

ILMINSTER NEIGHBOURHOOD
PLAN APPENDICES:

REGULATION 14 VERSION

11.12.20

B/ Basic Conditions Statement





Basic Conditions Statement

Introduction

This statement has been prepared by ECA Architecture & Planning to support the submission of the Ilminster Neighbourhood Plan (the NP).

Purpose

This Basic Conditions Statement has been prepared in accordance with Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012 which states that when a plan proposal is submitted to the Local Planning Authority (LPA), it must include a statement explaining how the proposed NP meets the requirements of para. 8, of Schedule 4B to the Town & Country Planning Act 1990. Para. 8(2) states:

- A draft order meets the basic 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 order
 - (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is

- (c) appropriate to make the order; having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;
- (d) the making of the order contributes to the achievement of sustainable development;
- (e) the making of the order 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 order does not breach, and is otherwise compatible with, EU obligations; and
- (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

This Statement demonstrates how the NP has met the Basic Condition tests by assessing each policy against the criteria in the Regulations, providing justification and concluding the outcome of the assessment. It comprises four sections, as follows:

- Section 1 sets out how the NP complies with the National Planning

- Policy Framework (NPPF) (2019) by outlining how particular paragraphs have been taken into consideration in the drafting of policies
- Section 2 sets out the NP's contribution to sustainable development
- Section 3 sets out how the NP conforms with the strategic policies of the development plan
- Section 4 sets out how the plan addresses other EU obligations
- Section 5 is a summary of the findings of this report.

We are also required to meet regulation 22 (e) of the Neighbourhood Planning (General) Regulations 2012 (as amended). This states:
'where a qualifying body submits an order proposal to the local planning authority it must include—...(e)a statement explaining how the proposed neighbourhood development order or a community right to build order meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act;'

This appendix seeks to address part e.

Section 1: Compliance with the National Planning Policy Framework, 2021 (NPPF)

Each of the relevant paragraphs taken from the NPPF (2021) have been summarised below for reference. Following this, each relevant NPPF paragraph has been assessed against each NP policy in the table.

PARAGRAPH 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to

support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

PARAGRAPH 13 - Neighbourhood plans should support the delivery of strategic

policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

PARAGRAPH 18 - Policies to address non-strategic matters should be included in neighbourhood plans.

PARAGRAPH 20 - This requires strategic policies to set an overall strategy for the pattern, scale and quality of development in terms of housing, employment, retail, leisure, commercial, infrastructure provision, community facilities, conservation and enhancement of the built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

PARAGRAPH 28 - Non-strategic policies should be used by communities to set out more detailed policies for specific areas, neighbourhoods or types of development.

This can include allocating sites, 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.

PARAGRAPH 29 - Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area).

PARAGRAPH 30 - Once a neighbourhood plan has been brought into force, the

policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

PARAGRAPH 32 - Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.

PARAGRAPH 37 - Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to

referendum.

PARAGRAPH 66 – LPA's should set housing requirement figures for designated neighbourhood areas.

PARAGRAPH 67 - Or if the neighbourhood plan area is designated at a late stage in the strategic policy making process or after strategic policies have been adopted; or in instances where strategic policies for housing are out of date an indicative figure.

PARAGRAPH 70 – Neighbourhood Planning Groups should consider the opportunities for allocating small and medium-sized sites (under 1 hectare) suitable for housing in the area.

PARAGRAPH 81 - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and

wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

PARAGRAPH 82 - Planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and d) be

flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

PARAGRAPH 83 - Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

PARAGRAPH 86 - Planning policies should take a positive approach to the growth, management and adaptation of the town centre by enhancing existing markets and allocating sites and areas for shopping.

PARAGRAPH 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote

social interaction through street layouts for pedestrians and cyclists, are safe, and promote healthy lifestyles and linked between neighbourhoods.

PARAGRAPH 95 – There should be sufficient school places to meet need.

PARAGRAPH 97 - Public safety, security and defence requirements should be met.

PARAGRAPH 98 - Access to high quality open spaces and opportunities for sport is important for well being, nature and to address climate change. Robust and up to date assessments of need for open space sport and recreation facilities is needed which plans should accommodate.

PARAGRAPH 99 - Existing open space, sports and recreational buildings and land including playing fields should not be built on unless assessed.

PARAGRAPH 100 - Public rights of way and access should be protected, enhanced and extended.

PARAGRAPH 101 to 102 - The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Green space should be in close proximity to the community, be significant to the community, local in character and not an extensive tract of land.

PARAGRAPHS 104 – The NPPF confirms that transport issues should be considered from the earliest stage of the plan making process and there is a need to assess the potential impact of development on transport networks and the environmental impact of traffic. It states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to high quality places. The guidance states that planning policies should provide for high quality walking and cycling networks and

support facilities such as cycle parking.

PARAGRAPH 105 - Development should be encouraged in areas that promote sustainable growth.

PARAGRAPH 106 - Planning policies should support a mix of uses to minimise length and number of journeys, identify and protect sites critical for supporting transport choice, provide attractive and well design walking and cycling networks.

PARAGRAPH 107 - Parking standards should take account of accessibility, type, mix and uses of development, availability of public transport, local car ownership and need to ensure charging for ultra low emission vehicles.

PARAGRAPH 114 - advanced high quality and reliable communications structure should be encouraged for economic growth and social well being.

PARAGRAPH 119 - Policies should

promote an effective use of land in meeting the need for home and other uses whilst safeguarding the environment and healthy living conditions.

PARAGRAPH 120 - Developments should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains. It should recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; c) give substantial weight to the value of using suitable brownfield land within settlements d) promote and support the development of under-utilised land and buildings, and e) support opportunities to use the airspace above existing residential and commercial premises for new homes.

PARAGRAPH 126 - This states that creating

high quality buildings and achieving good design is fundamental.

PARAGRAPH 127 to 129 - Neighbourhood plan groups can identify the special qualities of an area and explain how this should be reflected by engaging in design policy, guidance and codes.

PARAGRAPH 130 - Planning policies should ensure that developments function well, are visually attractive, sympathetic to local character, history, environment and landscape settings, maintain a sense of place and optimise potential.

PARAGRAPH 131 - Trees make an important contribution to the character of a place. Tree lined streets are encouraged as well as measures for maintained.

PARAGRAPH 152 - Supports the transition to a low carbon future, tackling climate change taking full account of flooding. Development should contribute to reducing greenhouse gas emissions, minimise

vulnerability and improve resilience, encouraging reuse of existing resources.

PARAGRAPH 153- Planning policies should protect and enhance valued landscapes, biodiversity or geological value. They should recognise the character and beauty of the countryside, minimise risk to biodiversity with established ecological networks.

PARAGRAPH 155 to 156 – Supply of renewable and low carbon energy and heat should be maximised where suitable addressing landscape and visual impacts whilst identifying areas for renewable and low carbon energy. Opportunities for energy being supplied from decentralised, renewable or low carbon energy supply systems should be encouraged.

PARAGRAPH 159 - Inappropriate development in areas at risk of flooding should be avoided, the development should be made safe for its lifetime without increasing flood risk elsewhere

PARAGRAPH 160 to 165 - Strategic policies require a Strategic Flood Risk Assessment and should apply a sequential test.

PARAGRAPH 174 - Planning policies should contribute to and enhance the natural and local environment by a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, b)recognising the character and beauty of the countryside, and the wider benefits from natural capital and ecosystem, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) have regard to, soil, air, water or noise pollution or land instability. f)

remediating, contaminated

PARAGRAPH 176 - Great weight should be given to landscape and AONB land.

PARAGRAPH 179 - Plans should map wildlife habitats, ecological networks, wildlife corridors and promote conservation, restoration and enhancement.

PARAGRAPH 183 to 187 - Ground conditions, land instability , contamination, pollution on health in terms of noise, tranquillity and light, air quality, emissions and appropriate neighbouring uses should be given regard to.

PARAGRAPH 190 - Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Table 1: Compliance with the National Planning Policy Framework, February 2019 (NPPF)

Neighbourhood Plan Section/Policy	Relevant NPPF Paragraph	Summary/Conclusion – how the plan has had regard to the NPPF
Whole Plan	8: Achieving sustainable development 13: Support delivery of local plan 18: NP should address non-strategic matters 20: Strategic policies to set a strategy 28: Detailed non-strategic matters 29: Deliver sustainable development 30: Neighbourhood plan policies take precedence 32 Strategic Environmental Assessment 37: Meet basic conditions 105: Sustainable growth 119: Effective use of the land 152: Low carbon	The NP comprises policies that have been drafted to reflect the local community's vision for the area. They are local policies of specific relevance to the NP area whilst supporting the implementation of the South Somerset Local Plan. The policies provide a practical framework in which to assess planning applications. This has been an empowering creative exercise that will improve the local environment, economy, social cohesion and the overall way people live their lives in the NP area. This is achieved through detailed policies addressing specific deficiencies and needs relevant to this plan area. Overall the NP is consistent with these NPPF paragraphs and guidance for these reasons.
Vision	29: Neighbourhood planning can deliver sustainable development 105: Sustainable growth 119: Effective use of the land 152: Low carbon	A clear vision is set out in the plan which has been subject to extensive consultation. This is a sustainable plan supporting good design, sustainable environment and growth whilst respecting the physical and social heritage of Ilminster. It will make the area a more attractive place to live, work and visit by addressing local deficiencies. It is in compliance with the relevant NPPF principles.
POLICY ILM1 CONSERVE AND ENHANCE ILMINSTER'S LANDSCAPE SETTING	8: Achieving sustainable development 20: Quality of development and enhancements 28: Detailed non-strategic matters 92: Healthy and safe places 98-99: Designation of green space 127-129: Design visions 130: Development requirements 153: Landscapes, biodiversity or geological value 174: Valued landscapes, biodiversity or geology. Natural capital and trees and woodland; 176: Landscape and AONB	The NP seeks to ensure that the landscape surrounding Ilminster is protected for current and future generations. It seeks to ensure that public viewpoints are maintained for the enjoyment of residents and visitors, particularly from the hilltops and of the heritage assets making the NP area an attractive place to live and visit. It further seeks to enhance these viewpoints and create new views, thereby adding to the sense of place in the NP area and further encourage walking and recreation around the town. This is a specific issue local to Ilminster and seeks to ensure that the NP area benefits socially and environmentally from the NP in accordance with the NPPF.

Neighbourhood Plan Section/Policy	Relevant NPPF Paragraph	Summary/Conclusion – how the plan has had regard to the NPPF
POLICY ILM2 CONSERVE AND ENHANCE ILMINSTER'S ECOLOGY, SPECIES AND HABITATS	8: Achieving sustainable development 20: Quality of development and enhancements 130: Respectful development that maintains a sense of place 131: Trees 152: Low carbon future, tackling climate change and flooding. 153: Landscapes, biodiversity or geological value. 174: Valued landscapes, biodiversity or geology. Natural capital and trees and woodland; 179: Wildlife habitats, ecological networks and wildlife corridors	The NP seeks to ensure that the ecology, biodiversity and trees within Ilminster are protected for current and future generations and in order to mitigate against climate change and flooding. It seeks to ensure that proposals are sympathetic to the environment and habitats of species to safeguard and enhance biodiversity in line with the NPPF requirements.
POLICY ILM3 ENHANCE AND CONNECT OUR GREEN OPEN SPACES WITH A GREEN CHAIN	8: Achieving sustainable development 20: Quality of development and enhancements 92: Healthy and safe places 98: High quality open spaces and opportunities for sport 99: Retain existing open space, sports and recreational buildings 100: Public rights of way 101 to 102: Designate Local Green Space. 120: Mixed use schemes and multi functions of land 127-129: Design visions 130: Development requirements 131: Trees 152: Low carbon future, tackling climate change and flooding. 153: Landscapes, biodiversity or geological value. 174: Protect environment 179: Wildlife habitats, ecological networks and wildlife corridors	Green infrastructure networks are proposed to be enhanced and protected in order to deliver a wide range of quality of life benefits for local communities. This supports the enhancements and healthy places paragraphs found within the NPPF. The proposal further seeks to tackle climate change and promote biodiversity which are also paragraphs in the NPPF that support the 'golden thread' of safeguarding the environment and supporting social sustainability that makes up two of the three elements of sustainable development.
POLICY ILM4 PROMOTE RECREATION FACILITIES FOR OUR GROWING COMMUNITY	8: Achieving sustainable development 20: Quality of development and enhancements 92: Healthy and safe places 98: High quality open spaces and opportunities for sport 99: Retain existing open space, sports and recreational buildings 101 to 102: Designate Local Green Space.	This policy seeks to improve quality of life for residents by providing accessible recreational facilities for residents and making better use of the facilities on offer. This policy promotes healthy lifestyles, addresses deficiencies in facilities locally and tackles climate change by reducing the need to travel in line with NPPF paragraphs.

Neighbourhood Plan Section/Policy	Relevant NPPF Paragraph	Summary/Conclusion – how the plan has had regard to the NPPF
POLICY ILM5 THE ILMINSTER ENVIRONMENTAL ENTERPRISE ZONE	8: Achieving sustainable development 13: Support delivery of local plan 20: Quality of development and enhancements 81: Businesses investment and economic growth 82: Economic vision and strategy 83: Locational requirements 86: Town centre 105: Promote sustainable growth 106: Mix of uses to minimise length and number of journeys	This policy outlines the strategic allocation of an employment zone for Ilminster for traditional and less traditional industries such as high quality business hubs. It also addresses the design implications and impacts that a development for employment may have on the setting and entrance to the town. It addresses the lack of employment in Ilminster for certain demographics in line with the listed NPPF paragraphs.
POLICY ILM6 ENHANCE ILMINSTER'S ECONOMY, TOURISM AND HERITAGE	8: Achieving sustainable development 20: Quality of development and enhancements 28: Detailed non-strategic matters 29: Deliver sustainable development 83: Locational requirements 86: Town centre 105: Promote sustainable growth. 106: Mix of uses to minimise length and number of journeys 127-129: Design visions 130: Development requirements 190: Heritage assets	The vitality and sense of place unique to Ilminster's historic market and shopping area is sought to be enhanced and amplified to encourage tourism and promote the economy in accordance with paragraph 83 of the NPPF.
POLICY ILM7 PROMOTE HIGH QUALITY DESIGN	8: Achieving sustainable development 20: Quality of development and enhancements 119: Effective use of land 120: Mixed use schemes and multi functions of land 126: High quality buildings and good design. 127 to 129: Design policy, guidance and codes. 130: Respectful development that maintains a sense of place 152: Low carbon future, climate change and flooding 190: Heritage assets	In this policy, the NP seeks to enhance the historic environment and recognise the contribution that the historic environment brings to the identity of ilminster as recommended in the NPPF. It comprises a robust and comprehensive policy that confirms high quality development will be expected for the area in line with NPPF requirements.

Neighbourhood Plan Section/Policy	Relevant NPPF Paragraph	Summary/Conclusion – how the plan has had regard to the NPPF
POLICY ILM8 ENCOURAGE SHOPPERS AND VISITORS INTO ILMINSTER CENTRE	8: Achieving sustainable development 20: Quality of development and enhancements 81: Businesses can invest and support economic growth 82: Economic vision and strategy 83: Locational requirements 86: Town centre 92: Healthy, inclusive and safe places 97: Public safety, security and defence 104: Transport issues 105: Promote sustainable growth. 106: Mix of uses to minimise length and number of journeys 107: Parking standards 120: Mixed use schemes and multi functions of land 126: High quality buildings and good design. 127 to 129: Design policy, guidance and codes. 130: Respectful development that maintains a sense of place	This policy seeks to improve the quality of the public realm and access through cycle routes and transport management in the NP area. This policy addresses design visions for the plan area and deficiencies in facilities as outlined in the listed paragraphs of the NPPF.
POLICY ILM9 SAFE, INTERESTING WALKING AND CYCLING ROUTES	8: Achieving sustainable development 92: Healthy, inclusive and safe places 97: Public safety, security and defence 100: Public rights of way 104: Transport issues 105: Promote sustainable growth. 106: Mix of uses to minimise length and number of journeys 127-129: Design visions 152: Low carbon future, climate change and flooding	This policy seeks to encourage cycle and walking routes in the NP area. This policy addresses deficiencies in facilities as well as seeking to tackle climate change through low carbon transport options thereby reducing the reliance on the car as outlined in the listed paragraphs of the NPPF.
POLICY ILM10 WELCOME PEOPLE TO ILMINSTER	8: Achieving sustainable development 83: Locational requirements 86: Town centre 92: Healthy, inclusive and safe places 97: Public safety, security and defence 98: High quality open spaces and opportunities for sport 127-129: Design visions 130: Development requirements	Public realm improvements are sought through this policy in order to improve the sense of place and impression that the town brings to visitors. Enticing people to stay in the town and enjoy its amenities, thereby boosting the economic sustainability of the town centre in line with the NPPF.

Neighbourhood Plan Section/Policy	Relevant NPPF Paragraph	Summary/Conclusion – how the plan has had regard to the NPPF
POLICY ILM11 THE LAYOUT AND APPEARANCE OF THE HISTORIC MARKET TOWN CENTRE	8: Achieving sustainable development 29: Deliver sustainable development 83: Locational requirements 86: Town centre 92: Healthy, inclusive and safe places 98: High quality open spaces and opportunities for sport 126: High quality buildings and good design. 127 to 129: Design policy, guidance and codes. 130: Respectful development that maintains a sense of place 190: Heritage assets	Public realm improvements are sought within the historic core in order to improve the sense of place. Enticing people to stay in the town will improve its economic sustainability in line with NPPF paragraphs. Access and parking improvements are also sought to improve the design quality and setting of the historic core and shopping area.
POLICY ILM12 TYPES OF NEW HOMES	8: Achieving sustainable development 13: Support delivery of local plan 20: Quality of development and enhancements 66: Housing requirement figures 67: An indicative housing figure	This NP has identified the housing types required specifically for Ilminster as opposed to South Somerset as a whole. This has been done to empower the local community to shape, enhance and improve their town in manner that meets the needs specific to the NP area, this is consistent with the relevant NPPF policies.
POLICY ILM13 ALLOCATED OR SMALL BROWNFIELD SITES	8: Achieving sustainable development 20: Quality of development and enhancements 66: Housing requirement figures 67: An indicative housing figure 70: Small and medium-sized sites (1 hectare) 152: Low carbon future, climate change and flooding	The NP includes a character assessment and design guide, which relates specifically to Ilminster, rather than South Somerset as a whole. This has been done to empower the local community and to shape, enhance and improve the town in a manner which reflects the character of the NP area, consistent with the relevant NPPF policies.
POLICY ILM14 DESIGN AND LAYOUT OF STRATEGIC SITES	8: Achieving sustainable development 20: Quality of development and enhancements 28: Detailed non-strategic matters 104: Transport issues 106: Mix of uses to minimise length and number of journeys 119: Effective use of land 127-129: Design visions 130: Development requirements 152: Low carbon future, climate change and flooding	The design visions and sustainability aspirations of the NP area have been identified to shape, enhance and improve the NP area. Specific issues relating to flooding, reducing reliance on fossil fuels, cycling routes, biodiversity, and parking seek to contribute to tackling climate change. This policy which relates to design and landscaping seeks to address these issues in the NPPF which it is consistent with.



Section 2 - The Neighbourhood plan’s contribution to sustainable development and conformity with National Planning Policy

Paragraph 8(2)(d) of the TCPA states as follows:

“The making of the Neighbourhood Plan contributes to the achievement of sustainable development”

The government is clear that the purpose of the planning system is to contribute to sustainable development by addressing social sustainability to build stronger communities, environmental sustainability to protect against inappropriate development and economic sustainability to improve infrastructure and support growth.

Sustainability Appraisals are not a requirement of a neighbourhood plan. However, this Plan can demonstrate that it has taken into account the need to achieve sustainable development to deliver economic, social and environmental benefits in line with the overarching aims of the NPPF to achieve sustainable development.

“...the objective of sustainable development

can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”
(NPPF, paragraph 7).

The table below summarises the neighbourhood plans contribution to the three main elements of economic, social and environmental Sustainable Development based on the 3 overarching objectives in paragraph 8 of the NPPF. The scoring is based on a traffic light system of green, amber and red representing the strength of that contribution within each policy.

Table 2: The neighbourhood plan’s contribution to sustainable development

Neighbourhood Plan Policy	Social	Economic	Environmental	Contribution to Sustainable Development
Whole plan				The NP seeks to reflect the local community’s vision for the area. It will improve the local environment, economy and social cohesion as well as the overall way people live their lives in the NP area.
Vision				A sustainable vision that supports good design, a sustainable environment and economic growth whilst respecting the physical and social heritage of Ilminster making it a more attractive place to live, work and visit.
ILM1				This policy seeks to ensure that the landscape surrounding Ilminster is protected for current and future generations adding to the sense of place, identity, views and recreation around the town.
ILM2				The policy seeks to ensure that the ecology, biodiversity and trees within Ilminster are protected for current and future generations and in order to mitigate against climate change and flooding.
ILM3				Green infrastructure networks are proposed to be enhanced and protected where possible in this policy in order to deliver a wide range of quality of life benefits for local communities.
ILM4				This policy seeks to improve quality of life for residents and promotes healthy lifestyles whilst tackling climate change by reducing the need to travel in line with NPPF paragraphs.
ILM5				This policy seeks to addresses the lack of employment in Ilminster for certain demographics with design suggestions for the exterior in line with the NPPF paragraphs.
ILM6				The vitality and sense of place unique to Ilminster’s historic market and shopping area is sought to be enhanced and amplified to encourage tourism and promote the economy through design.
ILM7				This policy seeks to enhance and recognise the contribution that the historic environment brings to the identity of Ilminster encouraging high quality development.
ILM8				The quality of the public realm, access through cycle routes and transport management seeks to encourage shoppers to Ilminster.
ILM9				Cycling and walking routes seek to tackle climate change through low carbon transport options thereby reducing the reliance on the car.
ILM10				Public realm improvements seek to enhance the sense of place and entice visitors and people to stay in the town, thereby boosting the economic sustainability of the town centre.
ILM11				Public realm improvements, parking and design quality are sought within the historic core in order to improve the sense of place and entice people to stay in the town and enjoy the offerings.
ILM12				The housing types required for Ilminster have been identified to meet the needs specific to the NP area in order to ensure social diversity.
ILM13				The design characteristic of the NP area have been identified in this policy to shape, enhance and improve the town in a manner that reflects the character of the NP area improving a sense of place.
ILM14				The design visions and sustainability aspirations relating to flooding, reducing reliance on fossil fuels, cycling routes, diversity, landscaping, utilities and parking seek to contribute to tackling climate change.

Section 3 - Conformity with the strategic policies of the development plan

Para. 8(2)(e) of the TCPA states the following:

'The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)'

The relevant strategic policies against which the neighbourhood plan policies have been identified are as follows:

SOUTH SOMERSET LOCAL PLAN (2006-2028) - ADOPTED POLICIES

SD1 Sustainable Development - Presumption in favour of sustainable development.

SS1 Settlement Strategy – Ilminster is a designated 'Primary Market Town'- a strong employment, retail and community role where provision will be made for housing, employment, shopping and other services that increase self-containment and enhance its role as a service centre.

SS3 Delivering New Employment Land – delivering new employment land- encourages the provision for 419 additional jobs, but does not allocate any 'Additional Employment Land' over the previous local plan allocation of 23.05 hectares.

SS4 District Wide Housing Provision – States that provision will be made for at least 15,950 dwellings between 2006-2026 across the District.

SS5 Delivering New Housing Growth – seeks to secure provision of infrastructure to enable developments to proceed. Specific mention is given to the provision of renewable and low carbon energy, enhanced open space, sports facilities and play areas, biodiversity and green infrastructure.

Para.7.70 – confirms that the immediate landscape setting of Ilminster is defined by three hills at Beacon Hill, Herne Hill and Pretwood Hill.

SS6 Infrastructure Delivery – Sites will be expected to deliver infrastructure through CIL contributions, affordable housing, renewable and low carbon energy, open space, sports facilities and play areas, improved accessibility by sustainable transport modes, improved biodiversity

and green infrastructure, road and highway improvements, community facilities and education provision.

SS7 Phasing of Previously Developed Land - Development on previously developed land (brownfield sites) will be encouraged.

PMT3 Ilminster Direction of Growth – Ilminster Direction of Growth: growth will be to the south west of the town.

EP1 Strategic Employment Sites – Strategic Employment Sites- Land off Station Road, Ilminster (Saved under local plan Allocation ME/ILMI/4) allocates 3 sites for 18.75 ha of employment land.

EP3 Safeguarding Employment Land - maintaining existing employment facilities and land.

EP8 New and enhanced tourist facilities

EP9 Retail Hierarchy - development in retail centres of a scale commensurate with the area to which they relate.

EP11 Location of Main Town Centre Uses (The Sequential – Proposed town centre uses should be at a scale which relates to the size and function of the centre.

EP13 Protection of Retail Frontages – Primary retail frontage has been designed

in Ilminster which controls the number and distribution of non A1 retail floorspace.

EP15 Protection and Provision of Local Shops, Community Facilities and Services – Community facilities including local shops, post office and pubs are protected.

HG2 The Use of Previously Developed Land (PDL) for New Housing Development

HG3 Provision of Affordable Housing – 35% affordable housing target on all developments of 6 dwellings or more or over 0.2 ha in size; 5% on developments of 1-5 dwellings to make commuted sums.

HG5 Achieving a Mix of Market Housing - A range of market types and sizes should be provided and should contribute to sustainable and balanced communities.

TA1 Low Carbon Travel – relates to Low Carbon Travel and requires all new residential developments and employment developments to provide a number of facilities including charging for electric vehicles, cycles storage and enable home working. All new developments must maximise the potential for sustainable transport.

TA5 Transport Impact of New Development

- ensure safeguarding of transport infrastructure and network, safe and convenient access on foot, cycle and public transport, ensuring volume of traffic generated would not be detrimental, developments requiring access to a road networks are suitably located, transport assessments for larger schemes and

TA6 Parking standards - seeks to ensure that parking standards are met.

HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new developments – requires the provision of open space, outdoor playing space, sports cultural and community facilities in new housing developments either on-site or through financial contributions.

HW3 Protection of play spaces and youth provision

EQ1 Addressing climate change in South Somerset – supports proposals which demonstrate how climate change mitigation and adaptation will be delivered through the inclusion of a number of measures include flood mitigation.

EQ2 General development - seeks to ensure high quality development with

sustainable construction techniques, quality places, landscape character of the area, local distinctiveness and respect local context, creating safe environments addressing crime prevention and community safety, making efficient use of land, housing demand and need, Infrastructure and service availability, Accessibility, and site specific considerations.

EQ3 Historic Environment – Heritage assets to be conserved and where appropriate enhanced.

EQ4 Biodiversity – relates to Biodiversity and require ALL proposals for development to protect biodiversity value, maximise opportunities for restoration and incorporate beneficial biodiversity conservation features.

EQ5 Green infrastructure – promotes the provision of Green Infrastructure

EQ6 Woodland and forests – supports the implementation of the UK Forest Standard and resists the loss of woodland and expanded where possible to provide buffers to core areas of woodland.

In addition to the current adopted Local Plan South Somerset Council are producing a new local plan. It has not been adopted and at this time no weight is being given to the policies within this document. However reference to the emerging relevant policies is considered to be appropriate at this time. Although it will not form part of the assessment.

SOUTH SOMERSET LOCAL PLAN (2016-2036) - PREFERRED OPTIONS CONSULTATION JUNE 2019 - EMERGING POLICIES

At this time the emerging local plan is not being given any weight. However for the purposes of this assessment the policies are included for reference but will not form part of the assessment.

PARAGRAPH 2.37 – South Somerset has a mainly undulating, agricultural landscape.

PARAGRAPH 2.38 – The District is known for areas of high nature conservation value.

PARAGRAPH 2.38 – There are 2 national nature reserves at Harrington Moor and Barrington Hill near Ilminster.

PARAGRAPH 13.13 – Green infrastructure

is defined as an essential part of the character and appearance of an area.

- Greater access to open space is beneficial to health and well-being.
- Networks of green open space provide opportunities for recreation and buffers development from wildlife sites and watercourses. It can also deflect visitor pressures on important wildlife sites.
- Attenuation ponds and other sustainable drainage systems are promoted.

PARAGRAPH 13.19 – includes a list of specific items that CIL will contribute towards. This includes the following facilities in Market Towns, which includes Ilminster, as follows- Swimming pool provision, Sports hall improvements, 3G artificial grass pitch improvements, community hall improvements or provision, off-site open space and public realm.

POLICY SS2 – seeks to delivery new housing growth across the District. It allocates 839 new homes for Ilminster between 2016-2036.

POLICY IM1 – allocates Canal Way for the following development, 400 dwellings on Canal Way, 28% affordable dwellings, a new primary school, childrens’ play space

and public open space (outline permission already granted)

POLICY IM2 – allocates housing growth at Shudrick Lane for 220 dwellings, including 28% affordable, childrens’ play space and public open space.

POLICY IM3 – allocates housing growth at Station Road for around 100 dwellings, including 28% affordable, play space, open space and flood risk mitigation works.

POLICY HW1 – relates to the provision of open space, outdoor playing space, sports, cultural and community facilities in new development.

POLICY HW1(vi) – confirms that the following spaces are all aspects of Green Infrastructure- Green Corridors, Public Rights of Way, Civic Spaces, Cemeteries, Private Open Space, Designated Local Green Space and Community Allotments.

POLICY HW2 – relates to Green Infrastructure and is a very robust and comprehensive policy which promotes the provision of Green Infrastructure by enhancing existing areas and providing new infrastructure in new development. A network of connected and multifunctional open spaces are required with development proposals.

POLICY EQ1 – seeks to address climate change in South Somerset which requires development to demonstrate how climate change mitigation and adaptation will be delivered through inclusion of a number of measures in development- this includes minimum carbon dioxide emissions, development of renewable energy generation, directing development away from medium and high risk flood risk area, reduce and manage flood risk, developing sites with biodiversity interest.

POLICY EQ4 – relates to Landscape and requires all development to take account of local distinctiveness, with an emphasis on conserving and enhancing landscape character and avoiding built forms whose profiles would be out of keeping when viewed from sensitive public vantage points.

POLICY EQ5 – relates to Biodiversity and require ALL proposals for development to protect biodiversity value, maximise opportunities for restoration and incorporate beneficial biodiversity conservation features.

PARAGRAPH 14.44 – states that the coverage of woodland in South Somerset is significantly below the County Average- 5% instead of 9%

PARAGRAPH 14.47 – sustainable tourism development opportunities presented by woodlands and forests should be promoted, as well as the economic benefits of forests and woods for wood fuel.

Policy EQ7 – supports the implementation of the UK Forest Standard and resists the loss of woodland and expanded where possible to provide buffers to core areas of woodland.

Policy EQ8 – relates to pollution control and confirms that development proposals should not exacerbate pollution.

SUPPLEMENTARY PLANNING DOCUMENTS

- SOUTH SOMERSET’S STRATEGIC FLOOD RISK ASSESSMENT (2019)
- ILMINSTER PERIPHERAL LANDSCAPE STUDY (2007)

Neighbourhood Plan Policy	Policy objectives	Relevant Strategic Policies of the Local Development Plan	How the Neighbourhood Plan conforms with the relevant strategic Policies of the Local Development Plan
Whole plan and vision	'Our vision for Ilminster in 2036 is to be one of the most desirable market towns in which to live, learn, work and play, as well as to visit. We will create a stimulating, attractive, healthy, safe and sustainable environment through well-considered and balanced development that respects Ilminster's unique heritage and rural location, embracing new ideas, technology and innovation for our habitat and community to thrive.'	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS3 Delivering New Employment Land SS5 Delivering New Housing Growth SS6 Infrastructure Delivery Para.7.70 landscape setting of Ilminster SS6 Infrastructure delivery EP1 Strategic Employment Sites EP11 Location of Main Town Centre Uses EP15 Protection and provision of local shops, community facilities and services TA5 Transport impact EQ1 Addressing climate change EQ2 General development EQ3 Historic Environment EQ4 Biodiversity EQ5 Green infrastructure 	<p>The NP comprises policies that have been drafted to reflect the local community's vision for the area whilst supporting the implementation of the South Somerset Local Plan. The policies provide a practical framework in which to assess planning applications.</p> <p>The vision seeks to promote the unique identity of the area and establish a sustainable community through the delivery of high quality design, homes the community needs, employment for residents and to encourage future residents as well as protecting the main shopping area for residents and to encourage tourists.</p> <p>Respecting the landscape of Ilminster and the historic heritage of the Market Town is key to the policies as well as encouraging sustainable transport modes and green infrastructure.</p> <p>This is consistent with the listed strategic policies in the local plan.</p>
POLICY ILM1 CONSERVE AND ENHANCE ILMINSTER'S LANDSCAPE SETTING	Aims are to preserve the views identified around Ilminster, to enhance views and those containing heritage assets, create new views and vistas, conserve and enhance local landscape character, and ensure all new development has a strategic landscape plan.	<ul style="list-style-type: none"> SS1 Settlement Strategy SS5 New Housing Growth SS6 Infrastructure Delivery Para.7.70 – confirms that the immediate landscape setting of Ilminster is defined by three hills at Beacon Hill, Herne Hill and Pretwood Hill. EQ2 General development EQ3 Historic Environment EQ4 Biodiversity EQ5 Green infrastructure 	Paragraph 7.70 of the adopted local plan, confirms that the immediate landscape setting of Ilminster is defined by three hills at Beacon Hill, Herne Hill and Pretwood Hill. Paragraph 13.34 states that the council values the character and diversity of the South Somerset Landscape, and places particular emphasis upon the conservation of protected and designated landscapes. Ilminster's' identity is particularly defined by its landscape and policy ILM1, seeks to ensure that it is protected or enhanced in line with the local plan policies listed.
POLICY ILM2 CONSERVE AND ENHANCE ILMINSTER'S ECOLOGY, SPECIES AND HABITATS	Improvements to the ecological network with either financial contributions or on site additions to the green chain are sought within this policy. This is in the form of tree planting, habitats, biodiversity gain, and buffer zones.	<ul style="list-style-type: none"> SD1 Sustainable Development SS5 Delivering New Housing Growth SS6 Infrastructure Delivery EQ1 climate change EQ4 Biodiversity EQ5 Green infrastructure EQ6 Woodland and forests 	Policy ILM2 seeks to ensure that the ecology, biodiversity and trees within Ilminster are protected for current and future generations and in order to mitigate against climate change and flooding. It seeks to ensure that proposals are sympathetic to the environment and habitats of species to safeguard and enhance biodiversity in line with the requirements in the adjacent policies.

Neighbourhood Plan Policy	Policy objectives	Relevant Strategic Policies of the Local Development Plan	How the Neighbourhood Plan conforms with the relevant strategic Policies of the Local Development Plan
POLICY ILM3 ENHANCE AND CONNECT OUR GREEN OPEN SPACES WITH A GREEN CHAIN	This policy seeks to preserve the green infrastructure network with recreational paths identified and encourage new connections. Where possible encouraging all age groups to use them and increasing biodiversity.	<ul style="list-style-type: none"> SD1 Sustainable Development SS6 Infrastructure Delivery SS5 Delivering New Housing Growth EQ4 Biodiversity EQ5 Green infrastructure EQ6 Woodland and forests 	In Policy ILM3, green infrastructure networks are proposed to be enhanced and protected where possible in order to deliver a wide range of quality of life benefits for local communities. This supports sustainable development in a socially and environmental way in line with the adjacent policies.
POLICY ILM4 PROMOTE RECREATION FACILITIES FOR OUR GROWING COMMUNITY	Improvements to the health and well being of residents are sought in this policy. The reduction and the need to travel by providing indoor sport recreation facilities in the town are further sought.	<ul style="list-style-type: none"> SD1 Sustainable Development SS5 New Housing Growth SS6 Infrastructure Delivery HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new developments HW3 Protection of play spaces and youth provision EQ1 climate change EQ2 General development 	Policy ILM4 seeks to improve quality of life for residents by providing accessible recreational facilities for residents and making better use of the facilities on offer. This policy promotes healthy lifestyles, addresses deficiencies in facilities locally and tackles climate change as per the policies listed.
POLICY ILM5 THE ILMINSTER ENVIRONMENTAL ENTERPRISE ZONE	Improvements to the cycling facilities and walking networks, provision of high quality business hubs, conservation of landscape character, provision of access to nature reserves and walking routes, and a new leisure facility are all sought in this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS3 New Employment Land SS5 New Housing Growth SS6 Infrastructure Delivery EP1 Strategic Employment Sites EP8 Tourist facilities HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new developments HW3 Protection of play spaces and youth provision TA1 Low carbon transport EQ1 Climate change EQ2 General development 	ILM5 outlines the strategic allocation of an employment zone for Ilminster but goes further than this and addresses the design implications and impacts that a development for employment may have on the setting and entrance to the town. It addresses the lack of employment in Ilminster for certain demographics in line with the adjacent listed policies with a specific emphasis on tourism and more sustainable business solutions.

Neighbourhood Plan Policy	Policy objectives	Relevant Strategic Policies of the Local Development Plan	How the Neighbourhood Plan conforms with the relevant strategic Policies of the Local Development Plan
POLICY ILM6 ENHANCE ILMINSTER'S ECONOMY, TOURISM AND HERITAGE	Objectives of this policy are to encourage more shoppers to Ilminster by enhancing the heritage assets and facilities on offer. This is can be achieved through an understanding Ilminster as a unique historic environment, the sense of place, the attractiveness as a place to visit and live and the role of connecting the historic with the natural environment.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS6 Infrastructure Delivery EP3 Safeguarding Employment Land EP8 Tourist facilities EP9 Retail Hierarchy EP11 Main Town Centre Uses EP13 Retail Frontages EP15 Protection and Provision of Local Shops, Community Facilities and Services EQ1 Climate change EQ3 Historic Environment 	In policy ILM6, the vitality and sense of place unique to Ilminster's historic market and shopping area is sought to be enhanced and amplified to encourage tourism and promote the economy in accordance with adjacent policies.
POLICY ILM7 PROMOTE HIGH QUALITY DESIGN	This policy seeks exemplary urban design, public spaces with accessible urban grain. Within these spaces high quality architecture and the sympathetic conversion of old buildings is encouraged. This is whilst connecting and allowing views of and from the historic environment and landscape.	<ul style="list-style-type: none"> SD1 Sustainable Development SS5 New Housing Growth EP13 Retail Frontages EP15 Protection and Provision of Local Shops, Community Facilities and Services EQ2 General development EQ3 Historic Environment 	Enhancing the contribution that the historic environment brings to the identity of ilminster is outlined in policy ILM7. It confirms that high quality development will be expected for the area in line with the adjacent policies of the local plan.
POLICY ILM8 ENCOURAGE SHOPPERS AND VISITORS INTO ILMINSTER CENTRE	Development proposals should contribute to a safe, high quality and cohesive public realm by welcoming pedestrians,cyclists and bus travel and managing cars in line with this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS6 Infrastructure Delivery EP8 Tourist facilities EP9 Retail Hierarchy EP11 Main Town Centre Uses EP13 Retail Frontages EP15 Protection and Provision of Local Shops, Community Facilities and Services EQ1 Climate change EQ2 General development EQ3 Historic Environment 	Policy ILM8, seeks to improve the quality of the public realm and access through cycle routes and transport management in the NP plan area. This policy addresses design visions for the plan area and deficiencies in facilities in line with the local plan policies.

Neighbourhood Plan Policy	Policy objectives	Relevant Strategic Policies of the Local Development Plan	How the Neighbourhood Plan conforms with the relevant strategic Policies of the Local Development Plan
POLICY ILM9 SAFE, INTERESTING WALKING AND CYCLING ROUTES	Site allocations should seek to improve cycle routes and walking routes to encourage sustainable movements within the NP area through this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development SS6 Infrastructure Delivery TA1 Low Carbon Travel TA5 Transport Impact EQ1 Climate change EQ2 General development 	Policy ILM9 seeks to encourage cycle and walking routes in the NP plan area. This policy addresses deficiencies in facilities as well as seeking to tackle climate change through low carbon transport options thereby reducing the reliance on the car as outlined in the listed policies of the Local Plan.
POLICY ILM10 WELCOME PEOPLE TO ILMINSTER	Improvements to the gateways of the Ilminster are sought at 6 key entrances to the NP area through this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS6 Infrastructure Delivery EP8 Tourist facilities EQ2 General development 	Public realm improvements are sought through policy ILM10 in order to improve the sense of place and impression that the town brings to visitors. Enticing people to stay in the village and enjoy the offerings thereby boosting the economic sustainability of the town centre.
POLICY ILM11 THE LAYOUT AND APPEARANCE OF THE HISTORIC MARKET TOWN CENTRE	High quality improvements and proposals supporting the market town status and heritage assets will be encouraged. Public realm improvements which promote safe travel through shared surfaces and appropriate access and parking arrangements are sought in this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS6 Infrastructure Delivery EP8 Tourist facilities EP9 Retail Hierarchy EP13 Retail Frontages TA5 Transport Impact TA6 Parking standards HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities EQ2 General development EQ3 Historic Environment 	Public realm improvements are sought within the historic core in order to improve the sense of place with policy ILM11. Enticing people to stay in the village and enjoy the offerings thereby boosting the economic sustainability of the town centre in line with NPPF paragraphs. Access and parking improvements are also sought to improve the design quality and setting of the historic core shopping area.
POLICY ILM12 TYPES OF NEW HOMES	New housing types are specified in this policy. Housing should be appropriate to the specific town needs in accordance with this policy.	<ul style="list-style-type: none"> SD1 Sustainable Development HG3 Affordable Housing HG5 Mix of Market Housing 	ILM13 has identified the housing types required specifically for Ilminster as opposed to South Somerset as a whole. This has been done to empower the local community to shape, enhance and improve their town in manner that meets the needs specific to the NP area, this is consistent with the Local Plan.
POLICY ILM13 ALLOCATED OR SMALL BROWNFIELD SITES	This policy seeks to ensure that the design of any proposed infill developments are well thought out and respect the character of the local area to which they relate.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS7 Phasing of Previously Developed Land HG2 Previously Developed Land (PDL) for New Housing 	The design characteristic of the NP area have been identified, as opposed to South Somerset as a whole. This has been done to empower the local community to shape, enhance and improve their town in manner that reflects the character of the NP area, this consistent with the Local Plan. Policy ILM14 will help deliver this.

Neighbourhood Plan Policy	Policy objectives	Relevant Strategic Policies of the Local Development Plan	How the Neighbourhood Plan conforms with the relevant strategic Policies of the Local Development Plan
POLICY ILM14 DESIGN AND LAYOUT OF STRATEGIC SITES	This policy gives specific design advice on Land South West of Canal Way and Station Road. It seeks a positive character, renewable energy provision, appropriate landscaping, SUDs systems, cycle and pedestrian routes, and appropriate car parking.	<ul style="list-style-type: none"> SD1 Sustainable Development SS1 Settlement Strategy SS5 Delivering New Housing Growth SS6 Infrastructure Delivery EP15 Protection and Provision of Local Shops, Community Facilities and Services EQ2 General development EQ3 Historic Environment 	The design visions and sustainability aspirations of the NP area have been identified to shape, enhance and improve the NP area in line with the visions of the NP. Specific issues relating to flooding, reducing reliance on fossil fuels, cycling routes, biodiversity, and parking seek to contribute to tackling climate change. The design, landscaping, and utilities seek to address other important issues in the Local Plan and are consistent with it.

Section 4 - Other EU obligations

Para. 8(2)(f) of the TCPA states as follows: *“The making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and is compatible with the Convention Rights as defined by the Human Rights Act 1998.”*

The National Planning Policy Guidance (NPPG) document advises that a neighbourhood plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. The following directives are of particular relevance to neighbourhood planning:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive). - For allocated sites
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive).
- Directive 92/43/EEC on the

conservation of natural habitats and of wild fauna and flora

- Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).
- Waste Framework Directive (2008/98/EC),
- Air Quality Directive (2008/50/EC)
- Water Framework Directive (2000/60/EC)

Each of these directives shall be addressed in turn.

Strategic Environmental Assessments

SEA may be required under the EU regulations, depending upon the content of a neighbourhood plan and the potential for significant environmental effects. In relation to the SEA the National Planning Policy Guidance states:

‘A neighbourhood plan may require a strategic environmental assessment if the draft neighbourhood plan falls within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. This may be the case if it is likely to have

a significant effect on the environment. This may be the case, for example, where a neighbourhood plan allocates sites for development.

A qualifying body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority on whether the Environmental Assessment of Plans and Programmes Regulations 2004 are likely to apply. Neighbourhood plans may also require assessment in relation to the Habitats Regulations 2017. A neighbourhood plan proposal must provide sufficient information to enable a competent authority to undertake an appropriate assessment or to screen it to determine whether an appropriate assessment is necessary. If an appropriate assessment is required then this will engage the need for a strategic environmental assessment.’

Under the above regulations and as a result of the plan allocating sites for development, an SEA is required and accompanies the neighbourhood plan.

Environmental Impact Assessment

The Neighbourhood Planning (General) Regulations 2012 in PART 9 European

Legislation Part 33 has regard to EIA. This is to ensure that decisions are made in full knowledge of any likely significant effects on the environment and that the public are given early and effective opportunities to participate in the decision making procedures. EIA is not required as the proposal does not involve a Neighbourhood Development Order meaning that there is not development directly proposed.

Habitats Regulation Assessment

The Neighbourhood Planning (General) Regulations 2012 in PART 9 European Legislation Part 32 has regard to HRA. The making of the neighbourhood plan should not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites. It is considered that none of the policies in the NP will significantly impact sites protected under this legislation.

Waste, air and water directives

No proposed policies significantly impact these issues in the NP.

Human rights

The Localism Act (2011) Schedule 9 Neighbourhood Planning Part 2 (6) Neighbourhood Plan requires that regard is given to Human Rights.

The authority are not to be subject to the duty under subsection (4)(a) if they consider that the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The Human Rights Act contains a number of articles which are potentially relevant to neighbourhood planning such as: the right to respect for private and family life, freedom of expression, prohibition of discrimination.

All sections of the community should be given the opportunity to get involved in preparing the plan and express their views on it. All the non statutory and statutory

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

The NP has been prepared to represent the views of the whole community. It is therefore believed that the Ilminster Neighbourhood Plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

Equalities

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity and to foster good relations between persons who have a protected characteristic and those who do not. Protected characteristics are age, disability,

gender reassignment, marriage & civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

All written communications were in English and it was not considered necessary to translate them into any other language. The NP Group has tried to promote the widest possible engagement of the local community in planning for the future development of the NP area. In preparing the Ilminster NP the Group have sought to engage widely with the all of the local community. They have gone beyond minimum consultation requirements to gather the views of the community. Ilminster NP provides objectives and policies to respond to the vision for the benefit of the local community as a whole including those with protected characteristics. Most particularly older people, children and their parents, people with a disability and those with limited mobility would see an improvement as a result of the plan. The Ilminster NP has followed a duty of care prescribed by the Equalities Act 2010.

Section 5 - Summary of the findings of this report

This is a sustainable plan, which promotes the sensitive renewal of Ilminster and greater access and improved connections for pedestrians and cyclists. This plan will assist South Somerset Council in mitigating adverse impacts of development in this area, as set out in the South Somerset Local Plan.

Ilminster Neighbourhood Plan Forum has worked with South Somerset Council to assess whether a Sustainability Appraisal for the neighbourhood plan would be required, on the grounds that this plan allocates new sites for development.

A neighbourhood plan which meets central Government criteria can be put to a referendum. This report confirms that the Ilminster Neighbourhood Plan meets these basic conditions, because:

- It is in general conformity with Development Plan policies, as contained in the adopted South Somerset Local Plan and other supplementary planning documents.
- It seeks to preserve or enhance

the character or appearance of the Conservation Areas, listed buildings and their setting falling within the NP area;

- It is in accordance with policies contained within the National Planning Policy Framework (NPPF) and also National Planning Policy Guidance (NPPG), and European Planning Guidance including Human Rights and Equalities Acts;
- It is based on a sound and robust evidence base;
- It reflects the needs of the business and residential community in the neighbourhood plan area itself;
- It is a sustainable plan supporting new housing and services, including family housing, and protecting heritage assets. It provides for the needs of the business community and seeks to improve the public realm and the shopping core of the area and stimulate investment. It seeks to improve access routes for pedestrians and cyclists reducing the need to travel by car. It will make the neighbourhood plan area a more attractive place to live, work and visit.