

## Ide Neighbourhood Plan

### Basic Conditions Statement



**Ide Parish Council**

**December 2017**

## Contents

| <b>Ide Neighbourhood Plan Basic Conditions Statement, December 2017</b>                          | <b>Page</b> |
|--------------------------------------------------------------------------------------------------|-------------|
| Introduction                                                                                     | 2           |
| Our Neighbourhood Area                                                                           | 3           |
| Why do we need a Neighbourhood Plan?                                                             | 4           |
| Summary of Compliance with Legislation                                                           | 4           |
| Content of Our Neighbourhood Plan Proposal                                                       | 6           |
| How our Neighbourhood Plan meets the Basic Conditions:                                           |             |
| <i>A. Having regard to national policies and advice.....</i>                                     | 7           |
| <i>B. Contributes to the achievement of sustainable development</i>                              | 8           |
| <i>C. In general conformity with the strategic policies contained in the development plan...</i> | 11          |
| <i>D. Does not breach, and is otherwise compatible with, EU obligations</i>                      | 12          |
| <i>E. The prescribed conditions are met in relation to the Plan.....</i>                         | 13          |
|                                                                                                  |             |
| Appendices                                                                                       |             |
| 1. Neighbourhood Area Application                                                                | 14          |
| 2. Neighbourhood Area Decision Notice                                                            | 15          |
| 3. SEA/HRA Screening Opinion                                                                     | 16          |

## Introduction

Our Neighbourhood Plan has been produced by Ide 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 undertaken by a Neighbourhood Plan Steering Group comprised of members of our 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, in order for it to proceed to referendum. In relation to neighbourhood plans, the 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 Ide is submitted alongside our draft Neighbourhood Plan. In submitting the Statement and, through its content, demonstrate how our Plan meets the Basic Conditions, we have satisfied requirement (d) of Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012. Regulation 15(1) sets out what the Parish Council, as the “qualifying body” responsible for producing the Plan, must submit as part of the neighbourhood plan proposal. Regulation 15(1) states<sup>2</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).

---

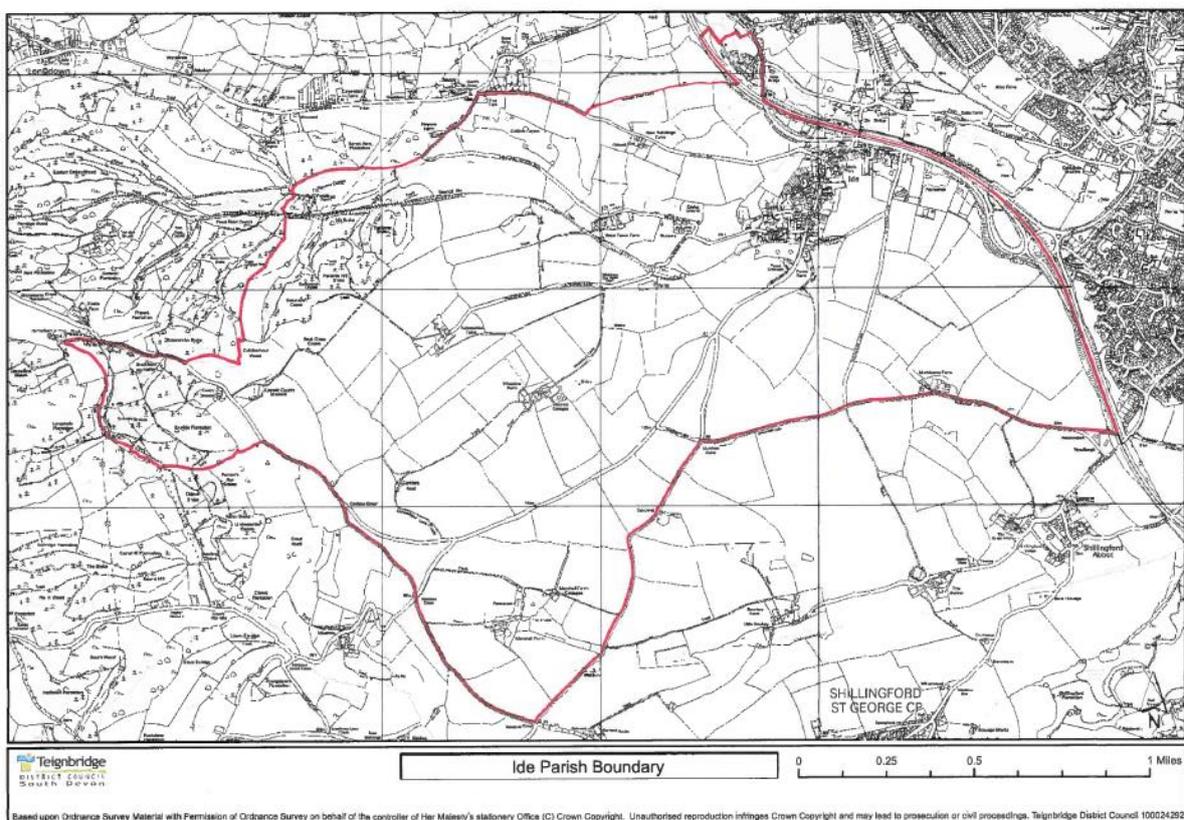
<sup>1</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<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 whole of the Parish of Ide as a Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to Teignbridge District Council as the local planning authority on 21 February 2013. Our letter of application is reproduced in Appendix 1 to this Statement. Following a 6-week public consultation, the Ide Neighbourhood Area was formally approved by Teignbridge District Council on 1<sup>st</sup> May 2013. The relevant page of the approval letter from Teignbridge District Council is reproduced as Appendix 2 to this Statement. Our approved Neighbourhood Area is the same as the parish boundary for Ide and is indicated by the red boundary below in Figure 1.

**Figure 1 – Approved Ide Neighbourhood Area**



## Why do we need a Neighbourhood Plan?

Ide 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. The new Teignbridge Local Plan has provided a strategic framework and helped put in place policies that limit overall development numbers and scale to that which is sustainable.

Our reason for producing the Ide Neighbourhood Plan are:

- Our community wanted to develop its own local planning policies so that we can have an influence over the type, scale, design and form of development which may come forward in the area between now and 2033;
- We wanted to have some control over local planning matters and decisions;
- We wanted to maintain the special character of our rural landscape and environment; and
- We wanted to ensure that new development had a positive effect.

The Neighbourhood Plan has been developed with the full participation of the local people as members of task and working 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 Plan.

Having explored the issues through consultation and identified the key messages and things of importance to the community, our Plan has been framed around the following aims and objectives:

### Ide Neighbourhood Development Plan – Aims and Objectives

Aim:

To introduce neighbourhood planning policies where it is thought necessary to do so to promote appropriate sustainable development.

Objectives:

- To allow opportunities for new housing development that meets specific and identifiable housing needs within the confines of the existing settlement boundaries
- To encourage development that provides space for vehicles belonging to parishioners or bona fide visitors to the village to be parked off the roads and in areas that help reduce their impact
- To protect and enhance existing recreation areas and encourage community use
- To facilitate the provision of additional recreation areas in order to meet local demands
- To ensure that local green spaces which make such a positive contribution to the environment of the village are valued, protected and enhanced

## Summary of Compliance with Legislation

This section sets out how our 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...*”.

---

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

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 Ide Parish Council as the 'qualifying body' for the purposes of Neighbourhood Planning.**

### **Neighbourhood Area**

The Neighbourhood Area (as shown in Figure 1 on page 4) 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 letter 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,*
- (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 2033, aligning with the plan period of the Teignbridge Local Plan**
- **Our Neighbourhood Plan is the only Neighbourhood Plan for the parish of Ide**

---

<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>

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

- 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

### ***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.

## **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 authority:

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

---

<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/>

<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?                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Policy IDE01</b><br/>Residential Development in Ide</p>     | <p><b>NPPF para. 57</b><br/><i>plan positively for the achievement of high quality and inclusive design for all development</i><br/><b>NPPG 24-28 - Design, buildings and the spaces between them</b></p>                                                                 | <p>Within the constraints identified by the Local Plan we have developed a policy, IDE01, that facilitates development that is appropriate and enhances the built environment.<br/>The policy emphasises the need to consider layout, form, scale and detail.</p>                                                                      |
| <p><b>Policy IDE02</b><br/>Pynes Farm</p>                         | <p><b>NPPF para. 111-</b> <i>encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value</i><br/><b>NPPG 24-28 - Design, buildings and the spaces between them</b></p> | <p>Policy IDE02 supports the redevelopment of a brownfield site to help meet housing need.<br/>The policy emphasises the need to consider layout, form, scale and detail.</p>                                                                                                                                                          |
| <p><b>Policy IDE03</b><br/>New Car Parking Areas</p>              | <p><b>NPPF para. 28</b><br/><i>supporting the provision and expansion of tourist and visitor facilities</i><br/><b>NPPG 15-22 - design; a well-designed place</b></p>                                                                                                     | <p>Ide attracts visitors. Our policy IDE03 is seeks to accommodate more visitors without causing detriment or nuisance to local businesses and residents in Ide village.<br/>The policy recognises the importance of any facility being well designed so as to be functional, attractive and complement the character of the area.</p> |
| <p><b>Policy IDE04</b><br/>Sports and Recreational Facilities</p> | <p><b>NPPF para. 70</b><br/><i>guard against the unnecessary loss of valued facilities and services</i><br/><b>NPPG 01-03 – sports and recreation facilities</b></p>                                                                                                      | <p>Ide has a limited number of sports and recreation facilities. They are important to us. Our policy IDE04 guards against their loss.<br/>The policy reflects our belief that the recreation areas can provide health and recreation benefits to people living and working nearby; and have an ecological value.</p>                  |
| <p><b>Policy IDE05</b><br/>Weir Meadow</p>                        | <p><b>NPPF para. 73</b><br/><i>Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.</i><br/><b>NPPG 66 – water compatible development</b></p>                    | <p>In recognition of the recreational and health benefits of good quality, flexible public open space, our policy IDE05 facilitates the provision of new recreation areas where there is a local demand.<br/>The policy recognises the flood risk vulnerability and flood zone compatibility of different types of development.</p>    |
| <p><b>Policy IDE06</b><br/>Local Green Spaces</p>                 | <p><b>NPPF para. 76</b><br/><i>identify for special protection green areas of particular importance to them</i><br/><b>NPPG 5-15 – local green space</b></p>                                                                                                              | <p>Our policy IDE06 identifies and places protection against development on those local green spaces in and around the village of Ide that are regarded as special and important to community wellbeing and environmental amenity.<br/>The policy designates those sites that meet the criteria.</p>                                   |

| Neighbourhood Plan Policies                                 | National Planning Policy Framework and National Planning Practice Guidance                                                                                                                                                                  | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                        |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Policy IDE07</b><br/>Ide Gateway Enhancement Area</p> | <p><b>NPPF para. 61</b><br/><i>address the connections between people and places and the integration of new development into the natural, built and historic environment</i><br/>NPPG para. 002 - <i>What does good design achieve?</i></p> | <p>Policy IDE07 recognises the importance of the approaches to Ide village in providing the setting of the village and establishing that Ide is a village in the countryside. The policy supports development that will help enhance the countryside setting.</p> |

### **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 Teignbridge 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 Teignbridge 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 Ide Neighbourhood Plan has embraced all three dimensions to sustainable development. The following policies of our Plan address the economic dimension of sustainable development: Policy IDE02 – provides for additional infrastructure i.e. public parking space that will help sustain local businesses</p> <p>The following policies of our Plan address the social dimension of sustainable development: Policy IDE01 – supports residential development that contributes to meeting local needs<br/>Policy IDE04 – protects important community facilities<br/>Policy IDE05 – facilitates additional community facilities/space<br/>Policy IDE07 – helps retain the sense of rurality</p> <p>The following policies of our Plan address the environmental dimension of sustainable development:<br/>Policy IDE06 – protects valuable green space<br/>Policy IDE01 – supports development that enhances the existing built environment<br/>Policy IDE07 – protects important habitats</p> |
| <p><i>Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The following policies in our Plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| National Planning Policy Framework Paragraph                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | How our Plan contributes towards this                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>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>Our policy IDE01 supports development that would increase the supply of high quality homes and redevelopment that would replace poor design with better design</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 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 our Plan conforms to the overall development strategy for Teignbridge.</p>                                                                                                                                                                                                                                        |
| <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> <p>(Paragraph 56)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Policy IDE01 places emphasis on well-designed development that enhances the built environment of Ide village</p>                                                                                                                                                                                                                                                                                                                       |
| <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> </ul> | <p>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 sustainable. This includes protecting the recreation areas we have, as long as they are needed (policy IDE04) and adding to local recreation space and opportunities in a flexible and sustainable way (policy IDE05).</p> |

| National Planning Policy Framework Paragraph                                                                                                                                                | How our Plan contributes towards this                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</li> </ul> (Paragraph 70) |                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.</i><br>(Paragraph 183)       | The neighbourhood planning process has brought the community closer together and enabled a positive dialogue to take place about what development is required 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 so as to realise our vision for the future. |

| Teignbridge Local Plan Policy                      | How our Plan contributes towards this                                                                                                                          |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| S1 Sustainable Development Criteria                | Ensuring that development has a positive impact on the existing built environment, maintaining existing character                                              |
| S12 Tourism                                        | Improving facilities for tourists                                                                                                                              |
| S21 Villages                                       | Seeking to accommodate “limited development” which meets social and economic needs whilst protecting the essential rural character of the area and its setting |
| S22 Countryside                                    | Restricting development in the interests of protecting the open countryside<br>Retaining sense of rurality                                                     |
| S23 Neighbourhood Plans                            | By preparing a Neighbourhood Plan that not only conforms to, but helps reinforce the policies of, the Local Plan                                               |
| WE13 Protection of Recreational Land and Buildings | Protecting existing recreation areas                                                                                                                           |
| EN5 Heritage Assets                                | Recognising the unique heritage that we have and ensuring that it is protected and enhanced by any development                                                 |

Our 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)**

| Neighbourhood Plan Paragraphs and/or Policies                   | Teignbridge Local Plan Strategic Policies                                                                                                                                                            | How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                                                                                                                                                |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Policy IDE01</b><br/>Residential Development in Ide</p>   | <p>Policy S4 Land for New Homes<br/>Policy S21 Villages<br/>Policy WE2 Affordable Housing Site Targets<br/>Policy WE3 Retention of Affordable Housing<br/>Policy WE4 Inclusive Design and Layout</p> | <p>Policy IDE01 provides for further residential development to help ensure that the requirements and targets of the Local Plan are met, development of the right type of housing takes place in the right places, and the design is of good quality</p> |
| <p><b>Policy IDE02</b><br/>Pynes Farm</p>                       | <p>Policy S21 Villages</p>                                                                                                                                                                           | <p>Policy IDE02 brings forward a site for small-scale development in a way that will protect the rural character of the village</p>                                                                                                                      |
| <p><b>Policy IDE03</b><br/>New Car Parking Areas</p>            | <p>Policy S21 Villages</p>                                                                                                                                                                           | <p>Policy IDE03 recognises that the village of Ide should have a service function and needs to provide sufficient space for visitors and tourists whilst protecting the essential character of the area</p>                                              |
| <p><b>Policy IDE04</b><br/>Sports and Recreation Facilities</p> | <p>Policy WE13 Protection of Recreational Land and Buildings</p>                                                                                                                                     | <p>Policy IDE04 recognises the significance of the small number of existing recreation spaces we have and puts in place a policy to protect them unless they are replaced by better</p>                                                                  |
| <p><b>Policy IDE05</b><br/>Weir Meadow</p>                      | <p>Policy S5 Infrastructure</p>                                                                                                                                                                      | <p>Policy IDE05 supports the provision of new recreation facilities in the interests of health, community wellbeing and sustainability</p>                                                                                                               |
| <p><b>Policy IDE06</b><br/>Local Green Spaces</p>               | <p>Policy WE11 Green Infrastructure</p>                                                                                                                                                              | <p>Policy IDE06 designates areas of local green space and thereby helps maintain a comprehensive green infrastructure network</p>                                                                                                                        |
| <p><b>Policy IDE07</b><br/>Ide Gateway Enhancement Area</p>     | <p>Policy S21 Villages</p>                                                                                                                                                                           | <p>Policy IDE07 helps reinforce the definition of Ide village and helps emphasise its rural character</p>                                                                                                                                                |

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

A screening process was carried out on two occasions by Teignbridge 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). The first screening opinion took place in February 2017<sup>13</sup> based on the 1<sup>st</sup> Consultation Version of the Plan. Through consultation with the statutory environmental agencies, Teignbridge District Council advised that the Ide 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 and is in accordance with the emerging Local Plan (which was itself subject to HRA)”*. We were advised by Historic England<sup>14</sup> that two policies should be reconsidered because the Plan made no reference to historic environment considerations relating to policy IDE02, neither was there any reference to the setting of the Conservation Area in association with Policy IDE05. The Environment Agency suggested that *“opportunities for flood plain enhancement should be investigated as a means of reducing flood risk”*<sup>15</sup> in association with policy IDE05. The plan was amended in the light of these comments before it was subject to Regulation 14 consultation.

A further screening was carried out by Teignbridge District Council and reported in August 2017<sup>16</sup>. Once again, it concluded that *“as a result of the assessment in Section 7, it is unlikely there will be any significant effects arising from the Ide Neighbourhood Development Plan that were not covered in the Strategic Environmental Assessment and Habitats Regulation Assessment of the Teignbridge District Local Plan 2013-2033. As such it is the opinion of Teignbridge District Planning Authority that the Pre- Submission (Reg 14) Ide Neighbourhood Development Plan (Sept 2017) does not require a full SEA to be undertaken”*.

Neighbourhood Plans are also required to take account of European Human rights requirements. The Ide 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, Ide 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 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.

---

<sup>13</sup> [http://idevillage.org.uk/wp-content/uploads/2015/10/Ide-Pre-Sub-SEA\\_HRA-Screening-Report-Sept-17.pdf](http://idevillage.org.uk/wp-content/uploads/2015/10/Ide-Pre-Sub-SEA_HRA-Screening-Report-Sept-17.pdf)

<sup>14</sup> Email to Teignbridge DC 10 February 2017

<sup>15</sup> Letter from Environment Agency to Teignbridge DC 13 April 2017

<sup>16</sup> [http://idevillage.org.uk/wp-content/uploads/2015/10/Ide-Pre-Sub-SEA\\_HRA-Screening-Report-Sept-17.pdf](http://idevillage.org.uk/wp-content/uploads/2015/10/Ide-Pre-Sub-SEA_HRA-Screening-Report-Sept-17.pdf)

***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>17</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 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)*

The following European Designated Sites are within 10km of Ide:

- The Exe Estuary Special Protection Area (SPA), Ramsar site and European Marine site

No wildlife sites stand within Ide Parish. Other European wildlife sites are located within or near Teignbridge District which must be assessed for their impact including:

- South Hams Special Area of Conservation (SAC)
- Dawlish Warren SAC
- East Devon Pebblebed Heaths SPA and SAC
- Dartmoor SAC
- South Dartmoor Woods SAC
- Lyme Bay to Torbay Candidate

It is the view of Teignbridge District Council that:

*Local Plan policy EN10: European Wildlife Sites ensures that before development is permitted it must demonstrate that that it would not have an adverse effect having regard to mitigation and/or compensation.*

*These protections combined with the limited scale and scope of the proposals in the NDP is considered to result in no significant effects on the SAC's and SPA's as confirmed through the Habitat Regulations Assessment.*

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

---

<sup>17</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

## Appendix 1.

### Neighbourhood Area Application



#### IDE PARISH COUNCIL

**Chairman:** Barry Hookins, 67 High Street, Ide EX2 9RW Tel: 01392 215726  
**Parish Clerk:** Rose Saunders, 4 St Ida's Close, Ide EX2 9SA Tel: 01392 420461  
[www.idevillage.org.uk](http://www.idevillage.org.uk)  
email: [rasaund@talktalk.net](mailto:rasaund@talktalk.net)

*Ide – Gateway to the Countryside*  
21<sup>st</sup> February 2013

Simon Thornley  
Service Manager  
Spatial Planning and Delivery  
Teignbridge District Council  
Forde House  
Brunel Road  
Newton Abbot  
TQ12 4XX



Dear Mr Thornley,

**Re: Ide Neighbourhood Plan**

Ide Parish Council wishes to notify Teignbridge District Council of their intention to prepare a Neighbourhood Plan and make an application for the approval of the parish as a Neighbourhood Area. In accordance with the Neighbourhood Planning Regulations 2012 they therefore provide details to enable you to formally consider the designation of the area that will be covered by the Neighbourhood Plan.

Please find enclosed a map which identifies the area to which the application relates and shows the entire parish and its boundary.

The Parish Council believes this area to be appropriate for designation as a Neighbourhood Area as they represent the entire community within the area and it is considered appropriate to consider the needs of all parishioners at the same time under a single Neighbourhood Plan. In addition, there are activities and businesses across the whole area which affect everyone within the parish.

Ide Parish Council confirms that it is a relevant body to make an application for the designation of a Neighbourhood Area for the purposes of Section 61G(2) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011.

Yours sincerely

Mrs Rose Saunders,  
Clerk to the Parish Council

## Appendix 2.

### Neighbourhood Area Designation – Approval Letter

**Tel:** Direct Line 01626 – 215741  
**Email:** forwardplanning@teignbridge.gov.uk



My Ref:

Your Ref:

Mrs Rita Saunders  
Clerk  
Ide Parish Council  
4 St Ida's Close  
Ide  
EX2 9SA

1 May 2013

Dear Mrs Saunders

#### Neighbourhood Planning

I am writing to confirm that Ide Parish Council's proposal to designate a Neighbourhood Area, for the purposes of preparing a Neighbourhood Plan, has been approved by Teignbridge District Council.

Teignbridge currently operates a funding scheme to support neighbourhood planning. The grant scheme is payable on approval of the Neighbourhood Area and is intended to cover some of the costs of preparing neighbourhood plans, providing a grant of £1 per elector (minimum of £1,000, maximum of £4,000) subject to the following requirements:

- Used only for activities in connection with the preparation of the neighbourhood plan (for example consultant support, printing, community engagement, workshop facilitation, room hire for events etc);
- Prior to receipt of grant funding the Parish or Town Council or Neighbourhood Forum to submit a plan of any proposed expenditure, setting out the neighbourhood planning objectives that this will meet and the likely timescales for spending;
- The Parish or Town Council or Neighbourhood Forum to report on a quarterly basis on how the grant has been used during the previous quarter and setting out any future expenditure that has been identified; and
- Unspent funds are returned to the District Council on completion of the neighbourhood plan.

The scheme has been introduced specifically to provide support during the period while the majority of Spatial Planning and Delivery team resources will be focussed on the preparation of the Local Plan and in particular the examination by a Planning Inspector during the summer 2013. It is envisaged during this period the role of the District Council

**Teignbridge District Council, Forde House, Newton Abbot, Devon TQ12 4XX  
DX121075 Newton Abbot 5**

Do more online at [www.teignbridge.gov.uk](http://www.teignbridge.gov.uk)

Prosperity • Quality Environment • Wellbeing



## Appendix 3.

### Strategic Environmental Assessment / Habitats Regulation Assessment Screening Opinion, Teignbridge DC, August 2017

| <b>Table 1: Establishing the Need for SEA</b>                                                                                                                                                                                                                                                                                  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The table below shows the assessment of whether the Ide Neighbourhood Development Plan will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.                                                                                                   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Stage</b>                                                                                                                                                                                                                                                                                                                   | <b>Y/N</b> | <b>Reason</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))                                                                                           | Y          | The preparation and adoption of the Ide Neighbourhood Development Plan is enabled under the Town and County Planning Act 1990 (TCPA 1990) as amended by the Localism Act 2011. The NDP is being prepared by Ide Parish Council (as the 'relevant body') and will be 'made' by Teignbridge District Council as the Local Authority. The preparation of the NDP is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (Referendums) Regulations 2012.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))                                                                                                                                                                                                                                     | Y          | Whilst the NDP is not a requirement and is optional under the provisions of the TCPA 1990 (as amended by the Localism Act 2011), it will if 'made', form part of the development plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether an SEA is required under the Directive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | N          | Whilst the NDP covers a range of land use issues and proposals, it does not set the framework for future development consents of projects in Annexes I and II to the EIA Directive (see appendix 8).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive?                                                                                                                                                                            | N          | <p>Ide Parish is within 10km of the Exe Estuary Special Protection Area (SPA), Ramsar site and European Marine site. No European wildlife sites stand within the parish. Other European wildlife sites are located within or near Teignbridge District which must be assessed for their impact including:</p> <ul style="list-style-type: none"> <li>• South Hams Special Area of Conservation (SAC), designated for its greater horseshoe bat population</li> <li>• Dawlish Warren Special Area of Conservation (SAC) East Devon Pebblebed Heaths SPA and SAC</li> <li>• Dartmoor SAC</li> <li>• South Dartmoor Woods SAC, and</li> <li>• Lyme Bay to Torbay Candidate (see appendix 2 for mapped sites)</li> </ul> <p>The Habitat Regulations Assessment Screening Report undertaken by Teignbridge District Council (see appendix 9) has assessed the plans policies and proposals for their potential effect on Natura 2000 sites listed above. It determined that, in combination with local plan policy, there would be no likely significant effect on these sites.</p> <p>The Teignbridge Local Plan 2013-2033 to which plans and proposals within Ide NDP must stand in general conformity with include:</p> <p>EN8: Biodiversity Protection and Enhancement<br/>EN9: Important Habitats and Features<br/>EN10: European Wildlife Sites</p> |

|                                                                                                                                                                                                              |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                              |   | EN11: Legally Protected and Priority Species<br>These policies alongside the Local Plan 2013-2033 in its entirety have been assessed for its environmental effects in the Strategic Environment Assessment and Habitat Regulations Assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)                                                                        | Y | The Ide Neighbourhood Plan identifies two sites for development; residential development of agricultural buildings on the settlement edge at Pynes Farm and recreational facilities on an agricultural site, Weir Meadow.<br>The Neighbourhood plan also <ul style="list-style-type: none"> <li>• Supports infill development in the settlement boundary</li> <li>• Identifies and safeguards local green spaces</li> <li>• Supports the development of car parking provision.</li> </ul> The Pynes Farm site is approximately 0.37 ha in size with proposed provision for approximately 10 dwellings and Weir Meadow is 2.5 ha in size.<br>The Ide NDP would therefore determine the use of small areas at a local level only. |
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)                                                                   | Y | The NDP includes seven policies which are to be used for determining future applications in conjunction with the Teignbridge Local Plan (2013-2033).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5)                                                                                                                                  | N | No likely significant effects upon the environment have been identified.<br>See appendix 1 for the assessment of the likely significance of effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

As a result of the assessment in Section 7, it is unlikely there will be any significant effects arising from the Ide Neighbourhood Development Plan that were not covered in the Strategic Environmental Assessment and Habitats Regulation Assessment of the Teignbridge District Local Plan 2013-2033. As such it is the opinion of Teignbridge District Planning Authority that the Pre- Submission (Reg 14) Ide Neighbourhood Development Plan (Sept 2017) does not require a full SEA to be undertaken.

The **Habitat Regulations Assessment** has found that the September 2017 Pre-Submission Version Ide NDP has the potential for an in-combination effect on the Exe Estuary and Dawlish Warren (and possibly the Pebblebed Heaths) European wildlife sites, through Housing Policies IDE01 and IDE02 introducing additional residents who are likely to recreate on the European sites; and through Sport and Recreation Policy IDE05 possibly reducing the potential for Exe SPA birds to use supporting habitat.

However, the wording of Policy IDE01 specifies the need for Ide housing developments to meet all relevant requirements of the Local Plan. Teignbridge Local Plan Policy EN10 requires mitigation for impacts on the Exe, Warren (and Pebblebed Heaths) to be secured via the Joint Approach or other appropriate means (administered by Teignbridge District Council). Thus, the wording of IDE01 already addresses these potential concerns.

Although not specifically stated in Policy IDE02, the requirement to comply with Local Plan Policy EN10 does apply and the Joint Approach provides an easy method for compliance.

Policy IDE05 already requires that any sports development of Weir Meadow “identifies and mitigates against potential adverse impacts on biodiversity”. This will include any use made of the site by Exe Estuary SPA birds.

The conclusion of this Habitat Regulations Assessment is therefore that the September 2017 Pre-Submission Version Ide NDP will have No Likely Significant Effect on European wildlife sites.

However, any future changes to the emerging Ide NDP will require their own Habitat Regulations Assessment.