

Woodbury Parish Neighbourhood Plan – Basic Conditions Statement

Regulation 15 submission

Woodbury Parish Council
September 2025

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1. Introduction

- 1.1. Woodbury Parish Neighbourhood Plan has been produced by Woodbury Parish Council, as the ‘qualifying body’ with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process was carried out by a Neighbourhood Plan Steering Group comprised of members of our community together with parish councillors.
- 1.2. What are the Basic Conditions and why do we need this Statement?
The ‘Basic Conditions’ are a set of conditions that a Neighbourhood Plan must pass, in order for it to proceed to referendum. In relation to neighbourhood plans, the plan will pass the basic conditions if:
 - 1.2..1. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
 - 1.2..2. the making of the plan contributes to the achievement of sustainable development
 - 1.2..3. the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - 1.2..4. the making of the plan does not breach, and is otherwise compatible with, EU obligations
 - 1.2..5. prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan
- 1.3. These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act (as amended by the Localism Act 2011)¹.
- 1.4. This ‘Basic Conditions Statement’ is submitted alongside the Woodbury Parish Neighbourhood Plan and demonstrates how the Plan meets the Basic Conditions as listed above.

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

2. Legal Compliance

- 2.1. The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the ‘qualifying body’ for neighbourhood planning, has the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to East Devon District Council as the local planning authority on 25th February 2013. This application, using East Devon District Council’s standard pro forma, is reproduced in Figure 1.

<p>The Neighbourhood Planning (General) Regulations 2012</p> <p>Application for Designation of a Neighbourhood Area</p> <p>This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.</p> <p>Which Town or Parish Council is applying to designate a neighbourhood area?</p> <p>WOODBURY PARISH COUNCIL</p> <p>If more than one Town or Parish Council are working in partnership, please give details of all parties</p> <p>contact details –</p> <p>contact details –</p> <p>contact details –</p> <p>contact details –</p> <p><input type="checkbox"/> Please confirm that all the parishes listed above agree to the application</p> <p><input checked="" type="checkbox"/> Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act.</p> <p>Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working? Where applications include sites in adjoining Parishes their agreement should be sought.</p> <p>Liaison with Lympstone Parish Council</p> <p>_____</p> <p>_____</p> <p>Please append a map identifying the area to which the area application relates.</p> <p>_____</p> <p>_____</p> <p>Please explain why this area is considered appropriate to be designated as a neighbourhood area</p> <p>Conforms with Woodbury Parish Council Boundary</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Signed Belinda Price Date 25 February 2013</p> <p>Position Clerk & RFO Organisation Woodbury PC</p>	<p>The Neighbourhood Planning Regulations can be downloaded at: http://www.legislation.gov.uk/ukksi/2012/637/made</p> <p>A summary of the next steps is provided below</p> <p>Publicising an area application</p> <p>Once we have received your neighbourhood area application we must, as local planning authority, publicise the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area to which it relates -</p> <p>(a) a copy of the area application;</p> <p>(b) details of how to make representations; and</p> <p>(c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.</p> <p>To help us meet these requirements:</p> <p>Are we able to publicise the application in any widely available local newsletters/magazines? If so, please give contact details and advise how often the newsletter/magazine is published.</p> <p>Do you have Parish Noticeboards? If so, please give contact details of the person responsible for their content.</p> <p>Are there any other means of communication which could be used to advertise the proposals eg local website, social media, local interest groups? Please provide contact details.</p> <p>Publicising designation of a neighbourhood area</p> <p>As soon as possible after designating a neighbourhood area, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area:</p> <p>(a) the name of the neighbourhood area;</p> <p>(b) a map which identifies the area; and</p> <p>(c) the name of the relevant body who applied for the designation.</p> <p>If we refuse to designate a neighbourhood area, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area</p> <p>(a) a document setting out the decision and a statement of our reasons for making that decision (“the decision document”); and</p> <p>(b) details of where and when the decision document may be inspected.</p> <p>Further information is available from:</p> <p>Planning Policy, Economy Directorate East Devon District Council Knowle, Station Road, Sidmouth, Devon, EX10 8HL 01395 571533</p>
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Figure 1 – application form

- 2.2. Following a 6-week public consultation, our Neighbourhood Area was formally approved by East Devon District Council at their Cabinet meeting held on the 12th June 2013 and confirmed in the minutes of that meeting item 4.

*4 **Urgent item – Woodbury Neighbourhood Area**

The Leader, with the signed agreement of the Chairman of Overview and Scrutiny Committee, agreed for this item to be urgently considered to enable the Council to apply for the next round of grant funding.

The report of the Senior Planning Officer set out Woodbury Parish Council's application to designate Woodbury Parish as a Neighbourhood Area. In accordance with the Neighbourhood Planning Regulations, the District Council had carried out a six week consultation period; no comments or objections had been received. If Cabinet agreed the proposed designation, the Council could apply to the Department for Communities and Local Government for £5,000 grant funding to meet the District Council's administration costs associated with the designation. £2,000 of this funding would be granted to Woodbury Parish Council to assist with their production costs. The deadline to apply for the next round of grant funding was 1 July 2013.

2

Cabinet, 12 June 2013

*4 **Woodbury Neighbourhood Area (continued)**

- RESOLVED**
- (1) that Woodbury Parish be designated as a Neighbourhood Area,
 - (2) that the District Council apply to the Department for Communities and Local Government for £5,000 grant funding by 1 July 2013.

REASON

The proposal met the Council's corporate priorities. The designation would enable the Council to apply for grant funding from the DCLG. The funding would be used to meet the District Council's administration costs associated with the designation and £2,000 of this funding would be granted to Woodbury Parish Council to assist with their production costs.

2.3. Our approved Neighbourhood Area is indicated by the red boundary below in Figure 2.

The Parish of Woodbury



Figure 2 – Approved Woodbury Parish Neighbourhood Area

2.4. We confirm that the Neighbourhood Plan has been prepared by Woodbury Parish Council as the ‘qualifying body’ for the purposes of Neighbourhood Planning.

2.5. We confirm that the Woodbury Parish Neighbourhood Plan:

- covers the period up until 2031, aligning with the plan period of the East Devon Local Plan;
- is the only Neighbourhood Plan for the parish of Woodbury;
- relates only to the defined Neighbourhood Area set out in Figure 1 of this report sets out policies in relation to the development and use of land;
- does not contain policies relating to ‘excluded development’.²

² No policy in the Neighbourhood Plan relates to county matters (mineral extraction and waste development) or to any Nationally Significant Infrastructure Projects

3. Basic Condition 1 – it is appropriate to make a Plan with regard to national policy

3.1 We confirm that the Policies included in the Plan comply with the National Planning Policy Framework (NPPF) as follows:-

Neighbourhood Plan Policy	Relevant NPPF Section	How the Neighbourhood Plan Policy Aligns with the NPPF
Policy 1: New Housing Developments	Section 5: Delivering a Sufficient Supply of Homes	Ensures local housing needs are met through a mix of dwellings, in accordance with sustainable development principles.
Policy 2: Retention of Affordable Homes	Section 5: Delivering a Sufficient Supply of Homes	Supports retention of affordable housing in line with national policies to meet local needs.
Policy 3: Accessibility of New Development	Section 9: Promoting Sustainable Transport	Encourages development with access to public transport, walking, and cycling routes.
Policy 4: Assessment of Cumulative Impact	Section 2: Achieving Sustainable Development	Requires cumulative environmental impacts of development to be assessed and mitigated.
Policy 5: Green Energy Initiatives	Section 14: Meeting the Challenge of Climate Change	Encourages renewable energy and low-carbon initiatives in line with national sustainability goals.
Policy 6: Vehicle Parking Requirements	Section 9: Promoting Sustainable Transport	Seeks to manage parking provision to reduce congestion while ensuring accessibility.
Policy 7: Landscape Enhancement	Section 15: Conserving and Enhancing the Natural Environment	Protects and enhances local landscapes and green infrastructure.
Policy 8: Biodiversity Enhancement	Section 15: Conserving and Enhancing the Natural Environment	Aligns with national objectives to achieve biodiversity net gain in new developments.
Policy 9: Support for Wildlife within New Developments	Section 15: Conserving and Enhancing the Natural Environment	Promotes measures to integrate wildlife-friendly features in developments.

Neighbourhood Plan Policy	Relevant NPPF Section	How the Neighbourhood Plan Policy Aligns with the NPPF
Policy 10: Conservation of Heritage	Section 16: Conserving and Enhancing the Historic Environment	Protects heritage assets and ensures their significance is considered in development proposals.
Policy 11: Green Spaces	Section 8: Promoting Healthy and Safe Communities	Safeguards important green spaces for community use and well-being.
Policy 12: Small Business Development	Section 6: Building a Strong, Competitive Economy	Encourages sustainable business growth in rural areas in line with national economic priorities.
Policy 13: Rural Diversification	Section 6: Building a Strong, Competitive Economy	Supports diversification of farm and rural businesses while protecting environmental quality.
Policy 14: Equine Activities	Section 6: Building a Strong, Competitive Economy	Supports appropriate equestrian activities while preserving the landscape.
Policy 15: Loss of Community Facilities	Section 8: Promoting Healthy and Safe Communities	Ensures essential community services and facilities are retained or replaced where necessary.

4. Basic Condition 2 – contribution to sustainable development

- 4.1. Woodbury is a rural Parish in East Devon.
- 4.2. The East Devon Local Plan (adopted in 2016) has provided a strategic framework with which we accord and has put in place policies that provide a degree of protection and guidance for development in Woodbury Parish.
- 4.3. Our reasons for producing the Woodbury Parish Neighbourhood Plan are:
- 4.3.1. We have been encouraged to do so by the legislation and by East Devon District Council
 - 4.3.2. Our community wanted to formulate its own more detailed local policies so that we can have an influence over the type, scale, design and form of development which may come forward in the area between now and 2031
 - 4.3.3. We wanted to have some control over local planning matters and decisions
 - 4.3.4. We wanted to maintain the special character of our rural landscape and environment
 - 4.3.5. We wanted to ensure that new development had a positive effect
- 4.4. The Neighbourhood Plan has been developed with the full participation of the local people as members of working groups and through a process of regular community consultation. This process is summarised in the introductory sections of the Neighbourhood Plan and set out in detail in the Consultation Statement that also accompanies the Plan.
- 4.5. Having explored the issues and identified the key messages and things of importance to the community, our Plan has been framed around the following aims and objectives:-

	Aims and Objectives
Housing development	To achieve a balance between sustainable development called for by planning policy to meet local housing needs and a community desire to protect and enhance the character and features of the Parish
Transport infrastructure	To make improvements to the infrastructure of Woodbury to mitigate pressures arising from residential development both within and adjacent to the Parish. This should include consideration of highway capacity, train services, bus services and other modes of transport.
	To establish safe pedestrian and cycle routes between the three settlements within the Parish for commuters, leisure activities and tourists.

	To ensure that the infrastructure within the Parish is safe for all users and that any upgrading and improvement is managed in a timely manner
Utility infrastructure and adapting to climate change	To encourage new and replacement cables to be buried wherever possible
	To encourage new and improved utility infrastructure in order to meet the identified needs of the community, but such infrastructure must provide appropriate mitigation that demonstrates no detriment to the local environment and to the amenity of those residing within the Parish.
	Any new developments should be designed to incorporate renewable energy generation.
	To decarbonise the local energy supply: renewable energy generation will be supported particularly where helping to conserve or enhance biodiversity.
	To ensure that new development aims to be carbon neutral, through design, construction and performance
	To encourage green initiatives in new and existing development such as rainwater harvesting, vehicle electric charging points, energy efficiency improvements and measures to enhance biodiversity
	To ensure accessibility to sustainable transport and community facilities to reduce the need for cars, for example link cycle and pedestrian routes to the school.
Parking within the parish	To employ local measures as necessary to manage the parking problem within villages.
	To ensure that future developments have adequate parking provision.
Environment	
Landscape and biodiversity	To retain and enhance the distinctive environment and character of the Parish by ensuring that environmental and historical features of local importance are retained, are sensitively managed and where possible enhanced, especially in the context of any development proposals.
	To protect, manage sensitively and enhance aspects of the local environment that are either significant in themselves or are valued by the local community or by visitors and in particular woodland, grassland, Devon Banks, sunken lanes, hedgerows and water bodies rich in fauna and flora

	To minimise development impact on the natural environment and show net gains for biodiversity
	To minimise development impact upon valued views and areas of landscape that may be defined in terms of their visual significance
Historic built environment	To preserve and enhance locally recognised important features including; <ul style="list-style-type: none"> • historic or noteworthy buildings not on the National Heritage List for England: • unscheduled but important buried remains / sites: • amenity areas, structures: • the Woodbury Conservation Area and areas worthy of conservation such as the centre of Woodbury Salterton
Open and community spaces	To renew wherever agreement is possible, lease arrangements for open and community spaces with a long term aim to acquire these for the community via agreement between the Parish Council and landowners
	To ensure that new development respects, retains and where possible enhances public and communally used open and green spaces, including village greens, recreation and sports grounds, allotments, and common land.
Flooding	To address consistent flooding concerns and their associated problems
	To encourage landowners to address land management issues contributing to flooding incidents
	To ensure all new hard standing and parking areas have permeable surfaces.
	To encourage the County highway authority to improve kerbside drainage.
	To secure agreement and action by the relevant County and national agencies to alleviate the risk of, and actual flooding of Exton.
Business	To encourage employment opportunities for residents within the Parish and thereby also reduce traffic flow into the Parish.
	To encourage the provision of employment generating space for small businesses.

	To avoid significant commercial developments in the open countryside and limit existing business parks to within the published Employment Areas.
Community, leisure and wellbeing	The design for the new amenity should seek to more easily accommodate Pre-School, indoor school sports, a growing number of village groups and societies, and continue to serve as a performance and exhibition venue, with additional space for smaller meetings, improved catering and public toilets, necessary car parking space and access and facilities for the disabled.

4.6 The aims and objectives are considered individually and collectively to further the achievement of sustainable development (social, economic and environmental) as set out in national policy and applied to our local circumstances. The policies in the plan flow from these.

4.7 The table below sets out an assessment of each policy of the plan and how it impacts on each of the three strands of sustainability, as follows:-

(**Very positive impact *positive impact – neutral impact x negative impact xx very negative impact):

Neighbourhood Plan Policy	Econ-omic	Social	Environ-mental	How the Neighbourhood Plan Policy contributes to Sustainable Development
Policy 1: New Housing Developments	-	**	-	Seeks to ensure local housing needs are met and development is located in the most sustainable places in the parish and in such a way as to minimise and mitigate environmental impact
Policy 2: Retention of Affordable Homes	*	**	-	Seeks to help ensure there is a stock of affordable homes to meet local needs – supporting local people and local workers / businesses
Policy 3: Accessibility of New Development	*	**	**	Seeks to ensure development provides access to public transport, walking, and cycling routes, to promote use of sustainable and active travel as far as possible and for existing and new residents.

Neighbourhood Plan Policy	Econ-omic	Social	Environ-mental	How the Neighbourhood Plan Policy contributes to Sustainable Development
Policy 4: Assessment of Cumulative Impact	-	*	*	Responds to significant community concern by supporting development only where cumulative environmental impacts have been assessed and mitigated, or there is an overriding public benefit, to avoid development in the parish having an overall negative impact.
Policy 5: Green Energy Initiatives	-	-	**	Encourages renewable energy and low-carbon initiatives in line with national sustainability goals.
Policy 6: Vehicle Parking Requirements	-	*	*	Responds to a need to accommodate car use in a rural area whilst seeking to address the environmental impact of congestion and on-street parking, and support residents to cycle.
Policy 7: Landscape Enhancement	-	*	**	Seeks to ensure development respects, protects and where possible enhances green infrastructure and views, which are important for community well-being and sense of place, as well as for nature.
Policy 8: Biodiversity Enhancement	-	*	**	In line with national requirements, seeks to ensure new development will deliver a net gain in biodiversity for our parish.
Policy 9: Support for Wildlife within New Developments	-	*	**	Seeks to encourage development to include measures to promote wildlife in our parish to thrive and enable residents to experience this benefit.
Policy 10: Conservation of Heritage	-	*	*	Seeks to ensure our important and valued local heritage, character and historic environment are protected and enhanced.
Policy 11: Green Spaces	-	**	*	Safeguards important green spaces for community use and well-being.

Neighbourhood Plan Policy	Economic	Social	Environmental	How the Neighbourhood Plan Policy contributes to Sustainable Development
Policy 12: Small Business Development	*	*	*	Seeks to support controlled and sustainable business growth, primarily at existing business locations, to support the rural economy, and local employment, whilst protecting local amenity.
Policy 13: Rural Diversification	*	-	*	Similar to above, supports diversification of farm and rural businesses while protecting environmental quality.
Policy 14: Equine Activities	*	*	*	Supports appropriate equestrian activities while preserving the landscape.
Policy 15: Loss of Community Facilities	-	**	*	Ensures essential community services and facilities are retained or replaced where necessary, to support community well-being and self-containment.

5. Basic Condition 3 - general conformity with the strategic policies contained in the EDDC Local Plan

5.1. We confirm that the Plan has been/will be submitted to EDDC for scrutiny and approval. The Aims, Objectives and Policies have been prepared in general conformity with the strategic policies contained in the East Devon Local Plan 2013-2023, this being the plan in force at the time this Neighbourhood Plan was developed. The Regulation 14 response from EDDC Officers to our draft plan did not raise issues regarding conformity with the Local Plan. The relationship with the emerging proposals in the draft East Devon Local Plan 2020-2042 have also been considered.

5.2. We confirm that the Policies included in the Plan comply with the adopted EDDC Local Plan as follows:-

Neighbourhood Plan Policy	EDDC Local Plan Policy	Section & Page Number	Alignment with EDDC Local Plan Policies
Policy 1: New Housing Developments	Strategy 27: Development at the Small Towns and Larger Villages, Strategy 34: District Wide Affordable Housing Provision Targets	Section 15, Page 94; Section 16, Page 105	Ensures housing development meets local needs with a mix of housing sizes and affordability, aligning with Local Plan's emphasis on sustainable development and housing provision.
Policy 2: Retention of Affordable Homes	Strategy 35: Exception Mixed Market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries	Section 16, Page 108	Supports long-term affordability of homes, consistent with Local Plan's objectives for sustaining affordable housing.
Policy 3: Accessibility of New Development	TC2: Accessibility of New Development, Strategy 5B: Sustainable Transport	Section 26, Page 215; Section 6, Page 39	Encourages pedestrian and cycle-friendly development, reducing car dependency and aligning with EDDC policies on sustainable transport.

Neighbourhood Plan Policy	EDDC Local Plan Policy	Section & Page Number	Alignment with EDDC Local Plan Policies
Policy 4: Assessment of Cumulative Impact	EN5: Wildlife Habitats and Features, Strategy 46: Landscape Conservation and Enhancement and AONBs	Section 22, Page 172; Section 18, Page 138	Requires environmental impact assessments for larger developments, ensuring protection of landscapes and biodiversity.
Policy 5: Green Energy Initiatives	Strategy 38: Sustainable Design and Construction, Strategy 39: Renewable and Low Carbon Energy Projects	Section 17, Page 120; Section 17, Page 121	Encourages renewable energy and low-carbon solutions, supporting the Local Plan's sustainability and climate policies.
Policy 6: Vehicle Parking Requirements	TC9: Parking Provision in New Development	Section 26, Page 220	Ensures sufficient parking in new developments, aligning with Local Plan policies for reducing congestion and supporting sustainable travel.
Policy 7: Landscape Enhancement	Strategy 46: Landscape Conservation and Enhancement and AONBs	Section 18, Page 138	Seeks to enhance local landscapes in keeping with AONB protections and Local Plan landscape conservation objectives.
Policy 8: Biodiversity Enhancement	EN5: Wildlife Habitats and Features, Strategy 47: Nature Conservation and Geology	Section 22, Page 172; Section 18, Page 145	Promotes biodiversity conservation in line with the Local Plan's commitment to protecting natural habitats.

Neighbourhood Plan Policy	EDDC Local Plan Policy	Section & Page Number	Alignment with EDDC Local Plan Policies
Policy 9: Conservation of Heritage	EN9: Development Affecting a Designated Heritage Asset, Strategy 49: The Historic Environment	Section 22, Page 174; Section 18, Page 148	Protects historic and architectural heritage, reinforcing Local Plan policies on heritage conservation.
Policy 10: Local Green Spaces	Strategy 43: Open Space Standards, EN1: Land of Local Amenity Importance	Section 18, Page 130; Section 22, Page 169	Supports the designation and protection of green spaces, complementing Local Plan policies on open space and local amenities.
Policy 11: Small Business Development	Strategy 28: Sustaining and Diversifying Rural Enterprises, E5: Small Scale Economic Development in Rural Areas	Section 15, Page 96; Section 24, Page 195	Encourages local business growth, supporting the Local Plan's objectives for rural economic sustainability.
Policy 12: Rural Diversification	Strategy 28: Sustaining and Diversifying Rural Enterprises	Section 15, Page 96	Supports agricultural diversification and rural business initiatives in line with Local Plan policies.
Policy 13: Equine Activities	E4: Rural Diversification	Section 24, Page 194	Encourages appropriate equine activities, aligning with policies for rural business development.
Policy 14: Loss of Community Facilities	RC6: Local Community Facilities	Section 25, Page 210	Protects community assets and services, supporting Local Plan policies on community resilience.

6. Basic Condition 4 and 5 - the making of the plan does not breach, and is otherwise compatible with, EU obligations and meets other prescribed conditions

6.1. We confirm that the Neighbourhood Plan complies with relevant retained EU obligations.

6.2. With regard to environmental regulations, in their email/letter dated 12th June 2024 EDDC confirmed that neither a SEA or an HRA report are necessary.

6.3. A full copy of the report is available at:-

<https://eastdevon.gov.uk/media/ojndqzxv/woodbury-np-hra-sea-screening-v1-0.pdf>

6.4. With regards to Human Rights, considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded, as set out in the Consultation Statement.