



BASIC CONDITIONS STATEMENT

July 2017

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1. Introduction

This Basic Conditions Statement (hereafter ‘the Statement’) has been produced to explain how the proposed East Horsley Neighbourhood Plan (‘EHNP’) has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 as amended, (hereafter ‘the Regulations’) and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 are considered to have been met.

The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the EHNP meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act. The Regulations state that a neighbourhood plan will be considered to have met the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood 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); and
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

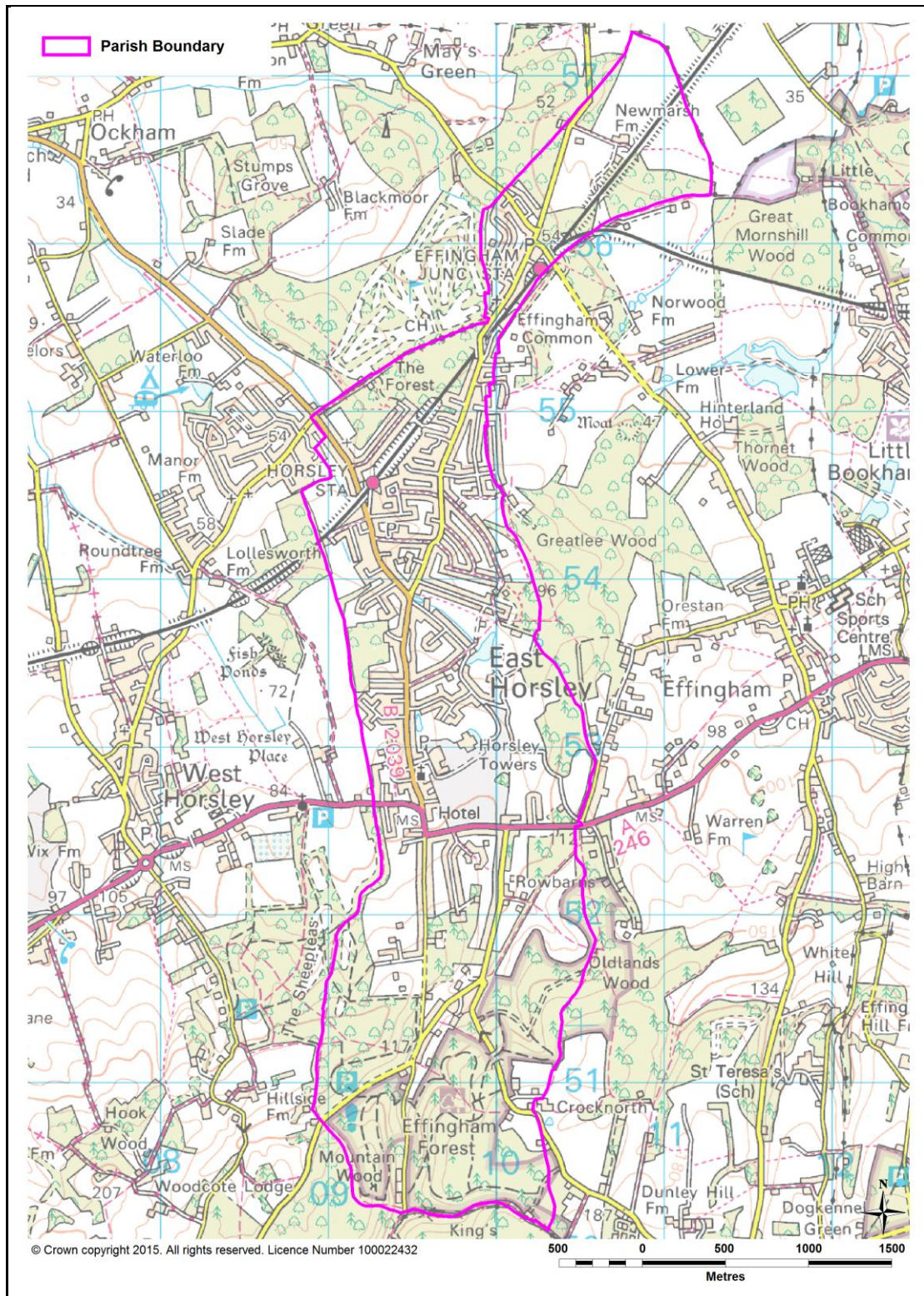
Supporting documents and evidence

The EHNP is supported by a Consultation Statement and this Basic Conditions Statement. Further supporting information may be found in the Evidence Base of the EHNP website at www.easthorsley.info.

Key statements

- East Horsley Parish Council ('EHPC') is a qualifying body and entitled to submit a neighbourhood plan for the parish of East Horsley. The EHNP expresses policies that relate to the development and use of land only within the area of the parish of East Horsley.
- The neighbourhood area is contiguous with the present parish boundary, as shown in Map EH 1 overleaf.
- The EHNP covers the period from 1st January 2017 up to 31st December 2033.
- No provision for excluded development such as national infrastructure is contained within the EHNP.
- The EHNP does not relate to more than one neighbourhood area. It is solely related to the area of the parish of East Horsley, as designated by Guildford Borough Council ('GBC') in its consent to prepare a neighbourhood plan issued on 8th September 2014.
- There are no other neighbourhood plans in place for the parish of East Horsley.

Map EH 1: The East Horsley Neighbourhood Area



2. Conformity with National Planning Policy

It is required that the EHNP has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (hereafter 'NPPF').

The NPPF in sections 183-185 refers to neighbourhood plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the applicable local plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

This section demonstrates that the EHNP has regard to relevant policies within the NPPF in relation to:

- Conserving and enhancing the natural environment
- Meeting the challenge of climate change, flooding and coastal change
- Delivering a wide choice of high quality homes
- Requiring good design
- Conserving and enhancing the historic environment
- Promoting healthy communities
- Promoting sustainable transport
- Supporting high quality communications infrastructure
- Building a strong, competitive economy
- Ensuring the vitality of town centres

The EHNP has set out 18 objectives which are divided between four different areas of policy relating to Environment, Housing, Infrastructure and Local Economy.

In Table 1 below we list each of these 18 objectives and identify which of the above NPPF goals each of these objectives is seeking to address.

Table 1: Assessment of EHNP objectives against NPPF goals

EHNP Objectives	Relevant NPPF Goal
1.1 To protect and enhance the green environment of East Horsley	Conserving and enhancing the natural environment
1.2 To protect mature trees and hedgerows of arboreal significance	Conserving and enhancing the natural environment
1.3 To protect and encourage biodiversity	Conserving and enhancing the natural environment
1.4 To minimize flood risk	Meeting the challenge of climate change, flooding and coastal change
1.5 To protect and expand community-driven acquisitions of green spaces	Conserving and enhancing the natural environment Promoting healthy communities
2.1 To deliver a range and mix of housing that meets the needs of the community	Delivering a wide choice of high quality homes Requiring good design
2.2 To ensure developments are consistent with the established character of the village	Requiring good design
2.3 To preserve the historic heritage of the village	Conserving and enhancing the historic environment
3.1 To maintain and enhance local infrastructure	Promoting sustainable transport Supporting high quality communications infrastructure
3.2 To maintain and enhance medical facilities	Promoting healthy communities
3.3 To meet the schooling needs of village residents	Promoting healthy communities
3.4 To improve the safety of pedestrians, cyclists, motorists and other road users	Promoting sustainable transport Promoting healthy communities
3.5 To improve the availability of village parking	Ensuring the vitality of town centres
3.6 To meet the needs of older people and people with disabilities	Promoting healthy communities
3.7 To maintain and enhance leisure facilities.	Promoting healthy communities
4.1 To enhance local employment and encourage local businesses	Building a strong, competitive economy
4.2 To sustain the character and diversity of our retail centres	Ensuring the vitality of town centres
4.3 To support home-workers	Building a strong, competitive economy

Conformity of EHNP policies with NPPF requirements

Schedule 1 below provides a summary of how each of the 27 policies proposed in the EHNP conforms to NPPF requirements, identifying the main NPPF paragraph references which are relevant to each policy:

Schedule 1: EHNP policies and conformity with NPPF requirements

<i>Spatial Development Plan</i>	<i>NPPF paragraphs</i>
EH-EH1 Spatial Development Plan for East Horsley Sets out an overall plan for focusing development within the settlement area (or future inset area) and for protecting the Green Belt and the Surrey Hills AONB.	79, 83, 84, 89, 115
<i>Environment Policies</i>	<i>NPPF paragraphs</i>
EH-EN1 Local Green Spaces Uses the provision for protecting seven precious green spaces and applies the site selection criteria.	76 - 78
EH-EN2 Trees & hedgerows Provides protection for trees and hedgerows of arboreal significance.	117, 118
EH-EN3 Landscape features Seeks to protect valued landscapes.	109, 113, 117, 126
EH-EN4 Biodiversity Provides for enhancement and protection of biodiversity including the maintenance or replacement of hedgerows to provide wildlife habitats.	117, 118
EH-EN5 Flooding Seeks to ensure that development does not worsen the impacts from flooding and ensures that the flood attenuation network is protected.	100,101,103

Housing Policies	NPPF paragraphs
<p>EH- H1 Housing Mix Addresses the need for a mixture of housing at larger sites in order to provide for local needs.</p>	47, 50
<p>EH-H2 Bungalows Addresses the need for bungalows at larger sites in order to provide for local needs.</p>	47, 50
<p>EH-H3 to EH-H6 Site Policies Four site policies are set out with conditions stipulated for supporting the granting of planning approval.</p>	47, 50
<p>EH-H7 East Horsley Design Code Seeks to ensure that housing development is in keeping with the design of surrounding housing, without stifling good or innovative design.</p>	58 - 61
<p>EH-H8 Residential Re-builds Seeks to ensure that housing plot ratios arising from residential re-builds are in keeping with surrounding housing plot ratios.</p>	53
<p>EH-H9 Residential infilling Seeks to ensure that housing development arising from residential infilling is in keeping with surrounding housing plot ratios, without impacting upon the amenity of existing dwellings and is supported in locations substantially surrounded by existing development.</p>	53
<p>EH-H10 Heritage assets Seeks to afford protection to listed and non-listed heritage assets across the village.</p>	126, 128, 129, 135

Infrastructure Policies	NPPF paragraphs
EH-INF1 East Horsley Medical Centre Supports the expansion of the existing medical centre to meet growing demand.	70
EH-INF2 Care facilities Supports the expansion of the two existing care facilities to meet growing demand.	70
EH-INF3 Parking improvements Supports expansion at specified public car parks to meet growing demand, with the loss of parking facilities resisted.	39, 40
EH-INF4 Footpaths & cycleways Requires multi-home developments to make provisions for new footpaths or cycleways to improve linkages across the village and to promote walking or cycling over car use.	75
EH-INF5 Leisure facilities Supports the provision of new leisure facilities and enhancements to existing ones.	73, 74
EH-INF6 St Martin's Bowling Green Guarantees the provision of an important local leisure facility in the event of development of the present bowling green site.	73, 74
EH-INF7 Broadband Supports the development of high quality communications infrastructure.	42, 43

Local Economy Policies	NPPF paragraphs
EH-LE1 Retail centres Seeks to protect and enhance the vitality of the village retail centres.	23, 28
EH-LE2 Small-scale office & workshops Supports the provision of small-scale offices and workshops to promote local employment.	20, 21, 22, 28
EH-LE3 Horsley Station public transport interchange Supports mixed use development within 500 metres of Horsley Station including small-scale offices or R&D facilities suitable for SME's and start-ups.	21, 25, 28
EH-LE4 Newmarsh Farm Supports change of use of existing facilities to support small-scale commercial operations and enhance local employment, subject to conditions.	22, 28

3. Conformity with the local development plan

The relevant development plan for East Horsley consists of the 2003 Guildford Borough Local Plan.

In 2014 a draft Local Plan was issued by GBC which met with significant opposition during the Regulation 18 consultation. This resulted in a new draft Local Plan being issued in spring 2016. Following a Regulation 19 consultation during June and July 2016, a revised draft Local Plan was issued by GBC in June 2017 with a period of Regulation 19 consultation open until 24th July 2017.

The NPPF requires that our neighbourhood plan must be in general conformity with the strategic policies contained in the relevant development plan for the area. In line with the advice of the National Planning Practice Guidance (NPPG; Para ID41-009), the EHNP has therefore sought to comply with the saved strategic policies of the 2003 Local Plan whilst also being aware of the reasoning and evidence of the 2017 version of the emerging GBC Local Plan.

The EHNP has established development policies that are in general conformity with the 2003 GBC Local Plan whilst also being aware of the 2017 emerging GBC Local Plan. Four sites are proposed for housing development in the EHNP and set out under Policies EH-H3 to EH-H6. The four sites proposed for development in the EHNP are:

Policy EH-H3	Countryside Depot in St Martin's Close
Policy EH-H4	BT Telephone Exchange on Ockham Road South
Policy EH-H5	Carlions Garage on the A246 Guildford Road
Policy EH-H6	Thatcher's Hotel on the A246 Guildford Road (settlement area part only)

All of these four sites are brownfield re-developments set within the existing settlement area of East Horsley.

All of these four sites are also included within the Land Availability Assessment ('LAA') published by GBC in 2016 in connection with the emerging GBC Local Plan. The LAA has also identified two further sites within East Horsley as potential sites for future housing development, at Fangate Manor Farm and at Lollesworth Fields – this latter is the subject of emerging GBC Local Plan Site Policy A39. Both Fangate Manor Farm and Lollesworth Fields are greenfield spaces located outside of the existing settlement area. However, as a result of changes in the Green Belt boundaries proposed in the emerging GBC Local Plan they would be brought within the inset area of the village as proposed in the emerging GBC Local Plan.

The EHNP does not have the authority to allocate such sites, which are located within the Green Belt outside of the current settlement area. This was confirmed to the EHNP team in an independent healthcheck review conducted by Christopher Lockhart-Mummery QC, provided in February 2017. His opinion was that until the emerging GBC Local Plan has been adopted or has reached a stage of examination where its adoption is highly certain then EHPC may not rely upon such proposed future changes in inset boundaries in allocating a currently Green Belt site, even on a conditional basis (eg. that the allocation is dependent upon the changes in inset boundaries occurring as proposed in the emerging GBC Local Plan).

In consequence, no sites outside of the current settlement area of the village are proposed for allocation under the EHNP.

To the extent that either Fangate Manor Farm or Lollesworth Fields (or other sites as yet unidentified) were to be proposed for development in the future (eg. after the adoption of the emerging GBC local plan) then any planning applications for such sites would become subject to the general policies set out within the EHNP, including our Policy EH-H1 on housing mix, Policy EH-H2 on bungalows and Policy EH-LE3 on development close to Horsley railway station.

Accordingly, we believe that the EHNP is in compliance with the strategic objectives of the applicable local plan of 2003 whilst also being cognisant of the reasoning and evidence of the 2017 version of the emerging GBC Local Plan.

Conformity with other non-strategic Local Plan policies

Many of the policies proposed in the EHNP also relate to other policies within the emerging GBC Local Plan of 2017 which are not necessarily considered to be 'strategic'.

In general the EHNP seeks to support and amplify such policies within the specific context of East Horsley. Schedule 2 below identifies the relevant EHNP policies where they are applicable to specific policies within the 2017 emerging GBC Local Plan.

SCHEDULE 2: EHNP policies and conformity with Local Plan policies

2017 GBC Local Plan policies	Applicable EHNP Policies.....
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Housing

H1	Homes for all	Supported by EH-H1 to EH-H6
H2	Affordable Homes	Not within the authority of the EHNP
H3	Rural Exception Homes	Not applicable to East Horsley

Protecting

P1	Surrey Hills (AONB)	Supported by EH-EH1
P2	Green Belt	Supported by EH-EH1 and EH-H3 to EH-H6
P3	Countryside	Not applicable
P4	Flood Risk	Supported by EH-EN5
P5	Thames Basin Heaths SPA	Not within the authority of the EHNP.

Economy

E1	Meeting employment needs	Supported by EH-H4, EH-LE2, EH-LE3 & EH-LE4.
E2	Locations of new employment floor-space	Supported by EH-LE3.
E3	Maintaining employment capacity....	Not applicable
E4	Surrey Research Park	Not applicable
E5	Rural economy	Supported by EH-H4, EH-LE2, EH-LE3 & EH-LE4.
E6	The leisure & visitor experience	Supported by EH-INF5 & EH-INF6
E7	Guildford Town Centre	Not applicable
E8	District Centres	Supported by EH-LE1
E9	Local Centres	Supported by EH-LE1

Design

D1	Making better places	Supported by EH-H7
D2	Sustainable Design.....	Supported by EH-H7
D3	Historic environment	Supported by EH-H10
D4	Development in....inset villages	Supported by EH-H1 to EH-H9, EH-LE2

Infrastructure & Delivery

I1	Infrastructure & Delivery	Supported by EH-INF1 to EH-INF7
I2	Supporting DoT 'Road Investment Strategy'	Not applicable
I3	Sustainable transport for new developments	Supported by EH-H4, EH-H5, EH-INF3, EH-INF4
I4	Green & Blue Infrastructure	Supported by EH-EN1 to EH-EN5

4. Contribution to sustainable development

The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and ‘should be seen as a golden thread running through both plan-making and decision-taking.’

Table 2 below summarises how the objectives and policies in the EHNP contribute towards sustainable development, as defined in the NPPF.

Table 2: Assessment of EHNP objectives & policies as contributors to sustainable development

Deliver Economic Sustainability	
<i>NPPF Definition – ‘Contribute to building a strong, responsive economy’</i>	
EHNP Objectives	3.1 To maintain and enhance local infrastructure 4.1 To enhance local employment and encourage local businesses 4.2 To sustain the character and diversity of our retail centres 4.3 To support home-workers
EHNP Policies	EH-INF7 Broadband EH-LE1 Retail centres EH-LE2 Small-scale offices & workshops EH-LE3 Horsley Station public transport interchange EH-LE4 Newmarsh Farm
Comments	The EHNP seeks to enhance the vitality and viability of the existing retail centres which provide the focal centres for the community. It seeks to support existing businesses based in the parish, including those which are home-based, by ensuring that the right conditions are in place for them to flourish, for example by supporting high speed broadband availability. Also it looks to promote the development of new small-scale office developments and workshops to provide diversified employment opportunities which are in keeping with the existing character of the village.

Deliver Social Sustainability	
<i>NPPF Definition – ‘Support strong vibrant and healthy communities’</i>	
EHNP Objectives	<p>2.1 To deliver a range and mix of housing that meets the needs of the community</p> <p>2.2 To ensure developments are consistent with the established character of the village</p> <p>3.2 To maintain and enhance medical facilities</p> <p>3.3 To meet the schooling needs of village residents</p> <p>3.4 To improve the safety of pedestrians, cyclists, motorists and other road users</p> <p>3.6 To meet the needs of older people and people with disabilities</p> <p>3.7 To maintain and enhance leisure facilities.</p>
EHNP Policies	<p>EH-H1 Housing mix</p> <p>EH-H2 Bungalows</p> <p>EH-H3 to EH- H6 Sites policies</p> <p>EH-H7 East Horsley Design Code</p> <p>EH-INF1 East Horsley Medical centre</p> <p>EH-INF2 Care facilities</p> <p>EH-INF4 Footpaths & Cycleways</p> <p>EH-INF5 Leisure facilities</p> <p>EH-INF6 St Martin’s Bowling Green</p>
Comments	<p>The EHNP seeks to maintain a thriving village society, ensuring that new housing meets the needs of the local community and that housing designs are in keeping with the existing character of the village. It also recognises that the community has certain social infrastructure needs which should be supported and enhanced, which it aims to achieve by supporting expansion of the medical care and existing care facilities, as well as by promoting new footpaths and cycleways to reduce dependency on motor traffic and to improve the safety of pedestrians, cyclists and all road users.</p>

Deliver Environmental Sustainability	
<i>NPPF Definition – ‘Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change’</i>	
EHNP Objectives	<ul style="list-style-type: none"> 1.1 To protect and enhance the green environment of East Horsley 1.2 To protect mature trees of arboreal significance & hedgerows 1.3 To protect and encourage biodiversity 1.4 To minimize flood risk 1.5 To protect and expand community-driven acquisitions of green spaces 2.3 To preserve the historic heritage of the village.
EHNP Policies	<ul style="list-style-type: none"> EH-EN1 Local Green Spaces EH-EN2 Trees & hedgerows EH-EN3 Landscape features EH-EN4 Biodiversity EH-EN5 Flooding EH-H10 Heritage Assets
Comments	The EHNP seeks to deliver environmental sustainability by designating local green spaces of importance to the community, by seeking to protect and enhance trees of arboreal significance and hedgerows, by protecting landscape features of visual merit or historic significance, by mitigating flood risk and by enhancing biodiversity. The EHNP also seeks to protect heritage assets across the village.

As demonstrated in Table 2 above, the strategic objectives of the EHPC are considered to comprise a balance of social, economic and environmental goals.

GBC considers that a Strategic Environmental Assessment (‘SEA’) is not required because the EHNP is not likely to have a significant impact upon the environment. A screening opinion was issued to Guildford borough council in February 2017 prepared by consultants JBA Consulting confirming that the EHNP does not require an SEA or give rise to likely significant effects on European sites, as discussed further in Section 5 below.

5. Compatibility with EU Obligations

The EHNP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

In December 2016 the EHNP Steering Group submitted a formal screening request to GBC regarding the need for a Strategic Environmental Assessment ('SEA') and an Appropriate Assessment under the EU Habitats Regulations of the draft EHNP. The screening was based upon the December 2016 draft of the EHNP which was submitted for an independent healthcheck review at the same time.

In February 2017 a report was issued by consultants JBA Consulting and submitted to GBC. In its Conclusion their report states the following:

In conclusion, it is considered that the East Horsley Neighbourhood Plan does not require a SEA or give rise to likely effects on European sites. Due to the nature, scale and location of the policies within the plan, it has been concluded that adverse impacts are not likely on any of the sensitive environmental receptors within or around East Horsley neighbourhood area, including the Thames Basin Heaths SPA and Mole Gap to Reigate Escarpment SAC.

The JBA Consulting report commented upon the need to ensure that there was appropriate SANG provision for one of the sites proposed in the draft plan at that time. However, since that particular site is no longer included within the EHNP such provision is not necessary. No other revisions made to the EHNP between the healthcheck draft of December 2016 and the Submission Draft of July 2017 are expected to have an impact on environmental issues relating to the EHNP.

6. Conclusion

The Basic Conditions as set out in Schedule 4B to the Town & Country Planning Act of 1990 are considered to be met by the East Horsley Neighbourhood Plan and all the policies therein.

It is therefore respectfully suggested to the Examiner that the East Horsley Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Town & Country Planning Act.

*This Basic Conditions Statement has been prepared by the East Horsley Neighbourhood Plan Steering Group,
July 2017*