



Dunsfold Neighbourhood Plan

Basic Conditions Statement

March 2023



Contents

1.0	Introduction and General Legal Requirements	3
2.0	To Have Appropriate Regard to National Planning Policies and Advice	6
3.0	To Contribute to the Achievement of Sustainable Development.....	13
4.0	To be in General Conformity with WBC's Strategic Planning Policies	16
5.0	To meet the Relevant EU Obligations.....	23
6.0	Summary.....	26

DRAFT



1.0 Introduction and General Legal Requirements

- 1.1 The Dunsfold Neighbourhood Plan (“the Neighbourhood Plan”) has been developed by the Dunsfold Parish Council to guide development within the Neighbourhood Plan area for the period 2013 - 2032. The Neighbourhood Plan period is in accordance with the adopted Waverley Borough Local Plan Part 1: Strategic Policies and Sites (“LPP1”) plan period. The Neighbourhood Plan has been evolved through ongoing community involvement and engagement, which have contributed to establishing the key principles for the plan.
- 1.2 The Neighbourhood Plan Neighbourhood Area was designated by Waverley Borough Council (WBC) on 2 August 2017, following an application made by Dunsfold Parish Council under the Localism Act 2011 and Part 2, Paragraph 5 of the Neighbourhood Planning (General) Regulations 2012. Dunsfold Parish Council is a qualifying body under Section 61F(1) of the Town and Country Planning Act 1990 (as amended).
- 1.3 The Neighbourhood Plan policies do not relate to excluded development, as defined by Section 61K of the Town and Country Planning Act 1990, including County matters (such as minerals or waste development) and nationally significant infrastructure projects. It only relates to development in the designated Neighbourhood Plan Area.
- 1.4 This section details compliance with the general legal requirements of Neighbourhood Development Plans. In relation to relevant aspects of Schedule 4B of the Town and Country Planning Act 1990, we make the following confirmatory statements (noting the modifications enacted by Section 38A of the Planning and Compulsory Purchase Act) [Legislation references in square brackets]:
 1. Dunsfold Parish Council is a qualifying body and is therefore entitled to submit a draft neighbourhood development plan to the local planning authority whose area it lies within (Waverley Borough Council) [Schedule 4B 1(1)].
 2. The submission includes a draft of the Dunsfold Neighbourhood Plan [Schedule 4B 1(2)(a)].
 3. The following statement summarises the Dunsfold Neighbourhood Plan and sets out why they should be made in the proposed terms [Schedule 4B 1(2)(b)]:

The Dunsfold Neighbourhood Plan is a Neighbourhood Development Plan developed and submitted by Dunsfold Parish Council. The Plan has been developed through ongoing community involvement and engagement, during which time contributors have helped to identify the key issues the Plan should focus on, develop policies and refine the Plan itself. Following pre-submission consultations (under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012), which were conducted between August and October 2022, the Neighbourhood Plan is submitted to Waverley Borough Council (“WBC”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

The Dunsfold Neighbourhood Plan includes policies related to the use of land in Dunsfold Parish (See figure 1.1 of the Neighbourhood Plan).

The policies of the Neighbourhood Development Plan are arranged under seven chapters:

- *Vision and Key Planning Principles (three policies)*
- *Housing (nine policies);*



- *Natural Environment (five policies);*
- *Environment, Sustainability and Design (nine policies);*
- *Employment and Business Support (four policies);*
- *Transport and Getting Around (four policies);*
- *Recreation, Leisure and Wellbeing (two policies);*
- *Infrastructure and Delivery (seven policies).*

The Neighbourhood Plan policies relate to development in the designated neighbourhood area (figure 1.1 of the Neighbourhood Plan). Some policies relate to specific sites while some relate to all land in the designated neighbourhood area.

The Neighbourhood Development Plan should be made in the proposed terms because it is prepared and submitted in accordance with the general legal requirements of a Neighbourhood Development Plan (as set out in Section 1 of this report) and conforms to the Basic Conditions of Neighbourhood Development Plans (as set out in Sections 2-5 of this report).

4. The Neighbourhood Development Plan is in a prescribed form as it has clearly identified planning policies supported by additional text as required [Schedule 4B 1(3)(a)].
 5. The Neighbourhood Development Plan is accompanied by a number of supporting documents, including those prescribed by Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012, namely a map identifying the area, a consultation statement (demonstrating compliance with Regulation 15(2) and titled as an 'Consultation Report'), the proposed neighbourhood development plan and a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act (Sections 2-5 of this Legal Compliance Statement (including Basic Conditions Statement)) [Schedule 4B 1(3)(b)].
 6. The qualifying body has sent to the prescribed persons a copy of the proposed Neighbourhood Development Plan and all prescribed supporting documents [Schedule 4B 1(4)(a-c)].
 7. The submitted Neighbourhood Development Plan conforms to the requirements of the Neighbourhood Planning Regulations (2012, as amended) relevant to the preparation and submission of a neighbourhood plan. Compliance with all aspects of the regulations related to consultation is set out in the supporting Engagement Statement [Schedule 4B 1(6)].
- 1.5 In relation to Section 38A of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:
1. Dunsfold Parish Council is a qualifying body and is therefore entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.
 2. The Dunsfold Neighbourhood [Development] Plan sets out policies in relation to the development and use of land in the whole of the designated neighbourhood area and in certain policies in relation to parts of the neighbourhood area.



3. The requirements of Schedule 4B are taken into account in the preparation of this Neighbourhood Development Plan (taking into account the modifications set out at Section 38C) and this report expresses compliance with those policies.
 4. The remainder of Section 38A does not relate to the duties of the qualifying body when submitting a Neighbourhood Plan.
- 1.6 In relation to Section 38B of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:
1. The Neighbourhood Plan cover expresses the period over which it will take effect. The Neighbourhood Plan has a base date of 2013 and will run to 2032.
 2. The Neighbourhood Plan and its policies do not relate to excluded development, as defined by section 61K of the Town and Country Planning Act 1990, including County matters (such as minerals or waste development) and nationally significant infrastructure projects.
 3. The Dunsfold Neighbourhood Plan Area was designated by Waverley Borough Council in August 2017
 4. The Neighbourhood Plan policies are in accordance with the statements or other information in the Plan, however, we note that should any conflict be interpreted this would be resolved in favour of the policy.
- 1.7 This Statement demonstrates compliance with the “Basic Conditions”. Neighbourhood Plans must conform to the relevant Basic Conditions set out in Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990. It is required by Regulation 15(1)(d) of the Neighbourhood Planning Regulations (2012, as amended). The Basic Conditions are:
- (a) To have appropriate regard to national planning policies and advice;
 - (b) To contribute to the achievement of sustainable development;
 - (c) To be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Waverley Local Plan Part 1 (20 February 2018); and
 - (d) To meet the relevant EU obligations.

Structure of this Statement

- 1.8 The remainder of this Basic Conditions Statement assesses the compliance of the Neighbourhood Plan with each of the Basic Conditions.



2.0 To Have Appropriate Regard to National Planning Policies and Advice

2.1 National Planning Policy and Advice is primarily contained within:

- 1) The National Planning Policy Framework (“NPPF”) (first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019 and 20 July 2021); and
- 2) National Planning Practice Guidance (“PPG”) (an evolving resource that was republished in November 2016).

2.2 The NPPF sets out the overarching planning policies for England and how these should be applied. It is of relevance to both plan-making and decision-making, and the Neighbourhood Plan must have regard to the relevant policies and with its general principles. The NPPF’s planning policies are supplemented by guidance set out within the PPG.

2.3 The Plan has regard to relevant policies within the NPPF in relation to:

- Achieving sustainable development;
- Plan-making;
- Decision-making;
- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Ensuring the vitality of town centres;
- Promoting healthy and safe communities;
- Open Space and Recreation
- Promoting sustainable transport;
- Supporting high quality communications infrastructure;
- Making effective use of land;
- Achieving well-designed places;
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment;
- Facilitating the sustainable use of minerals.

Achieving sustainable development

2.4 This section sets out the dimensions of sustainable development in the context of the planning system. These dimensions are considered in Section 3 of this report, when assessing the contribution of the Neighbourhood Plan in the context of the dimensions of sustainable development.



Plan-making

- 2.5 The Dunsfold Neighbourhood Plan sets out a framework at neighbourhood level that addresses economic, social and environmental priorities, and a vehicle for local people to shape their neighbourhood.
- 2.6 Paragraph 16 of the Framework states that plans should:
- a. be prepared with the objective of contributing to the achievement of sustainable development
 - b. be prepared positively, in a way that is aspirational but deliverable;
 - c. be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
 - d. contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
 - e. be accessible through the use of digital tools to assist public involvement and policy presentation; and
 - f. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).
- 2.7 It is confirmed that the Dunsfold Neighbourhood Plan meets these requirements and in response to Paragraph 16:
- a. Has been prepared with the objectives of sustainable development in mind (refer to chapter 3 of this report);
 - b. Has been prepared in a positive fashion and is deliverable;
 - c. Has been prepared in consultation with local community members, WBC and Statutory Consultees;
 - d. Contains clearly written policies;
 - e. Will be accessible digitally, through the Dunsfold Parish Council website and the WBC website; and
 - f. Serves a clear purpose.
- 2.8 Paragraph 29 of the Framework states that 'Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.'
- 2.9 The Neighbourhood Plan includes policies that promote appropriate development within the Neighbourhood Plan Area. The policies do not promote less development than is set out in the LPP1. Chapter 4 of the Neighbourhood Plan sets out the Vision and Key

Planning Principles for the plan period, and importantly notes that "*Dunsfold will embrace the changing nature of modern life whilst preserving and enhancing the Parish's historic rural character. Dunsfold comprises the quintessential English country village and its network of surrounding hamlets, with the expectation that it will be set within an Area of Outstanding Natural Beauty. Development changes to housing, employment, communications, transport, and community services will complement Parish life*



and integrate with existing buildings, the Common and surrounding countryside."

Decision-Making

- 2.10 The Dunsfold Neighbourhood Plan provides a tool to help decision makers to assess applications for sustainable development, as described in Paragraph 38 of the Framework.

Delivering a sufficient supply of homes

- 2.11 The Plan sets out the following policies that aim to deliver a sufficient supply of homes:

- Policy H1: Provision of Housing
- Housing Allocation HA1: Alehouse
- Housing Allocation HA2: Coombebury
- Housing Allocation HA3: Wetwood Farm
- Housing Allocation HA4: Springfield
- Policy HO2: Self-Build Houses/Custo Build Houses
- Policy HO3: Windfall Sites
- Policy HO4: Mix of Housing Size.

- 2.12 These policies meet the NPPF's aims of boosting the supply of new market and affordable homes. The policies also help to ensure an appropriate mix and type of new homes are delivered. The policies also comply with the corresponding housing guidance within the PPG.

Building a strong, competitive economy

- 2.13 The Plan sets out the following policies that seek to build a strong and competitive economy:

- Policy EB01: Local Employment Space
- Policy EB02: Equestrian Related Development
- Policy EB03: Communications
- Policy EB04: Advertisements.

- 2.14 These policies meet the NPPF's aims of supporting and seeking to promote existing business and allowing for additional new employment and services. The policies also comply with the corresponding economic guidance within the PPG.

Ensuring the vitality of town centres

- 2.15 The Plan sets out the following policy which helps to support and protect local retail services:

- Policy RL02: Retention of Assets of Community Value.

- 2.16 This policy meets the NPPF's aims of supporting the vitality of local shops and centres. The policies also comply with the corresponding town centre and retail guidance within the PPG.

Promoting healthy and safe communities

- 2.17 The Plan sets out the following policies that promote healthy and safe communities:



- Policy ES03: Design Standards
- Policy ES04: Space Standards
- Policy ES05: Public Realm
- Policy RL01: Community and Leisure Facilities
- Policy RL02: Retention of Assets of Community Value
- Policy ID02: Dunsfold Surgery.

2.18 These policies meet the aims of the NPPF by recognising the need to ensure development promotes health and well-being and is designed to maximise safety. The policies also comply with the corresponding healthy and safe communities guidance within the PPG.

Promoting sustainable transport

2.19 The Plan sets out the following policies that aim to promote sustainable transport:

- Policy TG01: Highways and Traffic Calming
- Policy TG02: Sustainable Transport
- Policy TG03: Car Parking Standards
- Policy TG04: Improved Bus Services.

2.20 These policies meet the aims of the NPPF by seeking to ensure that the transport system is balanced in favour of sustainable transport modes, giving people a choice about how they travel. The policies also comply with the corresponding transport and travel guidance within the PPG.

Supporting high quality communications infrastructure

2.21 The Plan sets out the following policies that aim to support high quality communications:

- Policy ID03: Mobile Phone Masts
- Policy ID04: Broadband.

2.22 These policies meet the aims of the NPPF by supporting improvements to the quality and reliability of communications infrastructure that is essential to economic growth and social well-being.

Making effective use of land

2.23 The Plan sets out the following policies that make effective use of land:

- Policy P02: Spatial Development of Dunsfold
- Policy P03: To prevent coalescence of Dunsfold settlement and Dunsfold Park.
- Housing Allocation HA1: Alehouse
- Housing Allocation HA2: Coombebury
- Housing Allocation HA3: Wetwood Farm
- Housing Allocation HA4: Springfield
- Policy HO3: Windfall Sites.



2.24 These policies meet the aims of the NPPF by seeking to ensure that new development is focused within the existing urban area where possible and is of an appropriate density which reflects local character and circumstances. The policies also comply with the corresponding use of land guidance within the PPG.

Achieving well-designed places

2.25 The Plan sets out the following policies that aim to achieve well-designed places:

- Policy P01: Core Planning Principles
- Policy NE04: Light Pollution and Dark Skies
- Policy NE05: Noise Pollution
- Policy ES01: Character and Design
- Policy ES03: Design Standards
- Policy ES04: Space Standards
- Policy ES05: Public Realm
- Policy ES06: Creation of Safe Public and Private Spaces
- Policy RL01: Community and Leisure Facilities
- Policy RL02: Retention of Assets of Community Value.

2.26 These policies meet the aims of the NPPF by seeking to ensure that new development responds to the local character of the built and natural environment. The policies also comply with the corresponding design guidance within the PPG.

Meeting the challenge of climate change, flooding and coastal change

2.27 The Plan sets out the following policies that seek to meet the challenges of climate change and flooding:

- Policy P01: Core Planning Principles
- Policy NE03: Flood Risk, Sustainable Drainage Systems and Water Management
- Policy ES04: Sustainable Design.
- Policy ID07: Renewable Energy.

2.28 These policies meet the aims of the NPPF by recognising the need to deal with flooding from the land and also the need to improve the energy and water efficiency of buildings. The policies also comply with the corresponding climate change and flooding guidance within the PPG.

Conserving and enhancing the natural environment

2.29 The Plan sets out the following policies that seek to conserve and enhance the natural environment:

- Policy P01: Core Planning Principles
- Policy P02: Spatial Development of Dunsfold
- Policy P03: To prevent coalescence of Dunsfold settlement with Dunsfold



- Policy NE01: Habitats and Biodiversity
- Policy NE02: Trees, Woodland, Hedgerows and Landscaping
- Policy NE03: Flood Risk, Sustainable Drainage Systems and Water Management
- Policy NE04: Light Pollution and Dark Skies
- Policy NE05: Noise Pollution.
- Policy ES02: Landscape and Visual Impact
- Policy ES09: Areas of Strategic Visual Importance.

2.30 These policies meet the aims of the NPPF by recognising the importance of protecting and enhancing valued landscape and biodiversity value of the Neighbourhood Plan area. The policies also seek to protect trees, woodland and hedgerows. Measures to minimise unacceptable levels of air, noise and light pollution are included. The policies also comply with the corresponding natural environment guidance within the PPG.

Conserving and enhancing the historic environment

2.31 The Plan sets out the following policies that seek to conserve and enhance the historic environment:

- Policy P01 Core Planning Principles
- Policy ES01: Character and Design
- Policy ES07: Heritage Assets.

2.32 These policies meet the aims of the NPPF by recognising that heritage assets are an irreplaceable resource. The policies also comply with the corresponding historic environment guidance within the PPG.

National Planning Practice Guidance

Neighbourhood Plans (Section ID: 41)

2.33 This section advises on the neighbourhood planning system including key stages and decisions such as deciding neighbourhood areas, legal tests for neighbourhood plans, the preparation of a basic conditions statement and the process of independent examination and referendum.

2.34 This statement demonstrates how the Dunsfold Neighbourhood Plan meets the basic conditions required to pass examination, as set out under paragraphs 065-068 (Ref: 41-065-20140306) of the NPPG.

2.35 In response to the question "Can a neighbourhood plan come forward before an up-to-date Local Plan is in place?", NPPG states that:

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local



plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan*
- the emerging local plan (or spatial development strategy)*
- the adopted development plan with appropriate regard to national policy and guidance.*

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.

Paragraph: 009 Reference ID: 41-009-20190509

Revision date: 09/05/2019

- 2.36 The Neighbourhood Plan is prepared in accordance with the adopted LPP1, which contains the strategic policies for Waverley Borough, but also direction of the emerging Waverley Local Plan Part 2 (LPP2), which contains the non-strategic policies. The more strategic natured policies in the Neighbourhood Plan are formed in line with both the adopted LPP1 and where relevant the emerging LPP2. It is anticipated that there will be no meaningful degree of variation between the strategic policies of the Neighbourhood Plan and any policy elements within the future LPP2 that are strategic in nature. In the event that there is any variation, the LPP2 would take precedence over the Neighbourhood Plan as the LPP2 is currently at the early stages of Examination in Public.



3.0 To Contribute to the Achievement of Sustainable Development

- 3.1 This section of the Basic Conditions Statement explores how the Neighbourhood Plan contributes to the achievement of sustainable development.
- 3.2 Paragraph 7 of the NPPF sets out that: *“the purpose of the planning system is to contribute to the achievement of sustainable development”*, noting that the remainder of the NPPF outlines policies for the achievement of sustainable development.
- 3.3 NPPF paragraph 10 identifies that there is a presumption in favour of sustainable development that at the heart of the NPPF. This presumption is detailed at paragraph 11 where it requires the following with respect to plan-making:
- a) *“plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change”.*
- 3.4 The three overarching objectives of sustainable development are outlined at paragraph 8, which areas follows:
- a) *“an economic objective - to help build 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, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;”*
 - b) *“a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural wellbeing; and”*
 - c) *“an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*
- 3.5 This condition has been met through the preparation of a separate Strategic Environmental Assessment (SEA) by AECOM. The SEA has assessed the plan against economic, social and environmental objectives and concluded that the policies and the plan taken as a whole does not have any significant negative economic, social or environmental impacts. Overall the plan is considered to have a positive effect, particularly in respect of the:
- Population and community SEA topic, though policies seeking a range of housing types, tenures and sizes and development being influenced by locally developed design principles;
 - Biodiversity and geodiversity SEA topic due to the premise for biodiversity protection, enhancement and net gain embedded through the policy framework; and
 - Health and well-being SEA topic, as the level of growth expected is unlikely to significantly impact on access to healthcare services or accessibility within and around the village. Instead, the policy framework supports development that enhances access to green spaces and green



infrastructure networks, as well as improvements to active travel routes.

- 3.6 In addition to the conclusions reached within the SEA, this section also reviews the Dunstable Neighbourhood Plan in the context of the three NPPF dimensions, individually and collectively. Where aspects of the Neighbourhood Plan have an impact on more than one dimension of sustainability it is noted.

Assessment

Delivering economic sustainability.

- 3.7 The Dunstable Neighbourhood Plan seeks to contribute to the delivery of economic sustainability. The Neighbourhood Plan area is home to around 80 business and has two small light-industrial estates that offer local employment opportunities, in addition to work-from-home scenarios. Chapter 8.0 of the Plan focusses around ensuring that residents of Dunstable have access to employment and business support, including local shops and community facilities. To support businesses and those working from home, Chapter 11 includes policies, which seek to improve mobile phone reception and broadband coverage and speed.
- 3.8 The Neighbourhood Plan contributes to delivering economic sustainability through:
- Protecting and supporting the enhancement of local employment space;
 - Supporting equestrian related development;
 - Supporting the local shop and pub;
 - Supporting residents working within the designated Neighbourhood Plan area;
 - Supporting improvements to communication related infrastructure.

Delivery social sustainability

- 3.9 The Dunstable Neighbourhood Plan seeks to contribute to the delivery of social sustainability. The Neighbourhood Plan provides a platform for supporting a healthy Dunstable community, by encouraging new development to match demands and providing enhanced and accessible community facilities and local services.
- 3.10 The Neighbourhood Plan contributes to delivering social sustainability through:
- Facilitating new residential development that meets a variety of different local needs, such as affordable and specialist housing;
 - Providing a vehicle for the development of high quality homes within the Neighbourhood plan area;
 - Supporting attractive new development that complements the surrounding built and rural environment;
 - Enhancing the accessibility of amenities and community facilities;
 - Encouraging and facilitating active transport;
 - Ensuring that future residential development is well designed; and
 - Protecting existing community facilities.



Delivering environmental sustainability

3.11 The Dunsfold Neighbourhood Plan seeks to contribute to environmental sustainability. The Neighbourhood Plan provides specific policies to the effect, with particular concentration on biodiversity and trees. The Plan seeks to improve the local environment by improving air quality, retaining existing trees and promoting tree planting, and protecting existing green spaces, habitats and local amenities.

3.12 The Neighbourhood Plan contributes to environmental sustainability specifically through:

- Promoting sustainable modes of transport;
- Protecting against inappropriate development within the Area of Great Landscape Value;
- Requiring new development to consider environmental impacts such as air, noise and light pollution;
- Encouraging new developments to maximise opportunities to provide biodiversity net gains, in addition to mitigating against any unavoidable adverse environmental impacts; and
- Restricting the loss of trees, woodland and established hedgerows;

DRAFT



4.0 To be in General Conformity with WBC's Strategic Planning

Policies

Overview

- 4.1 This section analyses the general conformity of the Neighbourhood Plan against the relevant strategic policies contained within the adopted WBC LPP1.
- 4.2 Paragraph ref ID. 41-074-0306 of the PPG outlines the relevant considerations to be taken into account when assessing 'general conformity', which is as follows:
- *"whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with";*
 - *"the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy";*
 - *"whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and / or a distinct local approach to that set out within the strategic policy without undermining that policy"; and*
 - *"the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach".*
- 4.3 Subsequent paragraphs of the PPG set out additional guidance on what constitutes a 'Strategic Policy'.
- 4.4 The below table details the 'General Conformity' of each element of the Neighbourhood Plan with WBC's Strategic Policies:



Chapter 4 – Vision and Key Planning Principles

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy P01: Core Planning Principles	Policies SP2 and RE3	The policy helps to protect the Area of Great Landscape Value and seeks to minimise development on of amenity and landscape value.
Policy P02: Spatial Development of Dunsfold	Policies SP2, RE3, TD1	The policy aligns with the overarching spatial strategy for Waverley as it focuses growth where possible within the settlement boundary of Dunsfold Village.
Policy P03: To prevent Coalescence of Dunsfold Settlement with Dunsfold Park	Policy RE3	The policy aligns with the Waverley spatial strategy to protect against inappropriate development within the Area of Great Landscape Value and also protect the character and amenity of Dunsfold Village.

Chapter 5 – Housing

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy HO1 - Housing Allocations	Policies SP1, SP2, and ALH1	This Policy identifies existing commitments and allocations that make up Dunsfold's housing supply for the Neighbourhood Plan period. This contributes towards boosting the housing supply by identifying sites to deliver across the Neighbourhood Plan period.
Housing Allocation HA1: Alehouse	Policies SP1, SP2, ALH1, ANH3 and ICS1.	The policy helps to deliver the Borough's overarching housing requirement, whilst providing site-specific guidance relating to housing type and wastewater infrastructure capacity.
Housing Allocation HA2: Coombebury	Policies SP1, SP2, ALH1 and ICS1.	The policy helps to deliver the Borough's overarching housing requirement, whilst providing site-specific guidance relating to wastewater infrastructure capacity.



DNP Policy	Relevant WBC Strategic Policy	Commentary
Housing Allocation HA3: Wetwood Farm	Policies SP1, SP2, ALH1 and ICS1.	The policy helps to deliver the Borough's overarching housing requirement, whilst providing site-specific guidance relating to wastewater infrastructure capacity.
Housing Allocation HA4: Springfield	Policies SP1, SP2, ALH1 and ICS1.	The policy helps to deliver the Borough's overarching housing requirement, whilst providing site-specific guidance relating to wastewater infrastructure capacity.
Policy HO2: Self-Build Homes/Custom Build Homes	SP1, SP2, ALH1, and ANH3	The policy helps to deliver the Borough's overarching housing requirement by supporting appropriate self-build development proposals.
Policy HO3: Windfall Sites	SP1, SP2 and ALH1	The policy helps to deliver the Borough's overarching housing requirement and boost the supply of housing where possible within the settlement boundary of Dunsfold village.
Policy HO4: Mix of Housing Size	ANH1 and ANH3	The policy helps to deliver an appropriate mix of housing types and sizes for local residents.

Chapter 6 – Natural Environment

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy NE01: Habitats and Biodiversity	Policy NE1	The policy seeks to conserve and enhance biodiversity within the Neighbourhood Area and Waverley Borough more generally.
Policy NE02: Trees, Woodland, Hedgerows and Landscaping	Policy NE2	Seeks to maintain and enhance existing trees, woodland and hedgerows within the Neighbourhood Area and Waverley Borough more generally.
Policy NE03: Flood Risk, Sustainable Drainage Systems and Water Management	Policies CC1, and CC2	The policy helps to reduce climate change within the Neighbourhood Plan area and the Borough more generally through seeking to prevent flood risk



		caused by development and expecting the provision of sustainable drainage design features.
Policy NE04: Light Pollution and Dark Skies	Policies TD1, RE3, CC1 and CC2	The policy helps to reduce climate change and protect the dark skies character of Dunsfold Village through seeking to resist light polluting impacts. The policy also supports energy-efficient forms of lighting to help address climate change.
Policy NE05: Noise Pollution	Policy TD1	The policy helps to protect the character of Dunsfold Village through seeking to resist noise polluting development.

Chapter 7 – Environment, Sustainability and Design

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy ES01: Character and Design	Policies TD1, HA1, NE1, CC1, CC2, CC4	The policy seeks to protect and enhance both landscape and urban character within the Neighbourhood Plan area.
Policy ES02: Landscape and Visual Impact	Policies SP2, RE1, RE2 and RE3	The policy seeks to protect and enhance the surrounding landscape character of the Neighbourhood Plan area.
Policy ES03: Design Standards	Policies SP1, SP2, TD1, HA1, and NE1	The policy helps to deliver the Borough's overarching spatial strategy, whilst providing site / development specific guidance relating to key strategic policy matters including the rural environmental, townscape and design, heritage assets and the natural environment.
Policy ES04: Space Standards	Policy TD1	The policy helps to maximise opportunities to improve the quality of life and health and well-being of current and future residents by ensuring new development provides adequate internal and external space.
Policy ES05: Public Realm	Policies ST1, LRC1, TD1 and NE2	The policy supports appropriate public realm and Green Infrastructure improvements that are in keeping with the character of Dunsfold Village.



Policy ES06: Creation of Safe Public and Private Spaces	Policies LRC1 and TD1	To help protect the character and amenity of the Neighbourhood Plan area and the Borough more generally, the policy supports the provision of safe public and private spaces.
Policy ES07: Heritage Assets	Policy HA1	The policy seeks to conserve and enhance heritage assets within the NP area and Waverley Borough more generally.
Policy ES08: Sustainable Design	CC1, CC2, CC3 and CC4	The policy seeks to ensure new development contributes to mitigating and adapting to the impacts of climate change through sustainable construction and design measures.
Policy ES09: Areas of Strategic Visual Importance	Policy RE3	The policy seeks to help protect landscape character within the Neighbourhood Plan area and the Borough more generally, by protecting key views.

Chapter 8 – Employment and Business Support

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy EB01: Local Employment Space	Policy EE1	The policy helps to meet the Borough's overarching need for economic growth over the period covered the Neighbourhood Plan.
Policy EB02: Equestrian Related Development	Policy EE1	The policy helps to support a strong rural economy through appropriate equestrian related development.
Policy EB03: Communications	Policy CC2	The policy helps to promote improvements to broadband infrastructure.
Policy EB04: Advertisements	Policies TD1 and HA1	The policy helps to protect the character and amenity of the Borough, particularly historical character through by ensuring advertisements are sensitively designed and displayed.

Chapter 9 – Transport and Getting Around

DNP Policy	Relevant WBC Strategic Policy	Commentary
------------	-------------------------------	------------



Policy TG01: Highways and Traffic Calming	Policy ST1	The policy helps to improve sustainable transport through seeking to reduce traffic speeds in certain locations; enhance safety for all road users, including routes for pedestrians and cyclists.
Policy TG02: Sustainable Transport	Policy ST1	The policy helps to improve sustainable transport through seeking to improve highway safety and routes for walkers, cyclists and mobility scooters.
Policy TG03: Car Parking Standards	Policy ST1	The policy helps to ensure that appropriate car parking provision is provided as part of new development proposals within the Neighbourhood Plan area.
Policy TG04: Improved Bus Services	Policy ST1	The policy helps to ensure that measure to support improved bus services are maximised within development proposals.

Chapter 10 – Leisure and Wellbeing

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy RL01: Community and Leisure Facilities	Policy LRC1	The policy seeks to protect and where possible improve existing community and leisure facilities within the NP area.
Policy RL02: Retention of Assets of Community Value	Policy LRC1	The policy protects buildings and facilities that have been identified as having local community value.

Chapter 11 – Infrastructure and Delivery

DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy ID01: Infrastructure Delivery	Policy ICS1	The policy ensures that development delivered within the Neighbourhood Plan area is accompanied by appropriate and necessary infrastructure.
Policy ID02: Dunsfold Surgery	Policy ICS1	The policy support the development of new GP services and facilities within the Neighbourhood Plan area.



DNP Policy	Relevant WBC Strategic Policy	Commentary
Policy ID03: Mobile Phone Masts	Policy ICS1	To improve mobile telephone reception, the policy supports improvements to mobile telecommunications infrastructure within the Neighbourhood Plan area.
Policy ID04: Broadband	Policy ICS1 and CC2	To improve broadband coverage and reliability, the policy supports improvements to broadband infrastructure within the Neighbourhood Plan area.
Policy ID05: Power Supply	Policy ICS1	To improve power supply capacity and reliability, the policy supports improvements to power supply infrastructure within the Neighbourhood Plan area.
Policy ID06: Wastewater Capacity	Policy ICS1	The policy ensures that development delivered within the Neighbourhood Plan area is accompanied by appropriate and necessary infrastructure to deal with wastewater.
Policy ID07: Renewable Energy	Policy CC1	To help to mitigate and adapt to the impacts of climate change, the policy supports appropriate domestic scale renewable energy development proposals.



5.0 To meet the Relevant EU Obligations

5.1 The below table sets out how the Dunsfold Neighbourhood Plan meets the relevant EU Obligations:

Obligation	How the DNP is in conformity
The requirement to screen for and (if necessary) prepare a Strategic Environmental Assessment ("SEA") in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).	WBC provided a SEA Screening Opinion (May 2018), which concluded that a SEA is required for the NP based on it likely having significant effect on the environment. An SEA has been undertaken.
The requirement to screen for and (if necessary) prepare a Habitats Regulation Assessment ("HRA") in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended).	A HRA Screening was undertaken (August 2021), which concluded that a HRA was not required.
Requirements with regard to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora; and Directive 2009/147/EC on the Conservation of Wild Birds Directives.	The SEA prepared and submitted in support of the Neighbourhood Plan and the HRA Screening demonstrate that the plan is consistent with the relevant Directives for the protection of natural habitats and wild birds.

Human Rights Act 1998

5.2 Section 7(6) of Schedule 4B of the Localism Act 2011 outlines that Examiners may consider whether the Neighbourhood Plan is compatible with the Convention rights. To assist the Examiner, consideration is given below to the compatibility of the Dunsfold Neighbourhood Plan with the Convention rights prescribed within Section 1 of the Human Rights Act 1998.

5.3 Section 1 The Convention Rights of the Human Rights Act 1998 prescribes, amongst other things:

(1) In this Act "the Convention rights" means the rights and fundamental freedoms set out in –

(a) Articles 2 to 12 and 14 of the Convention

(b) Articles 1 to 3 of the First Protocol, and

(c) [F¹ Article 1 of the Thirteenth Protocol].



Human Rights Act 1998 Article	Neighbourhood Plan Compatibility Commentary
Articles 2 to 12 and 14 of the Convention (Section 1 The Convention Rights (1)(a))	
Article 2: Right to life	There are no policies within the NP that would deprive anyone's right to life.
Article 3: Prohibition of torture	There are no policies within the NP that would result in anyone being subjected to torture or inhuman or degrading treatment or punishment.
Article 4: Prohibition of slavery and forced labour	There are no policies within the NP that would result in anyone being held in slavery or servitude or required to perform forced or compulsory labour.
Article 5: Right to liberty and security	There are no policies within the NP that would result in anyone being deprived of his liberty. There is nothing of relevance within the NP regarding anyone being arrested or detained in accordance with a procedure prescribed in law.
Article 6: Right to a fair trial	There is nothing of relevance within the NP that would influence anyone's right to a fair trial in the determination of his civil rights and obligations, or of any criminal charge against him.
Article 7: No punishment without law	The NP does not contain, or have any influence over what constitutes a criminal offence under national or international law.
Article 8: Right to respect for private and family life	There are no policies within the NP that would result in the loss of any right to respect for his private and family life, his home and his correspondence.
Article 9: Freedom of thought, conscience and religion	There are no policies within the NP that result in anyone being unable to have the freedom of thought, conscience and religion.
Article 10: Freedom of expression	There are no policies within the NP that result in the loss of anyone's right to freedom of expression.
Article 11: Freedom of assembly and association	There are no policies within the NP that would prevent or restrict anyone's right of peaceful assembly and to freedom of association with others.
Article 12: Right to marry	There are no policies within the NP that would prevent or restrict men and women of marriageable age.
Article 14: Prohibition of discrimination	There are no policies within the NP that would prohibit, or limit anyone's enjoyment of the rights and freedoms set forth in the Convention without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin,



	association with a national minority, property, birth of other status.
Articles 1 to 3 of the First Protocol (Section 1 The Convention Rights (1)(b))	
Article 1: Protection of property	There are no policies within the NP that would result in anyone being deprived of his possessions except in the public interest and subject to the conditions provided for by national and international law.
Article 2: Right to education	There are no policies within the NP that would deny anyone right to education and to teaching.
Article 3: Right to free elections	There are no policies within the NP that would prevent High Contracting Parties from holding free elections.
Article 1 of the Thirteenth Protocol (Section 1 The Convention Rights (1)(c))	
Article 1: Abolition of the death penalty	There is nothing of relevance within the NP to the death penalty.

5.4 In view of the above, it is concluded that the Dunsfold Neighbourhood Plan is fully compatible with the Convention rights prescribed within the Human Rights Act 1998.

DRAFT



6.0 Summary

- 6.1 This Basic Conditions Statement demonstrates that the Dunsfold Neighbourhood Plan meets the Basic Conditions required of Neighbourhood Plans, namely:
- a) to have appropriate regard to national planning policies and advice;
 - b) to contribute to the achievement of sustainable development;
 - c) to be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the WBC LPP1; and
 - d) to meet the relevant EU obligations.
- 6.2 We therefore recommend that WBC allows the Dunsfold Neighbourhood Plan to proceed to Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, and to subsequently submit the Neighbourhood Plan for Examination under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.

DRAFT