

Lovelace Neighbourhood Plan Basic Conditions Statement

August 2019

Introduction

The Lovelace Neighbourhood Plan (LNP) is submitted by Ripley Parish Council, the qualifying body representing the parishes of Ripley, Ockham and Wisley in the Lovelace Ward and the LNP area covers the whole of the Lovelace Ward.

Following an application to Guildford Borough Council (GBC) on 19th January 2015 the area was designated as a Neighbourhood Plan area by GBC on 2nd July 2015.

The LNP has been prepared in accordance with the requirements and processes set out in the Town and Country Planning Act 1990, (para 8(2) of Schedule 48), as follows:

1. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
2. The making of the neighbourhood plan contributes to the achievement of sustainable development
3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
4. The making of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations
5. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with, in connection with the proposal for the neighbourhood plan.

The LNP does not relate to other neighbourhood areas or county matters such as mineral extraction and waste development. It does not deal with national infrastructure although it does comment on the effects in the neighbourhood of a significant national infrastructure project (Section 1.5, Challenges and Constraints, LNP).

The life of the LNP is from 2019 to 2034.

Compatibility with EU Legislation

JBA Consulting undertook a Strategic Environmental Assessment (SEA) Screening and Habitats Regulations Assessment (HRA) screening of the draft Lovelace Neighbourhood Plan in November 2018 (Appendix A1). This was subsequently reviewed as the Plan evolved and was finalised in the report dated August 2019. The report identified that Policies LNPH1 and LNPH3 of the Lovelace Neighbourhood Plan, if implemented without avoidance and/or mitigation measures, could have an adverse impact upon the integrity of European designated sites, in particular the Thames Basin Heaths Special Protection Area (SPA). Policies LNPH1 and LNPH3 were then subject to an HRA 'appropriate assessment' by the Council. As a result of the mitigation measures, the appropriate assessment concluded that adverse effects on the integrity of the SPA would not result from the two policies.

The SEA screening found that no significant environmental effects would result from the Lovelace Neighbourhood Plan. As a result of the screening, it has been determined that the Lovelace Neighbourhood Plan is unlikely to have significant environmental effects and, accordingly, does not require an environmental assessment. The reason for making this determination is the conclusion of the SEA screening report. In its Appropriate Assessment (Appendix A2), Guildford Borough Council notes the availability of SANG capacity across the borough. The Council has determined that there will be no adverse effects on the integrity of the SPA as a result of the Lovelace Neighbourhood Plan becoming part of the development plan.

The Guildford Local Plan population expansion proposed for Lovelace will likely significantly decrease air quality and carbon emissions due to increased vehicle movement through Ripley Village. SANGs are considered as mitigation for a development close to the SPA, but unlikely to protect its integrity. Entrance to the Royal Horticultural Society gardens is chargeable and unlikely to provide an on-going reduction in recreational use of the SPA. Increased recreational use of the SPA will likely incur physical damage, have an adverse on the ecological integrity through habitation fragmentation and loss, and a likely increase in predators such as cats and rats.

Air pollution alongside the SPA is likely to rise from increased carbon emissions, and traffic from sites at either end of Ripley Village will likely increase air pollution levels in the Village. Carbon emissions from both sites will likely significantly increase as residents access local services such as schools or employment.

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

Background

The three parishes decided to prepare a Neighbourhood Plan for Lovelace to encourage sustainable housing growth in Lovelace. Lovelace is rural and the parishes wish to ensure development takes place on suitable sustainable sites and reflects the character and landscape of the area.

The Plan has been prepared by the LNP Steering Group on behalf of the qualifying body and includes representatives from Ripley and Ockham Parish Councils and members of Ripley, Ockham and Wisley parishes. Wisley no longer has a parish council.

The LNP policies have been community led from the start and reflect a local slant on national and local authority policies.

The policies cover:

- **Housing** – Suitability of Sites; Housing Mix; Housing Density; Housing Design
- **Environment** – Local Green Spaces and Local Views; Biodiversity and Natural Habitats; Flooding; Light Pollution: Air Quality and Traffic Related Pollution
- **Infrastructure and Facilities** – Public Transport and Green Travel; Cycle Lanes and Public Footpaths; Parking; Provision of Community Facilities: Healthcare and Education
- **Business and Employment** – Change of Use from Commercial to Non-Commercial; Agricultural and Horticultural Land Use

Objectives and Policies are shown in Section 6 of the LNP.

National Policy

The LNP has regard to the National Planning Policy Framework (NPPF) 2018.

Policy Number and Objectives	NPPF Paragraph Numbers
Housing	
<p>Policy LNPH1: Suitability of Development Sites Objective: Ensure development occurs in sustainable locations</p>	Paras 67, 72e, 78, 117
<p>Policy LNPH2: Housing Mix Objectives: Ensure all developments provide a mix of housing size required for all local needs. Provide maximum affordable housing for people with local connections. Provide at least a proportional share of the housing numbers required by Guildford Borough Council</p>	Paras 61, 64, 77
<p>Policy LNPH3: Housing Design and Density Objective: Provide housing density appropriate to the surrounding character and landscape. Avoid overdevelopment. Provide design appropriate to the prevailing styles in the area.</p>	Design – Paras 124, 132 Density - Paras 122, 123
Environment	
<p>Policy LNPN1: Local Green Spaces and Local Views Objectives: Retain the Green Belt and essential rural character of the area. Protection of Local Green Spaces of community value and local views.</p>	Paras 133-147, 91c, 92g, 96, 99, 100
<p>Policy LNPN2: Biodiversity and Natural Habitats Objective: Retain and increase local biodiversity assets</p>	Paras 118a, 174, 174a-b, 175a-d
<p>Policy LNPN3: Flooding Objective: Require potential flood issues to be addressed prior to development.</p>	Paras 149, 150, 155-157, 160b, 163-165
<p>Policy LNPN4: Light Pollution Objective: Require light pollution to be address and minimised.</p>	Para 180c
<p>Policy LNPN5: Air Quality and Traffic Objectives: Require all developments to have the lowest possible carbon footprint.</p>	Para 181

Mitigate against increased traffic in areas where air quality pollution levels are currently above legal limits.	
Infrastructure	
Policy LNPLI1: Infrastructure Objective: Require infrastructure to be in place before development occupation.	Paras 8a, 25, 26, 28, 81c
Policy LNPLI2: Public Transport Objective: Require major developments to provide good public transport facilities to local railway stations and towns.	Para 102
Policy LNPI3: Cycling and Walking Objectives: Ensure safe and well-lit cycle lanes and paved footpaths are provided to local facilities. Ensure footpaths and public rights of way are kept clear and well maintained.	Paras 104d, 98
Policy LNPI4: Parking Objectives: Support measures to provide adequate public parking, particularly in Ripley village. Ensure adequate off-street parking is included in all new housing developments particularly in Ripley village. Ensure retail and commercial premises do not lose their current off-street parking, particularly in Ripley village centre.	Paras 102e,92a, 110d
Policy LNPI5: Community Facilities Objectives: Support the increase in provision of community facilities, particularly those which provide for the young, less abled, and older members of the community.	91a, 91c, 92a, 96
Policy NPLI6: Healthcare and Education Objective: Ensure adequate healthcare and education facilities are available. Consider new healthcare, sports and education facilities on a case by case basis.	94a, 94b
Business and Employment	
Policy LNPBE1: Business and Employment Objective: Retain and expand commercial activity in Ripley village centre. Support change of use which provides employment	Para 80
Policy LNPBE2: Agricultural and Horticultural Land Use Objective: Support rural industries and businesses, particularly if countryside related	Para 83

Contribution to the Achievement of Sustainable Development

Lovelace is a rural area with three separate small villages, of which only one has a commercial centre. The LNP supports, and has taken into consideration, the three dimensions of sustainability, economic, social and environmental when preparing the LNP policies.

The LNP contributes towards sustainable development in the following ways:

1. All developments must have the lowest possible carbon footprint.
2. Major developments are required to provide the maximum allowable affordable housing.
3. Developments which will significantly increase car usage are required to provide regular bus services to the most utilised railway stations and towns within a 5-mile radius.
4. Major developments which do not provide adequate and sufficient economic and social facilities are to make provision for safe walking and cycling to local facilities.
5. Local retail and service facilities to be retained for the needs of the young, less abled and older people, to encourage minimised car usage.
6. Consideration of road infrastructure required.
7. Encouragement of construction traffic to use SRNs rather than LRNs.
8. The LNP identifies local green spaces and local views of value to the community and the landscape and character of the area.
9. Developers should provide Parish Councils and the Local Authority with detailed design proposals prior to application, to enable full consideration of transport, facilities, public benefits and other material planning.

Sustainability

The LNP polices which support the NPPF three dimensions of sustainability are as shown below:

Economic Policy Numbers	LNPBE1, LNPBE2, LNPH1, LNPH2, LNPI2, LNPI4, LNPI5, LNPI6
Social Policy Numbers	LNP H1, LNPH2, LNPI1, LNPI5, LNPI6
Environmental Policy Numbers	LNPH1, LNPH3, LNPEN1, LNPEN2, LNPEN3, LNPEN4, LNPEN5, LNPI1, LNPI2, LNPI3, LNPI5, LNPBE1, LNPBE2

General Conformity with Strategic Policies of the Development Plan

In line with the National Planning Practice Guidance (NPPG) para ID41-009; the National Planning Policy Framework (NPPF) (June, 2019); The South East Plan (2009) - Regional Spatial Strategy for the South East, policy NRM6; the European Directive 92/43/EEC; Guildford Borough Thames Basin Heaths SPA Avoidance Strategy (2017); the Guildford Local Plan (2018), policy P5 and the Guildford borough Local Plan Strategy and sites 2015-2034; the Lovelace Neighbourhood Plan is in general conformity with the emerging Guildford Borough Council Local Plan 2018, with particular regard to the environment.