

Approaches to writing a basic conditions statement

Putting the pieces together



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You have to submit two main supporting statements with your neighbourhood plan when it is submitted to your local planning authority. These are a:

- statement explaining how the neighbourhood plan meets the requirements that the legislation requires an independent examiner to consider. This is commonly referred to as a basic conditions statement (covered in this checklist)
- [consultation statement](#).

Only a neighbourhood plan that meets each of the '[basic conditions](#)' and [other legal tests](#) can be put to a referendum and, if successful, be used as the basis for determining planning applications.

The basic conditions statement must set out how your neighbourhood plan meets the requirements of each legal test.

There are five basic conditions that are relevant to a neighbourhood plan. These are:

- having regard to [national policies](#) and [advice contained in guidance](#) issued by the Secretary of State it is appropriate to make the neighbourhood plan
- the 'making' of the neighbourhood plan [contributes to the achievement of sustainable development](#)
- the 'making' of the neighbourhood 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)
- the 'making' of the neighbourhood plan does not breach , and is otherwise [compatible with EU obligations](#)
- [prescribed conditions are met](#) in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Further information on the basic conditions and advice on how to write your basic conditions statement is provided in [How to write a basic conditions statement](#).

There is no set structure for a basic conditions statement but it is recommended that it is written in a logical and concise manner. This resource highlights a number of approaches different neighbourhood planning groups have used and provides a steer on how you may wish to structure your statement.

The approach you choose to demonstrate that your plan meets each of the basic conditions is likely to depend on the complexity of your plan. For example, if you have a small number of policies you may be able to take each policy in turn and demonstrate how it meets each basic condition. However, if you have a number of policies this approach may not be feasible; you may wish to take a broader approach. If your policies are stretching the boundary of "general conformity" with the strategic policies in the adopted development plan, you may wish to provide a more detailed assessment of compliance.



1 Legal requirements

In addition to each of the basic conditions a neighbourhood plan has to meet other legal tests. It is recommended that you include statements to evidence that your plan meets these tests at the beginning of your basic conditions statement. Billesdon Neighbourhood Plan dealt with this in the following way:

The draft Plan is submitted by Billesdon Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by the Billesdon Neighbourhood Development Plan Group, which is led by Billesdon Parish Council.

The whole parish of Billesdon has been formally designated as a Neighbourhood Area through an application made on 11th May 2012 under the Neighbourhood Planning Regulations 2012 (part2 S6) and approved by Harborough District Council on 29th October 2012.

The draft Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have 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.

The draft Plan identifies the period to which it relates as 2013 to 2028. The period has been chosen to align with the dates of the Harborough District Core Strategy.

The draft 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.

The draft Plan relates only to the parish of Billesdon. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

Extract from [Billesdon Basic Conditions Statement](#) 2013

Other examples of how others have referred to the other legal test in a basic conditions statement include Thame Town Council's [Thame Basic Conditions Statement](#) 2012 and Kirdford Parish Council's [Kirdford Basic Conditions Statement](#) 2013.



2 Introduction and background

You may wish to provide a brief overview of your neighbourhood plan and how it has been developed. This can include a short description of why you decided to produce a neighbourhood plan and what the plan is seeking to achieve.

3 Having regard to national policies and advice contained in guidance

The [National Planning Policy Framework](#) sets out the Government's main planning policies for England and how they are expected to be applied. Advice can be found in the Government's on-line [national planning practice guidance](#). Planning Aid England has produced briefing notes on the [National Planning Policy Framework](#) and [planning guidance](#) that provide a useful overview.

The Government's planning [guidance](#) advises that you set out how you have had regard to national policy and considered whether a particular policy is or is not relevant. You are encouraged to set out the particular national policies that you have considered, and how the policies in a draft neighbourhood plan take account of national policy and advice.

There are various ways you can present this information.

- **Assess individual policies.** A common approach is to briefly summarise how national policies and guidance has been considered for each neighbourhood plan policy. This can be achieved by taking each neighbourhood plan policy in turn and identifying the particular chapters and paragraphs of the National Planning Policy Framework that it relates to.

This is the approach adopted by Arundel Parish Council in their [Basic Conditions Statement](#) 2013:



No	Policy Title	NPPF Ref.	Commentary
1	The Presumption in Favour of Sustainable Development	14 & 16	Incorporates the key principle of the NPPF of promoting the presumption in favour of sustainable development and makes clear the positive role to be played by the Neighbourhood Plan.
2	A Spatial Plan for the Town	17, 23, 28, 109 & 115	Translates all of the relevant core planning principles of para. 17 into a spatial plan that focuses development on the established town area to consolidate its role as a service and tourism centre of national importance. It avoids harmful greenfield development in the National Park and other surrounding landscapes.
3	Housing Supply	47, 50 & 111	Establishes a supply of a variety of open market and affordable housing to be allocated by the Neighbourhood Plan in the plan period and the key site selection criteria for housing site allocations. The criteria prioritise the use of brownfield land to encourage investment in this land resource. The total level of supply is derived from the availability of suitable and achievable land that meets the site selection criteria, based on an assessment of site capacity.
4	Housing Site Allocations	47, 101, 102, 115, 131, 132 & 137	Allocates a combination of deliverable and developable housing sites throughout the plan period, including in its first five years, and specifies an appropriate mix, all in accordance with the criteria set out in Policy 3. The sites are the only sites that meet those criteria. Two sites are subject to flood risk but their allocation meets the sequential and exception tests as there are no other sites that meet the Policy 3 criteria. Three sites positively affect the setting of heritage assets by either finding appropriate new uses for redundant heritage buildings or by improving the historic character of the Arundel Conservation Area. The Castle Stables site also accords with the desire to conserve the special landscape and scenic beauty of the South Downs National Park.

- **Consider chapter headings.** Some qualifying bodies have used the chapters in the National Planning Policy Framework as the basis to assess the neighbourhood plan policies. For example the [Barnham and Eastergate](#) Basic Conditions Statement 2013 included the following analysis:



Building a strong, competitive economy

3.3 The Barnham and Eastergate NDP sets out the following policies that aim to build a strong, competitive economy:

BT1: Support business expansion

BT2: Retain existing employment land in employment use

BT3: Encourage a diverse range of uses in the village by supporting new office, workshop and light industrial uses.

BT7: New development to provide high quality communications infrastructure

3.4 These policies meet the NPPF's aims by supporting and seeking to promote existing businesses and allowing for additional new services.

Ensuring the vitality of town centres

3.5 The Barnham and Eastergate NDP sets out the following policies that aim to ensure the vitality of the village centres.

BT4: Retain primary retail frontages

BT5: Retain Car Parking

BT6: Support and promote recreation and tourism activities

3.6 These policies meet the aims of the NPPF by seeking to retain the primary retail areas so important to this village community and by recognising the importance that tourism plays in that vitality.

4 Contributes to the achievement of sustainable development

The main purpose of the planning system is to contribute towards the achievement of sustainable development whether it is the policies in a neighbourhood plan or the decisions being taken on planning applications. The three dimensions of sustainability are: economic, social and environmental. The National Planning Policy Framework ([paragraphs 6 - 10](#)) provides a succinct explanation of what this means for planning.

There are various approaches you can take in order to demonstrate how your plan contributes towards sustainable development.



- **Use a table to categorise the impact of your policies.** You can review and assess the strategy of your neighbourhood plan and the individual policies against the three dimensions of sustainability. You can use symbols to categorise the impact and to demonstrate whether this is positive (*), neutral (0) or negative (-). This can be set out in a table. This approach was adopted by [Arundel Parish Council](#) in their basic conditions statement. They recorded potential impacts as ** very positive * positive - neutral x negative xx very negative.



No.	Policy Title	Social	Econ.	Envf.	Commentary
1	The Presumption in Favour of Sustainable Development	**	**	**	The policy embodies the principles of sustainable development at its core.
2	A Spatial Plan for the Town	-	-	**	The policy has a very positive environmental impact in avoiding the development of isolated, green field sites in the National Park and sensitive landscapes.
3	Housing Supply	**	*	**	The policy has a very positive environmental impact in avoiding the development of green field sites in sensitive landscapes and in encouraging the reuse of brownfield land. Its provision for 90 new homes has a very positive impact in meeting local housing need, which in turn will have a positive impact in sustaining the local labour market to support local businesses.
4	Housing Site Allocations	**	*	**	The policy has a very positive environmental impact in proposing the reuse of brownfield land and heritage assets and in enhancing the setting of those assets. Its allocation of 66 new homes has a very positive impact in meeting local housing need, which in turn will have a positive impact in sustaining the local labour market to support local businesses.

- **Commentary / narrative.** You can identify the key ways the neighbourhood plan contributes towards sustainable development and discuss this in a form of commentary or narrative: Broughton Astley Parish Council did this in their [Basic Conditions Statement](#) 2013



Contribution to the Achievement of Sustainable Development

The keys ways that the Broughton Astley Neighbourhood Plan will help contribute to meeting the objectives of sustainable Development are detailed below:

- The Neighbourhood Plan has been produced to be in conformity with the spatial and sustainable community objectives of the Harborough District Core Strategy.
- The Neighbourhood Plan sets out policies to ensure that any development in Broughton Astley is supported by additional facilities and infrastructure in order to make the village more sustainable. In setting out a co-ordinated approach to encouraging further retail, employment and service provision, it is hoped to reduce the number of trips out of the village which in turn will benefit the local community, economy and environment.
- Requiring each developer to provide the Parish Council with a detailed design proposal to enable full consideration of the transport, heritage and open spaces issues, public benefits and other material planning
- The Neighbourhood Plan identifies the need for the provision of affordable homes that can meet the needs of older people and those with disabilities.
- The Neighbourhood Plan identifies the need for multi-agency working to address traffic, parking and public transport issues, and to ensure the preservation of the existing principal shopping and business area.
- The Neighbourhood Plan identifies and promotes the protection of green spaces and listed buildings in the parish.

- Some qualifying bodies have taken each of the **three dimensions of sustainability in turn** (environmental, economic and social) and set out the contribution that their neighbourhood plan makes towards each one:

Table III-i	Delivering Economic Sustainability
NPPF Definition	Contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
WNP Goal	<ul style="list-style-type: none"> ▪ To enhance the prospects for local employment. ▪ To reduce road traffic congestion.
WNP Policies	C5 Fibre to the Premises EM1 Land for non-residential use T1 Traffic Congestion T2 Traffic along the Reading Road
Commentary	These WNP policies contribute to economic sustainability by: <ul style="list-style-type: none"> ▶ improving the opportunities for home working and local businesses to promote themselves more widely; ▶ ensuring land is available for new businesses; and ▶ ensuring that potential customers are not deterred by traffic difficulties. in addition the additional housing will generate more customers for local businesses

Extract from Woodcote Basic Conditions Statement 2013



- If your plan is likely to have significant environmental effects and requires a [Strategic Environmental Assessment](#) (in order to meet EU obligations, discussed below) you may wish to broaden this assessment to also consider economic and social impacts. This will enable a full assessment of sustainability. Kirdford Parish Council took this approach in their [Sustainability Appraisal](#).

It should be noted that carrying out a Sustainability Appraisal is [not a requirement](#) for neighbourhood plans. 2013

5 General conformity with the strategic policies of the development plan

Your neighbourhood plan is tested against the strategic policies in the adopted development plan. This basic condition does not test your plan against the policies in an [emerging Local Plan](#).

Again there are alternative approaches that you can adopt to demonstrate that your plan meets this basic condition. Examples include:

- take each neighbourhood plan policy in turn and explain how it meets the test take each relevant strategic policy in turn and explain how your neighbourhood plan is in general conformity with it

In both case you can either set out the relevant information in a table or as a narrative.



UENP2 Housing on Farms

58. This policy is generally supported by EDC although a query is raised regarding the additional flexibility to allow such housing to be let to local people as well as being available for affordable housing, holiday letting and family members. This provision is intended to provide sufficient flexibility in the way the property can be occupied without undermining the general purpose of the policy which is to assist the viability of the enterprise. The investment required to construct such a dwelling is substantial to any farm or rural business. There is no evidence to suggest that farmers are wishing to build housing for renting to local people. Rather, they seek the ability to house family members first and the flexibility to justify the investment second. The provision that retains the dwelling as part of the farm or business will ensure that only genuine cases will come forward; and the provision that restricts occupancy to affordable housing in the event of a forced sale will prevent speculative development under this policy.

General conformity

Eden Strategic Policy

59. The Core Strategy is silent on allowing the flexibility that this particular policy offers, rather it refers to rural exception site affordable housing at CS9 and; the promotion of farm diversification in CS12 and CS14 and CS15. It is also accepted practice that holiday letting dwellings may be converted to affordable housing through a planning application process and the completion of a s106 agreement.

Extract from the [Upper Eden Basic Conditions Statement 2012](#)

Central Lancashire Core Strategy Policy	How does the IEPNP conform?
Policy MP	Proposes policies which deal with the social, economic and environmental drivers of sustainable development as detailed in para 6.2 of this report.
Policy 1: Locating Growth	The IEPNP will lead to regeneration of the IEP area which is the focus of Policy 1(a) (i) of the Core Strategy. All the proposed policies will aid the future regeneration of the IEP area through grant funding and investments opportunities.
Policy 2: Infrastructure	N/A
Policy 3: Travel	Policy LEE1 will reduce the need for people in IEP to travel to work/training opportunities and the Local Centre policies will enable the valued Local Centres to be maintained and enhanced, reducing the need for the community to travel to access shops etc.
Policy 4: Housing Delivery	N/A
Policy 5: Housing Density	N/A
Policy 6: Housing Quality	N/A
Policy 7: Affordable and Special Need Housing	N/A
Policy 8: Gypsy and Traveller and travelling Showpeople Accommodation	N/A
Policy 9: Economic Growth and Employment	Policy LEE1 will provide employment and training opportunities for local people as well as helping the local economy by supporting local and social enterprise in IEP by keeping those businesses active and located in the community. Local Centre policies: the maintenance of vibrant and vital Local Centres, which are visually pleasing, will lead to potential economic growth and investment in the area.

Extract from the Inner East Preston [Basic Conditions Statement 2014](#).



Policy CS2: Delivering New Housing

Broughton Astley was allocated to provide at least 400 dwellings of the overall requirement of 7,700 new dwellings across Harborough District between the years 2006-2028. The Neighbourhood Plan (Policy H1) allocates a total of 500 dwellings, with an additional reserve site of 28 dwellings to be provided over the same period.

Policy CS3: Delivering Housing Choice and Affordability

The HDCS requires all residential development within Harborough District to contribute towards affordable housing needs. The Neighbourhood Plan (Policy H2) states that to meet identified needs within the community, at least 30% of all new housing developments will be high quality affordable housing.

Developments within Broughton Astley will also be expected to contribute to the provision of affordable homes that are suitable to meet the needs of older people and those with disabilities.

Policy CS4: Providing for Gypsy, Traveller and Travelling Showpeople Needs

Whilst there is no specific policy relating to the provision of needs of Gypsy, Travellers and Travelling Showpeople, the Neighbourhood Plan does not undermine the delivery of the HDCS policy.

Policy CS5: Providing Sustainable Transport

In recognition of the HDCS policy to maximise the use and efficiency of existing transport facilities; the Neighbourhood Plan (Policy T1) provides a commitment to work together with the Highway Authority, public transport providers, local schools and developers to develop a long term sustainable strategy for improvements to the highway network and the management of traffic in and around Broughton Astley to reduce the impact of development on the community by:

- Encouraging better access to and increased use of public transport;
- Working with the District Council to refurbish the existing village centre car park in order to provide more spaces;
- Ensuring that new development takes place adjacent to the built up area where there are good travel choices;
- Improving links within the existing built-up area for walking, cycling and bus provision;
- Ensuring other vehicular traffic keeps to appropriate routes; and
- Encouraging 'safe routes to schools' schemes.

Extract from the [Broughton Astley Basic Conditions Statement](#) 2013.



6 The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations

- **Strategic Environmental Assessment**

You must include one of the following when submitting your plan:

- a screening opinion confirming that the neighbourhood plan proposal is unlikely to have significant environmental effects
- an environmental report prepared in accordance with the [Environmental Assessment of Plans and Programmes Regulations 2004](#)

- **Habitats Regulations Assessment**

A Habitats Regulations assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. If your neighbourhood area includes or is close to, a European site you are advised to seek a Habitats Regulation Assessment screening opinion from your local planning authority.

If a screening opinion has not been sought this should be stated in your basic conditions statement. You should also include outline the reasons why e.g. your neighbourhood area does not include or is not close to a European site.

Where a screening opinion has been sought it is recommended that an appendix to your basic conditions statement includes either:

- a screening opinion confirming that the proposal is unlikely to affect important habitats
- an appropriate assessment prepared in accordance with the Conservation of Habitats and Species Regulations 2012

Ascot, Sunninghill and Sunningdale included a copy of their screening opinion as part of their [Basic Conditions Statement](#) 2014.

7 Conclusions

You must set out in a statement, commonly referred as a basic conditions statement, how your neighbourhood plan meets each of the legal tests set out in the legislation. There is no set structure for this statement. This document discusses various approaches that have been adopted by parish and town council and neighbourhood forums. Your statement should be written clearly and concisely as it will be used by both the independent examiner and your local



planning authority to help them decide whether or not your plan meets the legal tests. It is not sufficient to simply state that your neighbourhood plan complies. You have to demonstrate **how** it meets the requirements of the legal tests.

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