

# **Farringdon Neighbourhood Plan**

## **Basic Conditions Statement**

**Farringdon Parish Council**

**July 2020**

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## Introduction

The Farringdon Neighbourhood Plan has been produced by Farringdon Parish Council, as the ‘qualifying body’ with overall responsibility for the preparation, consultation, and submission of the Neighbourhood Plan. The development of the Plan and management of the process was marshalled by a Neighbourhood Plan Steering Group comprised of members of the community and parish councillors.

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

The ‘Basic Conditions’ are a set of conditions that a neighbourhood plan must pass, for it to proceed to referendum. In relation to neighbourhood plans, a plan will pass the basic conditions if:

- A. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
- B. the making of the plan contributes to the achievement of sustainable development
- 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)
- D. the making of the plan does not breach, and is otherwise compatible with, EU obligations
- E. 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>1</sup>.

This Basic Conditions Statement for Farringdon is submitted alongside the Neighbourhood Plan. In submitting the Statement and, through its content demonstrate 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’, must submit as part of the neighbourhood plan proposal. Regulation 15(1)<sup>2</sup> states 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).

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<sup>1</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/>

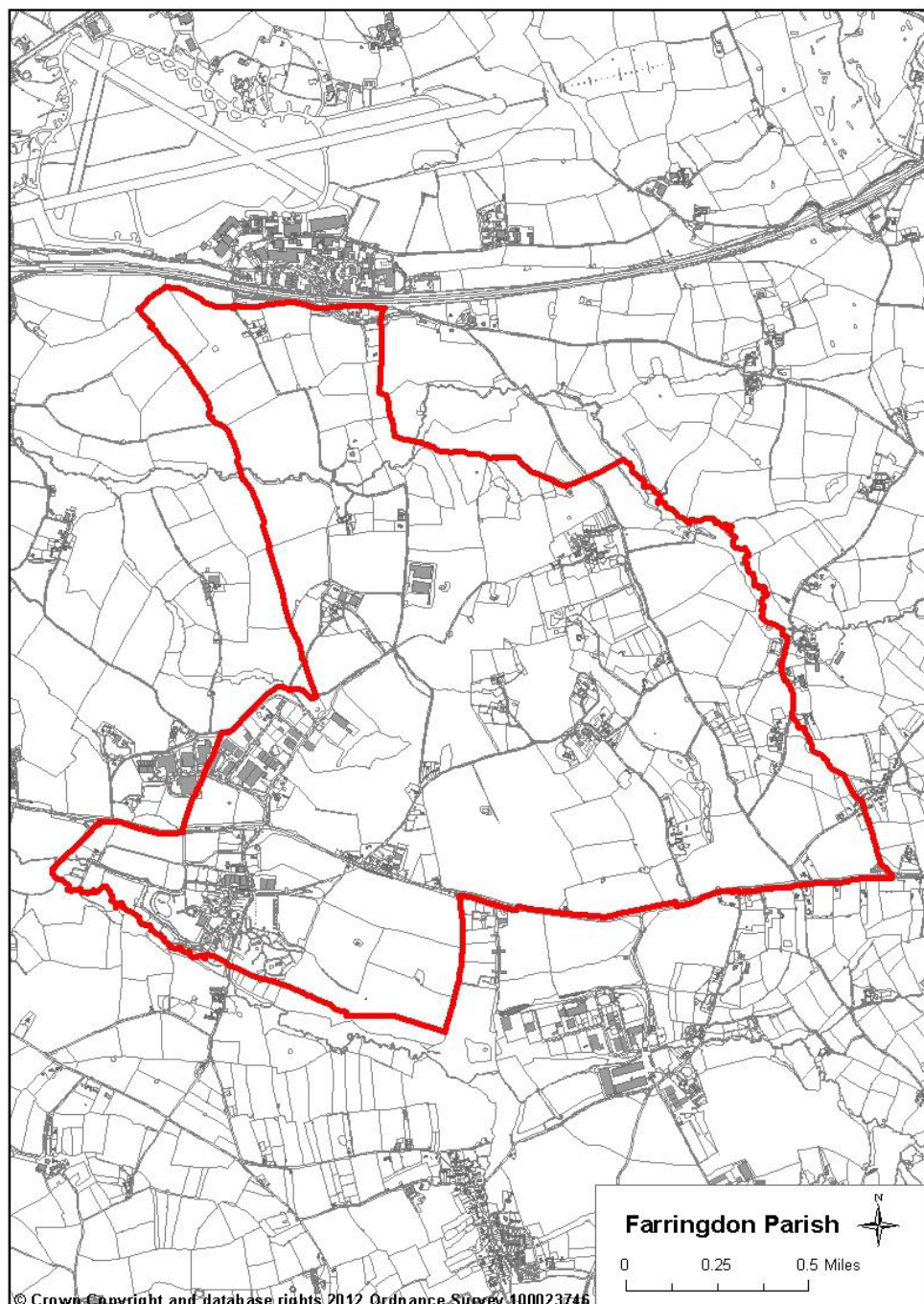
<sup>2</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

## Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the 'qualifying body' for neighbourhood planning has the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to East Devon District Council as the local planning authority in October 2015. This application, using East Devon District Council's standard pro forma, is reproduced in Appendix 1 to this Statement.

Following a six-weeks public consultation, our Neighbourhood Area was formally approved by East Devon District Council on 8<sup>th</sup> December 2015. Our approved Neighbourhood Area is the parish boundary for Farringdon and is indicated by the red boundary below in Figure 1.

**Figure 1 – Approved Farringdon Neighbourhood Area**



## Why do we need a Neighbourhood Plan?

Farringdon Parish is an area close to the city of Exeter that still manages to retain a sense of rurality. It has been regularly under pressure from developers in recent years. The new East Devon Local Plan has provided a strategic framework that designates the Parish as countryside and puts in place strategic policies, some of which, recognise the special character of our rural landscape and environment and address its vulnerability to development pressures.

Our reason for producing the Farringdon Neighbourhood Plan are:

- we wanted to develop local planning policies that influence the scale, type, design, and form of development which may come forward in the area between now and 2031;
- we wanted to have a say in shaping the future of our neighbourhood area including how our valued assets are protected and enhanced, and how community life can be more sustainable;
- we wanted to have some control over local planning matters and decisions;
- we wanted to ensure that new development had a limited but positive effect.

The Neighbourhood Plan has been developed with the full participation of local people as members of task groups and through a process of regular community consultation. This process is summarised in the introductory sections of the Neighbourhood Plan and set out in detail in the Consultation Statement that also accompanies the submitted Neighbourhood Plan.

Having explored the issues and identified the key themes, messages, and things of importance to the community, The Neighbourhood Plan has been framed around the following agreed aims and objectives:

### Farringdon Neighbourhood Development Strategy – Aims and Objectives

<b>Natural Environment and Countryside</b>
<b>Ensure changes are in the best interests of the countryside and natural environment</b>
<i>N1 - Safeguard sensitive natural habitats</i>
<i>N2 - Respect landscape character</i>
<i>N3 - Protect woodlands, trees and hedgerows</i>
<i>N4 - Encourage responsible farming practices</i>
<b>Built Environment and Housing</b>
<b>Enable sensitive and sustainable development</b>
<i>H1 - Ensure housing development meets a recognised local housing need</i>
<i>H2 - Ensure new development is of an appropriate scale and design</i>
<i>H3 - Encourage eco-friendly development</i>
<i>H4 - Set criteria for garden development</i>
<i>H5 - Reinforce the sense of a village centre</i>
<b>Business and Tourism</b>
<b>Support local enterprise if it doesn't conflict or intrude on rural life</b>
<i>B1 - Control the impact of industrial/commercial activity</i>
<i>B2 - Encourage appropriate types of small enterprise</i>
<i>B3 - Address barriers to home-working</i>
<i>B4 - Support small-scale tourism initiatives</i>
<b>Community Facilities and Services</b>
<b>Facilitate improvements to community facilities that serve local needs</b>
<i>C1 - Facilitate the development of a community hub</i>
<i>C2 - Support new and improved community facilities and spaces if needed</i>
<b>Transport</b>
<b>Facilitate improvements to the transport network in the interests of accessibility and safety</b>
<i>T1 - Support improvements and extensions to the footpath network and safe cycling routes</i>

## Summary of Compliance with Legislation

This section sets out how the Farringdon Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood 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>3</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>4</sup> sets out the qualifying body's entitlement to prepare a Neighbourhood 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 Plan has been prepared by Farringdon Parish Council as the 'qualifying body' for the purposes of Neighbourhood Planning.**

### Neighbourhood Area

The Neighbourhood Area (as shown in Figure 1) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)<sup>5</sup>. Both the application and the approval/decision notice are appended to this Statement (Appendices 1 and 2).

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

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>6</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>7</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."*

'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>8</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,*

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<sup>3</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>4</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

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

<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/ukpga/2011/20/schedule/9/enacted>

(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>9</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 Plan covers the period up until 2031, aligning with the plan period of the East Devon Local Plan
- our Neighbourhood Plan is the only Neighbourhood Plan for the Parish of Farringdon
- our Neighbourhood Plan does not contain policies relating to ‘excluded development’<sup>10</sup>
- our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 of this report
- our Neighbourhood Plan sets out policies in relation to the development and use of land

Given the importance of some of the issues and non-planning matters expressed by our community and the cross-cutting nature of some of these issues with planning and land-use matters, the consultation programme for the Neighbourhood Plan identified several matters important to the community, which need to be addressed outside of the remit of the Neighbourhood Plan. These were referred to the Parish Council. This, importantly, joins up and links actions required by the community which, while not dealt with by the planning system, are nevertheless important issues which relate to people, services, projects or how we live in our community.

### **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 Plan.

### **Basic Conditions**

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.<sup>11</sup>) have been met, as demonstrated in this Statement.

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

<sup>10</sup> No policy in the Neighbourhood Plan relates to county matters (mineral extraction and waste development) or to any Nationally Significant Infrastructure Projects

<sup>11</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/>

## Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012<sup>12</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 planning authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our Plan relates)
- Supporting Evidence Base Documents
- A Consultation Statement
- A Basic Conditions Statement (this document)

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<sup>12</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

## How our Neighbourhood Plan meets the Basic Conditions

### A. Having Regard to National Policies and Advice Contained in Guidance Issued by the Secretary of State

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy Farr1 Safeguarding the Natural Environment	NPPF para. 170 <i>Planning policies ..... should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value</i>	Policy Farr1 requires that development avoids the loss of local wildlife sites, and habitats, or harming the natural environment
Policy Farr2 Retaining Rural Character	NPPF para. 170 <i>Planning policies ..... should contribute to and enhance the natural and local environment by... recognising the intrinsic character and beauty of the countryside</i>	Policy Farr2 emphasises the need to respect and safeguard the rural environment of the Parish
Policy Farr3 Protecting Trees, Woodlands and Hedgerows	NPPF para. 175 - <i>development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons</i>	Policy Farr3 protects local wildlife sites and habitats
Policy Farr4 Extensions to Existing Dwellings	NPPF para. 127 - <i>Planning policies should ensure that developments: are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting;</i>	Policy Farr4 requires extensions to existing dwellings to be of good quality and sympathetic to local character and its setting
Policy Farr5 Self-Build and Custom-Built Dwellings	NPPF para. 61 - <i>Housing needed for different groups in the community should be assessed and reflected in planning policies including.... people wishing to commission or build their own homes</i>	Policy Farr5 provides for a limited number of self-build and custom-built dwellings in response to an identified local need
Policy Farr6 Existing Business and Commercial Areas	NPPF para. 83 - <i>Planning policies should enable... the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;</i>	Policy Farr6 supports development or redevelopment within existing business areas
Policy Farr7 Home-Based Businesses	NPPF para. 81 - <i>Planning policies should.... be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation)</i>	Policy Farr7 supports development that facilitates home-working
Policy Farr8 Tourism Development	NPPF para. 83 - <i>Planning policies should enable sustainable rural tourism and leisure developments which respect the character of the countryside</i>	Policy Farr8 supports sustainable rural tourism development, which respects the character of the countryside and its setting
Policy Farr9 Super-Fast Communication Infrastructure	NPPF para. 112 - <i>Planning policies should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.</i>	Policy Farr9 supports improvements to the area's electronic communications networks

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy Farr10 Existing Community Facilities	<i>NPPF para. 92 - Planning policies should.... ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community;</i>	Policy Farr10 supports improvements to community facilities to ensure they can continue to meet community needs
Policy Farr11 New Community Facilities and Services	<i>NPPF para. 92 - Planning policies and decisions should.... plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i>	Policy Farr11 supports the development of further community facilities that meet local needs
Policy Farr12 Walking and Cycling Routes	<i>NPPF para. 104 - Planning policies should... provide for high quality walking and cycling networks and supporting facilities such as cycle parking;</i>	Policy Farr12 supports improved walking and cycling networks

### **B. The Making of the Plan Contributes to the Achievement of Sustainable Development**

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the East Devon Local Plan. The tables below set out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant parts of the NPPF and East Devon Local Plan.

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p><i>There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:</i></p> <ul style="list-style-type: none"> <li><i>an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;</i></li> <li><i>a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and</i></li> <li><i>an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</i></li> </ul> <p>(Paragraph 7)</p>	<p>The Farringdon Neighbourhood Plan has embraced all three dimensions to sustainable development. The following policies of our Plan address the economic dimension of sustainable development: Policy Farr6 - Existing Business and Commercial Areas Policy Farr7 - Home-Based Businesses Policy Farr8 - Tourism Development Policy Farr9 - Super-Fast Communication Infrastructure</p> <p>The following policies of the Neighbourhood Plan address the social dimension of sustainable development: Policy Farr10 - Existing Community Facilities Policy Farr11 - New Community Facilities and Services Policy Farr12 - Walking and Cycling Routes</p> <p>The following policies of the Neighbourhood Plan address the environmental dimension of sustainable development: Policy Farr1 - Safeguarding the Natural Environment Policy Farr2 - Retaining Rural Character Policy Farr3 - Protecting Trees, Woodlands and Hedgerows</p>

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p><i>Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):</i></p> <ul style="list-style-type: none"> <li>● <i>making it easier for jobs to be created in cities, towns and villages;</i></li> <li>● <i>moving from a net loss of bio-diversity to achieving net gains for nature;</i></li> <li>● <i>replacing poor design with better design;</i></li> <li>● <i>improving the conditions in which people live, work, travel and take leisure; and</i></li> <li>● <i>widening the choice of high quality homes.</i></li> </ul> <p>(Paragraph 9)</p>	<p>The following policies in the Neighbourhood Plan are relevant to meeting the delivery of sustainable development in the interests of improving the quality of life of local parishioners, as outlined in this NPPF paragraph:</p> <p>Policy Farr2 – ensures development is sensitive to the rural character of the area</p> <p>Policy Farr4 – emphasises the significance of good design</p> <p>Policy Farr5 – improves living conditions</p> <p>Policy Farr7 – improves local working conditions</p> <p>Policy Farr12 – improves travelling conditions</p>
<p><i>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.</i></p> <p>(Paragraph 10)</p>	<p>As our Consultation Statement demonstrates we have carried out consultations with all parts of our community to ensure that the emerging Plan reflects their priorities and considered the options to deliver the development we need in a sustainable manner.</p>
<p><i>The application of the presumption (in favour of sustainable development) will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> <li>● <i>develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i></li> <li>● <i>plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and....</i></li> </ul> <p>(Paragraph 16)</p>	<p>We have developed the Neighbourhood Plan taking into account the strategic policies of the Local Plan, to ensure that the Neighbourhood Plan conforms to the overall development strategy for East Devon.</p>
<p><i>Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</i></p> <ul style="list-style-type: none"> <li>● <i>support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;</i></li> <li>● <i>promote the development and diversification of agricultural and other land-based rural businesses;</i></li> <li>● <i>support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</i></li> <li>● <i>promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</i></li> </ul> <p>(Paragraph 28)</p>	<p>The following policies in the Neighbourhood Plan are relevant to supporting economic growth and promoting a strong rural economy:</p> <p>Policy Farr6 – supports redevelopment of existing business areas</p> <p>Policy Farr7 – facilitates home-working</p> <p>Policy Farr8 – promotes small-scale tourism development</p> <p>Policy Farr9 – promotes better electronic communication</p>
<p><i>Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to</i></p> <ul style="list-style-type: none"> <li>● <i>accommodate the efficient delivery of goods and supplies;</i></li> <li>● <i>give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;</i></li> </ul>	<p>The following policies in the Neighbourhood Plan are relevant to facilitating more sustainable transport habits:</p> <p>Policy Farr12 – supports an improved walking and cycling network</p>

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<ul style="list-style-type: none"> <li>• <i>create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;</i></li> <li>• <i>incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport.</i></li> </ul> (Paragraph 35)	
<p><i>Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.</i></p> (Paragraph 42)	Policy Farr9 – supports improvements to the communications infrastructure
<p><i>The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.</i></p> (Paragraph 56)	Policies Farr4 and Farr 5 - emphasise the importance of appropriately sensitive, good design
<p><i>To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <ul style="list-style-type: none"> <li>• <i>plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></li> <li>• <i>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;</i></li> <li>• <i>ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and</i></li> <li>• <i>ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</i></li> </ul> (Paragraph 70)	The Neighbourhood Plan aims to ensure that we maintain a range of local recreation facilities that are flexible enough to accommodate a range of community activities and help ensure our community remains and becomes more sustainable.
<p><i>Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.</i></p> (Paragraph 183)	The neighbourhood planning process has brought the community closer together and enabled a positive dialogue to take place about what development is necessary and how it can be best accommodated and facilitated. Part of the process has been to agree what is important to us and how this can be protected and enhanced by development to realise our vision for the future.

East Devon Local Plan Policy	How our plan contributes towards this
<p>Strategy 3 - Sustainable Development:  <i>The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:</i></p> <p><i>a) Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land</i></p> <p><i>b) Prudent natural resource use - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged</i></p> <p><i>c) Promoting social wellbeing - which includes providing facilities to meet people’s needs such as health care, affordable housing, recreation space and village halls.</i></p> <p><i>d) Encouraging sustainable economic development - which includes securing jobs.</i></p> <p><i>e) Taking a long-term view of our actions - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.</i></p>	<p>The following policies provide example of how the Neighbourhood Plan reflects and complements the sustainability strategy of the Local Plan:</p> <p>Policy Farr1 – safeguards the natural environment  Policy Farr2 – respects natural assets  Policy Farr3 – protects trees and woodlands  Policy Farr7 – supports sustainable working practices  Policy Farr10 – protects social wellbeing  Policy Farr11 – supports social wellbeing  Policy Farr12 – promotes sustainable transport</p>
<p>Strategy 5 – Environment:  <i>All development proposals will contribute to the delivery of sustainable development, ensure conservation and enhancement of natural historic and built environmental assets, promote eco-system services and green infrastructure and geodiversity. Open spaces and areas of biodiversity importance and interest (including internationally, nationally and locally designated sites and also areas otherwise of value) will be protected from damage, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged through a combination of measures to include.....</i></p>	<p>The following policies provide example of how the Neighbourhood Plan address the environmental preservation and enhancement agenda of the Local Plan:</p> <p>Policy Farr1 - Safeguarding the Natural Environment  Policy Farr2 - Retaining Rural Character  Policy Farr3 - Protecting Trees, Woodlands and Hedgerows</p>
<p>Strategy 5B – Sustainable Transport  <i>Development proposals should contribute to the objectives of promoting and securing sustainable modes of travel and transport. Development will need to be of a form, incorporate proposals for and be at locations where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.</i></p>	<p>The following policies provide example of how the Neighbourhood Plan address the sustainable transport agenda of the Local Plan:</p> <p>Policy Farr12 - Walking and Cycling Routes</p>

The Farringdon Neighbourhood Plan has not been required to undertake a Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA). The explanation is set out in greater detail in Section D of this Report.

**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)**

<b>Neighbourhood Plan Paragraphs and/or Policies</b>	<b>East Devon Local Plan Strategic Policies</b>	<b>How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?</b>
Policy Farr1 Safeguarding the Natural Environment	S5 Environment S47 Nature Conservation and Geology	Policy Farr1 aims to conserve and enhance natural, historic and built environmental assets and minimise the loss or fragmentation of habitats
Policy Farr2 Retaining Rural Character	S7 Development in the Countryside S46 Landscape Conservation and Enhancement and AONBs	Policy Farr2 restricts development in the countryside and seeks to ensure it is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of the area
Policy Farr3 Protecting Trees, Woodlands and Hedgerows	S5 Environment S47 Nature Conservation and Geology	Policy Farr3 seeks to protect existing woodlands to preserve character and the green network
Policy Farr4 Extensions to Existing Dwellings	S48 Local Distinctiveness in the Built Environment	Policy Farr4 emphasises the importance of local distinctiveness in design and development to conserving local character
Policy Farr5 Self-Build and Custom-Built Dwellings	S7 Development in the Countryside	Policy Farr5 permits residential development only of a scale that will harm the distinctive landscape, amenity and environmental qualities within which it is located
Policy Farr6 Existing Business and Commercial Areas	S3 - Sustainable Development	Policy Farr6 seeks to ensure that the Parish will continue to offer local job opportunities in suitable locations
Policy Farr7 Home-Based Businesses	S31 Future Job and Employment Land Provision	Policy Farr7 encourages mixed use development and provision of employment uses close to where people live
Policy Farr8 Tourism Development	S33 Promotion of Tourism in East Devon	Policy Farr8 encourages sustainable tourism development that will not damage the natural assets of the area
Policy Farr9 Super-Fast Communication Infrastructure	S30 Inward Investment, Communication Links and Local Benefits	Policy Farr9 seeks to facilitate investment in the interests of improving electronic media links
Policy Farr10 Existing Community Facilities	S32 Resisting Loss of Employment, Retail and Community Sites and Buildings	Policy Farr10 supports development that will improve the viability and sustainability of community facilities
Policy Farr11 New Community Facilities and Services	S4 Balanced Communities	Policy Farr11 supports the provision of new community facilities that meet a local need and help create a more sustainable community
Policy Farr12 Walking and Cycling Routes	S5B Sustainable Transport	Policy Farr12 promotes and facilitates sustainable modes of travel and transport

#### ***D. The Making of the Plan Does Not Breach, and is Otherwise Compatible with, EU Obligations***

A screening process was carried out by East Devon District Council to determine whether a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and / or a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). Through consultation with the statutory environmental agencies, East Devon District Council advised us on the 4<sup>th</sup> January 2020<sup>13</sup> of its opinion that, based on the Pre-Submission Version, *“the Farringdon Neighbourhood Plan is unlikely to have a significant effect on the environment so a SEA is not required to accompany the Plan. It is also unlikely to have a negative impact on any Natura 2000 sites so should not be subject to HRA.”*

This Opinion was re-affirmed by East Devon District Council by email on 20<sup>th</sup> July 2020 when given sight of the proposed Submission Version of the Plan. *“...the changes arising from the Reg 14 consultation are not significant and in my opinion a revised SEA/HRA is unnecessary”*.<sup>14</sup>

The basic conditions concerning Habits and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.

Neighbourhood Plans are also required to take account of **European Human Rights** requirements. The Farringdon Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.

The principal parts of the European Convention on Human Rights that can be relevant to neighbourhood plans are: Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). In preparing the draft Neighbourhood Plan, Farringdon Parish Council, through its Steering Group, has acted in an open way, but always respecting the privacy of those participating. The interests of all sectors of the community have been taken into account, especially in ensuring that the Neighbourhood Plan would take account of the needs and aspirations of the more vulnerable members of our community including the elderly and disabled, and younger people – thus ensuring no unfair discrimination. The consultation process included all locally resident people in these groups as well as some organisations outside the plan area but with responsibilities or interests extending over some, or all, of the area of the draft Plan.

The Parish Council also believes that its policies will not affect property rights beyond the legitimate role of the town and country planning system in operation where policies are properly explained and justified.

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<sup>13</sup> <http://btckstorage.blob.core.windows.net/site378/Farringdon%20SEA%20HRA%20Jan%202020.pdf>

<sup>14</sup> Email from Neighbourhood Planning Officer, East Devon District Council, 20<sup>th</sup> July 2020

***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>15</sup> sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out one basic condition in addition to those set out in the primary legislation. This is:

- *the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2017) 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)*

The following European Designated sites are within 10km of Farringdon:

- East Devon Pebblebed Heaths Special Area of Conservation (SAC)
- Exe Estuary Special Protection Area (SPA)

It is the view of East Devon District Council that:

*“The Farringdon Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. It does not propose a level of development significantly over and above that in the adopted Local Plan (which was itself subject to HRA).”*

**Natural England** was consulted as part of the SEA screening process.

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<sup>15</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Appendix 1.

Neighbourhood Area Application

The Neighbourhood Planning (General) Regulations 2012

**Application for Designation of a Neighbourhood Area**



This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

<b>Which Town or Parish Council is applying to designate a neighbourhood area?</b>
FARRINGTON PARISH COUNCIL
If more than one Town or Parish Council are working in partnership, please give details of all parties
contact details -
contact details -
contact details -
contact details -
<input type="checkbox"/> Please confirm that all the parishes listed above agree to the application
<input checked="" type="checkbox"/> Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
<b>Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working? Where applications include sites in adjoining Parishes their agreement should be sought.</b>
<b>Please append a map identifying the area to which the area application relates.</b> ✓
<b>Please explain why this area is considered appropriate to be designated as a neighbourhood area</b>
FARRINGTON PARISH IS AN ALREADY EXISTING PARISH WITH AN ACCEPTABLE PARISH COUNCIL THAT REPRESENTS THE COMMUNITY
<b>Signed</b> [Redacted] <b>Date</b> 23/10/2015
<b>Position</b> CLERK + RFO TO FARRINGTON PARISH COUNCIL <b>Organisation</b> FARRINGTON PARISH COUNCIL

## Appendix 2.

### East Devon Delegated Decision Notice

The Neighbourhood Planning (General) Regulations 2012

**Delegated Authority request:**

**To designate Farringdon Parish as a Neighbourhood Area**



An application was received on 26.10.15 from Farringdon Parish Council to designate the Parish of Farringdon as a Neighbourhood Area. Delegated authority is being sought to designate the neighbourhood area as requested in the application.

The application has been publicised for 4 weeks on the District website and on the Parish noticeboards as required by the regulations. The proposal has been discussed at Parish meetings and the Environment Agency, Historic England, Natural England, neighbouring Parish Councils and Ward Members have been consulted. In this way it is considered to have been brought to the attention of those living, working and carrying out business in the area. The publicity notice is attached for information. At the time of writing the report, no objections have been received and Historic England, the Environment Agency and Natural England have responded offering general advice only. No reason to amend the area applied for has been put forward and the area is appropriate in terms of planning policy, therefore it is recommended that the Neighbourhood Area be approved as per the application.

If the area is designated, the Parish Council can commence production of a Neighbourhood Plan. If the area is not designated then reasons for refusal must be given.

Upon designation EDDC can apply for £5,000 grant funding from DCLG per Neighbourhood Area. Upon receipt of this money £2,000 is usually granted on to the Parish Council to assist with their costs, whilst the remaining £3,000 is retained towards District Council costs. Further stages of Neighbourhood Plan making will qualify for an additional £25,000 from DCLG to help EDDC meet referendum and examination costs.

Ward Member Comments:	Cllrs Mike Howe's comments are as follows: "I fully support all neighbourhood plans as it allows local policy's to be developed for the very local area so fully supportive of Farringdons attempt."	
Service Lead- Planning Strategy and Development Management	Signature	Date
		08/12/15

Date of this report 24.11.15

## Appendix 3

### SEA Screening Opinion by East Devon District Council<sup>16</sup> - Extracts

#### February 2020

Farringdon Neighbourhood Plan – Pre-Submission Version 2 (March 2020)

- 1.1 *The purpose of this report is to assess the draft proposals in the Farringdon Neighbourhood Development Plan (hereafter referred to as the FNP) to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. An SEA is required under this legislation for all plans which may have a significant effect on the environment.*
- 1.2 *This report will also screen to determine whether or not the FNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. An HRA is required when it is deemed that the implementation of the plan is likely to cause negative significant effects on protected European Sites (Natura 2000 sites).*
- 1.3 *The conclusion of the assessment is that the FNP is unlikely to have a significant effect on the environment so a SEA is not required to accompany the Plan. It is also unlikely to have a negative impact on any Natura 2000 sites so should not be subject to HRA.*
- 1.4 *This report was sent to the three statutory consultees designated in the Regulations (Historic England, Environment Agency and Natural England) to elicit their views on the findings with a 5-weeks response period. All three consultees agreed with the District Council's conclusion.*

#### 20<sup>th</sup> July 2020

Farringdon Neighbourhood Plan – Submission Version 3 (July 2020)

*"..... the changes arising from the Reg 14 consultation are not significant and in my opinion a revised SEA/HRA is unnecessary and therefore I do not intend to specifically reconsult the statutory consultees. Once your plan is submitted to us [EDDC] we will carry out the Reg 16 consultation and Natural England, the Environment Agency and Historic England will all be consulted again. I think it is unlikely that they will raise an objection at that stage but, if they did, we could address their concerns and/or forward them to the Examiner."* Senior Planning Officer- Planning Policy, East Devon District Council

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<sup>16</sup> <http://btckstorage.blob.core.windows.net/site378/Farringdon%20SEA%20HRA%20Jan%202020.pdf>