

Tisbury and West Tisbury Neighbourhood Development Plan

TisPlan



Appendix 8 - Basic Conditions Statement
January 2019

2017 - 2036



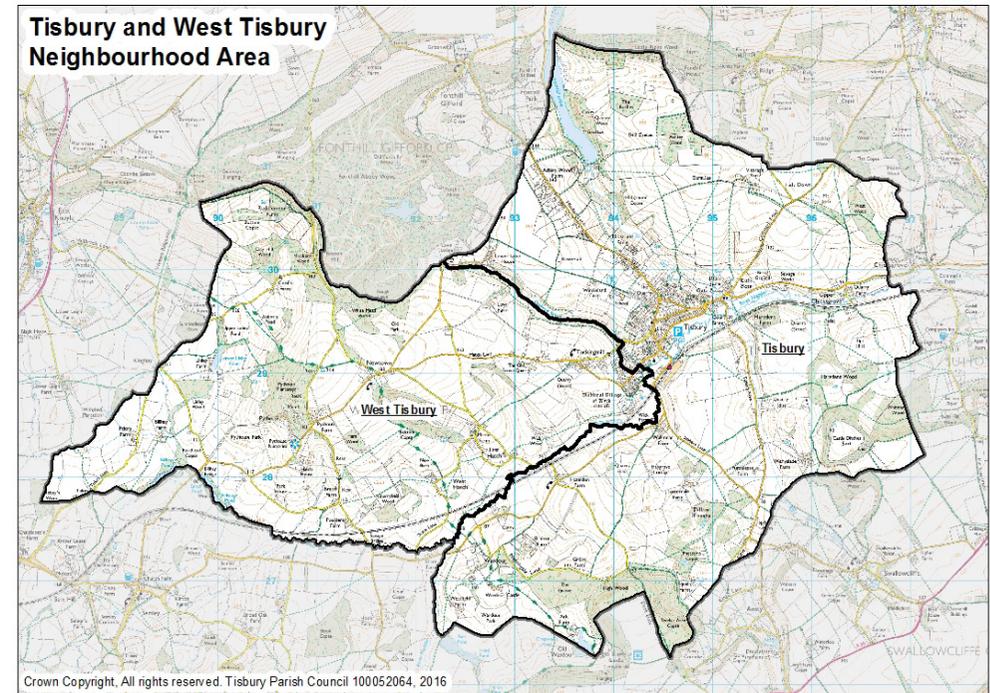
Local Planning Authority: Wiltshire Council

Qualifying Body: Tisbury Parish Council

Relating to the parishes of Tisbury and West Tisbury, Wiltshire

Chair: Janet Amos, Tisbury Parish Council

TisPlan was developed with the commitment and contribution of the Tisbury and West Tisbury Neighbourhood Plan (TisPlan) Steering Group and the local community. With thanks to Locality¹ and the Parish Councils of Tisbury and West Tisbury for their financial support in developing the plan.



Map of Neighbourhood Area (Wiltshire Council)

As part of a move to devolve power more widely in the UK, the Localism Act (2011) invited every local community – as a defined 'neighbourhood plan area' - to set out its own views on local planning in a neighbourhood plan, taking into consideration the priorities of residents, local businesses and community groups on what they feel are the important issues for the future of their area. In the case of TisPlan, this area covers the two adjoining parishes of Tisbury and West Tisbury in South West Wiltshire, which was designated by Wiltshire Council in July 2015 (See [Appendix 2 - Tisbury and West Tisbury Neighbourhood Area Designation](#)).

This document sets out the compliance of the policies and objectives set out in TisPlan (Submission Version) with national planning policy under the National Planning Policy Framework (2012) and the Wiltshire Council Local Plan (2015-2026).

¹ Locality oversees the award of grant funding for Neighbourhood Plans.

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Section 1. Introduction

1.1. Qualifying Body

The Tisbury and West Tisbury Neighbourhood Plan has been prepared in accordance with the statutory regulations required by paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990.

It has been prepared by Tisbury Parish Council as the Qualifying Body as defined by the Localism Act 2011. The detailed preparation and submission of this document to Wiltshire Council has been delegated by Tisbury and West Tisbury parish councils as a joint to the Steering Group.

1.2. Excluded development

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

1.3. Defining the Basic Conditions

Part 5, paragraph 15 of the Regulations sets out the requirements for the qualifying body submitting a neighbourhood plan to the local planning authority and it must include the following:

- (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;
- (d) A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B of the 1990 Act.

This statement meets the requirements of (d) above and is known as the Basic Conditions. The Basic Conditions are:

- (a) The draft NDP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
- (b) The draft NDP must contribute to the achievement of sustainable development;
- (c) The draft NDP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case Wiltshire Council's Core Strategy;
- (d) The draft NDP must meet the relevant EU obligations;
- (e) Prescribed conditions are met in relation to the NDP and prescribed matters have been complied with in connection with the proposal for the plan (EIA and Habitat Regulations).

Section 2. Compliance

2.1. Compliance with national planning policy

TisPlan must have appropriate regard to national policy. The Government's planning policy for England is set out in the NPPF, which seeks to achieve the right balance between sustainability and growth and ensure that development will enhance existing communities.

The NPPF has three distinct planning roles and objectives:

- Economic - contributing to building a strong economy: ensuring that sufficient land is available in the right place and at the right time.
- Social - providing homes that will meet the needs of future generations, and supporting the community's health, social and cultural well-being.
- Environmental - protecting our environment: using natural resources prudently, minimising waste and pollution, and mitigating climate change.

The NPPF states a presumption in favour of sustainable development; this means positive growth that contributes to the economic, environmental and social progress for this and future generations. As an area set entirely within an AONB, the presumption in favour of sustainable development does not apply (paras 115-116, 2012 NPPF).

The steering group has made every effort to ensure that TisPlan complies with national and relevant EU policy as well as the strategic policies and objectives set out in the Wiltshire Core Strategy (2015-2026).¹

It is now the role of the Examiner to confirm whether or not TisPlan meets the Basic Conditions and to consider any additional comments received during the Reg 16 (Submission Version) consultation.

¹ See [Appendix 9 - Consultation Statement](#) for how comments raised during the Reg 14 consultation process were addressed. More information on compliance with the Core Strategy can be found in Section 2.3 and compliance with EU policies can be found in Section 2.4.

TisPlan Vision

There will be modest, sustainable growth in housing to provide for the range of housing needs in the local area. Development should enhance the well-being of residents, provide opportunities for local business and provide quality infrastructure to encourage sustainable lifestyles to enable the area to continue to prosper into the future.

The conservation and enhancement of the AONB and its outstanding landscapes, environment and heritage assets will be at the core of any local development decision.

2.1.1 NPPF Core Planning Principles and TisPlan response

NPPF Core Principle	TisPlan associated policies	Justification
<i>Plan-led based on a local vision</i>	TisPlan approach and consultation	The work was undertaken by a Neighbourhood Plan Working Group made up of representatives from across the neighbourhood area (see Appendix 9 - Consultation Statement). The group reviewed a range of evidence, including the Parish Plan (TisVis). A variety of other focused community consultation events reinforced the vision for TisPlan and helped identify community priorities.
<i>Enhance and improve places in which people live their lives</i>	HNA.1, HNA.2, BL.1, BL.2, BL.4, BL.6, BL.7, TR.1, TR.2, TR.5, EB.1, EB.2, LCW.1, LCW.2, LCW.3	TisPlan seeks to sustain and improve local facilities for existing and new residents and ensure the provision of amenity spaces and has designated Local Green Spaces and outlined infrastructure priorities for the plan area. TisPlan seeks to respect the historic and natural environment as a key part of this strategy. The comprehensive redevelopment of Station Works could provide multiple benefits to improving the visual landscape and vitality of the local area.
<i>Economic development and delivery of homes and infrastructure</i>	HNA.3, BL.1, BL.2, BL.3, BL.5, BL.6, BL.7, EB.1, EB.2, TR.1, TR.2, TR.3, TR.4, TR.5, CIL	<p>TisPlan seeks to support and strengthen economic activity by encouraging residents to live close to their place of work. TisPlan seeks a pro-active approach to retain existing local employment for sites under 0.25ha and supports mixed use development as part of a strategy to deliver economic development and housing.</p> <p>TisPlan has identified Station Works as such a site to meet most of the current Core Strategy housing need and meet part of this target into the next Core Strategy period. It will provide for modern business needs, additional parking, and in liaison with the site owners and occupants, also meet the future needs of Network Rail.</p>
<i>High quality of design and good standard of amenity</i>	HNA.2, BL.4, TR.3, LCW.3	Requires housing to be closely and sympathetically integrated with the rest of the settlement and to blend with the landscapes of the AONB and Conservation Area. Quality amenity space in new development will be expected to be delivered as part of any new development.
<i>Take account of the character of the area promoting the vitality of the urban build and protecting green belt</i>	HNA.1, HNA.2, BL.3, BL.4, BL.7, TR.4, LCW.1, LCW.3	<p>Developments should complement and enhance the existing character of the town whilst recognising its unique form and landscape.</p> <p>TisPlan seeks the redevelopment of brownfield land as a priority and does not support major greenfield development as part of this approach.</p>

<i>Climate change, flood risk and support the transition to a low carbon future</i>	HNA.3, BL.5, BL.7, TR.1, CIL	<p>There are a number of high risk flood areas and parts of Tisbury Village are within flood risk area 3b) functional floodplain. Therefore, TisPlan is strongly against development any development in these areas.</p> <p>Development is expected to support the transition to a low-carbon economy by exceeding building regs wherever possible, particularly any development at Station Works which needs to address phosphate run off into the River Nadder (SAC) and contribute to water efficiency and appropriate sewage treatment where necessary. Providing for low-emission transport options is fundamental to achieving this.</p>
<i>Conserve and enhance the natural environment</i>	HNA.1, HNA.3, BL.4, BL.7, TR.3, TR.4, LCW.1, LCW.3	<p>The AONB is highly valued and there is a strong desire to ensure its protection by respecting the AONB Management Plan with a local implementation strategy. TisPlan seeks net gains in biodiversity wherever possible and the blending of the natural and built environment e.g. green roofs and living buildings.</p> <p>The integration of green spaces into the design of new development and protection of existing green spaces is paramount.</p>
<i>Encourage the use of brownfield sites</i>	BL.3, BL.7, BL.8, EB.1, EB.2	TisPlan has prioritised the development of brownfield sites and does not permit development of major greenfield sites. It is anticipated that development over the plan period will be satisfied by windfall and brownfield sites.
<i>Promote mixed use developments</i>	BL.3, BL.7, BL.8, EB.1,	The plan supports mixed development wherever possible to meet demand for housing and employment on Station Works and the potential future expansion of Tisbury High Street at the site of the old Magistrates Court.
<i>Conserve heritage assets</i>	HNA.2, BL.4, BL.5	TisPlan seeks to conserve and enhance the character of the Conservation Area and local heritage (including relating to improvements to energy infrastructure upgrades on historic buildings, always provided that the historic building is not compromised).
<i>Encourage sustainable transport</i>	TR.5, BL.7, LCW.3, CIL	TisPlan recognises the need to promote and facilitate greater levels of sustainable transport such as improving walking and cycling options in the community, and wherever possible, seeking to deliver these benefits to those with mobility issues wherever possible.
<i>Support health, social and cultural well-being.</i>	HNA.2, HNA.1, HNA.2, TR.5, LCW.1, LCW.2, LCW.3,	TisPlan recognises and values the strong community spirit of the Tisbury area and seeks to enhance this by ensuring a sustainable community with appropriate provision of a range of dwellings and opportunities for different social needs across the ages. TisPlan seeks to enhance people's enjoyment of amenity and key green spaces within the area.

2.2. TisPlan's potential to contribute to sustainable development

NPPF: ECONOMIC SUSTAINABILITY

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 (NPPF, 2012, para 7).

TisPlan Response and Associated Policies

Extending the Wiltshire Core Strategy Policy CP35 to include sites less than 0.25 ha (approx. 0.6 acres).

Providing support for regeneration of small brownfield sites that are policy compliant, at a scale that can readily be absorbed by the existing community.

Encouraging the provision of modern office space through the allocation of Station Works as a comprehensive development and proposing the site of the former Magistrates' Court for expansion of business opportunities within the village centre, both with provision for mixed development.

Proposing solutions to the area's parking issues whilst promoting the use of alternatives to the car for work or leisure, particularly through encouraging local enterprise thus reducing the need to commute; and by supporting improvements to the railway.

Emphasising the timeliness of infrastructure to support development, ensuring that future needs are met, whilst respecting the historic and natural character of the area in the AONB.

Relevant TisPlan policies: BL3, BL5, BL6, BL7, TR.1, TR.2, TR.3, TR.4, TR.5, EB.1, EB.2, CIL Priorities

NPPF: SOCIAL SUSTAINABILITY

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 (NPPF, 2012, para 7).

TisPlan Response and Associated Policies

TisPlan aims to provide for a broader mix of dwellings than is currently defined in the existing national policy on affordable homes by enabling 'low-cost' housing such as starter homes and suitable provision of accommodation for older people.

Facilitating the potential for innovative forms of development (e.g. community-led development*), which may deliver lower-cost options than open-market housing.

The proposed allocation of Station Works for mixed development has the potential to deliver more than the remaining housing target for Tisbury (up to 2026) and make a significant contribution towards development of any future targets to 2036.

Enhancing the well-being of local residents, especially for children, older people and those with mobility issues through careful planning of development or amenities.

** Community-led housing, often designed and managed by local people, is built to meet the needs of the community – not for private profit. Examples include Community Land Trusts (CLTs) granted by various powers under the Localism Act, such as neighbourhood plans and the Community Right to Build. These types of development and how neighbourhood plans can support them are outlined in Locality's Community-led housing toolkit (available on Locality's website).*

Relevant TisPlan policies: BL 1, BL 2, LCW.1, LCW.2, LCW.3, CIL priorities

NPPF: ENVIRONMENTAL SUSTAINABILITY

Environmentally sustainable – 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 (NPPF, 2012, para 7).

TisPlan Response and Associated Policies

TisPlan aims to achieve net gains in biodiversity through the conservation and enhancement of natural assets within the AONB, such as the provision and retention of amenity and Local Green Spaces (LGS).

TisPlan's development strategy will respect the area's local character within the built and natural environment, nestled within the AONB, and seek to conserve local landscapes and protect them from the impact of adverse development proposals.

Protecting the valley of the River Nadder, adjacent to The Avenue, as an area of natural beauty with high biodiversity. Its propensity for regular and substantial flooding will be significant in influencing any decision on its future.

Conserving and enhancing the area's natural and historic assets may also help to encourage new employment opportunities, such as through the provision of additional services and facilities to meet the needs of visitors to the area.

Encouraging more sustainable lifestyles e.g. through the improvement of local non-vehicular rights of way and the use of sustainable modes of transport.

Relevant TisPlan policies: HNA.1., HNA.2, HNA.3, BL4, BL7, BL.5, TR.4, TR.5, CIL Priorities

2.2.1 Sustainable development: a comparative summary of TisPlan policies and objectives

VISION: Historic and Natural Assets

The rural area will change little. New development will respect natural beauty, landscape and biodiversity within the AONB whilst seeking to conserve its natural and historic assets. In particular, TisPlan will safeguard the characteristics of the Conservation Area and other protected areas. Areas at high risk from flooding will be excluded from development. Measures will be taken to mitigate any adverse impact on local water resources.

Historic and Natural Assets

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
<i>HNA.1</i>	<i>Natural assets and Biodiversity</i>	To minimise the impact of new development on the environs of each site, conserve, encourage and make provision for improvements in biodiversity.	*	**	***
<i>HNA.2</i>	<i>The Conservation Area</i>	To conserve and enhance the Conservation Area and its setting.	*	***	***
<i>HNA.3</i>	<i>Managing Water in the Environment</i>	To ensure that the location of new development is not situated in areas of flood risk, will not exacerbate or contribute to flooding elsewhere, and will not adversely affect biodiversity and landscape within the AONB.	**	**	***

VISION: Housing and Buildings

The settlement of Tisbury will increase moderately in size so that development contributes to its strong sense of community, served by a broad mix of housing. A limited amount of development will be permitted in West Tisbury. Buildings and layouts will be sympathetically designed so that they blend with the character of the existing settlements, respect the constraints and aspirations of the AONB and are built to high energy efficiency standards.

The redevelopment of available and suitable brownfield sites will meet local housing and employment needs over the plan period.

Housing and Buildings

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
BL.1	<i>Providing a Broad mix of Housing</i>	To meet the overall housing needs of the community there should be a broad mix of housing types, including sufficient provision of affordable or “low-cost” dwellings and suitable accommodation to meet the needs of an ageing population.	***	***	**
BL.2	<i>Affordable Housing</i>	To give priority to those with a local connection (residential, employment or recent history) to Tisbury and West Tisbury, for the allocation of affordable or lower cost dwellings.	***	***	*
BL.3	<i>Development on Brownfield Sites</i>	To permit the allocation and appropriate development of available and deliverable brownfield sites according to their size and location.	***	***	***
BL.4	<i>Design and Landscape</i>	To ensure that the design of new development will be sensitive to the local character, landscape and vernacular.		*	***
BL.5	<i>Energy</i>	To ensure all new development is built to low-energy standards.	**	***	***

<i>BL.6</i>	<i>Infrastructure Provision</i>	To ensure the timely provision of integrated infrastructure which reflects local needs and priorities.	***	***	*
<i>BL.7</i>	<i>Site Allocation: Station Works</i>	To ensure the comprehensive redevelopment of the Station Works site in line with community priorities in favour of mixed development.	***	***	***
<i>BL.8</i>	<i>Site Allocation: Site of the Former Sports Centre Adjacent to St John's Primary School</i>	To safeguard the brownfield site of the former sports centre adjacent to St John's Primary School to allow for its future expansion or other community uses.	**	***	**

VISION: Transport

Provision for the use of more sustainable means of transport (walking, cycling and energy efficient vehicles) will be encouraged through improvements to non-vehicular rights of way, road safety and the provision of innovative parking facilities. Public and community transport services will expand, notably those serving Tisbury Railway Station and community-led transport, potentially funded from CIL investment.

Investment and modernisation of the local railway network (including Tisbury Railway Station) will need to be included as part of the comprehensive development of Station Works.

Transport

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
TR.1	<i>Parking Provision</i>	To provide sufficient parking.	***	*	
TR.2	<i>Tisbury Railway Station</i>	To ensure that any new development at or near Tisbury Railway Station provides space for, and does not preclude, future growth of the railway network and the improvement, expansion and modernisation of the station.	***	***	***
TR.3	<i>Innovative Parking Solutions</i>	To encourage parking provision sensitive to landscapes within the AONB.	**		**
TR.4	<i>Traffic Impact, Road Safety and Maintenance</i>	To support initiatives that will improve road safety and protect verges and banks from damage caused by heavy goods and over-wide vehicles.	**		***
TR.5	<i>Sustainable Transport</i>	To encourage sustainable transport.	*	**	***

Employment and Business

VISION: Employment and Business

A resilient and diverse local economy will contribute to the area's prosperity and its ability to resource more of its needs locally.

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
EB.1	<i>Promoting Employment Activity</i>	To promote business provision and encourage new employment opportunities appropriate to the needs and skills base of the community.	***	**	
EB.2	<i>Protecting Business and Employment Activity</i>	To protect existing business and employment provision.	***	***	



Leisure, Community and Well-being

VISION: Leisure, Community and Well-being

Recreational and community facilities will be protected and enhanced.

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
<i>LCW.1</i>	<i>Local Green Spaces</i>	To protect and maintain existing recreational services and facilities.		**	***
<i>LCW.2</i>	<i>Community Assets and Community Re-development</i>	To protect community assets and promote appropriate community-led re-development for uses that facilitate community activities.	*	***	
<i>LCW.3</i>	<i>Amenity Space</i>	To provide quality open, natural and/or leisure spaces as an integral part of new development.		***	***

Community Infrastructure Levy (CIL)

Policy No	Policy Name	Objective	Economic sustainability	Social sustainability	Environmental sustainability
<i>CIL</i>	<i>Planning Gain: Potential Use of Community Infrastructure Levy Monies</i>	Development will be undertaken in tandem with the provision of infrastructure improvements to help support the community.	***	***	***

2.3. Compliance with the Wiltshire Council Core Strategy

TisPlan is consistent with, and where appropriate, enhances the local delivery of the Wiltshire Core Strategy (CS) and aims to help deliver its objectives, in particular the Tisbury Area Strategy CP34.

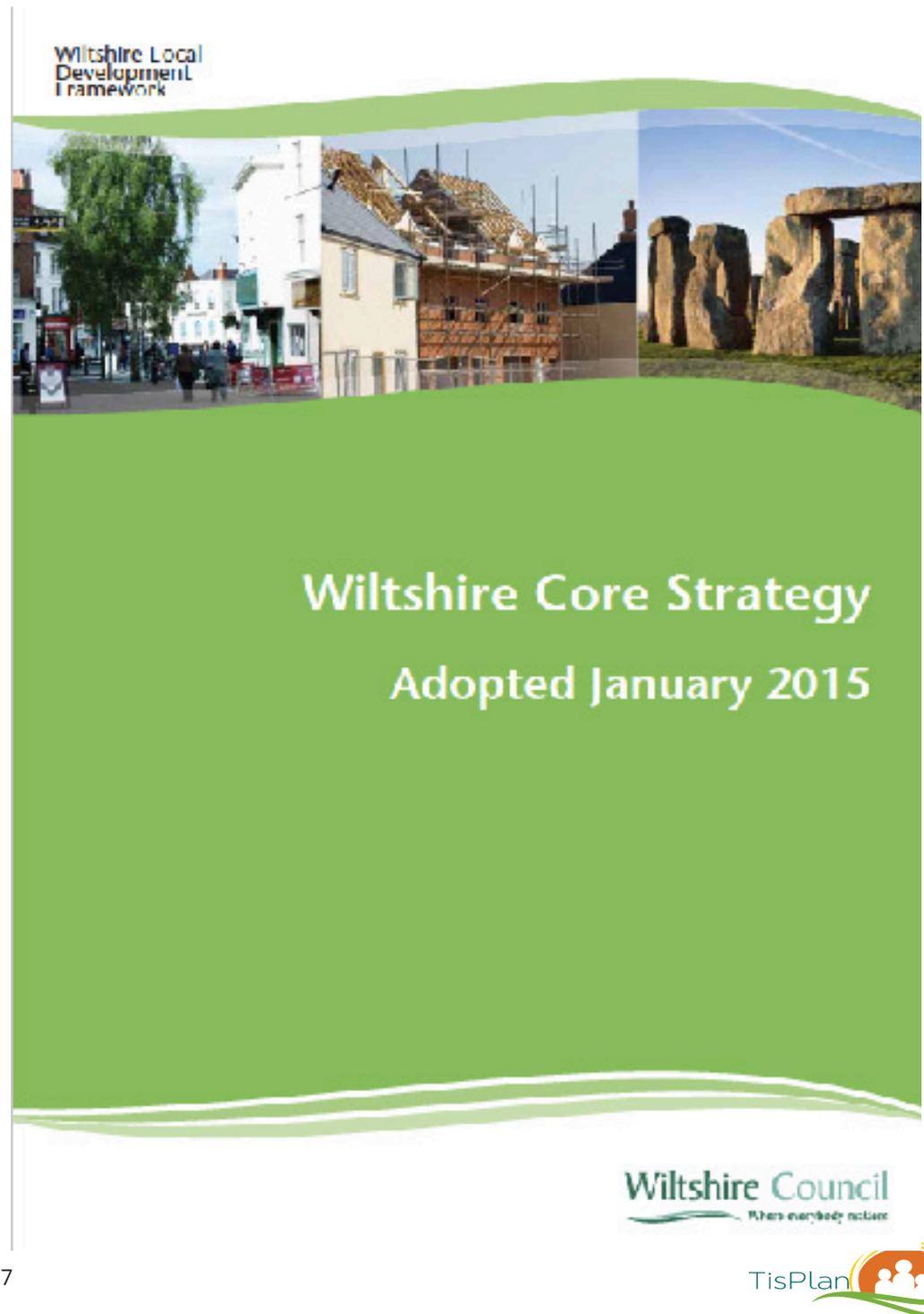
2.3.1 Core strategic objectives in the Core Strategy

A series of strategic objectives have been developed by Wiltshire Council to deliver the vision for Wiltshire.

The objectives are:

1. Delivering a thriving economy
2. Addressing climate change
3. Providing everyone with access to a decent, affordable home
4. Helping to build resilient communities
5. Protecting and enhancing the natural, historic and built environment
6. Ensuring that adequate infrastructure is in place to support our communities

The following table on pages 18-19 sets out the relevant TisPlan policies that pertain to the strategic policies in the CS and their respective Core Policies.



2.3.2. TisPlan compliance to CS objectives

Core Strategy Objective	CS Policies	TisPlan policy/reference
<i>The spatial strategy for Wiltshire</i>	<i>Core Policy 1: Settlement Strategy</i>	BL.1, BL.2, BL.6, EB.1, EB.2, LCW.3, CIL
	<i>Core Policy 2: Delivery Strategy</i>	Development targets, BL.1, BL.3, BL.6, BL.7, EB.1, EB.2, CIL
	<i>Core Policy 3 Infrastructure Requirements</i>	HNA.1, HNA.2, HNA.3, BL.5, BL.6, BL.7, TR.5, LCW.1, LCW.3, CIL
	<i>Core Policy 27: Tisbury Area Strategy</i>	HNA.1, BL.1, BL.4, BL.7, TR.2, TR.4, TR.5, EB.1, EB.2
<i>1: Delivering a thriving economy</i>	<i>Core Policy 34: Additional employment land</i>	BL.3, BL.7, EB.1
	<i>Core Policy 35: Existing employment sites</i>	BL.7, EB.2
	<i>Core Policy 36: Economic regeneration</i>	BL.3, BL.7, EB.2
	<i>Core Policy 37: Military establishments</i>	n/a
	<i>Core Policy 38: Retail and Leisure</i>	HNA.2, EB.1, EB.2
	<i>Core Policy 39: Tourist development</i>	HNA.1, HNA.2, BL.3, BL.4, BL.6, TR.1, TR.2, TR.3, TR.4, TR.5
	<i>Core Policy 40: Hotel, bed and breakfasts, guest houses and conference facilities</i>	BL.3, TR.4
<i>Strategic Objective 2: addressing climate change</i>	<i>Core Policy 41: Sustainable construction and low carbon energy</i>	BL.5, BL.6, BL.7, TR.1
	<i>Core Policy 42: Standalone renewable energy installations</i>	BL.5
<i>Strategic Objective 3: providing everyone with access to a decent, affordable home</i>	<i>Core Policy 43: Providing affordable homes</i>	BL.1, BL.2, BL.7
	<i>Core Policy 44: Rural Exception Sites</i>	HNA.1, BL.1, BL.2, BL.4
	<i>Core Policy 45: Meeting Wiltshire's housing needs</i>	BL.1
	<i>Core Policy 46: Meeting the needs of Wiltshire's vulnerable and older people</i>	BL.1
	<i>Core Policy 47: Meeting the needs of gypsies and travellers</i>	n/a
<i>Strategic Objective 4: helping to build resilient communities</i>	<i>Core Policy 48: Supporting rural life</i>	HNA.1, HNA.2, BL.1, BL.2, BL.3, BL.7, BL.8, TR.3, TR.4, TR.5, LCW.2, EB.2, LCW.2, CIL
	<i>Core Policy 49: Protection of rural services and community facilities</i>	BL.8, EB.1, EB.2, LCW.1, LCW.2, CIL.

Core Strategy Objective	CS Policies	TisPlan policy/reference
Strategic Objective 5: protecting and enhancing the natural, historic and built environment	Core Policy 50: Biodiversity and Geodiversity	HNA.1, BL.3, BL.4, BL.5, BL.7, HNA.1, HNA.3
	Core Policy 51: Landscape	HNA.1, HNA.2, BL.4, LCW.3
	Core Policy 52: Green Infrastructure	HNA.1, HNA.2, BL.4, LCW.3
	Core Policy 53: Wiltshire's Canals	n/a
	Core Policy 54: Cotswold Water Park	n/a
	Core Policy 55: Air Quality	BL.5, BL.7, TR.4, TR.5
	Core Policy 56: Contaminated Land	BL, 7, LCW.3
	Core Policy 57: Ensuring high quality design and place shaping	HNA.1, HNA.2, HNA.3, BL.3, BL.4, BL.5, BL.7, TR.3, TR.4, EB.1, LCW.1, LCW.3
	Core Policy 58: Ensuring the conservation of the historic environment	HNA.2, BL.4
	Core Policy 59: Stonehenge, Avebury and associated World Heritage Sites	n/a
Strategic Objective 6: ensuring that adequate infrastructure is in place to support our communities	Core Policy 60: Sustainable Transport	BL.7, TR.1, TR.2, TR.5, CIL
	Core Policy 61: Transport and new development	BL.7, TR.1, TR.3, TR.5, CIL
	Core Policy 62: Development impacts on the transport network	TR.4
	Core Policy 63: Transport strategies	TR.1, TR.2, TR.3, TR.4, TR.5
	Core Policy 64: Demand management	TR.4, TR.5
	Core Policy 65: Movement of goods	BL.7, TR.1
	Core Policy 66: Strategic transport network	BL.7, TR.1
	Core Policy 67: Flood Risk	HNA.3, BL.4, BL.7
	Core Policy 68: Water resources	HNA.3, BL.7
	Core Policy 69: Protection of the River Avon SAC	HNA.1, HNA.3, BL.7, CIL

2.4. Compliance with EU policy

A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant. A number of EU obligations may be relevant. The ones applicable to TisPlan are detailed below.

2.4.1. Strategic Environmental Assessment

The Strategic Environment Assessment (SEA) Directive (Directive 2001/42/EC) aims to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

If the neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment in order to meet EU obligations. Due to the number of potential impacts on EU designated sites Wiltshire Council determined that TisPlan would require a Strategic Environmental Assessment, which was carried out by AECOM in July 2017 (Reg 14 version) and an Submission version SEA in January 2019 - see [Appendix 7 - TisPlan Strategic Environmental Assessment](#) which indicates the plan will have significant positive impacts on the environment.

2.4.2. Habitats Regulation Assessment

A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information. As part of the Reg 14 Wiltshire Council consultation response, the council Habitats Regulation Officer suggested that a number of dwellings for Station Works should be included in the plan in order to comply with the Nutrient Management Plan for the River Nadder SAC, which has been addressed in the TisPlan Submission version. A number of other essential supporting points have been included to enhance protection of designated environmental sites associated with TisPlan policies, notably Station Works to bring attention to flight paths and roosting areas of protected bat species. The inclusion of the Chilmark Quarries in an amended SEA to accompany the Submission version of TisPlan. These concerns have now been addressed in the Submission version of TisPlan.

2.4.3. Human Rights

The plan is compatible with human rights legislation, most particularly Article 8 (Right to Respect for Private and Family Life) of the Human Rights Act (1998). TisPlan does not breach Article 8 and there is nothing elsewhere in TisPlan to indicate the potential breach of any other human rights legislation.

The Parish Council confirm that the non-statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given the opportunity to express their views. The Steering Group were constantly mindful of the need to engage all sections of the local community and applied different consultation techniques accordingly. These initiatives are documented in the accompanying Consultation Statement.

The Parish Council also wishes to confirm that TisPlan has been prepared to represent the views of the whole community.

It is therefore believed that TisPlan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

3. Conclusion

In accordance with paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 this Statement demonstrates that the proposed TisPlan prepared by Tisbury and West Tisbury Parish Councils meets the requirements of each basic condition and the other legal tests.



TisPlan was produced by a steering group consisting of community volunteers from Tisbury and West Tisbury, all of whom share a passion for this community in which they live and work.

TisPlan Steering Group: Janet Amos (Chair) Paul Colebourne, Simon Davison, George Flower, Simon Fowler, Robert Hill, Ione Lacey, Michael Neal, Nigel Noyle, and Claire Witham.

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