

# **Willand Neighbourhood Plan: Basic Conditions Statement**

Neighbourhood Plan Website: <https://willand-pc.org.uk/https-www-willand-pc-org-uk-wp-content-uploads-2023-02-willand-pre-submission-neighbourhood-plan-v-4-1-20-02-23-pdf/>

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## 1. Introduction

Our Neighbourhood Plan (also known formally as a “Neighbourhood Development Plan”) has been produced by Willand Parish Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Development Plan. The development of the plan and management of the process has been marshalled by a Neighbourhood Development Plan Steering Group comprised of members of our community and Parish Councillors, advised by planning consultants Stuart Todd Associates Ltd and supported by our local planning authority (Mid-Devon District Council). The Parish of Willand is situated in the Mid-Devon local planning authority area.

## 2. What are the Basic Conditions and why do we need this Statement?

The “Basic Conditions” are a set of conditions that the Neighbourhood Development Plan must pass in order for it to proceed to referendum. In relation to Neighbourhood Development Plans, the Plan will pass 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 plan;
- the making of the plan contributes to the achievement of sustainable development;
- the making of the plan is in general conformity<sup>1</sup> 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 plan does not breach, and is otherwise compatible with, EU obligations<sup>2</sup>; and,

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<sup>1</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> “General conformity” is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: whether the Neighbourhood Development 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 Development Plan policy or development proposal and the strategic policy; whether the draft Neighbourhood Development Plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and, the rationale for the approach taken in the draft Neighbourhood Development Plan or Order and the evidence to justify that approach.”

<sup>2</sup> According to the Government website (<https://www.gov.uk/guidance/neighbourhood-planning--2#EU-obligations-neighbourhood-planning>), “A Neighbourhood Development Plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. There are 4 directives that may be of particular relevance to Neighbourhood Development Planning:

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive). This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. It may be of relevance to Neighbourhood Development Plans.

Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive). Environmental Impact Assessment is a procedure to be followed for certain types of proposed development. This is to ensure that decisions are made in full knowledge of any likely significant effects on the environment and that the public are given early and effective opportunities to participate in the decision making procedures. It may be of relevance to Neighbourhood Development Orders.

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 (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe’s most important habitats and species. They may be of relevance to both Neighbourhood Development Plans or Orders. Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft Neighbourhood Development Plan or Order.”

The EU obligations have been incorporated into UK law.

- prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan.

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act. (as amended by the Localism Act 2011)<sup>3</sup>.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for a Neighbourhood Development Plan in addition to those set out in the primary legislation, being that:

- the making of the Neighbourhood Development Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)

This Basic Conditions Statement is submitted alongside our proposed Neighbourhood Development Plan. In submitting the Statement, and through its content demonstrated how our plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the Parish Council, as the “qualifying body” responsible for producing the plan, must submit as part of the Neighbourhood Development Plan proposal. These are submitted, alongside this Statement. Regulation 15 (1) states<sup>4</sup> that:

“(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) a consultation statement;
- (c) the proposed neighbourhood development plan; and
- (d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

Following this introduction, the Statement sets out:

- where our Neighbourhood Area is and how this was established;
- a summary of why we need our Neighbourhood Development Plan;
- how we have complied with relevant legislation;
- a summary of the content of our Neighbourhood Development Plan proposal; and,
- an explanation of how our Neighbourhood Development Plan meets the Basic Conditions.

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<sup>3</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>4</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

### 3. Our Neighbourhood Area

Willand is a small Parish in a rural part of Mid-Devon district with a population of around 3,415 people. At its heart is Willand village, around 15 miles from Exeter to the south and to Taunton to the north and 6 miles south-east of the market town of Tiverton and two miles north of Cullompton. It is situated between Junctions 27 and 28 of the M5 motorway with the B3181 running through the centre of the village.

The village has four dispersed village stores catering for everyday shopping needs. It is fortunate to retain its Primary School, Preschool and Nursery, Post Office, GP surgery, residential home, pharmacy, hairdresser, chip shop, a pub, a filling station and a café. Community facilities include a well-used Village Hall and Health and Community Centre. There is a recreation ground, tennis courts and football club ground and allotments, as well as a good number of small local play and recreation areas.

The Parish has a good balance of housing and employment, with the growing Mid-Devon Business Park providing both local and strategic employment opportunities, in addition to the older South View Road industrial estate area and Lloyd Maunder Road employment area, predominantly occupied by the 2 Sisters Food Group. There is Tanyard's Farm & Diggerland to the south. Just outside the Parish boundary (to the north) Hitchcocks Business Park and Langlands provide further employment, as do other businesses and facilities at Junction 27 of the M5 and at Waterloo Cross.

The village of Willand comprises a wide variety of built forms and characters, as the following map shows, taken from the Mid-Devon Settlement Character Assessment. While the assessment was produced in 2012, the village's character areas remain much the same.

The neighbourhood plan area (the whole civil Parish) was originally approved by Mid-Devon District Council following consultation in February 2022. Following a review of and change to the Parish boundary administered by Mid-Devon District Council (MDDC), a revised application to amend the agreed Plan Area boundary was consulted upon in June 2023 and then approved by MDDC<sup>5</sup>. The designated Neighbourhood Development Plan area is the whole Parish of Willand. Map 1 shows the extent of the area.

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<sup>5</sup> See <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/willand-neighbourhood-plan/> for further information. The boundary change saw a small area of land at the northern end of the village within and adjacent to an employment area incorporated into the Parish area.

Map 1: Willand Parish and Neighbourhood Development Plan Area

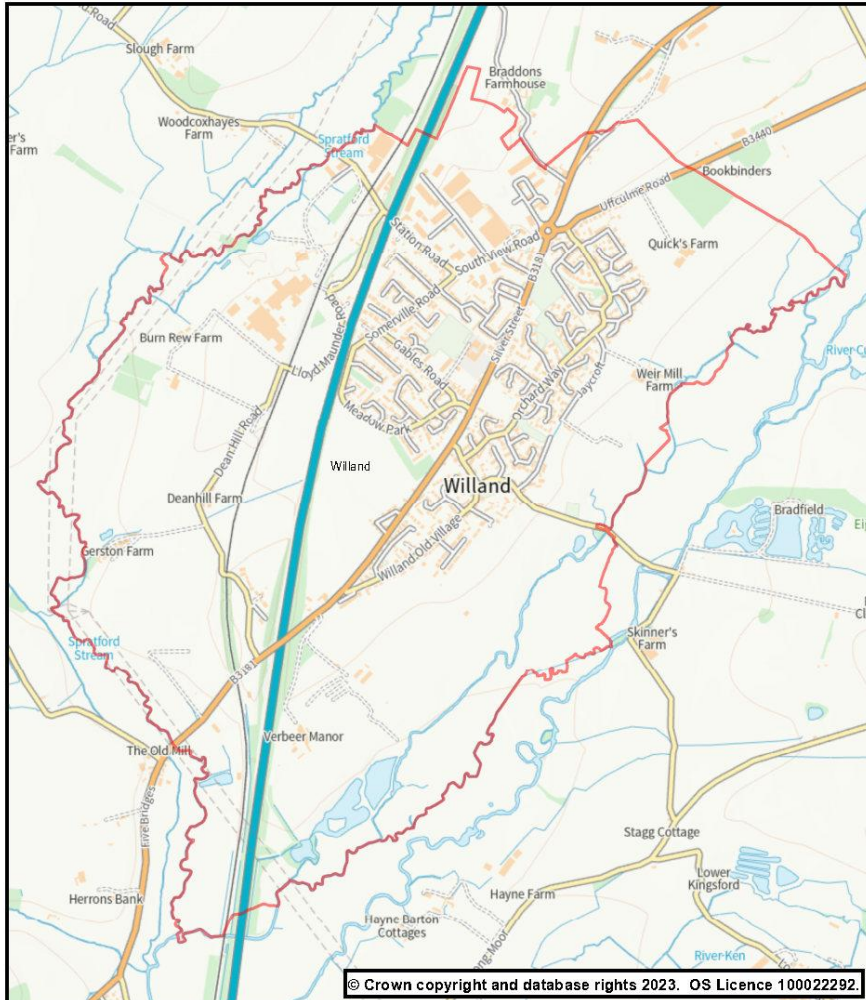


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Scale	1:15,000 @ A4	Date	24 April 2023
Dwg. No.	New Willand Parish Boundary	Produced by	GMS

#### 4. Why do we need a Neighbourhood Plan?

Our justification for producing the Plan is set out in the introductory sections of the Plan itself culminating in the Vision, Aims and Objectives which have been developed and shaped from evidence and community consultation. In summary, the main reasons for producing a Neighbourhood Development Plan were as follows:

- We wanted to have some control over local planning matters and decisions and our community wanted to develop its own local planning policies so that we can have an influence over the location, type, scale, design and form of development which may come forward in the Parish during the Plan period;
- We wanted to develop a Plan which protects and enhances our countryside and natural environment within the Parish in order to maintain the character of our surrounding landscape;
- We wanted to have a say in shaping the future of our Parish including how our locally valued assets are protected, maintained and enhanced and how we can help to ensure that our local services and leisure, recreation, sports and community facilities are sustained into the future;
- We wanted to protect the built character of the Parish;
- We wished to support the Parish's local economy; and,
- We wanted to respond to issues, concerns and challenges identified by the local community.

Having explored the issues and identified the key messages and things of importance to the community, our Plan has set out a clear Vision and Objectives, reproduced below.

##### **Future Vision for Willand**

- 1. Sustaining its identity, facilities and considerable community strengths both as a rural and as a mixed community.**
- 2. Securing sustainability now and for the long-term future.**
- 3. Engaging with its rural context.**

<b>1. Sustaining its identity, facilities and considerable community strengths both as a rural and as a mixed community</b>	
<b>Objective</b>	<b>Topic(s) in this Plan</b>
a) Historically Willand has had a mix of private and social, affordable housing, with local employment, and this has been an important ingredient in creating a distinctive and vibrant community. This balance should be retained and enhanced by any future development.	<ul style="list-style-type: none"> <li>• Housing</li> <li>• Economy and Employment</li> </ul>
b) We need a greater variety of social, affordable and private housing types, particularly for younger people and older ones to keep them in the village. Members of village families in social, affordable housing within Willand should have suitable housing available within Willand when their housing needs change rather than having to move elsewhere.	<ul style="list-style-type: none"> <li>• Housing</li> </ul>
c) The recent industrial estate at Mid Devon Business Park evidences the continued appetite for commercial development which provides local employment. Proximity to the motorway exit and Tiverton Parkway means that the land north of the parish boundary has already begun to be considered for development (Hitchcock's Business Park, Willand Business Park and Dorse Farm etc.). There is already a specific plan for development currently coming down to Mount Stephen Farm from Waterloo Cross. All of this area is the primary human zone of Willand. Any future development within and without the current parish boundary must be consistent with and enhance the distinctive characteristics of Willand's identity.	<ul style="list-style-type: none"> <li>• Economy and Employment</li> </ul>
d) Any future plans within and beyond the current parish boundary should retain spatial differentiation between Willand and existing neighbouring settlements	<ul style="list-style-type: none"> <li>• Green Infrastructure</li> </ul>
e) In the MDDC Design Guide Willand is uniquely described amongst Mid Devon villages as a Patchwork, which also offers a model for future development along the B3181 if it occurs.	<ul style="list-style-type: none"> <li>• Sustainable Development</li> </ul>
f) Willand's identity is bound up with its network of accessible non-residential facilities. <ul style="list-style-type: none"> <li>i) The area including the Willand Rovers football field through to the Methodist Church and across to the Jubilee Field contains an important range of community facilities which must all be conserved and pedestrian and vehicle access protected and improved.</li> <li>ii) The area including the Parish Church, the Hall and the Post Office contain a range of community facilities which must be conserved and pedestrian and vehicle access protected and improved.</li> </ul>	<ul style="list-style-type: none"> <li>• Community</li> <li>• Travel, Access and Connectivity</li> </ul>
g) All existing leisure and green areas and community facilities must be protected. <ul style="list-style-type: none"> <li>i) All existing play areas and green spaces and woodlands</li> <li>ii) Existing cycleways and pathways</li> <li>iii) Willand Football Ground</li> <li>iv) Village Hall Complex</li> <li>v) Church Hall</li> <li>ix) Willand Health and Community Centre</li> <li>x) GP Surgery</li> <li>xi) Halfway House</li> <li>xii) Garage, hairdresser, Bluebell Cafe</li> <li>xiii) Pharmacy</li> <li>xiv) Diggerland Area + Fishing lakes</li> </ul>	<ul style="list-style-type: none"> <li>• Community</li> <li>• Green Infrastructure</li> </ul>



**1. Sustaining its identity, facilities and considerable community strengths both as a rural and as a mixed community**

Objective	Topic(s) in this Plan
vi) Cemetery vii) Parish Church area viii) Methodist Church area	xv) Elmside down to the river xvi) Willand School

**2. Securing sustainability now and for the long-term future.**

Objective	Topic(s) in this Plan
Climate change a) In future Willand will require more variety of local employment opportunities for working age residents, involving more emphasis on working at or near home. These should be clustered around the Garage site to the south and near the Halfway House to the north. The development should include (a) small starter units - office premises - light industrial units (b) home worker support facilities (c) greater choice of catering/refreshment outlets.	<ul style="list-style-type: none"> <li>• Economy and Employment</li> </ul>
b) Allotments and community green space and protected woodland should be an integral part of any proposed future housing and industrial development.	<ul style="list-style-type: none"> <li>• Community</li> <li>• Green Infrastructure</li> </ul>
c) New development to result in a net increase in biodiversity.	<ul style="list-style-type: none"> <li>• Green Infrastructure</li> </ul>
d) All new houses and businesses should have private electric charging points.	<ul style="list-style-type: none"> <li>• Sustainable Development</li> </ul>
e) Solar panels and heat pumps should be integral to all new employment and residential properties.	<ul style="list-style-type: none"> <li>• Sustainable Development</li> </ul>
f) Commercial and community organisations should be encouraged to provide public electric charging points.	<ul style="list-style-type: none"> <li>• Sustainable Development</li> <li>• Community</li> </ul>
g) Consideration should be given to providing a “hub” to the north of the village equipped with electric bikes enabling people to commute to Parkway Station and to the canal and beyond.	<ul style="list-style-type: none"> <li>• Travel, Access and Connectivity</li> </ul>

<b>2. Securing sustainability now and for the long-term future.</b>	
<b>Objective</b>	<b>Topic(s) in this Plan</b>
h) Tree planting.	<ul style="list-style-type: none"> <li>Green Infrastructure</li> </ul>
Care of the natural environment 1) The production of a clear mapped statement as to who is responsible for keeping which existing paths, verges and green areas clear, including those with no registered ownership.	<ul style="list-style-type: none"> <li>Travel, Access and Connectivity</li> <li>Community</li> </ul>
2) A planting strategy for more trees and other wildlife habitat on public and private land	<ul style="list-style-type: none"> <li>Green Infrastructure</li> </ul>
Opportunities for the future 3) Young people have been well served by a strong village school, access to nearby secondary schooling and good play and youth club facilities. Ready access to education and training needs to be continued and strengthened. a) Accessible Pre-school and Primary education are an important part of making Willand what it is. Current pedestrian & cycle access and parking issues need to be addressed, and more provision of secure safe bike access to schools and community facilities with secure onsite bike storage. b) Transport must be secure for young people's and adults' access to out of village education, work and leisure opportunities c) Continued local presence of Pharmacy and of GP facilities is important for all ages. d) The current strong community spirit requires constant support for community buildings, organisations and facilities.	<ul style="list-style-type: none"> <li>Community</li> <li>Travel, Access and Connectivity</li> </ul>
Key reminders of Willand's history a) Preserve and enhance historic remnants if any of the old Tiverton Junction area including the Station, Maunders and the Duchess Dairy and the remaining railway cottages. b) Preservation and enhancement of the Old Village Conservation Area, Willand's listed buildings and other notable sites.	<ul style="list-style-type: none"> <li>Heritage</li> </ul>

<b>3. Engaging with its rural context</b>	
<b>Objective</b>	<b>Topic(s) in this Plan</b>
a) Increasing access by foot and bike especially to the rural hinterland is a major priority for residents. In contrast to other villages Willand lacks walkways and cycleways, noting the need for wider access for the disabled and children's mobility.	<ul style="list-style-type: none"> <li>Travel, Access and Connectivity</li> </ul>
b) More public seating.	<ul style="list-style-type: none"> <li>Community</li> </ul>
c) Jaycroft should be protected as a place to walk and cycle.	<ul style="list-style-type: none"> <li>Travel, Access and Connectivity</li> </ul>

<b>3. Engaging with its rural context</b>	
<b>Objective</b>	<b>Topic(s) in this Plan</b>
d) Pedestrian access across the road from the churchyard path to Jaycroft should be given protection.	<ul style="list-style-type: none"> <li>• Travel, Access and Connectivity</li> </ul>
e) Willand residents should have <ul style="list-style-type: none"> <li>i) Safe pedestrian/cycle access to the cemetery</li> <li>ii) New crossing from where the footpath joins Silver Street by Ash Close to be routed through Townlands to provide pedestrian access to the Post Office, Church and Hall etc</li> <li>iii) Pedestrian/cyclist access from Halfway House up to Waterloo Cross, connecting to existing paths for Bridwell and Muxbeare</li> <li>iv) Safe cycle and pedestrian accesses to the Culm.</li> <li>v) An early start linking Jaycroft to the proposed off-road footpaths/cycleways intended eventually to reach the Garden Village with Willand, and consideration how this might provide safe pedestrian/cycle access to Cullompton.</li> <li>vi) Safe footpaths/cycleways alongside the B3181 or off road provision to replace the current unsafe link to and from Cullompton to Willand and then the cycleway to Tiverton Parkway Station.</li> <li>vii) A cycle/pathway to Uffculme, possibly opening up old railway line to Hemyock (even where blocked)</li> <li>viii) Open viewing spaces and public access through towards the Culm Valley.</li> <li>ix) The solar farm field should be promoted as a place to walk with dogs.</li> <li>x) The traditional walk 'Round the World' should be recovered, made safe for pedestrians and cyclists and maintained, with protection from any development on the farmland alongside it.</li> <li>xi) Pedestrian and cycling opportunities to be improved / enhanced by remediation of pavements/pathways that are overgrown and where the verge has encroached, particularly where this inhibits pedestrian access to school and other facilities</li> <li>xii) safer pedestrian crossing points and safer cycleways on or across roads, particularly Silver Street.</li> </ul>	<ul style="list-style-type: none"> <li>• Travel, Access and Connectivity</li> </ul>

## 5. Summary of Compliance with Legislation

This section sets out how our Neighbourhood Development Plan and process has complied with the requirements set out in the Neighbourhood Development Plan regulations.

### Qualifying Body

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>6</sup> as “a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>7</sup> sets out the qualifying body’s entitlement to prepare a Neighbourhood Development Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Development Plan has been prepared by Willand Parish Council as the “qualifying body” for the purposes of Neighbourhood Planning.

### Neighbourhood Area

The Neighbourhood Area (as shown in Map 1 above) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)<sup>8</sup>. The approval / decision notice can be seen on the local planning authority’s website, signposted earlier in this Statement.

### What a Neighbourhood Development Plan is and the Content of the Neighbourhood Development Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>9</sup> sets out the meaning of “neighbourhood development plan”. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>10</sup> sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,
- (b) may not include provision about development that is excluded development, and
- (c) may not relate to more than one neighbourhood area.”

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<sup>6</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>7</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>8</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

<sup>9</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>10</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

“Excluded development” is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>11</sup> as:

- “(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
- (c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
- (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
- (e) prescribed development or development of a prescribed description, and
- (f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)<sup>12</sup> states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- our Neighbourhood Development Plan covers the period 2018 to 2030 aligning with the plan period of the adopted Mid-Devon Local Plan;
- our Neighbourhood Development Plan is the only Neighbourhood Development Plan for the Parish of Willand;
- our Neighbourhood Development Plan does not contain policies relating to “excluded development”;
- our Neighbourhood Development Plan relates only to the defined Neighbourhood Area set out in Figure 1 above; and,
- our Neighbourhood Development Plan sets out policies in relation to the development and use of land.

## Submission Documents

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Development Plan.

## Basic Conditions

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011<sup>13</sup>) have been met, as demonstrated in this Statement.

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<sup>11</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>12</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>13</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

## 6. Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012<sup>14</sup>, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Development Plan (which includes a map and statement which identifies the area to which our plan relates);
- Our Consultation Statement;
- Our Basic Conditions Statement (this document); and,
- The screening report, produced by the local planning authority, which concluded that no Strategic Environmental Assessment (SEA) or Habitats Regulation Assessment (HRA) are necessary.

The Neighbourhood Development Plan includes appendices and weblinks to reports which elaborate and support our policy justification and content. All evidence base documents are available to view on the Neighbourhood Development Plan webpages here - <https://willand-pc.org.uk/https-www-willand-pc-org-uk-wp-content-uploads-2023-02-willand-pre-submission-neighbourhood-plan-v-4-1-20-02-23-pdf/>.

## 7. How our Neighbourhood Development Plan meets the Basic Conditions

The following section sets out how we believe the Plan meets the Basic Conditions.

### A. Having regard to national policies and advice contained in guidance issued by the Secretary of State

We have undertaken the Plan's development in a way consistent with good practice:

- considering other made Plans in the local planning authority area and beyond;
- receiving advice from the local planning authority;
- receiving advice from our planning consultant's experience supporting other groups and of the planning system;
- considering various Locality produced guidance notes (such as the Roadmap<sup>15</sup>); and,
- also following the guidance on process and legal requirements set out in the Government's National Planning Practice Guidance<sup>16</sup>.

In developing our evidence base we have sought to:

- understand the changing planning policy framework within which we have had to work; and,
- find or develop evidence to support the Plan's Objectives identified through local community consultation.

This has then been applied to the development of our policies, which were in turn, scrutinised by the local planning authority officers to provide comments on alignment with the policies in the adopted Local Plan prior to finalising the draft Plan.

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<sup>14</sup> See <http://www.legislation.gov.uk/ukxi/2012/637/regulation/15/made>

<sup>15</sup> See <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

<sup>16</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2>

Our consultation process fulfils the requirements set out in Neighbourhood Planning Regulations (as detailed in our Consultation Statement).

We believe that our Plan meets the requirements and objectives of the National Planning Policy Framework (NPPF), has had regard to national policy and advice and, in alignment with paragraph 15 in the NPPF is a “succinct and up-to-date” Plan which provides “...a positive vision for the future of...[our]...area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”

A positive vision has been developed through consultation, which in turn was identified through local consultation and analysis of written evidence. Our consultation has provided local people with the opportunity to engage with the process of developing the Plan, from its inception through to the drafting of the policies and Plan itself. We have drafted our policies in a way which provides positive criteria to aid the practical consideration of planning applications whilst also setting out a clear framework of how our high quality and valued environment should be respected and enhanced now and in the future.

The wording of our policies has been ‘tested’ by planning officers at the local planning authority, and we anticipate therefore, that they can be used effectively as a practical framework in the planning system’s decision-making process.

The following table sets out how we consider the Plan has had regard to national policies by setting out the key paragraphs / policies from the NPPF (wording abridged) which relate to what our policies are seeking to achieve. The table is not intended to provide an exhaustive list of every connection between the NPPF and our policies, rather, an indication that our policies align with the NPPF.

For ease of reference, a composite of our Plan policies is appended to this Statement (see Appendix 1).

<b>How the Neighbourhood Plan has had regard to the National Planning Policy Framework</b>	
<b>Neighbourhood Development Plan Policies</b>	<b>Summary of key NPPF paragraphs which relate to and / or are responded to by the Neighbourhood Plan policy</b>
Policy SD1: High-quality Design in New Developments	<p>8b. ...support strong, vibrant and healthy communities...by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.</p> <p>8c. Mitigating and adapting to climate change, including moving to a low carbon economy...</p> <p>Section 12. Achieving well-designed places.</p> <p>126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process...</p> <p>128. ...Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety...</p>
Policy SD2: Sustainable Design in New Developments	<p>129. Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents...</p> <p>130. Planning policies and decisions should ensure that developments: c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.</p> <p>185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>
Policy COM1: Engaging with the Community on Major Development Proposals	<p>39. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.</p>



<b>How the Neighbourhood Plan has had regard to the National Planning Policy Framework</b>	
<b>Neighbourhood Development Plan Policies</b>	<b>Summary of key NPPF paragraphs which relate to and / or are responded to by the Neighbourhood Plan policy</b>
Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets	8a. ...help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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.
Policy COM3: Protecting Sports Facilities, Amenities and Assets	8b. fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being...
Policy COM4: Enhancing Sports Facilities, Amenities and Assets	84. Planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
Policy COM5: Protecting Community "Services"	93c. Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs...
Policy GI1: Local Green Space	8b. fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being... 101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them... 102. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and, c) local in character and is not an extensive tract of land. 103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.
Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat	8c. ...protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. 174a, b and d. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...

<b>How the Neighbourhood Plan has had regard to the National Planning Policy Framework</b>	
<b>Neighbourhood Development Plan Policies</b>	<b>Summary of key NPPF paragraphs which relate to and / or are responded to by the Neighbourhood Plan policy</b>
	<p>179. To protect and enhance biodiversity and geodiversity, plans should:...b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity...</p> <p>153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...</p>
Policy GI3: Protecting Trees from Loss as a Result of Development	<p>8b. fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being...</p> <p>131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users...</p>
Policy GI4: New Trees and Planting	
Policy TAC1: Improving Transport, Accessibility and Connectivity	<p>104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <p>a) the potential impacts of development on transport networks can be addressed;</p>
Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network	<p>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</p> <p>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</p>
Policy TAC3: Electric Charging Points for Plug-in Vehicles	<p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p>

<b>How the Neighbourhood Plan has had regard to the National Planning Policy Framework</b>	
<b>Neighbourhood Development Plan Policies</b>	<b>Summary of key NPPF paragraphs which relate to and / or are responded to by the Neighbourhood Plan policy</b>
Policy TAC4: E-cargo and Electric Vehicle Hub	<p>106. Planning policies should: d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking...</p> <p>100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p>
Policy EE1: Small Employment Units and Hubs to Support the Local Economy	<p>8a. Help build a strong, responsive and competitive economy...</p> <p>81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.</p> <p>82. Planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration...</p>

## B. The making of the Plan contributes to the achievement of sustainable development

The Neighbourhood Development Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the Local Plan. The NPPF sets three overarching objectives which set the direction of travel of the delivery of sustainable development in the planning system. These are reproduced below from paragraph 8.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

We have produced a sustainability matrix which tests the policies of the Plan against the broad social, economic and environmental sustainability objectives of the NPPF set out in paragraph 8. Consideration and testing of the Plan in this way helps us demonstrate that we have paid close attention to the achievement of sustainable development, and supplements the Strategic Environmental Assessment (SEA) screening which focuses on environmental issues. The assessment uses a traffic light system to indicate the degree of contribution to the objectives of sustainable development. It is important to note that any testing done in this way will have a degree of subjectivity attached and the traffic light system presents a “direction of travel” and is used simply to show that we have considered the NPPF objectives against the policies in the Plan. When considering the indicators given, readers are encouraged to remember that the testing takes close notice of the wording of the NPPF objectives, and not necessarily an “obvious” link between a policy title or content and the headlines of “economic”, “social” and “environmental”. A “red” indicator does not mean that it is a poor policy or is some way “wrong”, but simply reflects that some policies can have a negative impact in relation to a specific objective, particularly when considered in isolation to other policies which could introduce sufficient balance or mitigation.

The key for the matrix is as follows.

++	Strongly supports the objective
+	Supports the objective
N	Is neutral in effect
-	Potentially works against the objective
--	Strongly works against the objective
+/-	Effects uncertain *

\* this can reflect an assessment that the policy could work either positively or negatively, or in a neutral way, against the objective, depending on the type and / or location of proposal to which the policy is applied.

Policy	Objective			Commentary: contribution towards sustainable development objectives
	Social	Environmental	Economic	
Policy SD1: High-quality Design in New Developments				Seeks to introduce high quality design into new development.
Policy SD2: Sustainable Design in New Developments				Seeks to introduce sustainability into all design of development.
Policy COM1: Engaging with the Community on Major Development Proposals				Seeks to ensure that development proposals can fully respond to the social objective of the NPPF.
Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets				Seeks to ensure that development proposals can fully respond to the social objective of the NPPF.
Policy COM3: Protecting Sports Facilities, Amenities and Assets				Seeks to ensure that development proposals can fully respond to the social objective of the NPPF.
Policy COM4: Enhancing Sports Facilities, Amenities and Assets				Seeks to ensure that development proposals can fully respond to the social objective of the NPPF.
Policy COM5: Protecting Community “Services”				Seeks to ensure that development proposals can fully respond to the social objective of the NPPF.
Policy GI1: Local Green Space				Seeks to protect green space areas of local value given the social and environmental benefit they give to the community.
Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat				Seeks to protect areas of environmental value from inappropriate change.
Policy GI3: Protecting Trees from Loss as a Result of Development				Seeks to protect and support trees within the context of their landscape significance and contribution to biodiversity, habitats, climate change and local air quality and the contribution they can continue to make in the future through new provision.
Policy GI4: New Trees and Planting				Seeks to support all objectives with a focus on improving accessibility for the community while actively supporting climate change objectives.
Policy TAC1: Improving Transport, Accessibility and Connectivity				
Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network				

Policy	Objective			Commentary: contribution towards sustainable development objectives
	Social	Environmental	Economic	
Policy TAC3: Electric Charging Points for Plug-in Vehicles				
Policy TAC4: E-cargo and Electric Vehicle Hub				
Policy EE1: Small Employment Units and Hubs to Support the Local Economy				Supports a sustainable local economy with planning policy which supports a scale and type of employment provision which fits with the local rural economy alongside existing strategic provision which already exists.

We have demonstrated how our Plan's policies fit with and support the sustainability objectives of the NPPF. It follows, therefore, that our policies also align with the sustainable development policies in the adopted Local Plan reproduced below. This is reinforced by the local planning authority not identifying any issues of alignment or policies not being in general conformity with either the sustainable development policies in the adopted Local Plan, nor with any other strategic policies.

The Neighbourhood Development Plan's policies provide the local detail necessary to enable effective application of national and strategic policies at the local level. Our policies establish a positive local policy framework to help ensure that proposals result in sustainable development outcomes in the Parish. Our Plan and its policies contribute positively to the achievement of sustainable development.

## Policy S1

### Sustainable development priorities

The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:

- a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;
- b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;
- c) Ensuring the vitality of town centres and communities through a hierarchy of centres, defined town centre shopping areas, a diverse retail offer at Tiverton, Crediton and Cullompton, through controls on Junction 27 retail and support for the vitality and viability of defined villages;
- d) Supporting a prosperous rural economy through the conversion of suitable existing buildings and well-designed new buildings in suitable locations, diversification of agricultural and other land-based businesses, support for equestrian activities, retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure development;
- e) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;
- f) Supporting high quality communications infrastructure by supporting the expansion of telecommunications and high speed broadband throughout Mid Devon;
- g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for the elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches;
- h) Requiring good sustainable design that respects local character, heritage, surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place;
- i) Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way, recreational trails, accessible land and other green infrastructure, and opportunities for sport and recreation and the designation of Local Green Space;
- j) Meeting the challenge of climate change by supporting a low carbon future, energy efficiency, increasing the use and supply of renewable and low carbon energy, managing flood risk and conserving natural resources. Encourage the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land;
- k) Conserving and enhancing the natural environment by protecting and enhancing valued landscapes including the Blackdown Hills Area of Outstanding Natural Beauty, Exmoor and Dartmoor National Parks, providing accessible green infrastructure, and preventing significant harm to soil, air, water, noise and visual quality, in particular air quality as a local issue at Crediton and Cullompton;
- l) Minimising impacts on biodiversity and geodiversity by recognising the wider benefits of ecosystems, delivering natural environment objectives, providing a net gain in biodiversity and by the protection of international, European, national and local designated wildlife sites; and

- m) Conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes.

### C. The making of the 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)

This section sets out our interpretation of how our policies are in general conformity<sup>17</sup> with the strategic policies of the Local Plan.

Our Plan's policies uphold and support the general principle of the Local Plan's strategic policies identified below, demonstrate no conflict with the strategic policies to which they relate, and provide added value and local specificity.

Our Plan clearly sets out the rationale behind our evidence-based policies (our evidence base comprising local studies, written data and research and local and strategic consultation responses).

Throughout the process of Plan and policy development we have liaised closely with officers at the local planning authority to help ensure that our policies are in general conformity with the strategic policies of the Local Plan. At no point has the local planning authority indicated that the policies in this Submission version of the Plan are not in general conformity with the adopted Local Plan.

The following table "maps" each of our policies alongside the **most relevant** (not all related) strategic policies in the Local Plan. We have suggested how we consider that the Neighbourhood Development Plan policy is in general conformity with the strategic policies (and alignment with non-strategic policies) to which it relates.

**The table below does not seek to reiterate the rationale behind our policies, which is clearly expressed in the Plan itself, nor does it seek to spell out what the policy is about which, again, is clear in the Plan.**

We consider that all of our policies are in general conformity with the strategic policies of the Local Plan.

For the purposes of the assessment table which follows, the local authority has confirmed that the "strategic policies" of the Local Plan are those set out in section 2 of the adopted Local Plan. However, we also consider that our policies align with and add value and local specificity to other non-strategic policies in the adopted Local Plan.

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<sup>17</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> "General conformity" is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: 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 in 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."



Most Relevant Strategic Policies of the Local Plan	Neighbourhood Development Plan Policies	How does the Neighbourhood Development Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the Neighbourhood Development Plan policy and the strategic policy?</i>	<i>Whether the Neighbourhood Development Plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
S1: Sustainable development priorities S9: Environment	Policy SD1: High-quality Design in New Developments	Yes	None	Yes. The policies align with strategic policies. They provide a locally specific layer of policy drawing attention to high quality and sustainable design aspects which are of particular importance in the Parish. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S9: Environment	Policy SD2: Sustainable Design in New Developments	Yes	None	
S1: Sustainable development priorities	Policy COM1: Engaging with the Community on Major Development Proposals	Yes	None	Yes. The policy aligns with strategic policies. The policy responds positively to issues raised by the community as important during several rounds of local consultation and gives reassurance that the process, in relation to land-use proposals, will take proper account of the local desire to discuss major development proposals as they are developed.
S1: Sustainable development priorities S8: Infrastructure	Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets	Yes	None	Yes. The policies align with strategic policies. They respond positively to issues around social and community cohesion raised as particularly important during several rounds of local consultation. They look to protect and support local facilities, specifically naming them and adding value and local granularity to the
S1: Sustainable development priorities S8: Infrastructure	Policy COM3: Protecting Sports Facilities, Amenities and Assets	Yes	None	

Most Relevant Strategic Policies of the Local Plan	Neighbourhood Development Plan Policies	How does the Neighbourhood Development Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the Neighbourhood Development Plan policy and the strategic policy?</i>	<i>Whether the Neighbourhood Development Plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
S1: Sustainable development priorities S8: Infrastructure S13: Villages	Policy COM4: Enhancing Sports Facilities, Amenities and Assets	Yes	None	strategic policies. The policies respond positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S8: Infrastructure	Policy COM5: Protecting Community “Services”	Yes	None	
S1: Sustainable development priorities S9: Environment	Policy GI1: Local Green Space	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy derived from our environmental evidence base material, including our assessment of Local Green Space (LGS) opportunities. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S9: Environment S14: Countryside	Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy derived from our environmental evidence base material. The policy responds positively to issues raised by the community as important during several rounds of local consultation.

Most Relevant Strategic Policies of the Local Plan	Neighbourhood Development Plan Policies	How does the Neighbourhood Development Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the Neighbourhood Development Plan policy and the strategic policy?</i>	<i>Whether the Neighbourhood Development Plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
S1: Sustainable development priorities S9: Environment S14: Countryside	Policy GI3: Protecting Trees from Loss as a Result of Development	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy derived from our environmental evidence base material. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S9: Environment	Policy GI4: New Trees and Planting	Yes	None	
S1: Sustainable development priorities S8: Infrastructure	Policy TAC1: Improving Transport, Accessibility and Connectivity	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy which highlights specific projects in the Parish which would be supported should they come forward. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S8: Infrastructure	Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy which highlights the importance of protecting our local footpath, bridleway and cyclepath network to maintain accessibility. The policy responds positively to issues raised by the community as important during several rounds of local consultation.

Most Relevant Strategic Policies of the Local Plan	Neighbourhood Development Plan Policies	How does the Neighbourhood Development Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the Neighbourhood Development Plan policy and the strategic policy?</i>	<i>Whether the Neighbourhood Development Plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
S1: Sustainable development priorities S8: Infrastructure	Policy TAC3: Electric Charging Points for Plug-in Vehicles	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy which responds positively to a policy area not fully covered by the strategic policies. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S8: Infrastructure	Policy TAC4: E-cargo and Electric Vehicle Hub	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy which responds positively to our desire to help facilitate and accommodate potential future needs in relation to a changing vehicles and necessary infrastructure. The policy responds positively to issues raised by the community as important during several rounds of local consultation.
S1: Sustainable development priorities S6: Employment S13: Villages	Policy EE1: Small Employment Units and Hubs to Support the Local Economy	Yes	None	Yes. The policy aligns with strategic policies. It provides a locally specific layer of policy which seeks to support the local economy, based on our understanding of local needs and demand. The policy responds positively to issues raised by the community as important during several rounds of local consultation.

## **Rationale for the approach taken and the evidence to justify that approach**

The fourth question regarding general conformity is a question of justifying the approach and setting out the rationale behind Neighbourhood Development Plan policies. The response is the same in relation to all of our policies. The Plan and its policies have been developed following due process, good practice and legislative requirements. Between this Statement, the Consultation Statement and the supporting / justification text in the Plan itself, we have clearly set out the rationale behind the policies and the approach taken and the evidence we have gathered to justify them.

Our vision, aims and objectives were based on identification of the key issues of concern for residents in the Parish and informed by the evidence base material we gathered on planning policies, constraints and designations and our understanding, as a Parish Council, of the key planning issues facing us in recent years and the challenges posed for the future. We have paid close attention to the Local Plan and have been advised on general conformity of the Neighbourhood Development Plan policies with the strategic policies, and alignment with national policies, by both our consultants and officers at the Council.

### **D. The making of the plan does not breach, and is otherwise compatible with, EU obligations**

It is our understanding that the EU obligations specified have been transposed into UK law and until replaced specifically by a UK Act of Parliament, still apply as set out in the EU obligations.

The local planning authority was formally asked for its opinion of whether the Plan required a Strategic Environmental Assessment (SEA) and / or Habitats Regulation Assessment (HRA).

A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) and / or a Habitats Regulation Assessment (HRA) would be required.

#### **Habitats Regulation Assessment**

In screening the draft Plan for HRA, the local planning authority concluded that our Plan did not require Appropriate Assessment. The report setting out the process of screening and the conclusion is available to view on our website<sup>18</sup>.

#### **Strategic Environmental Assessment**

Based on the policies in the draft Plan, the local planning authority concluded that our Plan did not require SEA.<sup>19</sup>

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<sup>18</sup> See <https://willand-pc.org.uk/https-www-willand-pc-org-uk-wp-content-uploads-2023-02-willand-pre-submission-neighbourhood-plan-v-4-1-20-02-23-pdf/>

<sup>19</sup> See <https://willand-pc.org.uk/https-www-willand-pc-org-uk-wp-content-uploads-2023-02-willand-pre-submission-neighbourhood-plan-v-4-1-20-02-23-pdf/>

## European Convention on Human Rights

The Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights<sup>20</sup> and complies with the Human Rights Act 1998<sup>21</sup>.

To help illustrate how we have considered the impact of the policies in the Plan on all groups with “protected characteristics” as defined by the Equalities Act 2010 we have provided a matrix assessment which explores our Plan’s policies’ relationships with groups with protected characteristics. The assessment is not intended to be a full Equality Impact Assessment.

Assessing our policies alongside the protected characteristics suggests that the policies in the Neighbourhood Development Plan do not disadvantage any groups. The assessment matrix is set out in Appendix 2.

### **E. The prescribed conditions are met in relation to the plan and prescribed matters complied with in connection with the proposal for the plan**

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>22</sup> sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. We understand that, currently, there are no additional relevant prescribed conditions which the Neighbourhood Development Plan needs to meet.

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<sup>20</sup> These are the right to life, the right to a fair hearing, the right to respect for private and family life, freedom of expression, freedom of thought, conscience and religion and the protection of property.

<sup>21</sup> See <https://www.legislation.gov.uk/ukpga/1998/42/contents>

<sup>22</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

## Appendices

## Appendix 1: Composite of Neighbourhood Plan Policies

### **Policy COM1: Engaging with the Community on Major Development Proposals**

Proposers of major development (on sites of 10 or more dwellings) are strongly encouraged to engage with the local community and Parish Council, prior to submission of a planning application to the Local Planning Authority, to help ensure that proposals take into account both this Plan's Aims and Objectives and the views of the local community.

### **Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets**

1. Existing community facilities, amenities and assets (as identified on Map 5 and listed below) are locally valued and will be protected for community use. Their loss will not normally be supported:

- i) Willand Village Hall and Youth Club;
- ii) Willand Health and Community Centre;
- iii) St Mary's Church Hall;
- iv) St Mary's Church;
- v) Willand Methodist Church;
- vi) Willand Primary School;
- vii) Willand Pre-school; and,
- viii) Willand Nursery.

2. Proposals for new community facilities and those which result in the loss (redevelopment or change of use) of the named facilities, amenities and assets above will only be supported where:

- i) they meet the requirements of Local Plan Policy DM23: Community Facilities; and,
- ii) they do not have an adverse impact on the special character of the area's natural and built environments.

3. Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals take into account both this Plan's Objectives, the needs of users and the views of the local community.

### **Policy COM3: Protecting Sports Facilities, Amenities and Assets**

1. Our main sport facilities and pitches are identified on Map 6 and are:

- i) Tennis Courts at Jubilee Field;
- ii) Digger (Fishing) Lakes; and,



- iii) the Willand Rovers Athletic Football Club ground.
2. Existing sports facilities and pitches will be protected from loss. Where loss of a facility or pitch is unavoidable, it will be supported only where:
- i) redevelopment of the existing site includes an alternative type of community use, space or access;
  - ii) alternative replacement provision is made within the Plan area and to a better quality and quantity than the facility and / or pitches being lost;
  - iii) provision ensures community access through a community use agreement, s106 agreement or other enforceable legal agreement;
  - iv) that the proposal demonstrates how it has taken into account the most up-to-date Local Planning Authority Playing Pitch Strategy and / or Sports Facility Strategy; and,
  - v) proposals for replacement to mitigate loss satisfactorily meet the most up-to-date policy requirements of Sport England and relevant sports governing bodies.
3. Where replacement cannot be achieved in the Plan area, a section 106 planning obligation (financial contribution), in lieu of replacement, will be made to ensure that provision is enhanced at other existing facilities, amenities and assets.

**Policy COM4: Enhancing Sports Facilities, Amenities and Assets**

1. Where relevant, development, refurbishment or redevelopment proposals for sports will be supported where they :
- i) deliver or contribute towards improving quality and / or capacity to accommodate demand at existing facilities and / or pitches through on-site improvements, enhancements or extension; and / or,
  - ii) deliver or contribute towards identified opportunities and / or resolve identified constraints; and / or,
  - iii) secure or improve the financial viability of long-term use of facilities and pitches;
- and;
- iv) do not exacerbate identified constraints or challenges on or associated with the site and proposal; and,
  - v) satisfactorily mitigate adverse impacts which arise from the proposal.
2. If proposals for additional or improved facilities and / or pitches to accommodate demand arising from development proposals are not feasible or viable on-site, off-site provision or financial contributions towards provision should be made within the Plan area.

### **Policy COM5: Protecting Community “Services”**

**1. Our locally valued “services” which support the vitality of the community are identified on Map 5, and are:**

- i) Willand Post Office;**
- ii) General Practitioners (GP) Surgery;**
- iii) Willand Pharmacy;**
- iv) Willand Garage (petrol station), Bluebell Restaurant / Café and Hairdressers;**
- v) Fish and Chip shop (Clarke’s);**
- vi) Co-op;**
- vii) One Stop; and,**
- viii) Halfway House Public House.**

**2. Development proposals (which require planning permission) which result in the loss to alternative uses of community “services” which support the vitality of the community will only be supported where:**

- i) it can be satisfactorily demonstrated that the use is no longer viable having been publicly and openly marketed for sale, lease and / or rent (under current and other ownership models) for a minimum of 12 months for a similar use, unless there is robust local evidence for a shorter timeframe; or,**
- ii) a replacement use or provision is proposed (and will be delivered) on an alternative site within the Plan area; or,**
- iii) the proposed alternative use would provide equal or greater benefits for the local economy and community than the current use.**

### **Policy GI1: Local Green Space**

**1. Our locally valued green spaces are identified on Map 7 (and Appendix 2) and are designated as Local Green Space in accordance with the requirements of the National Planning Policy Framework. These areas will be protected for their local environmental, heritage and / or recreational value. Willand’s Local Green Spaces are:**

- i) Aspen Close / Myrtle Close;**
- ii) Beech Close;**
- iii) Chestnut Drive / Maple Close;**
- iv) Culm Valley Trail (North);**
- v) Culm Valley Trail (South);**
- vi) Greenwood;**
- vii) Harpitt Close;**
- viii) Jubilee Playing Field / Gables Lea;**
- ix) Mallow Court;**
- x) Orchard Way;**
- xi) Rectory Close;**

- xii) Rowan Lea;
- xiii) St Mary's Churchyard;
- xiv) South View;
- xv) Sycamore Close;
- xvi) Townlands;
- xvii) Victoria Close / Blenheim Drive;
- xviii) Victoria Close;
- xix) Willand Allotments;
- xx) Willand Moor Road / Buttercup Road;
- xxi) Willand Moor Road;
- xxii) Willand Moor Road / Poppy Close;
- xxiii) Willand Parish Cemetery; and,
- xxiv) Worcester Crescent.

2. Development that would harm the openness and / or special character of a Local Green Space or its significance and value to the local community will not be permitted unless the proposal can demonstrate very special circumstances that outweigh the harm to the Local Green Space.

3. Any development of such areas will be managed in accordance with national policy for Green Belt.

#### **Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat**

1. Our locally valued areas of biodiversity, geodiversity and habitat are identified on Map 8 and are:

- i) Culm River Corridor;
- ii) Five Bridges / M5 Corridor;
- iii) Meadow Park / Maple Close / Rowan Lea Woodland;
- iv) Spratford Stream Corridor (North);
- v) Spratford Stream Corridor (South);
- vi) Tiverton Junction Woodland Belts; and,
- vii) Uffculme Road Woodland.

2. These areas will be protected (and enhanced where possible) as areas important in supporting wildlife habitats, biodiversity and geodiversity and their role within the wider network of green infrastructure. Significant harm will not be supported. Green corridors linking these areas will also be protected.

3. Proposals which result in the unavoidable significant harm to these areas (in whole or in part) will only be supported where:

- i) The proposal is specific to that use and role of the site; and,
- ii) The area (quality, land area and habitat, biodiversity and geodiversity value) can be satisfactorily replaced within the Parish with net gains in biodiversity.

**4. Proposals on or affecting these sites should demonstrate how they have responded to the requirements of this policy through an ecological assessment.**

**Policy GI3: Protecting Trees from Loss as a Result of Development**

- 1. Where development proposals are on a site on which trees exist, these existing trees will be retained wherever possible for the contribution they make to reducing air pollution, softening the built landscape, providing shade in the summer months (urban cooling), good mental health, carbon sequestration and biodiversity.**
- 2. Where the loss of a tree or trees is unavoidable, proposals will replace trees to an equivalent maturity where feasible and in all cases to the same scale, effect or massing of trees to ensure an equivalent contribution to local biodiversity, air quality and health, and carbon sequestration, on the site or within close proximity if on-site mitigation is not feasible. Where replacement of trees is required on-site or off-site to mitigate loss, policy GI4 will also be relevant.**

**Policy GI4: New Trees and Planting**

**Development proposals which include the provision of trees and other planting to enhance the environment should ensure that:**

- i) the trees are of a species, size and massing appropriate to the immediate setting;**
- ii) planting and trees in foliage allow adequate access to buildings within their setting through adoption and implementation of an appropriate management and maintenance programme;**
- iii) trees and planting areas are designed and contained in such a way as to prevent future problems from roots to the planting structure (where relevant), paving surface and underground structures and infrastructure; and,**
- iv) species are planted which are resilient to likely changes in the climate and weather patterns.**

**Policy TAC1: Improving Transport, Accessibility and Connectivity**

**1. Our Transport, Accessibility and Connectivity Plan is set out on Map 12 and identifies the key transport and accessibility constraints, opportunities and the network's key features' contribution to Willand's character, across modes. Where relevant, development proposals will be supported which:**

- i) deliver identified opportunities and / or resolve identified constraints; and / or,**
- ii) do not erode key features' contribution to the built and landscape character of Willand; and / or,**

iii) do not exacerbate identified constraints or satisfactorily mitigate adverse impacts which arise from the proposal.

2. Development proposals should contribute positively to reducing, adapting to and mitigating the locally generated impacts which would result in increasing factors related to climate change and contribute positively to moving the Parish up the sustainable transport hierarchy.

3. Development proposals should, where relevant, improve accessibility for all through consideration of disability access including (but not limited to) direct route desire lines between crossing points at dropped and tactile kerbs, pavement widths which allow for mobility vehicles to pass alongside other users and cycle lanes, and facilitate good access to public buildings, business premises, shops and services.

5. Development proposals should not exacerbate existing problems related to traffic flow, off-street parking capacity and the capacity of the road network to accommodate movement at peak travel times, and enhance road safety where feasible.

#### **Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network**

1. Development proposals which result in the loss of public footpaths, bridleways and cycle paths or reduce permeability within the settlement limits boundary will not be supported.

2. Proposals on or affecting existing or for new Rights of Way and other public non-vehicular routes (for example, which could enhance accessibility to local amenities, community facilities and services) should, where relevant:

- i) help to increase opportunities for recreational access to and within the countryside;
- ii) better link existing areas of green infrastructure and Local Green Space used for recreational purposes;
- iii) help to retain and enhance safe and easy pedestrian and cycle access to local amenities including the school, community and sports facilities and assets and services;
- iv) ensure permeability through the built area and desire line access for pedestrians, those with impaired mobility and disabilities, and cyclists;
- v) provide safe routes with appropriate lighting, where necessary;
- vi) provide sufficiently wide pedestrian pavements for use by passing wheelchairs, mobility vehicles and pushchairs;
- vii) have no adverse impact on landscape or built character or such impacts are satisfactorily mitigated; and,
- viii) meet the most up-to-date standards of design (including preferable use of permeable and / or utilising sustainable drainage systems (SuDS) where feasible).

#### **Policy TAC3: Electric Charging Points for Plug-in Vehicles**

1. Development proposals for the provision of electric vehicle charging points, where planning permission is required, will be supported where they have no significant adverse impact on:

- i) safe and good accessibility of pedestrians, those with impaired mobility and the disabled and cyclists along footpaths and cycle paths; and,
- ii) the character of the built and natural environment where relevant.

2. Proposals for commercial charging “stations” or “hubs” on existing fuel station locations, or new bespoke facilities, will be supported, subject to other policies in the development plan.

**Policy TAC4: E-cargo and Electric Vehicle Hub**

Development proposes for, or which support the delivery of, an e-cargo exchange and electric vehicle sustainable transport hub at the northern end of Willand village will be supported.

**Policy EE1: Small Employment Units and Hubs to Support the Local Economy**

1. Development proposals for the creation of flexible work hubs, workshops and other business premises to support micro, small and medium sized local businesses will be supported within the settlement limit boundary, subject to other policies in the development plan, and where they do not have an unacceptable adverse effect on the local amenity enjoyed by existing neighbouring uses and residents.
2. Proposals which also provide community access or facilities will be particularly welcomed.

## Appendix 2 – Neighbourhood Plan Policies and Protected Characteristics Matrix

While it could be considered that all policies should have a positive impact on all groups, and which is the overall intention of the Plan, its vision, aims and objectives, our approach to this matrix assessment has been to assume that there is no discernible impact in a positive or negative way on any group as a starting point, then to consider if any policy has a particular or specific positive or negative impact on that group. For example, some policies are written and designed to target support for particular needs or groups and in those cases a neutral indicator would turn green / positive.

The policy matrix below sets out our view of how policies impact on these groups. The key for the matrix is as follows:

+	<i>Positive impact</i>
N	<i>Neutral/no discernible impact</i>
--	<i>Negative impact</i>

Policy	Age	Sex	Disability	Race	Religion & belief	Marriage & civil partnership	Pregnancy & maternity	Sexual Orientation	Gender Reassignment
Policy SD1: High-quality Design in New Developments									
Policy SD2: Sustainable Design in New Developments									
Policy COM1: Engaging with the Community on Major Development Proposals									
Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets									
Policy COM3: Protecting Sports Facilities, Amenities and Assets									
Policy COM4: Enhancing Sports Facilities, Amenities and Assets									
Policy COM5: Protecting Community “Services”									
Policy GI1: Local Green Space									
Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat									
Policy GI3: Protecting Trees from Loss as a Result of Development									
Policy GI4: New Trees and Planting									

Policy	Age	Sex	Disability	Race	Religion & belief	Marriage & civil partnership	Pregnancy & maternity	Sexual Orientation	Gender Reassignment
Policy TAC1: Improving Transport, Accessibility and Connectivity	■	■	■	■	■	■	■	■	■
Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network	■	■	■	■	■	■	■	■	■
Policy TAC3: Electric Charging Points for Plug-in Vehicles	■	■	■	■	■	■	■	■	■
Policy TAC4: E-cargo and Electric Vehicle Hub	■	■	■	■	■	■	■	■	■
Policy EE1: Small Employment Units and Hubs to Support the Local Economy	■	■	■	■	■	■	■	■	■