

Cheddar Neighbourhood Plan

Submission Draft June 2017

Basic Conditions Statement

Contents

Cheddar Neighbourhood Plan	1
1. Introduction	2
2. Legal Requirements	2
3. Basic Conditions	3
3.1. Having regard to National Policy	3
3.2. Contributing to Sustainable Development	10
3.3. General conformity with the strategic policies in the development plan	10
3.3.3. S1: Spatial Strategy for Sedgemoor	11
3.3.4. S2: Infrastructure Delivery	11
3.3.5. S3: Sustainable Development Principles.....	11
3.3.6. S4: Mitigating the Causes and Adapting to the Effects of Climate Change	12
3.3.7. Other Core Strategy policies	13
4. Compatibility with EU obligations.....	15

1. Introduction

This document has been prepared on behalf of Cheddar Parish Council by ATG Planning. It is submitted to Sedgemoor District Council alongside the Cheddar Draft Neighbourhood Plan ('the proposed plan'), to explain how the proposed plan fulfills the conditions set out in Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990 (as amended).

2. Legal Requirements

The proposed plan meets the legal requirements which an examiner is required to consider by the Town and Country Planning Act 1990, as follows:

- 2.1. Cheddar Parish Council is the qualifying body submitting the proposed plan.
- 2.2. The proposed plan relates to planning matters (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 by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 2.3. The proposed plan states clearly that it covers the period between 2011 and 2027. This aligns the proposed plan with the current Sedgemoor Core Strategy, which is the Local Plan for the District.
- 2.4. The proposed plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.5. The proposed plan relates to the Cheddar Neighbourhood Area and to no other area. This is the Parish of Cheddar which was designated a neighbourhood area by Sedgemoor District Council on 3rd Oct 2012. There are no other neighbourhood plans relating to this neighbourhood area.
- 2.6. Compliance with the 'basic conditions' is set out in the following section.

3. Basic Conditions

Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 states that:

- (2) A draft neighbourhood development plan meets 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 neighbourhood development plan,
 - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
 - (c) 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),
 - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
 - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

3.1. Having regard to National Policy

3.1.1. It is considered that the proposed plan is in full conformity with national policy and guidance. In particular, it takes full account of the 'presumption in favour of sustainable development' which is described in the National Planning Policy Framework as a 'golden thread running through both plan-making and decision taking'.

3.1.2. It does this by actively seeking to meet the development needs of the neighbourhood area. As part of the plan making process, an assessment of housing needs has been carried out ('Housing Needs and Preferred Sites', [Link](#)) and the proposed plan makes provision for 200 – 300 new dwellings within the plan period. Sites are identified in Policy BE6 for housing sufficient to meet these needs. The proposed plan also protects existing commercial sites and encourages development to support the expansion of existing economic activity in Policies EE1- EE3.

3.1.2. The Sustainability Checklist prepared in support of the Cheddar Neighbourhood Plan has assessed the sustainability of all policies in the Cheddar Neighbourhood Plan against the Sedgemoor Core Strategy sustainability objectives and found them to meet the aims of

sustainable development. The following details where policies are specifically in accordance with the NPPF.

3.1.3. The following chapters of the NPPF are considered of particular relevance to 4B 8 (2)(a) assessment for the Cheddar Draft Neighbourhood Plan:

- Chapter 1: Building a strong and competitive economy;
- Chapter 3: Supporting a prosperous rural economy;
- Chapter 4: Promoting sustainable transport;
- Chapter 6: Delivering a wide choice of high quality homes;
- Chapter 7: Requiring good design;
- Chapter 8: Promoting healthy communities;
- Chapter 10: Meeting the challenge of climate change, flooding and coastal change;
- Chapter 11: Conserving and enhancing the natural environment; and
- Chapter 12: Conserving and enhancing the historic environment.

3.1.4. NPPF Chapter 1 - Building A Strong and Competitive Economy

This chapter seeks to ensure that planning acts to encourage growth and not as an impediment to growth. Planning policies should seek to recognise and address barriers to investment, such as poor environment, infrastructure, services and housing. Policies should:

3.1.6. Chapter 3: Supporting a Prosperous Rural Economy

This chapter seeks to support economic growth in rural areas in order to create jobs and prosperity. There should be a positive approach taken to sustainable new development that will support a strong rural economy. Policies should:

- Support sustainable growth of all business and rural enterprises;
- Promote diversification;
- Support leisure and tourism;
- Promote retention of local services and community facilities.

3.1.5. Both the above chapters of the NPPF are addressed by Section 10 in the proposed plan which addresses employment and economy and contains three policies:

Policy EE1 protects the retail/commercial centre of Cheddar and resists the change of use of commercial properties to residential.

Policy EE2 supports commercial tourist activity in Cheddar, which is vital to the village's economy.

Policy EE3 encourages the expansion of an existing business park and the reuse of a redundant commercial site for new commercial activity, particularly for high technology industries.

3.1.7. Policy SW1 protects existing sport and leisure facilities and seeks to encourage the provision of further facilities.

3.1.8. In addition, other policies in the proposed plan contain measures which will indirectly support the local economy, including to relieve traffic congestion, encourage walking and cycling and maintain and enhance the attractiveness of Cheddar as a place to live and do business.

3.1.8. Chapter 4: Promoting Sustainable Transport

This chapter requires policies to facilitate sustainable development that contributes to wider sustainability and health objectives. The transport system should be balanced in favour of sustainable transport, but it acknowledges solutions will vary across different geographies.

3.1.9. Section 12 in the proposed plan address roads, transport and access. It contains four policies:

Policy T1 seeks to ensure that traffic infrastructure necessary for new development is carried out prior to occupation.

Policy T2 safeguards the route of a proposed extension to an existing walking and cycling route.

Policy T3 supports the provision of further space for pedestrians in the village centre.

Policy T4 aims to reduce the impact of parking on Cheddar Gorge by supporting alternative provision.

3.1.10. Policy BE4 seeks to improve parking provision in new housing developments.

3.1.11. In addition, one of the criteria used when assessing potential development land has been the traffic impact of the location of the site. Sites are allocated in Policies BE6 and EE3 which are considered the most sustainable in terms of transport for their proposed use.

3.1.12. Chapter 6: Delivering A Wide Choice of High Quality Homes.

This chapter seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

Policies should:

- Deliver a wide choice of high quality homes. Based on demographic trends they should plan for a mix of housing sizes, types and tenure. It should include affordable housing;
- Ensure there is a requirement, especially in rural areas, to plan housing development to reflect local needs particularly affordable housing;
- In rural areas, ensure new housing is located to enhance or maintain the vitality of rural communities;
- Promote sustainable development in rural areas. Isolated new homes should be avoided, unless there are special circumstances such as where it relates to; a rural worker, the most appropriate use of a heritage asset; the re-use of a redundant or disused building; or where development is of exceptional quality or innovative nature.

3.1.13. Section 9 in the proposed plan addresses the provision of high quality housing.

Policy BE2 makes provision for enough new homes to fulfil the assessed need.

Policy BE3 ensures that a sufficient quantity of new housing will be available to meet affordable housing needs for local people.

Policies BE1 and BE4 ensure that new housing will be built to high design and sustainability standards.

Supporting text in Section 9 endorses the existing approach to isolate homes in the countryside.

3.1.14. Chapter 7: Requiring good design

Policies should:

- Ensure development is inclusive and high quality;
- Respond to local character and the important qualities of local defining characters should be understood;
- Ensure new development is planned for the long term, establish a strong sense of place, optimise site potential, have an appropriate mix of uses, reflect local character

and materials, create safe and accessible areas, are visually attractive and result in good architecture.

- Include local design codes to facilitate development;
- Ensure architectural style is not imposed and innovation is not stifled;
- Secure high quality development that goes beyond architectural appearances.

3.1.15. Design is addressed by the following policies in the proposed plan:

Policy BE4 requires high design standards in new dwellings.

Policy BE2 supports the use of 'whole life principles' in housing design

3.1.16. Chapter 8: Promoting Healthy Communities

This chapter seeks to facilitate social interaction, health and inclusive communities. Local communities should be involved in planning and neighbourhood planning should be promoted. Policies should:

- Deliver social, recreational and cultural facilities that the community needs;
- Positively plan public spaces;
- Protect against the loss of valued facilities;
- Ensure shops, services and facilities are able to develop in a sustainable manner;
- Ensure great weight is attached to the provision of adequate school places;
- Ensure communities have access to high quality open spaces, sport and recreation facilities;
- Ensure open space, sports and recreation buildings and land are not generally built on;
- Ensure public rights of way are protected and enhanced

3.1.17. The whole of the proposed plan promotes a healthy community by providing good quality housing, supporting the local economy and enhancing the attractiveness of Cheddar as a place to live and do business. In particular:

Policy SW1 protects existing sport and leisure facilities and seeks to encourage the provision of further facilities.

Policy T2 encourages walking and cycling.

Policy EE1 protects shops, services and facilities in the centre of Cheddar.

3.1.18. Chapter 10: Meeting the Challenge of Climate Change, Flooding and Coastal Change

This chapters places planning policy at the centre of driving to reduce greenhouse gas emissions and minimise the impacts of climate change. It also seeks to facilitate a transition to low carbon technologies. Policies should:

- Plan for new developments in locations which reduce greenhouse gases, support energy efficiency and require building sustainability;
- Expect communities to contribute towards energy generation from renewable or low carbon technologies;
- Ensure plans take account of climate change over the long term and factors such as flooding, water supply, biodiversity and landscape;
- Ensure development is directed away from flood sensitive areas.

3.1.19. Flooding is not a major issue and coastal change is not relevant in the Neighbourhood Plan Area. However, the following policy in the plan addresses the need for climate change mitigation and adaptation:

Policy BE1 sets out mitigation and adaptation measures that should be taken in the design of new buildings wherever possible.

3.1.20. In addition, in order to reduce greenhouse gases from motorised vehicles, transport policies and site allocations in the proposed plan are design to minimize traffic impacts, and alternative modes of transport are encouraged.

3.1.21. Chapter 11: Conserving and Enhancing the Natural Environment

This chapters seeks to ensure that the planning system contributes to and enhances the natural and local environment. Policies should:

- Protect and enhance valued landscapes;
- Recognize wider benefits of ecosystems;
- Minimise impacts on biodiversity and provide net gains where possible;
- Ensure plans minimise pollution and other adverse impacts on the environment;
- Aim to encourage the redevelopment of brownfield land;
- Protect the most versatile agricultural land;
- Avoid major developments in designated areas such as National Parks;

- Avoid noise impact on health and quality of life as part of new developments;
- Not unreasonably restrict well established land uses on noise grounds because of changes in nearby land uses;
- Limit the impact of light pollution through good design.

3.1.22. Section 13 in the proposed plan addresses Landscape, Environment and History. It contains two policies:

Policy LEH1 resists the development of productive agricultural land and seeks to reduce light pollution,

Policy LEH2 protects an area of green wedge adjacent to the village of Cheddar in order to preserve landscape quality, habitat of the Hazel Dormouse and a significant bat flight line.

3.1.23. In addition, a key criterion used to assess sites allocated in the proposed plan was their biodiversity value, in particular their importance for bats.

3.1.24. Chapter 12: Conserving and Enhancing the Historic Environment

This chapter seeks to ensure that there are positive strategies for the conservation and enjoyment of heritage assets. Heritage assets are irreplaceable resources and should be conserved in a manner appropriate to their significance. Policies should:

- Take account of the desirability of sustaining and enhancing the significance of heritage asset's wider; social, cultural, economic and environmental benefits, the desirability of new development contributing to local character and distinctiveness, and, opportunities to draw on the contribution of the historic environment;
- Ensure great weight is attached to the conservation of heritage assets. Significance can be harmed through alteration, destruction or impact on setting. Impacts should avoid substantial harm or total loss;
- Ensure where development proposals would lead to a less than substantial harm on a designated heritage asset, this should be weighed against public benefit.

3.1.24. Policy BE4 requires new development to conserve and where possible enhance the significance of heritage assets.

3.1.25. Section 10 in the proposed plan sets out the intention to produce a design guide to supplement existing policy affecting the conservation area in the village of Cheddar, with the aim of preserving the character of the village and the Gorge.

3.2. Contributing to Sustainable Development

3.2.1. In order to ensure that the Cheddar Neighbourhood Plan contributes to sustainable development, before finalizing the Draft Plan all proposed policies were checked against the sustainability objectives used for Sustainability Assessment of the Sedgemoor Core Strategy.

3.2.2. These objectives and associated questions cover the three aspects of sustainability that are set out in the National Planning Policy Framework (Environmental, Social and Economic) and have been chosen as being particularly relevant to Sedgemoor. Their use for the proposed plan also helps to ensure that strategic sustainability objectives remain consistent across the district.

3.2.3. While it is likely that the proposed plan will have some unavoidable negative impacts, particularly as judged against environmental criteria, due to the allocation of sites for new housing, this exercise showed that the proposed plan is likely to have an overall positive impact and can therefore be considered to contribute to the achievement of sustainable development.

3.2.4. A summary of the results of the Neighbourhood Plan Sustainability Checklist is available in Appendix 1 of the Cheddar Draft Neighbourhood Plan.

3.3. General conformity with the strategic policies in the development plan

3.3.1. The relevant development plan document for the district of Sedgemoor is the Sedgemoor Core Strategy. This contains several strategic objectives, of which the proposed plan lists the following as being relevant to the Cheddar Neighbourhood Plan Area:

SO1 To address the challenges of climate change and vulnerability to flood risk

SO2 To deliver development that is high quality, sustainable, distinctive, inclusive, safe and respectful of its context

SO3 To provide everyone with the opportunity to live in a decent home

SO4 To create more sustainable communities

SO5 To promote safe and sustainable transport options and manage congestion

SO6 To ensure economic wellbeing

SO8 To enjoy and conserve natural assets and heritage, including wildlife habitats, landscape character and the historic environment

SO9 To improve health and well being

These objectives have underpinned the production of the proposed plan and it is in full conformity with them.

3.3.2. The Core Strategy contains 4 strategic policies which are summarised below:

3.3.3. S1: Spatial Strategy for Sedgemoor

This policy sets out the expected distribution of new development across Sedgemoor. Housing targets are set for the urban areas and collectively for 17 Key Rural Settlements (KRS), of which Cheddar is one. Although targets are not given for each individual KRS, the collective target was based on historical build rates within village development boundaries. Therefore, if houses continue to be built at Cheddar at a rate equal to the average over the past decade, the village will have made the necessary contribution to district housing targets as set out in the development plan. All indications are that this will be the case, and therefore by allowing development to come forward within the village development boundary, and allocating two housing sites outside the development boundary, it is considered that the proposed plan is in full conformity with this policy in the development plan. A fuller discussion of this policy and the housing numbers in the proposed plan is given in the document 'Housing Needs and Preferred Sites', [Link](#)

3.3.4. S2: Infrastructure Delivery

This policy has now been superseded by the Community Infrastructure Levy Draft Charging Schedule which came into effect on 1st April 2015. Development in Cheddar will be subject to CIL, and the proposed plan does not affect the charging or payment of CIL. Therefore, the proposed plan is considered to be in conformity with this strategic policy.

3.3.5. S3: Sustainable Development Principles

This policy adds detail to NPPF policy by setting out a number of objectives that all development should aspire to ensure it contributes toward sustainable development:

- *Mitigating the causes of climate change and adapting to those impacts that are unavoidable;*
- *Prioritise where appropriate the reuse of previously developed land and buildings within existing settlements and then at the most sustainable locations on the edge of the identified settlements in accordance with the Spatial Strategy (Policy S1: Spatial Strategy for Sedgemoor);*
- *Promote greater self containment of settlements by contributing to communities that are supported by adequate services, cultural, sporting and leisure activities, a diverse range of employment opportunities, physical and social infrastructure and transport options whilst taking into account flood risk;*
- *Be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by alternative modes of travel including maximizing opportunities for walking, cycling and the use of public transport;*
- *Provide opportunities where relevant for housing to meet the needs of local people;*
- *The creation of locally distinctive, well designed, healthy, safe, and accessible neighbourhoods that empower and support inclusive and vibrant communities.*
- *A vibrant, diverse and responsive local economy that supports investment and regeneration of our towns and rural settlements.*
- *Raising the aspirations, skills and achievements of young people and adults through accessibility education, training, local employment and housing.*
- *Minimise the impact on natural resources, avoid pollution and incorporate the principles of sustainable construction to contribute to energy efficiency, renewable energy, waste reduction/recycling, the use of sustainably sourced materials, sustainable drainage, reduced water use, water quality and soil protection;*
- *Maximise opportunities for local food production and farming by avoiding best and most versatile agricultural land where possible, taking into account other sustainability considerations;*
- *Protect and enhance the quality of the natural, built and historic environment improving their understanding, appreciation and sustainable use*

3.3.6. S4: Mitigating the Causes and Adapting to the Effects of Climate Change

This strategic policy sets out objectives aimed at climate change mitigation and adaptation in new development:

- *Ensuring development minimises the use of natural resources by the use of sustainably sourced materials or the reuse and recycling of materials where appropriate, minimises greenhouse gas emissions, incorporates energy efficiency, helps to reduce waste and encourages modes of transport other than the car; and*
- *Utilising on site or decentralised renewable energy where feasible and viable and be consistent with the need to safeguard residential amenity, the natural, built and*

historic environment and the landscape, in line with standards set out in Policies D3: Sustainable Construction and Reducing Carbon Emissions in New Developments and D4: Renewable or Low Carbon Energy Generation.

- *Minimising the risk of flooding and ensuring appropriate management of land within areas vulnerable to flooding;*
- *Maximising resilience to climate change through design, layout and construction; Provide additional measures through natural shade and cooling in the built environment and the provision of networks of green infrastructure and tree planting to compensate for CO₂ emissions;*
- *Ensure that the ability of landscapes, habitats and species to adapt to the adverse effects of climate change is not affected and if required, compensatory habitat should be provided; Efficiently use water and implement other measures to improve drought-resilience, maintain water flows and quality, including the use of sustainable drainage systems;*
- *Protect soils in order to ensure that they are resilient to the effects of climate change; Provide increased opportunities to walk or cycle in preparation for reduced availability or increased cost of fuel; and*
- *Support opportunities for local food production and farming to reduce the District's contribution to food miles.*

3.3.7. Other Core Strategy policies

Other policies in the development plan (Core Strategy) may be considered to have strategic elements, and the proposed plan sets out those policies that have especially influenced its production:

- D20: Green infrastructure to be safe guarded, maintained, improved enhanced, particularly referring to Green Wedges, Green Edges and Strategic Gaps.
- RLT1: Protection of Recreational Open Space
- P4: Key Rural Settlements. This policy is particularly relevant as it adds detail to the Spatial Strategy in respect of Key Rural Settlements.
- P6: Development in the countryside

3.3.8. The proposed plan as a whole is in conformity with the above strategic policies and there are no policies in the proposed plan that do not conform in general terms with these strategic policies. The following table sets out which policies in the proposed plan particularly respond to each Core Strategy strategic policy, with the exception of Core Strategy Policy S2: Infrastructure Delivery, which is no longer extant as explained in paragraph 3.3.4. above.

Core Strategy Strategic Policy	Summary	Relevant Cheddar Draft Neighbourhood Plan Policy
S1: Spatial Strategy for Sedgemoor	Sets out the expected distribution of new development across Sedgemoor.	BE2: Makes provision for 200-300 new dwellings during the plan period
S3: Sustainable Development Principles	Adds detail to NPPF policy by setting out a number of objectives that all development should aspire to ensure it contributes toward sustainable development	The plan as a whole supports and encourages sustainable development. BE1: Sets out measures to be taken in the design of new building to increase sustainability. BE6: Allocates housing sites in the most sustainable locations.
S4: Mitigating the Causes and Adapting to the Effects of Climate Change	Sets out objectives aimed at climate change mitigation and adaptation in new development	BE1: Sets out measures to be taken in the design of new housing for climate change mitigation and adaptation.
D20: Green infrastructure	D20: Green infrastructure to be safe guarded, maintained, improved enhanced	LEH2: resists development on an area of Green Wedge.
RLT1: Protection of Recreational Open Space	Resists development of recreational open space and sports pitches.	SLW1: Protects existing sports pitches and encourages further provision.
P4: Development in Key Rural Settlements	This policy is particularly relevant as it adds detail to the Spatial Strategy in respect of Key Rural Settlements.	The whole plan aims to fulfill the objectives for Key Rural Settlements as set out in Policy P4, including to: • Enhance their role as service centres for their local community; • Improve self-containment; • Support the needs of the local community • Respect environmental limits. Policy BE6 allocates enough land to meet locally identified housing needs.
P6: Development in the countryside	Resists development in the open countryside unless it needs a countryside location.	Policies LEH1 and LEH2 aim to preserve the countryside surrounding the village of Cheddar.

4. Compatibility with EU obligations

4.1. As set out in this Basic Conditions Statement, the proposed plan is in general conformity with the strategic policies of Sedgemoor District Council's Core Strategy. The Core Strategy has been subject to screening for Strategic Environmental Assessment (SEA). SEA is required of Development Plans under EU obligations. However, planning documents may be produced without undertaking SEA so long as they screen for the need as the document is produced. The screening should assess whether there are any significant environmental impacts that require a full SEA as a result of the Neighbourhood Plan being made. This process ensures that any impacts that have not been covered in the SEA of higher level policies are picked up before the Neighbourhood Plan is made.

4.2. SEA screening has been undertaken on the proposed plan by Sedgemoor District Council. The draft screening report concluded that the impact of the plan is likely to be at the local level and, whilst it will help to deliver wider district objectives, it is unlikely that any significant sustainability impacts will arise that have not already been assessed during the production of the Core Strategy. The final screening report is available at [Link](#)

4.3. Habitats Regulation Assessment (HRA) was undertaken by Somerset County Council for Sedgemoor Core Strategy. The screening exercise for the proposed plan concluded that there are no European sites that would be affected by proposals within the plan. In order to evidence a very much more Cheddar specific habitats assessment, the Neighbourhood Plan Steering Group consulted the County Council Ecologist and his screening report is available at [Link](#)

4.5. An Equality Impact Assessment has been undertaken for the proposed plan, concluding that it will have no negative impact on equality in the Neighbourhood Area. This assessment is available at [Link](#)

4.6. The proposed plan is compatible with EU obligations.