



Thurlestone Parish Neighbourhood Plan 2015 - 2034

Basic Conditions Statement



Thurlestone Parish Neighbourhood Plan

Basic Conditions

A Neighbourhood Plan must meet the Basic Conditions which are set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan (see Development plan status below); and
- must be compatible with EU obligations and human rights requirements.

1. Have regard to national policies and advice

The Plan complies with the core planning principles set out at para 17 of the National Planning Policy Framework (NPPF), and the individual policies of the Thurlestone Parish Neighbourhood Plan and how they have regard to national policies and guidance is set out below:

<p>POLICY TP1: GENERAL DEVELOPMENT PRINCIPLES</p>	<p>Policy TP1 has regard to paras 9-10, 14-16, 114-116 of the NPPF by supporting opportunities to meet the development needs of the Plan area in accordance with the presumption in favour of sustainable development, whilst taking local circumstances into account and giving particular regard for the highest status of protection given to AONBs in relation to landscape and scenic beauty, and protecting and enhancing the distinctive landscapes of the undeveloped coast. It is an overarching policy to ensure that all proposals for development meet specific criteria that have regard to the NPPF, including: paras 9, 17, 56 – 58, 61, 64, 66 and 123 (residential amenity), paras 56 – 59, 61, 64 and 66 (good design), para 125 (dark skies), paras 114 - 118 (AONB, undeveloped coast including Heritage Coast), paras 126, 128-129, 131-135 and 139 (heritage assets) para 32 (infrastructure) and para 32 (transport and traffic impact).</p>
<p>POLICY TP2: SETTLEMENT BOUNDARIES</p>	<p>Policy TP2 has regard to paras 10, 14-16, 53-55 & 114-116 of the NPPF by supporting opportunities to meet the development needs of the Plan area, in accordance with the presumption in favour of sustainable development, whilst taking local circumstances into account and giving particular regard for the highest status of protection given to AONBs in relation to landscape and scenic beauty, and protecting and enhancing the distinctive landscapes of the undeveloped coast. In accordance with para 55 of the NPPF, this policy supports a holistic approach</p>

	<p>to sustainable development by looking at the parish in the context of a village network, where development in one settlement supports services and facilities in another for the benefit of the parish as a whole. To this end, settlement boundaries are proposed in order to deliver sustainable development within the parish. The inappropriate development of residential gardens where it would cause harm to the local area is resisted, in accordance with para 53 of the NPPF.</p>
<p>POLICY TP3: AFFORDABLE HOUSING</p>	<p>Policy TP3 has regard to paras 10, 17, 50, 54, 55 & 58 of the NPPF by supporting the housing needs of the area having objectively identified and assessed those needs and taken account of market signals, such as land prices and housing affordability (a core planning principle). In accordance with paras 14, 50, 54, 111, 114 – 116 of the NPPF this policy supports the provision of a mix of housing to suit local needs on a rural exception site, as a village housing initiative or community-led housing; and the reuse of previously developed land.</p>
<p>POLICY TP4: OPEN MARKET HOUSING</p>	<p>Policy TP4 has regard to paras 10, 17, 55 & 58 of the NPPF by supporting the housing needs of the area having objectively identified and assessed those needs and taken account of market signals, such as land prices and housing availability (a core planning principle). In accordance with paras 14, 50, 54, 55, 111, 114–116 of the NPPF, this policy requires that the size type, tenure and range of housing must reflect clearly identified local housing needs and supports the reuse of previously developed land. The AONB has the highest status of protection and the character of the undeveloped coast must be maintained, particularly within the Heritage Coast. As per para 58 of the NPPF, the development will be expected to add to the overall quality of the area, establish a strong sense of place, respond to local character, and be visually attractive as a result of good architecture and appropriate landscaping.</p>
<p>POLICY TP5: REUSE OF FARM AND RURAL BUILDINGS</p>	<p>Policy TP5 has regard to para 55 of the NPPF by supporting the reuse of redundant or disused buildings for residential purposes in the countryside where the development leads to an enhancement to the immediate setting.</p>
<p>POLICY TP6: PRINCIPAL RESIDENCE REQUIREMENT</p>	<p>Policy TP6 has regard to paras 10, 14 & 114 - 116 of the NPPF by supporting opportunities to meet the development needs of the Plan area, in accordance with the presumption in favour of sustainable development, whilst taking local circumstances into account and giving particular regard for the highest status of protection given to AONBs in relation to landscape and scenic beauty, and protecting and enhancing the distinctive landscapes of the undeveloped coast. The Plan considers that a principal residence requirement is a necessary and proportionate response to address the local problem of second homes and holiday lets and contributes to the achievement of sustainable development.</p>

<p>POLICY TP7: REPLACEMENT DWELLINGS AND EXTENSIONS</p>	<p>Policy TP7 has regard to paras 9, 17, 56 – 59, 61, 64, 66 & 123 relating to residential amenity, paras 56 – 59, 61, 64 & 66 relating to good design, and paras 114 - 116 relating to the AONB and undeveloped coast.</p>
<p>POLICY TP8: ECONOMIC DEVELOPMENT</p>	<p>Policy TP8 has regard to paras 9, 17, 19-21 & 28 of the NPPF by supporting sustainable economic development (a core planning principle) and taking a positive approach to economic proposals that will contribute to the livelihood of the area. In accordance with paras 21 and 37 this includes facilitating homeworking and flexible working practices, such as integration of residential and commercial uses within the same unit, and minimising journey lengths for employment.</p>
<p>POLICY TP9: EXPANSION OF EXISTING BUSINESSES</p>	<p>Policy TP9 has regard to paras 17, 19-21 & 28 of the NPPF by supporting the sustainable growth and expansion of existing tourism-related businesses and meeting identified local economic need over the Plan period.</p>
<p>POLICY TP10: NEW BUSINESSES</p>	<p>Policy TP10 has regard to paras 9, 17, 19-21 & 28 of the NPPF by supporting the development of new tourism-related businesses where they will enhance or maintain the vitality of the community and meet identified local economic need over the Plan period.</p>
<p>POLICY TP11: CARAVAN, CAMP AND CHALET SITES</p>	<p>Policy TP11 has regard to para 28 of the NPPF by supporting the expansion of existing caravan and camp sites which contribute to sustainable rural tourism and benefit businesses in the area, the community and visitors. In accordance with paras 114, 115 & 116 of the NPPF, the development of new caravan, camp and chalet sites is not supported given the Plan area is located within the South Devon AONB, the undeveloped coast and the Heritage Coast.</p>
<p>POLICY TP12: NEW BUSINESS HUB</p>	<p>Policy TP12 has regard to paras 9, 17, 19-21, 28 & 37 of the NPPF by facilitating more flexible working practices, supporting rural diversification and enhancing the sustainability of the community by less dependence on the car and minimising journey lengths for employment.</p>
<p>POLICY TP13: NEW MARINE-RELATED WORKSHOPS</p>	<p>Policy TP13 has regard to paras 17, 19-21 & 28 of the NPPF by supporting small-scale workshops on or close to the Avon Estuary where they will enhance or maintain the vitality of the community and meet identified local economic need over the Plan period.</p>
<p>POLICY TP14: STORAGE SPACE</p>	<p>Policy TP14 has regard to paras 17, 19-21 & 28 of the NPPF by providing improved facilities for existing businesses, supporting rural diversification and meeting identified local economic need over the Plan period.</p>

<p>POLICY TP15: CHANGE OF USE OF FARM AND RURAL BUILDINGS</p>	<p>Policy TP15 has regard to paras 19-21 & 28 of the NPPF by supporting sustainable economic growth, rural regeneration and diversification.</p>
<p>POLICY TP16: LOSS OF EMPLOYMENT USES</p>	<p>Policy TP16 has regard to paras 28 and 70 of the NPPF: supporting a strong rural economy by promoting the retention and development of local services and facilities in villages. In accordance with para 70, the policy guards against the unnecessary loss of valued facilities and services.</p>
<p>POLICY TP17: FOOTPATHS AND CYCLE TRACKS</p>	<p>Policy TP17 has regard to paras 17, 69, 70, 75 and 114 of the NPPF by supporting the health and wellbeing of the community, protecting and enhancing public rights of way and access, and improving access to and enjoyment of the undeveloped coast, particularly the Heritage Coast.</p>
<p>POLICY TP18: RECREATION AND SPORT</p>	<p>Policy TP18 has regard to paras 9, 17, 69, 70 and 73 of the NPPF by supporting the health and wellbeing of the community and the opportunity for, and delivery of, sufficient recreational and sports facilities and services to meet local needs.</p>
<p>POLICY TP19: CHANGE OF USE TO OPEN SPACE, SPORT OR RECREATION</p>	<p>Policy TP19 has regard to paras 17, 69, 70 and 73 of the NPPF by supporting the health and wellbeing of the community and the opportunity for and delivery of sufficient open space, recreational and sports facilities and services to meet local needs.</p>
<p>POLICY TP20: CHANGE OF USE FROM OPEN SPACE, SPORT & RECREATION TO OTHER USES</p>	<p>Policy TP20 has regard to paras 17, 69, 70, 73 & 74 of the NPPF by supporting the health and wellbeing of the community, guarding against the unnecessary loss of valued facilities and services, and not building on existing open space, sports and recreational buildings and land unless: the open space, buildings or land can be demonstrated to be surplus to requirements; or the loss resulting would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.</p>
<p>POLICY TP21: NON-DESIGNATED HERITAGE ASSETS</p>	<p>Policy TP21 has regard to para 135 of the NPPF by taking into account the significance of a non-designated heritage asset when determining a planning application. A balanced judgement will be required having regard to the scale of any harm or loss. In accordance with paras 17 & 126 of the NPPF, a comprehensive list of non-designated heritage assets has been compiled and used as the basis for conserving such assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to local character/distinctiveness for this & future generations.</p>

<p>POLICY TP22: THE NATURAL ENVIRONMENT</p>	<p>Policy TP22 has regard to paras 17, 109, 111, 114-116 of the NPPF by contributing to conserving and enhancing the natural environment (a core planning principle): by protecting and enhancing valued landscapes, minimising impacts on biodiversity, supporting the reuse of previously developed land, maintaining the character of the undeveloped coast, particularly the Heritage Coast, and improving access to and enjoyment of the coast. In accordance with paras 115 & 116 the Plan has particular regard for the highest status of protection given to AONBs in relation to landscape and scenic beauty.</p>
<p>POLICY TP23: COASTAL MANAGEMENT</p>	<p>Policy TP23 has regard to para 114 of the NPPF which requires the character of the undeveloped coast to be maintained and its distinctive landscapes to be protected and enhanced, particularly in areas defined as Heritage Coast, in which most of the Plan area is located. In accordance with paras 114, 115 & 116 of the NPPF, proposals for development on or in the immediate vicinity of any of the beaches are not supported given that they located in the AONB, the undeveloped coast and the Heritage Coast.</p>
<p>POLICY TP24: COMMUNITY WIFI</p>	<p>Policy TP22 has regard to paras 42 & 43 of the NPPF by supporting high quality communications infrastructure, which is essential for sustainable economic growth and plays a vital role in enhancing the provision of local community facilities and services. Any new masts or other structures must be sympathetically designed and camouflaged given that the Plan area is located within the AONB where skylines and uninterrupted views must be protected, in accordance with para 43, 114 & 115 of the NPPF.</p>
<p>POLICY TP25: CAR PARK</p>	<p>Policy TP25 has regard to paras 9, 17, 40 & 70 of the NPPF by contributing to improving the places in which people live (a core planning principle) and promoting a healthy community: by supporting car parking provision in or adjoining Thurlestone where it would be convenient for local services and facilities, safe and secure, and enhance the sustainability of the community.</p>
<p>POLICY TP26: AIR AMBULANCE NIGHT LANDING SITE</p>	<p>Policy TP26 has regard to paras 9, 17 & 70 of the NPPF by contributing to improving people’s quality of life and the places in which they live (a core planning principle) and promoting a healthy community: by supporting the provision of an air ambulance night landing site in an appropriate location where it would serve the parish and enhance the sustainability of the community.</p>
<p>POLICY TP27: SOLAR PANELS AND ARRAYS</p>	<p>Policy TP27 has regard to paras 17, 93 & 97 of the NPPF by supporting the transition to a low carbon future and encouraging the use of renewable resources (a core planning principle), supporting the delivery of renewable and low carbon energy and associated infrastructure; also paras 114 & 155 given the location of the parish within 3 landscape designations and para 97 re:</p>

	adverse impacts, including cumulative landscape and visual impacts.
POLICY TP28: WIND TURBINES	Policy TP28 has regard to paras 17, 93 & 97 of the NPPF by supporting the transition to a low carbon future and encouraging the use of renewable resources (a core planning principle), supporting the delivery of renewable and low carbon energy and associated infrastructure; also paras 114 & 155 given the location of the parish within 3 landscape designations and para 97 re: adverse impacts, including cumulative landscape and visual impacts.
POLICY TP29: COMMUNITY HEATING	Policy TP28 has regard to paras 17, 93 & 97 of the NPPF by supporting the transition to a low carbon future and encouraging the use of renewable resources (a core planning principle), and supporting any delivery of a community-led initiative for renewable and low carbon energy.

2. Achieving sustainable development

2.1 At the heart of the planning system is the principle of sustainable development and in order to proceed to referendum, a neighbourhood plan must be able to demonstrate that it contributes towards the achievement of sustainable development. The National Planning Policy Framework (NPPF) describes sustainable development as: *“about positive growth - making economic, environmental and social progress for this and future generations”* and it identifies three roles for the planning system to perform:

- **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.
- **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
- **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.

- 2.2 These roles are mutually dependent and in order to achieve sustainable development there need to be positive improvements in the quality of the natural, built and historic environment, as well as in people's quality of life. This means that plans and decisions must take local circumstances into account.
- 2.3 In the case of this parish, the entire area is located within the South Devon Area of Outstanding Natural Beauty (AONB). This is important because the NPPF affords AONBs the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are also important considerations.
- 2.4 Most of the parish also lies within the Heritage Coast and the Undeveloped Coast, which are both non-statutory designations but nonetheless carry substantial weight when it comes to development proposals. The NPPF states that local planning authorities should: *"maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast."*
- 2.5 Given that the parish is located within the AONB, Heritage Coast and Undeveloped Coast, the benefits of any development proposal must therefore be carefully balanced against its potential impacts on the environment and quality of life of local residents. The impact of inappropriate development is irreversible and would fail to contribute to the achievement of sustainable development.
- 2.6 In the particular circumstances of this parish, the community's Vision is to achieve sustainable development by promoting small-scale development of the right type in the right location. That means according to proven local need and where it does not detrimentally harm the AONB, the Heritage Coast and Undeveloped Coast.
- 2.7 This Plan does not include any site allocations but rather takes a holistic approach to sustainable development by looking at the parish in the context of a village network, where development in one settlement supports services and facilities in another for the benefit of the parish as a whole (in accordance with paragraph 55 of the NPPF). In this way, the Plan will benefit the parish as a whole and help to satisfy the economic, social and environmental requirements needed to achieve sustainable development.
- 2.8 This Plan is not anti-development, but it will only support development based on proven local need - the right type of development in the right location, which positively contributes to the community's Vision and the achievement of sustainable development.
- 2.9 The following matrix seeks to demonstrate how the individual policies in the Plan contribute to the achievement of sustainable development.

Achieving sustainable development

NPPF roles	economic	social	environmental
POLICY TP1 – GENERAL DEVELOPMENT PRINCIPLES	X	X	X
POLICY TP2 – SETTLEMENT BOUNDARIES	X	X	X
POLICY TP3 – AFFORDABLE HOUSING	X	X	
POLICY TP4 – OPEN MARKET HOUSING		X	
POLICY TP5 – REUSE OF FARM AND RURAL BUILDINGS	X	X	X
POLICY TP6 – PRINCIPAL RESIDENCE REQUIREMENT	X	X	
POLICY TP7 – REPLACEMENT DWELLINGS AND EXTENSIONS		X	
POLICY TP8 – ECONOMIC DEVELOPMENT	X		
POLICY TP9 – EXPANSION OF EXISTING BUSINESSES	X		
POLICY TP10 – NEW BUSINESSES	X		
POLICY TP11 – CARAVAN, CAMPSITES AND CHALET SITES	X		
POLICY TP12 – NEW BUSINESS HUB	X		
POLICY TP13 – NEW MARINE-RELATED WORKSHOPS	X		
POLICY TP14 – STORAGE SPACE	X		
POLICY TP15 – CHANGE OF USE OF FARM AND RURAL BUILDINGS	X		
POLICY TP16 – LOSS OF EMPLOYMENT USES	X	X	

POLICY TP17 – FOOTPATHS AND CYCLE TRACKS		X	X
POLICY TP18 – RECREATION AND SPORT		X	
POLICY TP19 – CHANGE OF USE TO OPEN SPACE, SPORT OR RECREATION		X	
POLICY TP20 – CHANGE OF USE FROM OPEN SPACE, SPORT & RECREATION TO OTHER USES		X	
POLICY TP21 – NON-DESIGNATED HERITAGE ASSETS		X	X
POLICY TP22 – THE NATURAL ENVIRONMENT	X	X	X
POLICY TP23 – COASTAL MANAGEMENT	X		X
POLICY TP24 – COMMUNITY WIFI	X	X	
POLICY TP25 – CAR PARK	X	X	
POLICY TP26 – AIR AMBULANCE NIGHT LANDING SITE		X	
POLICY TP27 – SOLAR PANELS AND ARRAYS	X	X	
POLICY TP28 – WIND TURBINES	X	X	
POLICY TP29 – COMMUNITY HEATING	X	X	

2.10 Accordingly, the Thurlestone Parish Neighbourhood Plan upholds the principles of sustainable development and has considered the economic, social and environmental dimensions to sustainable development throughout the plan-making process and its preparation.

3. General conformity with the strategic policies of the development plan

- 3.1 Neighbourhood plans must demonstrate that they are in general conformity with the strategic policies of the adopted development plan for the local area. Section 38 of the Planning and Compulsory Purchase Act 2004 defines "development plan" as the development plan documents adopted for the area and Schedule 8 extends this to include saved local plans.
- 3.2 The current development plan for South Hams District is the Local Development Framework (LDF) comprising the following documents: the 2006 Core Strategy including saved policies from the 1996 Local Plan, the 2007 Sherford New Community Area Action Plan, the 2008 Affordable Housing Development Planning Document (DPD), the 2010 Development Policies DPD and the 2011 Site Allocations DPD. However, a new Joint Local Plan for Plymouth and South West Devon (JLP) is currently underway and due to be examined in January 2018. The Thurlestone Parish Neighbourhood Plan has therefore been prepared before the JLP is in place.
- 3.3 The Council has produced a list of policies that it regards as the strategic policies with which neighbourhood plans should be in conformity where they are still up to date and in conformity with the NPPF. These policies are shaded green in the following table. Where policies are not in conformity with the NPPF, the NPPF will take precedence and the relevant NPPF paragraph or section is given.

Strategic Policy	Conformity required ?	Notes
Core Strategy 2006		
CS1, Location of Development	Y	Not in full conformity with NPPF; however, NPs should have regard to CS1 as it gives an indication of which settlements are considered sustainable by the Council. NPPF Paras 14-15 are also relevant ('Presumption in favour of sustainable development').
CS2, Housing numbers	N	Out of date. Not in conformity with NPPF – relevant section: 6. Delivering a wide choice of high quality homes. JLP evidence is relevant.
CS3, Employment land provision	Y	Compliance required though NPs may add detail.
CS4, Sherford New Community	N	Where relevant.

CS5, Previously developed land	Y	NPPF 111 permits local targets. No new evidence to suggest a different target, however, the Council suggests flexibility on the 50% figure.
CS6, Affordable Housing	N	Does not conform with NPPF in terms of evidence. NPPF Paras 50 and 54 are relevant. New JLP evidence suggests 30%.
CS7, Design	Y	Sets out broad design parameters. NPs may add local detail. DP1 is relevant.
CS8, Infrastructure provision	Y	NPs may add local detail.
CS9, Landscape and historic environment	Y	In broad conformity with NPPF. NPs may add local detail. DP2 and DP5 are relevant.
CS10, Nature conservation	Y	DP5 is relevant.
CS11, Climate change	Y	In broad conformity with NPPF. NPs may add local detail.
CS12 Tourism	N	NPPF does not advocate a sequential approach for tourism related development. Relevant NPPF sections: 1. Building a strong, competitive economy. 2. Ensuring the vitality of town centres 3. Supporting a prosperous rural economy.
CS13, Rural diversification	N	Not in full conformity with NPPF. NPPF Para 28 takes precedence.
Development Policies DPD		
DP7, Transport, access and parking	Y	
DP8, Open space, sport and recreation	Y	
DP11, Housing mix and tenure	Y	
Site Allocations DPD policies where appropriate		

3.4 The following table seeks to demonstrate how the individual policies of the Thurlestone Parish Neighbourhood Plan are in general conformity with the strategic policies in the Local Development Framework.

<p>POLICY TP1: GENERAL DEVELOPMENT PRINCIPLES</p>	<p>Policy TP1 is in general conformity with CS1: Location of Development which provides that development is acceptable in principle within the village of Thurlestone, but that elsewhere (i.e. outside the Area Centres, Local Centres and Villages) development will be strictly controlled and only permitted where it can be delivered sustainably and in response to a demonstrable local need; and with paras 14-15 (presumption in favour of sustainable development) of the NPPF – see NPPF section. It is also in general conformity with CS7-CS11 and DP7: Transport, access and parking.</p> <p>Policy TP1 also has regard to DP2: Landscape Character, DP3: Residential Amenity, DP5: Biodiversity and Geological Conservation and DP15: Development in the Countryside.</p>
<p>POLICY TP2: SETTLEMENT BOUNDARIES</p>	<p>Policy TP2 is in general conformity with CS1: Location of Development which provides that development is acceptable in principle within the village of Thurlestone, but that elsewhere (i.e. outside the Area Centres, Local Centres and Villages) development will be strictly controlled and only permitted where it can be delivered sustainably and in response to a demonstrable local need; and with paras 14-15 (presumption in favour of sustainable development) of the NPPF – see NPPF section.</p>
<p>POLICY TP3: AFFORDABLE HOUSING</p>	<p>Policy TP3 has regard to Section 6: paras 50, 54 and 55 of the NPPF – see NPPF section. It is also in general conformity with: CS1: Location of Development, CS5: Previously developed land, CS7: Design, CS8: Infrastructure provision, CS9: Landscape and Historic Environment and DP7: Transport, access and parking.</p> <p>Policy TP3 also has regard to DP1: High Quality Design, DP2: Landscape Character, DP3: Residential Amenity, DP4: Sustainable Construction, AH4: Mix, Size, Type and Tenure and AH5: Rural Exception Sites.</p>
<p>POLICY TP4: OPEN MARKET HOUSING</p>	<p>Policy TP4 has regard to Section 6: paras 50, 54 and 55 of the NPPF – see NPPF section. It is also in general conformity with: CS1: Location of Development; CS5: Previously developed land; CS7: Design; CS8: Infrastructure provision; CS9: Landscape and Historic Environment which provides that the character of the undeveloped parts of the coast will be protected and development not requiring a coastal location will not be provided for, DP7: Transport, access and parking and DP11: Housing Mix and Tenure.</p> <p>Policy TP3 also has regard to DP1: High Quality Design, DP2: Landscape Character, DP3: Residential Amenity and DP4: Sustainable Construction.</p>

<p>POLICY TP5: REUSE OF FARM AND RURAL BUILDINGS</p>	<p>Policy TP5 is in general conformity with CS1: Location of Development which provides that outside the Area Centres, Local Centres and Villages, development will be strictly controlled and only permitted where it can be delivered sustainably and in response to a demonstrable local need. It is also in general conformity with CS7: Design, CS8: Infrastructure provision, CS9: Landscape and Historic Environment, DP7: Transport, access and parking. Policy TP3 also has regard to DP1: High Quality Design, DP2: Landscape Character, DP3: Residential Amenity, DP4: Sustainable Construction, DP15: Development in the Countryside and DP16: Conversion and Reuse of Existing Buildings in the Countryside which gives priority to economic uses before residential uses.</p>
<p>POLICY TP6: PRINCIPAL RESIDENCE REQUIREMENT</p>	<p>Policy TP6 is in general conformity with CS1: Location of Development which provides that development is acceptable in principle within the village of Thurlestone, but that elsewhere (i.e. outside the Area Centres, Local Centres and Villages) development will be strictly controlled and only permitted where it can be delivered sustainably and in response to a demonstrable local need; and with paras 10, 14-15, 53-55, 58 and 114-116 of the NPPF – see NPPF section.</p>
<p>POLICY TP7: REPLACEMENT DWELLINGS AND EXTENSIONS</p>	<p>TP7 is in general conformity with CS7: Design which provides that development proposals must include and promote good design which respects local distinctiveness, respects the character of the site and its surroundings in order to protect and enhance the built and natural environments. Policy TP7 also has regard to DP1: High Quality Design, DP2: Landscape Character, DP3: Residential Amenity DP4: Sustainable Construction, DP15: Development in the Countryside and DP17: Residential Extensions and Replacement Dwellings in the Countryside.</p>
<p>POLICY TP8: ECONOMIC DEVELOPMENT</p>	<p>Policy TP8 is in general conformity with CS3: Employment Land Provision insofar as there is no provision/allocation in the the Plan area and CS13: Rural Diversification is not in full conformity with the NPPF. The NPPF therefore takes precedence and Policy TP8 has regard to the NPPF and specifically paras 28 &19-21- see NPPF section.</p>
<p>POLICY TP9: EXPANSION OF EXISTING BUSINESSES</p>	<p>The NPPF does not advocate the sequential approach for tourism-related development set out in CS12: Tourism and CS13: Rural diversification is not in full conformity with the NPPF. Policy TP9 therefore has regard to the NPPF’s paras 19-21 & 28 which take precedence– see NPPF section.</p>

<p>POLICY TP10: NEW BUSINESSES</p>	<p>The NPPF does not advocate the sequential approach for tourism-related development set out in CS12: Tourism and CS13: Rural diversification is not in full conformity with the NPPF. Policy TP10 therefore has regard to the NPPF’s paras 19-21 & 28 which take precedence– see NPPF section.</p>
<p>POLICY TP11: CARAVAN, CAMP AND CHALET SITES</p>	<p>The NPPF does not advocate the sequential approach for tourism-related development set out in CS12: Tourism. Policy TP11 therefore has regard to the NPPF’s paras 19-21 & 28 which take precedence, as well as paras 114, 115 and 116 relating to the AONB, the undeveloped coast and the Heritage Coast – see NPPF section.</p> <p>Policy TP11 also has regard to DP13: Holiday Caravan, Camping and Chalet Sites which does not allow new caravan, camping and chalet sites within AONBs and the undeveloped coast.</p>
<p>POLICY TP12: NEW BUSINESS HUB</p>	<p>Since CS12: Rural Diversification is not in full conformity with the NPPF, Policy TP12 therefore has regard to paras 19-21 & 28 of the NPPF which take precedence – see NPPF section.</p>
<p>POLICY TP13: NEW MARINE-RELATED WORKSHOPS</p>	<p>Since CS13: Rural Diversification is not in full conformity with the NPPF, Policy TP13 therefore has regard to paras 19-21 & 28 of the NPPF which take precedence – see NPPF section.</p>
<p>POLICY TP14: STORAGE SPACE</p>	<p>Since CS13: Rural Diversification is not in full conformity with the NPPF, Policy TP14 therefore has regard to paras 19-21 & 28 of the NPPF which take precedence – see NPPF section.</p>
<p>POLICY TP15: CHANGE OF USE OF FARM AND RURAL BUILDINGS</p>	<p>Since CS13: Rural Diversification is not in full conformity with the NPPF, Policy TP15 therefore has regard to 19-21 & 28 of the NPPF which take precedence – see NPPF section. Policy TP15 also has regard to DP16: Conversion and Reuse of Existing Buildings in the Countryside, which gives priority to economic uses before residential uses.</p>
<p>POLICY TP16: LOSS OF EMPLOYMENT USES</p>	<p>Since CS13: Rural Diversification is not in full conformity with the NPPF, Policy TP16 therefore has regard to paras 28 & 70 of the NPPF which take precedence – see NPPF section.</p> <p>Policy TP16 also has regard to: DP14: Protection of Employment Land which restricts the loss of employment generating uses DP9 loss of key facilities, including small commercial uses, e.g. shops, garages, pubs etc; and DP12 loss of tourist or leisure development including holiday accommodation.</p>

<p>POLICY TP17: FOOTPATHS AND CYCLE TRACKS</p>	<p>In the absence of a relevant strategic policy, Policy TP17 has regard to the NPPF – see NPPF section.</p>
<p>POLICY TP18: RECREATION AND SPORT</p>	<p>In the absence of a relevant strategic policy, Policy TP18 has regard to the NPPF – see NPPF section. Policy TP18 also has regard to DP9: Local Facilities which provides that new local facilities, which are defined as community facilities and include open space, sport and recreation facilities, will be permitted where they make a contribution to meeting the economic and/or social needs of the community.</p>
<p>POLICY TP19: CHANGE OF USE TO OPEN SPACE, SPORT OR RECREATION</p>	<p>In the absence of a relevant strategic policy, Policy TP19 has regard to the NPPF – see NPPF section. Policy TP19 also has regard to DP9: Local Facilities which provides that new local facilities, which are defined as community facilities and include open space, sport and recreation facilities, will be permitted where they make a contribution to meeting the economic and/or social needs of the community.</p>
<p>POLICY TP20: CHANGE OF USE FROM OPEN SPACE, SPORT AND RECREATION TO OTHER USES</p>	<p>TP20 is in general conformity with DP8: Open Space, Sport and Recreation which provides that all open space, sport and recreation areas will be protected and any loss of these uses is restricted. Policy TP20 also has regard to DP9: Local Facilities which restricts the change of use of local facilities, which are defined as community facilities and include open space, sport and recreation facilities.</p>
<p>POLICY TP21: NON-DESIGNATED HERITAGE ASSETS</p>	<p>Policy TP21 is in general conformity with CS9: Landscape and Historic Environment which provides that the quality, character, diversity and local distinctiveness of the natural and historic environment will be conserved and enhanced. Specific historic features which contribute to local character will be conserved and enhanced and the quality of the historic environment, including archaeological features will be conserved and enhanced. Policy TP21 also has regard to DP6: Historic Environment which provides that development will preserve or enhance the quality of the historic environment.</p>
<p>POLICY TP22: THE NATURAL ENVIRONMENT</p>	<p>Policy TP22 is in general conformity with CS9: Landscape and Historic Environment which provides that the quality, character, diversity and local distinctiveness of the natural and historic environment will be conserved and enhanced, and with CS10: Nature Conservation which provides that habitats and features of local importance for nature conservation will be protected.</p>

	<p>Policy TP22 also has regard to DP2: Landscape Character which provides that development proposals will avoid unsympathetic intrusion in the wider landscape, such as: detrimental impact on the character of skylines or views from public vantage points and light pollution; retain distinctive features such as trees, field boundaries and hedgerows; respect the unspoilt nature and tranquillity of the area; and protect the undeveloped coast. Also to DP5: Biodiversity and Geological Conservation, which provides that development likely to have an adverse effect on the nature conservation of County Wildlife Sites or sites/features identified as having similar substantive interest, including veteran trees, will not be permitted unless the benefits of the development clearly outweigh the identified biodiversity value of the site/feature.</p>
<p>POLICY TP23: COASTAL MANAGEMENT</p>	<p>Policy TP23 is in general conformity with CS9: Landscape and Historic Environment which provides that the quality, character, diversity and local distinctiveness of the natural and historic environment will be conserved and enhanced. Policy TP23 also has regard to DP2: Landscape Character which provides that development proposals need to demonstrate how they conserve and/or enhance landscape character, including coastal areas; must respect the unspoilt nature and tranquillity of the area and protect the undeveloped coast</p>
<p>POLICY TP24: COMMUNITY WIFI</p>	<p>In the absence of a relevant strategic policy, Policy TP24 has regard to the NPPF – see NPPF section. It also has regard to DP2: Landscape Character in terms of siting and detrimental impact on the character of skylines or views from public vantage points.</p>
<p>POLICY TP25: CAR PARK</p>	<p>In the absence of a relevant strategic policy, Policy TP25 has regard to the NPPF – see NPPF section. Policy TP25 also has regard to DP9: Local Facilities which permits the enhancement and provision of new community facilities which make a contribution to meeting the economic and/or social needs of the community.</p>
<p>POLICY TP26: AIR AMBULANCE NIGHT LANDING SITE</p>	<p>In the absence of a relevant strategic policy, Policy TP26 has regard to the NPPF – see NPPF section. Policy TP26 also has regard to DP9: Local Facilities which permits the enhancement and provision of new community facilities which make a contribution to meeting the economic and/or social needs of the community.</p>
<p>POLICY TP27: SOLAR PANELS AND ARRAYS</p>	<p>Policy TP27 is in general conformity with CS11: Climate Change which supports the development of renewable energy resources & has regard to DP2: Landscape Character avoiding unsympathetic intrusion in the wider landscape.</p>

<p>POLICY TP28: WIND TURBINES</p>	<p>Policy TP28 is in general conformity with CS11: Climate Change which supports the development of renewable energy resources. It also has regard to DP2: Landscape Character avoiding unsympathetic intrusion in the wider landscape.</p>
<p>POLICY TP29: COMMUNITY HEATING</p>	<p>Policy TP29 is in general conformity with CS11: Climate Change which supports the development of renewable energy resources. Policy TP29 also has regard to DP9: Local Facilities which permits the enhancement and provision of new community facilities which make a contribution to meeting the economic and/or social needs of the community.</p>

4. Compatible with EU obligations and human rights requirements

- 4.1 South Hams District Council issued a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report on 27 November 2017 and its Screening Opinion is as follows:

*Having taken all of the relevant policies of the draft Thurlestone Parish Neighbourhood Plan (Pre-submission consultation draft, October 2017) into account, and assessed the potential environmental impact on designated sites and landscapes, it is the Council's opinion that **a full SEA is not required** for the Neighbourhood Plan, due to the limited nature of development proposed and the continuity in land use. The full reasons for this conclusion are set out in the screening report in Appendix 1.*

*Due to the limited amount of development proposed, the Council considers that the Thurlestone Parish Neighbourhood Plan will not have a significant effect on a European site and that therefore **further assessment under the Habitats Regulations is not required**. The full reasons are set out in Appendix 2 of this report.*

The SEA and HRA screening report can be viewed at the following link:

[SEA/HRA screening report](#)

- 4.2 The Thurlestone Parish Neighbourhood Plan is also considered to have met the requirements of the following Articles of the Human Rights legislation: Article 1 – Protection of property: Article 8 – Right to respect for private and family life: Article 14 – Prohibition of discrimination: Protocol 12 – Article 1 – General prohibition of discrimination.

- 4.3 The Plan seeks to improve the quality of life of people living and working in the parish at present and future generations from an environmental, social and economic perspective. There has been extensive input from the community and stakeholders, as detailed in the accompanying Consultation Statement, and the Plan has been consulted on by those who live, work or run businesses in the Plan area as well as the statutory consultation bodies whose interest may be affected, as required by Regulation 14 of the Neighbourhood Planning Regulations.

5. Conclusion

It is considered that the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 have been met by the Thurlestone Parish Neighbourhood Plan. The Plan has had regard to national policies and advice contained in guidance issued by the Secretary of State, will contribute to the achievement of sustainable development, is in general conformity with the strategic policies of the development plan and is compatible with EU obligations and human rights requirements.

The Plan has also been the subject of a Health Check by an NPIERS Examiner to ensure they meet the Basic Conditions. A copy of the Health Check report can be viewed at the following link:

[Thurlestone Parish Neighbourhood Development Plan Health Check Report](#)