, 70 and 173.
3	Land North of Marsworth Road	72	This policy is very much in line with para 72 in providing for the potential long terms education needs of the area.
4	Land West of Westfield Road	22, 28	This policy is aimed at securing a prosperous local rural economy by protecting business land of strategic as well as local value for any unnecessary loss, in line with para 28. It is not envisaged that a case could be made for allowing the land to be used for another purpose (as per para 22) as the land ought to continue to have comparative advantage for business use for the plan period.
5	Area of Special Landscape Value	109	This policy accords with the natural environmental provisions of the NPPF, especially relating to protecting valued landscapes (para 109) from harmful development, having directed future growth to the village in Policy 1.
6	Development Principles	58, 115	This policy accords with paras 58 and 115 of the NPPF in requiring the design of all development proposals to reflect the local character and countryside of the Parish and especially of the landscape and historic land use qualities of the village.
7	Local Green Spaces	76, 77	This policy proposes various important green spaces in the parish to be protected from development by the designation as Local Green Spaces in accordance with paras 76 and 77 of the NPPF.
8	Community Facilities	28, 70	This policy accords with paras 28 and 70 of the NPPF by encouraging and enabling the use of a variety of new and/or existing community facilities in the parish by supporting development proposals that further this objective, including the creation, extension or partial redevelopment of buildings.

4. Contribution to Achieving Sustainable Development

4.1 A Strategic Environmental Assessment (SEA) has been undertaken and demonstrates that the policies of the Neighbourhood Plan will have no significant environmental effects, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004.

4.2 Specifically, the Report concludes:

“that there are no significant adverse effects resulting from the policies of the Neighbourhood Plan. The policies have been specifically chosen and formulated to adhere to the principles of sustainable development as defined by the NPPF. The policy options chosen in the Neighbourhood Plan have been assessed as those, where genuine, plausible options were available, that achieved an appropriate balance between avoiding any significant environmental impact and meeting the strategic objectives of the Neighbourhood Plan” (para 8.17)

4.3 However, the basic condition of 'contributing to the achievement of sustainable development' requires a broader scope of assessment to embrace social and economic, as well as environment, objectives. For completeness, therefore, the SEA is supplemented by the analysis in Table B below, which summarises the economic, social and environmental attributes of each policy.

4.4 This outcome may be inevitable for Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then there often have to be clear and realisable social benefits they can accrue. But this will rarely be at an environmental or economic cost as local communities will resist such impacts and they will not be in conformity with either the NPPF or development plan.

Table B: Neighbourhood Plan & Sustainable Development Summary

No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Pitstone Settlement Boundary	+	0	+	The SEA report shows this policy has mostly neutral and some positive environmental effects. In seeking to grow the village in line with the original Pitstone Development Area masterplan and along Vicarage Road, the policy will continue to protect sensitive green field land of special heritage and landscape value to the north, east and south of the village. The policy makes provision for 170 new homes to grow the village by almost 15% over the plan period, which will have social benefits in meeting local housing need.
2	Land at Marsworth Road / Vicarage Road	+	0	0	The SEA report shows this policy having neutral environmental effects. But it will have significant positive social effects in respect of meeting local housing need and securing new community facilities.
3	Land North of Marsworth Road	+	0	0	The SEA report shows this policy having neutral environmental effects. But it will have a positive social effect in respect of securing land in the best location to meet the potential long term needs of the area for additional primary school places.
4	Land West of Westfield Road	0	+	0	The SEA report shows this policy having neutral environmental effects. But it will have a positive economic effect in respect of retaining the economic use of the land in an area remote from alternative employment locations.
5	Area of Special Landscape Value	+	0	+	The SEA report assesses the policy as having positive environment effects of protecting from harm a special landscape area that combines with the adjoining Area of Attractive Landscape to define much of the character of the village, which is greatly appreciated by the community.

6	Development Principles	0	0	+	The SEA report assesses the policy as having some positive environmental effects.
7	Local Green Spaces	+	0	+	The SEA report assesses the policy has having some positive environmental effects. It will also have a positive social effect in leaving open an area cherished by local residents for its amenity and allotment value.
8	Community Facilities	+	+	0	The SEA report assesses the policy has having neutral environmental effects. It will also have a social benefit in retaining important facilities for the use and enjoyment of the local community.

Key: + positive 0 neutral - negative

5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan, that is the saved policies of the AVDLP. The forthcoming Vale of Aylesbury Local Plan (VALP) will replace the saved policies once adopted, but this has not reached a stage where it can inform the basic condition of the Neighbourhood Plan being in general conformity with its strategic policies.

5.2 The withdrawn Vale of Aylesbury Plan can, to a minor extent, be referenced to inform the reasoning and evidence of the Neighbourhood Plan. It continued to define Pitstone village as a 'large village' in the settlement hierarchy of the District (as evidenced in the 2012 Settlement Hierarchy Assessment) and made no other provisions that indicated the village or parish would be part of any strategic-scale development proposals in the plan period. Though this cannot be regarded as definitive, as it is possible that the VALP may come to a different spatial view, it is considered unlikely, given the relative isolated location of the village from the strategic highway network and given the existing capacity constraints of its social infrastructure.

Table C: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
1	Pitstone Settlement Boundary	This policy establishes and defines the Pitstone Settlement Boundary (PSB) to distinguish the consideration of planning applications within the village settlement from those outside the boundary. In doing so, it replaces saved AVDLP policies RA13 and RA14 relating to development within and adjoining rural settlements in so far as they are applied in the designated neighbourhood area. The policy provides for development proposals outside the PSB in the remainder of the parish in line with saved policy RA2 of the Local Plan that states "new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements". The scale of new development that the boundary allows for reflects the availability of land for housing and a series of proposals that have already been made for approximately 170 new homes. This is considered to be consistent with the status of the village in the settlement hierarchy of the District and its relative remoteness from larger settlements.
2	Land at Marsworth Road / Vicarage Road	This policy seeks to refine saved policy RA26 (Pitstone Development Area) in respect of encouraging this final element of the original, adopted masterplan scheme to come forward in a satisfactory way. Essentially, the policy provides for a larger quantum of housing development and less land made available for community facilities. However, the land remains ideally suited to providing such facilities as it will connect the old and the new parts of the village and it therefore remains in general conformity with the saved policy. Its provisions are also consistent with general principles of saved policy GP35 in respect of new development and with GP 94 in securing some community benefits from the scheme that were an essential component of the masterplan.
3	Land North of Marsworth Road	This policy safeguards land for a potential new primary school within the plan period. The land is the most appropriate site for such use in the village and the policy is therefore consistent with saved policy GP93 which resists proposals to change the use of community facilities for which there is a need. The District and County Councils both acknowledge that the capacity of primary school places in this area is a real constraint on future growth and this policy seeks to address that. However, it stops short of allocating the land as there are no firm

		proposals for an education use.
4	Land West of Westfield Road	This policy protects the land for long term business use in line with saved policy GP17. Given the business development schemes already implemented either side of the land and the strategic value of this location for such purposes, it is not appropriate to change the use of the land for another purpose.
5	Area of Special Landscape Value	The policy complements saved policy RA8, which designated the adjoining land an Area of Attractive Landscape. The local community considers that the designation, as shown on the AVDLP Proposals Map, did not accurately reflect the extent to which the Area formed the setting to the village by excluding this land. It considers that any major development of the land would seriously undermine the visual integrity of the relationship between Pitstone Hill and the village. As it is not possible for the Plan to amend the boundary of the existing Area, this policy instead designates the land as having this special landscape value.
6	Development Principles	The policy seeks to shape not just the appropriate design of new buildings but also of their surrounding spaces and landscape schemes and therefore adheres to saved policies GP35 and GP38 through conditioning the development to provide a design, layout and landscaping scheme.
7	Local Green Spaces	There is no saved policy relating to this policy.
8	Community Facilities	The policy complements AVDLP Policy GP93 by identifying those community facilities that the local community strongly favours are retained. They comprise buildings and associated land, which may be capable of being extended or redeveloped in ways that are suitable to this rural location.

6. Compatibility with EU Legislation

6.1 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.

6.2 A screening opinion was issued by the District Council in December 2014, which confirmed that the Neighbourhood Plan should be prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).

6.3 A SEA Scoping Report was published by the Parish Council in January 2015 for consultation with the statutory authorities to complete Stage A of the SEA process. The comments received were then taken into account in Stages B and C of drafting the SEA alongside the Pre-Submission Neighbourhood Plan, both of which were published for consultation with the statutory authorities as well as the general public. The final SEA is published alongside the Submission document.

6.4 The Neighbourhood Area is in close proximity to the European designated nature site of the Chiltern Beechwoods Special Area of Conservation to the south-east of the parish. The Parish Council has undertaken a screening for a Habitats Regulation Assessment under the EU Habitats Regulations, which concluded that the policies did not trigger the need for an Appropriate Assessment. A separate report has been published on this matter.