

CULHAM NEIGHBOURHOOD PLAN

2020 - 2041

JUNE 2022

BASIC CONDITIONS STATEMENT

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under the Neighbourhood Planning (General) Regulations 2012 (as amended)

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1.INTRODUCTION

1.1 This statement has been prepared by Culham Parish Council ("the Parish Council") to accompany its submission of the Culham Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, South Oxfordshire District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, the 'Qualifying Body', for the Neighbourhood Area ("the Area"), which coincides with the boundary of the Parish of Culham and which was designated by the District Council on 18 September 2020 (see Plan A below). The Parish Council has consulted the local community, the statutory bodies and other stakeholders throughout the preparation of the Neighbourhood Plan, as required by the Regulations. This is detailed in the Consultation Statement, which is published separately as part of the submission documentation.

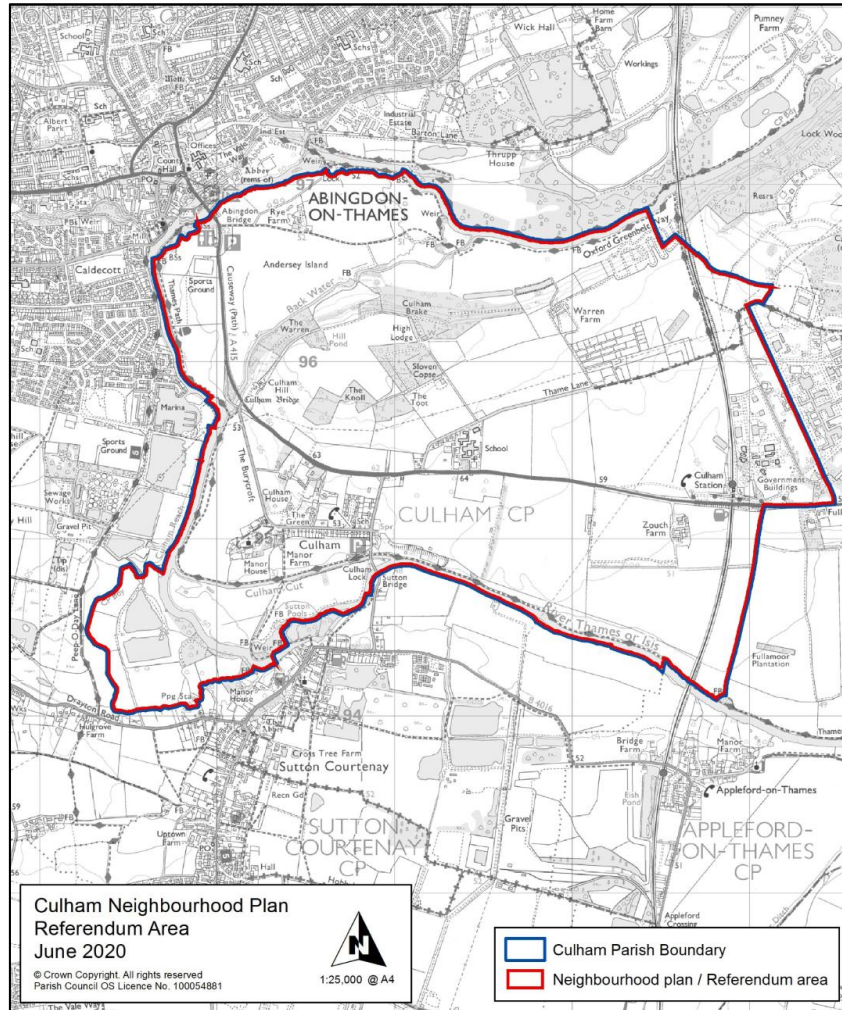
1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2020 to 2041 and will form part of the development plan for the district, alongside the adopted South Oxfordshire Local Plan 2035 ("the Local Plan"). There is also an emerging Oxfordshire Plan 2050 and an emerging Joint South Oxfordshire and Vale of White Horse District Council Local Plan 2041 ("the Joint Local Plan"). The Neighbourhood Plan period corresponds with the plan period of the Joint Local Plan. This will enable the two plans to neatly operate alongside each other and to be monitored and reviewed on a similar timeframe.

1.4 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the 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 Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) The making of the Neighbourhood Development 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),

- f) The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with retained EU obligations.



Plan A: The Culham Designated Neighbourhood Area

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.” (our emphasis)

1.7 The case acknowledged that there will often be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. It sensibly concluded that such tensions can only be resolved by the qualifying body using its planning judgement to strike an appropriate balance across the plan as a whole. The examination tests the extent to which the qualifying body has exercised its judgement in a reasonable way. The fact that the local planning authority, in its representations on the plan, indicates that it would strike the balance differently, does not disable the qualifying body from doing so.

1.8 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range of national policies influencing plan making, and that some of those policies may also be in tension. It is therefore expected that the examination of this Condition will take the same approach as Condition (e).

1.9 For these reasons, sections 3 and 5 of this Basic Conditions Statement highlight how policies of the Neighbourhood Plan are considered to meet Conditions (a) and/or (e), explaining how the qualifying body has exercised its judgement in those cases “where different parts of national policy need to be balanced” (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).

1.10 The Parish Council is also mindful of the Levelling Up and Generation Bill placed before Parliament in May 2022. The Bill proposes to make changes to both the development plan and management system. It indicates that there is a future for neighbourhood planning in that system. Once the Bill has received Royal Assent and the associated regulations and changes to national policy are in place, necessary amendments to the proposed policy provisions will be considered in a first review of the made Neighbourhood Plan.

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in early 2020. With the encouragement of the District Council to local communities across the district to prepare Neighbourhood Plans, the key driver of this decision was a sense of wanting to plan positively for the future of the Parish. Although a rural Parish with little to no services, there are major strategic allocations and safeguarded land for strategic transport schemes within and adjacent to the Parish. The Parish Council considered having a Plan would improve the way in which future development proposals are managed through expressing the identity of the existing village community.

2.2 A steering group was formed comprising the residents and Parish Council representatives. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre-Submission plan in February 2022 and the Submission Plan now.

2.3 The Parish Council has consulted local communities extensively over the duration of the project. It has also sought to work closely with officers of the District Council to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the Local Plan. The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains 10 land use policies (CUL1 – CUL10), which are defined on the Policies Map where they apply to a specific part of the Area. The Plan has deliberately avoided containing policies that duplicate adopted development plan policies or national policies that are already used to determine planning applications in the Area. The policies are therefore a combination of site-specific or other proposals and of development management matters that seek to refine and/or update existing policies to secure their specific application to this Parish.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Parish Council believes the Neighbourhood Plan "support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies" (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more "detailed policies for specific areas" including "the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies" (§28).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its community the power to develop a shared vision for the Area that will shape, direct, and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will unreasonably result in less development than set out in the strategic policies for the area (§29). In this regard, the District Council has confirmed that the 'indicative housing figure' for the Parish is zero in accordance with the NPPF provisions of meeting local housing needs (as per §65/§66). Through choosing not to make any housing site allocations, it is accepted that the provisions of §14 will not apply. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	NPPF Ref.	Commentary
CUL1	Community Facilities	93	<p>This policy seeks to protect popular and cherished social, recreational and cultural facilities across the Parish whilst supporting those facilities to develop and modernise providing it does not result in the unnecessary loss of valued facilities in line with §93.</p> <p>The final clause of the policy seeks to ensure that the masterplan layout for the strategic allocation in the parish acknowledges the opportunity to enhance the sustainability of the existing community in line with the provisions of §93.</p>
CUL2	Former Waggon & Horses Public House	16, 56-58, 84, 85, 93, 98, 137, 148,	<p>The site lies on the junction of Tollgate Road and the A415 and is nestled between the main village settlement of Culham, immediately adjacent to the Culham Recreation Ground, and the existing Europa School. There is a pedestrian access route through Culham Recreation Ground onto Tollgate Road emerging opposite the site, which is well used by the local community to access the existing Europa School facilities and beyond using the existing pedestrian and cycling infrastructure along the A415, which will benefit from improvements as part of the requirements of the STRAT9 allocation. There are also bus stops within walking distance of the site, and bus services between Berinsfield, Culham and Abingdon will also benefit from improvements as part of the requirements of the STRAT9 allocation. The site therefore occupies a rural, but prominent location on a well-used A415 and an important local thoroughfare, which it is anticipated will become even more important due to the planned strategic allocation at Policy STRAT9 of the adopted Local Plan.</p> <p>A former public house building, associated hardstanding previously used for car parking and associated open space, occupies the site. The public house was forced to close in 2015 due to no longer being a viable business. Since then, the site has become an eyesore and the existing village community has been forced to travel much further to access this type of community facility. There are no other community facilities within the main village settlement of Culham. There is no village hall or similar type of building on the Recreation Ground, and no prospect of this being realised as the land is not within the Parish Council's control. The site also has the potential to become a meeting place for the existing village and the new community to be established as part of the strategic allocation at Policy STRAT9. The retention and re-opening of this type of facility in this location is therefore highly desirable, as evidenced by local community interest.</p> <p>Landowners have been in discussions with the District and the Parish Council and have indicated</p>

		<p>that some form of additional development will be required to make the re-opening of the public house viable, and landowners have identified, with the support of the Parish Council, that a hotel element is suitable for this rural, but prominent location on the busy A415 which benefits from existing pedestrian and cycling infrastructure as well as bus services within walking distance of the site, all of which will see the benefit of improvements as part of the strategic allocation at Policy STRAT9.</p> <p>Policy CUL2 therefore seeks to support proposals coming forward which directly provide or assist in the provision of a public house or drinking establishment in this location, which could include the provision of hotel accommodation. The Parish Council considers that this type of proposal will enable the sustainable growth and expansion of existing buildings and/or well-designed new buildings; sustainable rural tourism development and the retention and development of local meeting places and public houses, as per §84.</p> <p>§85 recognises that community needs in rural areas may need to be met in locations, adjacent to or beyond existing settlements. The site houses the last public house use adjacent to or beyond, but still in close proximity to, the main village settlement, on a thoroughfare which is well used by the local community in line with the provisions of §85. The policy also requires the retention of a public house use in line with the provisions of §93 guarding against its unnecessary loss and the provision of accessible green amenity space. The local community has identified that provision of accessible green amenity space would allow the opportunity of a community orchard, not only benefiting the community's health and well-being, but a start in re-providing the priority habitat of traditional orchard, which has been lost within the main village settlement over the years. The opportunity to secure additional open space and deliver wider benefits for nature being in line with the provisions of §98.</p> <p>The site lies within the Oxford Green Belt and therefore the policy operates alongside the provisions of strategic (Policy STRAT6) and national planning policy in the Green Belt which attaches substantial weight to any harm to the Green Belt, as per §148, unless the potential harm to the Green Belt is clearly outweighed by other considerations. The policy provides evidence for the decision-maker to demonstrate that the public benefit of promoting social interaction in this prominent and locally accessible location carries significant weight as an other consideration in the planning balance. The policy also seeks to ensure that the location of any proposals within the site, and their design, does not significantly harm the openness of the Green Belt, in line with the provisions of §137.</p>
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CUL3	Early Years Provision	93	<p>This policy seeks to protect early years provision facilities across the Parish in line with §93.</p> <p>The final clause of the policy seeks to ensure that the masterplan layout for the strategic allocation in the parish acknowledges the need for early years provision and safeguards land within its proposals for early years provision which will enhance the sustainability of the existing community in line with the provisions of §93.</p>

CUL4	Enhancing Culham Conservation Area	127-129	‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’ (§127). The policy seeks to bring ‘clarity about design expectations’ within the Culham Conservation Area and the wider Parish (§128). The specific matters included in the design code ‘provide a framework for creating distinctive places’ to deliver a ‘consistent and high quality standard of design’ (§128). More generally, the policy approach follows that of the new National Model Design Code in identifying those key attributes of the village scape that contribute to defining the essential character of the Conservation Area.
CUL5	Design Code for Culham		
CUL6	Local Heritage Assets	203	‘The effect of an application on the significance of a non-designated heritage assets should be taken into account in determining the application’ (§203). The policy identifies a number of such assets, derived from the Design Code analysis which describe the value of each asset.
CUL7	Nature Recovery and Climate Change	174, 179	The policy contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures through identifying, mapping and safeguarding these components. It is therefore consistent with the aims of §174 and §179 in these respects.
CUL8	Sustainable Travel	101, 104	The policy requires that transport issues are considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued (§104). It also seeks to improve the use of public rights of way to encourage walking in the Parish, as per §100.
CUL9	Zero Carbon Buildings	56, 152, 155, 157	This policy is a local response to a global challenge, the local community being convinced by the international evidence that ensuring zero carbon building performance through the PassivHaus standard is the most simple and cost-effective approach to take. In doing so, it is consistent with the aims and provisions of §152, §155 and §157. It is inspired by innovative development plan making work in other parts of the country that has demonstrated this type of provision is necessary and possible in managing development proposals until national policy provisions are implemented. Its provision for post-occupancy evaluation of buildings constructed outside of the standard is consistent with PINS model conditions of this type and is therefore considered in line with the use of planning conditions, as per §56.






















CUL10	Light Pollution	185	The brightest levels of light pollution can already be seen in the Parish and is likely to be made worse by future development. The policy therefore seeks to limit the impact of light pollution in line with the provisions of §185.
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3.5 It is considered that all the policies have had full regard to national policy. Policy CUL2 engages two national policies that are in tension (Green Belt versus Social Well-being) which has required the Parish Council to strike a balance between them. All other policies of the Neighbourhood Plan have not required a balancing exercise to be undertaken in having regard to national policy as none are considered to be inconsistent with national policy. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 As a Strategic Environmental Assessment Report has not been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (dark green), moderate positive (light green), neutral (yellow), moderate adverse (light red) or significant (dark red) adverse effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
CUL1	Community Facilities				The policy will have a significant positive social effect in protecting the range of community facilities that are well used and cherished by the village communities and in locating facilities on the strategic allocation in a location accessible to the main village settlement. Its economic and environmental effects are neutral.
CUL2	Former Waggon & Horses Public House				The policy will have significant positive social effect by re-providing a facility needed in this location as well as additional recreational opportunities. As a result, a scheme which re-provides a public house use will also have moderate economic benefit. The policy makes provision for mitigation measures alongside national and strategic provisions on the surrounding landscape, to avoid causing a negative environmental effect.
CUL3	Early Years Provision				The policy will have a significant positive social effect in protecting the range of community facilities that are well used and cherished by the village communities. By ensuring there is early years provision in the parish it ought to mean that local people will not need to drive to access this type of service but this cannot be guaranteed and so its economic and environmental effects are neutral.

CUL4	Enhancing Culham Conservation Area				The policy will have a significant positive environmental effect and a moderate social effect in conserving the essential character of the village, and some of its history (especially that of its Conservation Area and Listed Buildings), which local people care about. Its economic effect is neutral.
CUL5	Design Code for Culham				
CUL6	Local Heritage Assets				The policy will have a significant positive environmental effect and a moderate social effect in ensuring that features of local historic and/or architectural value are understood and kept as far as possible in new development proposals as part of retaining the character of the Parish, for the enjoyment of the local community. Its economic effect is neutral.
CUL7	Nature Recovery and Climate Change				The policy will have a significant positive environmental effect in ensuring that development proposals contribute to the multi-functional roles of green infrastructure assets including their recreational, ecological and climate change roles. It will have moderate social effect as the network comprises a range of publicly accessible spaces that will benefit from the policy provisions. Its economic effect is neutral.
CUL8	Sustainable Travel				The policy will have significant positive environmental and social effects in reducing traffic to improve air quality and in encouraging healthier lifestyles by walking and cycling. Its economic effect is neutral.
CUL9	Zero Carbon Buildings				The policy will have a significant positive environmental effect in maximising the zero-carbon performance of all new buildings. It will have moderate social and economic effects in the ongoing financial savings to the building (residential and commercial) occupiers in energy costs.
CUL10	Light Pollution				This policy has moderate positive social and environmental benefits by improving enjoyment of the night skies while at the same time reducing the impact of artificial light on wildlife although the extent of its application is limited to development within the parish. Its economic effect is neutral.

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for the District, that is the adopted South Oxfordshire Local Plan 2011 – 2035 (“the Local Plan”), and the Oxfordshire Minerals and Waste Local Plan (“the Minerals & Waste Plan”), taken as a whole. An emerging Joint Local Plan to 2041 is at the very early stages of preparation. In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of the emerging Local Plan, which in any event is too early in its preparation to be of any help.

5.2 The Local Plan defines Culham as a ‘Smaller Village’ in the settlement hierarchy of the District and it remains ‘washed over’ by the Oxford Green Belt. There are major strategic allocations and safeguarded land for strategic transport schemes within and adjacent to Culham’s boundary. It encourages the preparation of Neighbourhood Plans at such villages but does not require any further growth to be planned for, other than infill and conversions. An assessment of the general conformity of each policy is contained in Table C below.

Table C: Neighbourhood Plan & Development Plan Conformity Summary		
No.	Policy Title & Refs	Commentary
CUL1	Community Facilities	<p>This policy refines Policies CF1 and CF4 in defining those facilities in the Parish to which those policies apply. The policy also requires the strategic allocation made at Policy STRAT9 to locate its social infrastructure provisions in such a way so that the existing village can benefit from it which reflects the provisions of Policy STRAT4 in seeking sustainable development that support and complement the role of existing settlements and communities and Policy DES4 in careful siting of community facilities to meet the needs of existing and future communities.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>
CUL2	Former Waggon & Horses Public House	<p>The policy has substantial conformity with the overall spatial Policy STRAT1: The Overall Strategy which supports limited amounts of employment to help secure the provision and retention of services at Smaller Villages, like Culham and in ensuring that any change within the Oxford Green Belt relates to very specific needs. The retention and re-provision of a public house and meeting</p>

		<p>place on a busy local thoroughfare and on the A415, in the absence of a similar facility within the main village settlement and no prospects of such being provided within the main village settlement, being the very specific need identified in Policy STRAT1 in this case.</p> <p>The policy provides the decision-maker with important local considerations which are relevant to the provisions of Clause 1 of Policy STRAT6: Green Belt as the site lies within the Oxford Green Belt; and also requires proposals to be designed in such a way to avoid significantly harming the openness of the Green Belt; and therefore, operates alongside the provisions of Policy STRAT6; and is therefore considered has very substantial conformity.</p> <p>The policy takes the opportunity to identify that hotel accommodation in this location would meet the definition of sustainable rural tourism developments as it will benefit the existing Culham community which is supported through Policy EMP10. Promoting the retention and development of a public house and meeting place is also promoted by Policy EMP10: Development in Rural Areas. The policy therefore has very substantial conformity with Policy EMP10.</p> <p>The policy has very minor non-conformity with Policy EMP11: Tourism if proposals continue to include hotel accommodation to directly provide or assist the provision of a public house use on the site as the site is located outside of the built-up area of Culham which is a smaller village. However, the site is previously developed land, in very close proximity to the built-up area of Culham and lies on a busy local thoroughfare and the busy A415 with existing pedestrian and cycling infrastructure and public transport facilities within walking distance of the site, all of which will benefit from improvements as part of the strategic allocation of STRAT9. It is therefore not considered appropriate to apply the more stringent approach taken in Policy EMP11 on other locations outside of the built-up area of Culham as the degree of any adverse effects will not be comparable given the prominent and accessible location of the site.</p> <p>The policy also includes a number of key principles (not all) on design, green infrastructure, landscape impact, biodiversity, safe and convenient access, routes and parking for all users of the highway network, and light pollution which reflect the provisions of Policies DES1: Delivering High Quality Development, DES2: Enhancing Local Character, ENV1: Landscape and Countryside, ENV3: Biodiversity, ENV5 Green Infrastructure in New Developments, TRANS2: Promoting Sustainable Transport and Accessibility, TRANS5: Consideration of Development Proposals, ENV11: Pollution. Other relevant policies in the Local Plan will continue to apply.</p> <p>In overall terms, the Parish Council therefore considers that the substantial extent to which the</p>
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		<p>policy conforms with a number of strategic policies outweighs the very minor extent to which it does not in the case of one particular strategic policy on the location of tourism accommodation.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the strategic policies of the development plan, as a whole.</p>
CUL3	Early Years Provision	<p>The policy seeks to safeguard early years provision in the Parish which now form part of Class E and benefits from prior approval provisions in line with the provisions of Policy INF1 which seeks to ensure sufficient infrastructure provisions are already in place or will be provided. Other strategic allocations specifically include early years provisions as part of the key principles for schemes being submitted and the policy therefore makes provision for this at the strategic allocation of Policy STRAT9.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>
CUL4	Enhancing Culham Conservation Area	<p>The policy refines Policies DES1, DES2, ENV6 – ENV9 by identifying local context and specific design features of the Conservation Area and the wider Parish.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>
CUL5	Design Code for Culham	
CUL6	Local Heritage Assets	<p>This policy refines Policy ENV6 in identifying non-designated heritage assets in the Parish to which the policy apply.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>
CUL7	Nature Recovery and Climate Change	<p>This policy refines Local Plan Policies ENV1 – ENV5 in relating its broad natural environment principles to this Parish.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>
CUL8	Sustainable Travel	<p>The policy refines Local Plan Policy TRANS2 by providing a local element to its provisions.</p>

		As a result, the Parish Council considers that the policy is in general conformity with the development plan.
CUL9	Zero Carbon Buildings	<p>The policy framework is consistent with the criteria outlined in Policy DES8 and DES10 of the Local Plan. However, the preparation of these policies was undertaken prior to recent changes in the law and national policy commitments as outlined in Appendix C of the Plan. In the absence of any currently adopted or emerging policy which reflects the national legislative and policy framework, and the extensive evidence that new buildings under perform in energy efficiency terms, it is anticipated that the policy will be welcomed by the District Council as it is consistent with both the national and local climate emergency target and monitoring regimes. It is also consistent with recent Government announcements (January 2021) that they do not intend to amend the Planning and Energy Act 2008 and, that as a result the setting of energy efficiency standards at the Local Plan or Neighbourhood Plan scale is permissible. As per PPG ID: 41-074-20140306, the Parish Council considers that the policy upholds the general principle of Local Plan Policies which was adopted in 2020; that the degree of conflict is minor; that the policy offers a distinct local approach that does not undermine Local Plan policies; and that there is a strong rationale and evidence base to justify this approach.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the strategic policies of the development plan, as a whole.</p>
CUL10	Light Pollution	<p>The policy is consistent with, and refines, Policies ENV11 and ENV12 in identifying the existing status of dark skies in the Parish that form an essential part of the distinctive rural character of the area.</p> <p>As a result, the Parish Council considers that the policy is in general conformity with the development plan.</p>

5.20 It is considered that all the policies are in general conformity with the strategic policies of the adopted development plan. None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to general conformity with strategic policy as none are considered to be inconsistent with strategic policy. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6. CONDITION (F): COMPATABILITY WITH EU LEGISLATION

6.1 The District Council provided a screening opinion that has determined that a Strategic Environmental Assessment is not required, following consultation with statutory bodies, as per Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended). A copy of the screening opinion is published separately. The Parish Council has therefore met its obligations in relation to the EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.2 The Parish Council has also met its obligations in relation to the habitat provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Parish Council provided the District Council with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The District Council's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.