

Barton

Submission Neighbourhood Development Plan

Paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990

'Basic Conditions' Statement

November 2022

1.0 INTRODUCTION

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders therefore not applicable to the Barton NDP.*
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders, therefore not applicable to the Barton NDP.*
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). <https://www.gov.uk/guidance/neighbourhood-planning--2 - General-conformity-with-strategic-policies>*
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

1.2 This Basic Conditions Statement sets out how the Barton NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Barton Parish Council.

2.2 What is being proposed is a neighbourhood development plan

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

2.3 The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2019 up to 2030.

2.4 The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the designated Barton Neighbourhood Area, although part of the designated area falls within the administrative borough of Wyre Borough Council and forms part of Myerscough and Bilsborrow Parish Council. Both Barton and Myerscough and Bilsborrow Parish Council's are jointly the qualifying body for the Neighbourhood Plan.

3.0 Basic Conditions

3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.

The Barton Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the National Planning Policy Framework (NPPF 2021).

3.2 Achieving Sustainable Development

Paragraph 1 of the NPPF explains that "*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*" Paragraph 7 sets out that "*The purpose of the planning system is to contribute to the achievement of sustainable development.*" The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the Barton NDP delivers the 3 overarching Objectives:

Table 1 NPPF Core Planning Principles and the Barton Submission Neighbourhood Plan

| NPPF Overarching Objectives | Regard that Barton Neighbourhood Plan has to guidance |
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| <i>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;</i> | The preparation of the Barton NDP has consulted with local businesses and the NDP provides a supportive framework for local business and investment in the economy. One of the NDP Objectives states; Support & promotion of local businesses and community groups to achieve their full potential. In particular reference to policy 7 Supporting Businesses. |

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| | <p>Policy 03 Active Travel, recognises the constraints of the road network and encourages provision of safe and accessible routes linking to existing public footpaths, cycleways, and local facilities and requires new development to be accessible to public transport services and facilities such as bus stops.</p> |
| <p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</i></p> | <p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Barton Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protects and enhances green spaces, and which support the provision of new housing.</p> <p>Policies 1 and 2 promote the importance of local green spaces and green infrastructure. This is key in the health and well being of residents in the parish.</p> <p>Policy 3 recognises the importance of the constraints of the road network and encourages provision of safe and accessible routes linking to existing public footpaths, cycleways, and local facilities and requires new development to be accessible to public transport services and facilities such as bus stops.</p> <p>The Plan includes policies to promote new housing policy 5, which is appropriate to the Parish and its level of public services and infrastructure.</p> |
| <p><i>c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and</i></p> | <p>The Submission Neighbourhood Plan promotes open green spaces and ecology within the village by encouraging and preserving a rich and diverse variety of wildlife, trees and flowers refer to policy 1 Green Infrastructure</p> |

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| <p><i>pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p> | <p>The Submission Neighbourhood Plan seeks to promote the use of sustainable forms of transport through policies promoting walking and cycling in Policy 3.</p> <p>The Submission Plan refers the need to consider and action climate change and in particular to Barton, the treatment of surface water flooding as highlighted in policy 4.</p> |
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4. Plan Making

4.1 In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Barton NDP addresses each of these in turn.

| NPPF Plan Making | Barton NDP |
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| <p>a) be prepared with the objective of contributing to the achievement of sustainable development;</p> | <p>The NDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p> |
| <p>b) be prepared positively, in a way that is aspirational but deliverable;</p> | <p>The NDP has been prepared positively. The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to "support" and "encourage" suitable development. Whilst there are no designations, the NDP recognises the need for appropriate scale housing providing a positive planning framework to support continued and sustainable levels of growth to help ensure the future survival and improvement of local facilities.</p> |
| <p>c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations,</p> | <p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since</p> |

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| <p>businesses, infrastructure providers and operators and statutory consultees;</p> | <p>2018 at all stages of the Plan's preparation. Briefly this has included:</p> <ul style="list-style-type: none"> • Scoping questionnaire 2018 • Informal 5 week public consultation on an emerging policies document April – May 2020 • Formal (Reg 14) October 2020 – Nov 2020 <p>Consultations were promoted using newsletters, leaflets, posters and the parish newsletter. The documents were placed on the NDP webpages of Barton Parish Council website.</p> <p>The development of the NDP has been impacted by Covid and the national restrictions which were in place over 2020-2021.</p> <p>Comments and representations have been submitted throughout the process by residents, local organisations, landowners, the local authority and, at the formal stage by consultation bodies. At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.</p> |
| <p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p> | <p>The NDP policies and proposals have been prepared by a steering group of local residents, with support from a planning consultant and planning officers at Preston City Council and Wyre Borough Council who have made comments at key stages in the process.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p> |
| <p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p> | <p>Updates and documents have been provided on the NDP website at all stages of plan preparation and the Neighbourhood Plan Facebook page.</p> |

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| <p>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p> | <p>The NDP has been amended and updated to reduce duplication both of policies within the Preston Local Plan, The Central Lancashire Core Strategy, Wyre Local Plan and duplication with national policies. Whilst there are some policies which are also within the Core Strategy, many of the principles are similar but are specific to Barton.</p> |
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4.2 **The Plan Making Framework**

Paragraph 18 of the NPPF sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The Barton NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Preston Local Plan and Wyre Local Plan. The supporting text for the NDP policies refers to the relevant strategic policies.

4.3 **Non-strategic policies**

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

4.4 **Delivering a sufficient supply of homes**

Paragraph 67 of the NPPF sets out that strategic policies should also set out a housing requirement for designated

neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The Barton NDP has been prepared in the context of Preston's Local Plan, Central Lancashire Core Strategy and Wyre's Local Plan partial review. Housing figures have been in a flux over the last 2-3 years and more recent appeal decisions in 2022 have concluded that there has been a that a significant change in circumstances has occurred and this renders Policy 4 out of date, and that this conclusion is supported by the Framework and Planning Practice Guidance when read as a whole.

Paragraph 70 sets out that neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their area.

Barton is a rural parish located to the northern edge Preston City Council's boundary. The linear village has a tightly drawn settlement boundary and is surrounded by Open Countryside. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals within the defined settlement boundary.

4.5 Building a strong, competitive economy

Paragraph 84 of the NPPF advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and 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. The Barton NDP addresses all these matters through policies 3, 5 and 7.

4.6 Promoting healthy and safe communities

Paragraph 92 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. Any existing open space is identified and protected in support of paragraph 98 which advises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities refer to policies 1,2 and 3.

4.7 Promoting sustainable transport

Paragraph 104 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Walking, cycling and use of public transport are promoted in policies 1,2 and 3.

4.8 Making effective use of land

Paragraph 120 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The NDP supports the protection of local green spaces in policy 2.

4.9 Achieving appropriate densities

Paragraph 124 sets out that planning policies and decisions should support development that makes efficient use of land, taking into account, amongst other things, d) the desirability of maintaining an area's prevailing character and setting (including residential gardens).

The village has a range of densities but there is a predominance of lower density, infill suburban developments. There are no specific densities prescribed in the NDP, but in policy 5 new housing should be appropriate in terms of size, scale design and character to the surrounding area.

4.10 Achieving well-designed places

Paragraph 126 explains that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 126 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. Barton NDP includes several policies (3,4, 5) which promote high quality design which responds to existing character and context. All policies have been prepared with the close involvement of the local community.

4.11 Meeting the challenge of climate change, flooding and coastal change

Paragraph 152 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 155 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 156, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Barton NDP includes policies which promote the reduction in the use of vehicles and to maximise sustainable forms of transport in policy 3.

4.12 Planning and flood risk

Paragraph 159 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). Policy 4 Surface Water Flooding deals with a wide range of technical issues and requirements for developers when submitting applications, this policy has also been subject to discussions and guidance from the LLFA.

4.13 Conserving and enhancing the natural environment

Paragraph 174 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. Earlier drafts of the NP had a policy relating to non-designated heritage assets, however during discussions with the Steering Group it was considered that 2 of the 3 proposed sites were in Wyre leaving 1 site. It was considered best to suggest the site to be added to Preston's local list when you they review it.

4.14 **Ground conditions and pollution**

Paragraph 183 sets out that planning policies and decisions should 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. This includes considering such matters as noise and light pollution. Policy 5 protects local residential amenity.

4.15 **Conserving and enhancing the historic environment**

Paragraph 189 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Existing policies in Preston's Local Plan EN8 and Policy CDMP5 of Wyre's Local Plan are sufficient to support this policy area.

b) Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The NDP notes that there is one Grade II* and 9 Grade II Listed Buildings.

c) Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area includes No Conservation Areas.

d) Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

e) In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Pendle Core Strategy. Table 3a and 3b below sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Preston and Wyre Local Plans. The Central Lancashire Core Strategy 2012 also covers the NP area and relevant policies are described in the tables below.

Table 3a General Conformity with Strategic Local Planning Policies (PRESTON)

| Barton NDP Policies | Preston Local Plan | General Conformity |
|--|---|---|
| Policy BNDP 01 Green Infrastructure | <p>HS3 – GI in new housing developments</p> <p>EN2 – Protection and enhancement of GI</p> <p>EN3 – Future Provision of Green Infrastructure</p> | <p>The Council has set out specific standards in line with the evidence provided in these studies and the Supplementary Planning Document, which are set out in Policy HS3.</p> <p>Policy HS3 is also based on Central Lancashire Core Strategy Policies 18 (Green Infrastructure) and 24 (Sport and Recreation) and is in keeping with the National Planning Policy Framework.</p> <p>Development proposals must demonstrate that the benefits of the development would outweigh any nature conservation value in an environmental statement submitted as part of their application.</p> <p>Further green infrastructure provision will be encouraged to extend the existing green infrastructure network. New green corridors are to link to the existing wider green infrastructure network and adjoining urban areas and to act as vital buffers to deliver separation spaces between urban areas and maintain the natural attractiveness of Preston.</p> |
| Policy BNDP 02 Local Green Spaces | EN2 – Protection and enhancement of GI | <p>Development proposals must demonstrate that the benefits of the development would outweigh any nature conservation value in an environmental statement submitted as part of their application.</p> <p>Through the NDP work engagement with relevant bodies and the Council will be made on applications to secure what potential funding there is for projects within the NDP area and which are not identified in the Councils Infrastructure delivery plan.</p> |

| Barton NDP Policies | Preston Local Plan | General Conformity |
|---|--|---|
| Policy BNDP 03 Active Travel | ST2 – general transport considerations | <p>To ensure that safe and convenient access is afforded to everyone, new developments should reduce rather than increase the dependence on private cars. Whilst much attention is usually given to road improvements to cope with additional traffic, it is important that other transport issues are taken into account if car use is to be reduced.</p> <p>Amongst other things the policy requests development needs to show; appropriate provision for public transport, measures to facilitate access on cycle or foot, existing pedestrian, cycle and equestrian routes are protected and extended</p> |
| Policy BNDP – 04 Drainage and Water Management | Policy 29 – Water Management (Central Lancashire Core Strategy) | <p>General policy on water quality, water management and reduction of flooding parts a) – h)</p> <p>On the subject of sustainable urban drainage systems (SUDS) the NP recognises a legitimate opportunity to add to current policy provision which has been consulted over with Lancashire Local Lead Flood Authority (LLFA) on the latest national policies, technical guidance and best practice.</p> |
| Policy BNDP 05 – New Housing | <p>AD1 b – small scale development within existing villages</p> <p>Policy 1 Locating Growth – Lancashire Core Strategy</p> | <p>Development proposals in compliance with Central Lancashire Core Strategy Policy 1 (f) will then be subject to the provisions of Policy AD1 (b). This is to ensure that where small-scale development is proposed in villages, it can only be considered acceptable when consideration is given to the relative impact on the village and its residents.</p> <p>Setting out a settlement hierarchy a-f. Barton is included in f) including small villages. Development would be typically small scale, limited to infilling, local need unless there are exceptional reasons for larger scale redevelopment schemes.</p> |

| Barton NDP Policies | Preston Local Plan | General Conformity |
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| | | <p>At March 2022 the local housing need figure for the whole of Preston calculated using the standard methodology is 279 dwellings per annum. Against this figure, at March 2022 the Council can demonstrate a 14.6 year supply of deliverable housing land.</p> |
| <p>Policy BNDP 06 – Areas of Separation</p> | <p>EN4 – areas of separation</p> | <p>The Core Strategy has identified three Areas of Separation within Preston to protect the character and identity of settlements that are only separated by a small area of Open Countryside from a neighbouring settlement. To help maintain the openness of these areas of countryside and the quality and distinctiveness of these settlements, the Core Strategy identifies where Areas of Separation are needed.</p> |
| <p>Policy BNDP 07 – Supporting Businesses</p> | <p>EP2 – protection of existing employment areas</p> | <p>All existing employment premises and sites last used for employment will be retained, in keeping with Core Strategy Policy 10: Employment Premises and Sites.</p> <p>Whilst there are no protected employment sites within the NP boundary, there are a collection of local small and medium sized established businesses which are important for the local area. Policy 7 of the NP makes clear that the working with existing businesses for future expansion if required, is key.</p> |

Table 3b) WYRE LOCAL PLAN 2011 -2031 and WYRE LP Patrial Review 2011-2031

| Barton NDP Policies | Wyre Local Plan | General Conformity |
|---|--|--|
| <p>Policy BNDP 01 Green Infrastructure</p> | <p>HP9 – GI in new residential developments</p> <p>CDMP4 – Environmental Assets</p> <p>SP8 – Health and Well Being</p> | <p>Policy HP9 aims to secure appropriate and meaningful new Green Infrastructure as part of new housing development. Policy HP9 therefore allows for the ‘Total Green Infrastructure Requirement’ to be used to decide on a particular case what type(s) of green infrastructure should be provided taking into account the latest green infrastructure evidence and proximity of Green Infrastructure to the site.</p> <p>The adopted Policies Map shows the key elements Green Infrastructure, but it does not capture all sites including for example all open spaces on residential estates. Large areas of countryside in Over Wyre and within the Forest of Bowland AONB are also designated as Green Infrastructure because of their local/national/ international ecological and geological interest.</p> <p>Development proposals will be expected to protect and enhance the functionality and interconnectivity of Green Infrastructure as a whole.</p> <p>Policy SP8 establishes the strategic approach of how the Local Plan will contribute towards the Council’s efforts to create a healthier Wyre. It is supported by a number of other detailed policies relating to green infrastructure, the provision of open space and environmental protection.</p> |

| Barton NDP Policies | Wyre Local Plan | General Conformity |
|---|--|--|
| <p>Policy BNDP 02 Local Green Spaces</p> | <p>HP9 – GI in new residential developments</p> <p>CDMP4 – Environmental Assets</p> | <p>Policy HP9 aims to secure appropriate and meaningful new Green Infrastructure as part of new housing development. Policy HP9 therefore allows for the ‘Total Green Infrastructure Requirement’ to be used to decide on a particular case what type(s) of green infrastructure should be provided taking into account the latest green infrastructure evidence and proximity of Green Infrastructure to the site.</p> <p>The adopted Policies Map shows the key elements Green Infrastructure, but it does not capture all sites including for example all open spaces on residential estates. Large areas of countryside in Over Wyre and within the Forest of Bowland AONB are also designated as Green Infrastructure because of their local/national/ international ecological and geological interest.</p> <p>Development proposals will be expected to protect and enhance the functionality and interconnectivity of Green Infrastructure as a whole.</p> |
| <p>Policy BNDP 03 Active Travel</p> | <p>SP8 – Health and Well Being</p> <p>CDMP6 – Accessibility and Transport</p> | <p>Policy SP8 establishes the strategic approach of how the Local Plan will contribute towards the Council’s efforts to create a healthier Wyre. It is supported by a number of other detailed policies relating to green infrastructure, the provision of open space and environmental protection.</p> <p>Although the rural nature of Wyre means that there is a high reliance on the car, maximising opportunities for safe pedestrian and cycle movements and access to public transport is important. In some circumstances managing the transport implications of a new development will require a specific impact to be mitigated, or</p> |

| Barton NDP Policies | Wyre Local Plan | General Conformity |
|--|---|---|
| | | work to be undertaken to improve its accessibility at the cost of the developer. |
| Policy BNDP – 04 Drainage and Water Management | <p>CDMP2 – Flood Risk and Surface Water Management</p> <p>CDMP4 – Environmental Assets</p> | <p>Policy CDMP2 establishes a hierarchy of options for dealing with surface water. Surface water draining into the public sewer should be the last resort and only if all other options have been considered and where possible implemented either wholly or in part so that the volume of surface water in to the public sewer is minimised.</p> <p>Development which would have an unacceptable effect on the quality or yield of groundwater or surface water resources will not be permitted. Development within a Source Protection Zone will be required to demonstrate no adverse impact to ground water quality including through leakage. Where relevant, mitigation will be required.</p> |
| Policy BNDP 05 – New Housing (Bilsborrow classified as a Main Rural Settlement) | HP1 – Housing land supply | <p>Policy HP1 seeks to ensure that Wyre will continue to maintain a five year land supply over the local plan period. The figure in Policy HP1 is expressed as a minimum and there is no planning barrier to the early delivery of sites if circumstances and market conditions allow.</p> <p>(Refer to Main Modifications Oct 2022 as part of the Wyre Local Plan Partial Review)</p> <p>There is a minimum housing requirement of 479 net additional dwellings per annum between 2011 and 2019. There is a minimum housing requirement of 296 net additional dwellings per annum between 2019 and 2031.</p> |

| Barton NDP Policies | Wyre Local Plan | General Conformity |
|---|----------------------------|---|
| | | Policy SP1 sets out what the Local Plan Strategy means overall in practice. It establishes a settlement hierarchy taking into account proposed growth and which will influence development management in the future. The policy gives a clear steer where the majority of development should be directed. |
| Policy BNDP 06 – Areas of Separation | SP1 – Development Strategy | SP1 identifies ‘Strategic Areas of Separation’ between distinct settlements to ensure that the individuality and separate character of different settlements is maintained. The identified areas of separation are shown on the adopted Policies Map |
| Policy BNDP 07 – Supporting Businesses | EP8 – Rural Economy | A significant part of the Borough is rural in nature containing a number of settlements. Farming is the main industry supplemented by a number of small businesses within settlements and scattered throughout the rural areas. The rural areas are an important resource for tourism in the Borough. The rural economy is important to the overall economy in Wyre and to employment in the Borough. Policy EP8 aims to contribute toward maintaining a healthy rural economy. |

f) Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

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 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

5. Strategic Environmental Assessment (SEA)

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

5.1 The Environmental Report for Barton Neighbourhood Area was published by completed by Kirkwells planning consultants on behalf of the NDP steering group and shared with Preston City Council and Wyre Borough Council in September 2020. The non-technical summary (p1) sets out that:

5.2 SEA Screening Stage 1: Conclusions

Would the Barton Neighbourhood Development Plan require SEA?

The Neighbourhood Development Plan will not impact on any European Designated site.

The Neighbourhood Development Plan does not seek to allocate any sites for development.

The Neighbourhood Development Plan policies seek to protect a number of key environmental assets including local green spaces.

Based on the Stage 1 screening in Table 1 it is concluded that a full SEA is not required.

The full report is published on the parish council website.

5.3 Requirement for Habitats Regulations Assessment (HRA)

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 2010(2)) or a European offshore marine site (as defined in the

Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

The Neighbourhood Plan has been subject to a separate Screening Process for Strategic Environmental Assessment prepared by Kirkwells that accompanies the Submission Plan and this Basic Condition Statement. Plans that may have a significant effect on European Sites have to undertake a Habitat Regulations Assessment (HRA). Responses were received from Natural England, Historic England and the Environment Agency on the Screening Assessment and these are detailed in the accompanying Consultation Statement.

Please note that Wyre BC also produced a SEA and HRA Screening Report dated February 2021. The Screening Report was been circulated to the relevant statutory consultation bodies. These bodies have been consulted and they agree with the Council's assessment that an SEA is not required and agree that the proposals in the draft Barton NDP will not lead to likely significant effects on the integrity of a European site and thus an Appropriate Assessment is not required.

5.4 European Convention on Human Rights

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

