

## **Appendix A: - National and Local Planning Context**

Neighbourhood Development Plans are required to sit within the framework of national, sub-regional and local planning policies. We have taken this to mean the Localism Act 2011, the National Planning Policy Framework (NPPF) and the Adopted East Devon Local Plan 2013-2031

### **The Basic Conditions**

The Localism Act 2011 stipulates that a Neighbourhood Development Plan must meet the Basic Conditions before it can come into force. There are five Basic Conditions 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 [Adopted East Devon Local Plan 2013-2031] (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.

### **National Planning Policy Framework (NPPF)**

The “National Planning Policy Framework” (NPPF or “Framework”) sets out the Government’s planning policies for England and came into effect in March 2012. It provides the basis for local planning authorities to prepare their Local Plans and for communities producing Neighbourhood Plans.

The East Budleigh and Bicton Neighbourhood Plan has been developed with regard to national policy, especially the Framework. In addition the Neighbourhood Plan is also mindful of Planning Practice Guidance which was published by the Government in 2014. The Guidance explains how national policy should be applied.

The NPPF sets out the Government’s national planning policies and the priorities for development. It advises:

- a) The purpose of the planning system is to contribute to the achievement of sustainable development. (para. 6)

- b) There are three dimensions to sustainable development: economic, social and environmental. (para. 7)
- c) There is a presumption in favour of sustainable development which for decision taking means
  - approving development proposals that accord with the development plan
  - where the development plan is absent or out of date granting permission unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits (para14)
- d) Neighbourhoods should develop Plans that support the strategic development needs set out in Local Plans (para 16)

## **Delivering Sustainable Development**

There are a number of elements to delivering sustainable development as outlined in the NPPF. These are outlined below

- *Building a strong, competitive economy*
- *Ensuring the vitality of town centres*
- *Supporting a prosperous rural economy*
- *Promoting sustainable transport*
- *Supporting high quality communications infrastructure*
- *Delivering a wide choice of high quality homes*
- *Requiring Good Design*
- *Promoting healthy communities*
- *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.*

## **Neighbourhood Plans**

Specific advice in the NPPF on Neighbourhood Plans includes the following:

**“Para 183.** *Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to set planning policies through Neighbourhood Plans to determine decisions on planning applications.”*

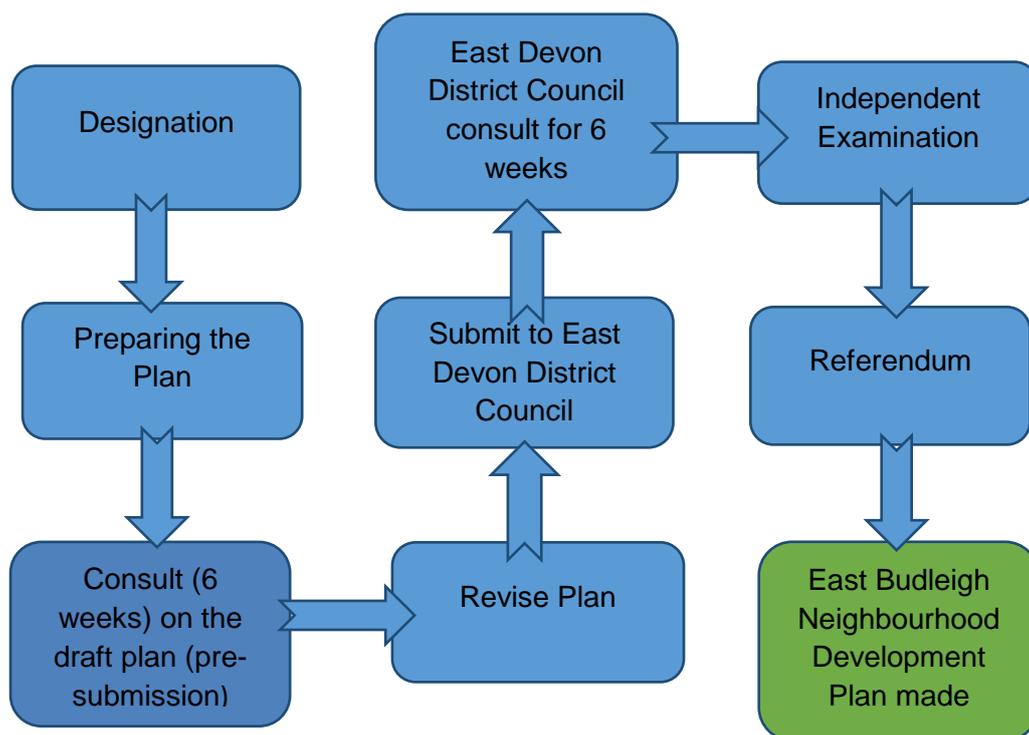
**“Para 184.** *Neighbourhood planning provides a powerful set of tools for local people to ensure that they achieve the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible.*

*Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”*

**“Para 185.** *Outside these strategic elements, Neighbourhood Plans will be able to shape and direct sustainable development in their area. Once a Neighbourhood Plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a Neighbourhood Plan is in preparation.”*

Neighbourhood Development Plans also have to be prepared following a procedure set by government. These procedures are detailed in the Neighbourhood Planning Regulations 2012, the Localism Act 2011, the Planning & Compulsory Purchase Act 2004, the European Directive 2001/42 on Strategic Environmental Assessment and the EU Directive 92/43 on Habitats Regulations Assessment.

### The Neighbourhood Development Plan Preparation Process



The process up to ‘approval’ of the Plan comprises the following main stages:

- **Pre-Submission** – comprises the vision, objectives, policies and the Proposals Map and is subject to a statutory six week public consultation period.
- **Submission**– a document taking into account the representations received on the draft plan during the public consultation period, amended as necessary for submission to the local planning authority, together with the Basic Conditions

Statement, Consultation Statement and the Strategic Environmental Assessment (if deemed to be required).

- Thereafter the Plan will be subject to **independent examination** and, if successful, will be put to a **local referendum**. A majority vote will lead to the Plan becoming part of the development plan for the Parish to manage future development decisions alongside the East Devon Local Plan and National Planning Policy Framework.

### The East Devon Local Plan

To meet the Basic Conditions outlined above the East Budleigh and Bicton Neighbourhood Plan has conformed to the strategic policies in the East Devon Local Plan 2013-2031 which was adopted by East Devon District Council on 28<sup>th</sup> January 2016. Among other things this plan determines the rural housing requirement until 2031.

To accompany the East Devon Local Plan, a Village Development Plan Document (DPD) is currently in production. This document will identify the Build-up Area Boundary for each of the 15 villages (including East Budleigh) named in Strategy 27 of the Local Plan. At the full Council meeting on 28<sup>th</sup> January 2016 the Council formally recognised the need to attach some weight to the existing Local Plan Built-up Area Boundaries (as adopted in 2006) for those villages featuring under Strategy 27 of the new plan until such time as the Villages DPD can carry significant weight. It is anticipated by the Council that the Draft Village DPD will be out to consultation later in 2016.

East Devon District Council guidance on the production of Neighbourhood Plans states they must show how they implement the strategic policies (Part One) of the East Devon Local Plan but can choose to supersede or over-write all or any of the Development Management Policies (Part Two) of the Plan

The East Devon Local Plan includes policies and proposals to:

- distribute the agreed rural housing provision identified in the spatial strategy;
- protect and enhance the natural, built and historic environment;
- support employment and the rural economy;
- address the issue of sustainable development;

A basic conditions statement will be produced with the submission East Budleigh and Bicton Neighbourhood Plan showing conformity with the above national and local planning policy documents.