

Urban Vision Enterprise
Bilbrook Neighbourhood Plan
Basic Conditions Statement
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1. Introduction

1.1 Purpose of this Statement

This is a Basic Conditions Statement, prepared to accompany the submission of the Bilbrook Neighbourhood Plan.

The statement explains how the Bilbrook Neighbourhood Plan meets the Basic Conditions and other legal requirements. It includes an equalities assessment to help demonstrate compliance with human rights law.

2. Meeting Legal Requirements

2.2 General Legal Requirements

Qualifying Body

The draft Neighbourhood Plan is being submitted by Bilbrook Parish Council, the qualifying body for neighbourhood planning.

Scope and Statutory Process

The draft Neighbourhood Plan relates to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in planning legislation, policy and guidance. This includes designation of the Neighbourhood Area, screening and statutory consultation.

Period of Effect

The draft Neighbourhood Plan states the period for which it is to have effect (until the end of 2038).

Excluded Development

The draft Neighbourhood Plan does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

Neighbourhood Area

The draft Neighbourhood Plan relates to the Bilbrook Neighbourhood Area (Bilbrook Parish) and to no other area. There are no other neighbourhood plans relating to the Bilbrook Neighbourhood Area.

2.1 The Basic Conditions

The Basic Conditions that neighbourhood plans must meet are as follows:

- must contribute to the achievement of sustainable development
- must be appropriate having regard to national policy
- must be in general conformity with the strategic policies in the development plan for the local area
- must be compatible with EU obligations

In addition, the plan must meet requirements of human rights law.

Regulations specify an additional basic condition that a plan does 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.

The following chapters of this statement deal with the basic conditions and human rights law in more detail.

3. Sustainable Development

3.1 Dimensions of Sustainable Development

The National Planning Policy Framework states that sustainable development has economic, social and environmental objectives.

The draft plan proposal takes a balanced approach to enabling growth, also considering economic, social and environmental sustainability. This is reflected in the Plan's aims:

- To support sustainable housing development, to meet the diverse needs of the existing and future community.
- To support employment development and new and improved community facilities, to help create more sustainable live/work patterns.
- To ensure that development is sustainable and well-designed, against the context of climate change.
- To protect the natural environment, historic environment and blue and green infrastructure, including green spaces of community value.
- To help ensure that development promotes sustainable forms of transport and active travel.

3.2 Policies for Sustainable Development

The Neighbourhood Plan policies seek to deliver sustainable growth by the following means:

Policy BB01: Residential Development: Residential development is supported within existing development boundaries. The policy requires the mix of accommodation to reflect evidence of need, and affordable housing should be integral to schemes. Support is given to housing suitable for older people. The policy also addresses amenities, including amenity space, bin storage and cycle storage.

Policy BB02: Neighbourhood Centres: The policy seeks to enhance the vitality and viability of local centres, supporting development subject to impacts. Enhancing the centres helps to support sustainable live/work patterns.

Policy BB03: Green and Blue Infrastructure: The policy seeks to protect green and blue infrastructure, supporting local character, habitats and biodiversity.

Policy BB04: Heritage: The policy seeks to protect local heritage, including designated and non-designated heritage assets, supporting adaptation and reuse.

Policy BB05: Place and Design: The Plan recognises the social, economic and environmental benefits of good design. It deals with various aspects of design, including safety, pedestrian permeability and connectivity, quality of public realm, urban context and character.

Green Design Guide: Policy BB05 is augmented by a Green Guidance Note. This is intended as guidance rather than policy, so is able to be wider in scope than the policy itself. The purpose is to help and encourage developers to reduce carbon use and support biodiversity in the design of development.

Policy BB06: Transport and Active Travel: The policy supports balanced transport provision, including sustainable modes of transport and active travel. This is important for maintaining walkable neighbourhoods.

Policy BB07: Local Green Space: The Plan designates Local Green Space, to protect the community value of spaces.

3.3 Achieving Sustainable Development

The Neighbourhood Plan supports growth to meet local needs. This includes new housing within the existing built settlement and development of the neighbourhood centres. Focusing growth in the existing built settlement helps to create a walkable neighbourhood and to avoid the need for car journeys

The settlement is surrounded by green belt. It should be noted that South Staffordshire District Council is proposing green belt release and allocation of sites for housing development.

The historic environment, green and blue infrastructure, and green spaces with community value are protected, recognising their wider social and economic benefits.

Place and design are important considerations to ensure that new development is fit for purpose and sustainable.

Collectively, the policies support growth and address economic, social and environmental dimensions of sustainability.

The Plan helps to achieve sustainable development, including practical measures to address climate change. The policies take account of the needs of current and future generations.

4. National Policy and Guidance

4.1 Having Regard to National Policy and Guidance

The draft plan has regard to the National Planning Policy Framework (NPPF) December 2024 and Planning Practice Guidance (PPG).

Chapter 2 of the NPPF deals with achieving sustainable development. Sustainable development has economic, social and environmental objectives, set out in Paragraph 8.

Paragraph 11a) states:

'all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects'

This principle has underpinned the draft Neighbourhood Plan, which has the aims/objectives set out in part 3 of this statement.

Chapter 3 of the NPPF deals with plan-making. Paragraph 16 requires plans to be prepared with the objective of contributing to the achievement of sustainable development, to be aspirational but deliverable; to be shaped by early, proportionate and effective engagement and contain policies that are clearly written and unambiguous.

The policies are based on evidence and the outcomes of community engagement and have been written to provide a clear framework for decision-making. Feedback from previous neighbourhood plan independent examinations has informed the drafting of the policies.

The neighbourhood plan is based on a range of evidence, in line with the NPPF and planning practice guidance. This includes evidence on housing need, the natural and historic environments, transport, flood risk, and other economic, social and environmental factors.

The submission of the Neighbourhood Plan is accompanied by a full list of relevant evidence documents and reports.

4.2 NPPF Policy Areas

The following table details the policy areas that are most relevant to the Bilbrook Neighbourhood Plan.

NPPF Chapter	NP Policies
<p>Chapter 5: Delivering a sufficient supply of homes</p>	<p>Policy BB01: Residential Development Policy BB05: Place and Design Green Design Guide</p> <p>The policies seek to support residential development in the settlements.</p> <p>Housing would also need to meet design requirements.</p> <p>Smaller housing and housing suitable for the elderly is supported, based on housing needs evidence.</p>
<p>Chapter 6: Building a strong, competitive economy Chapter 8: Promoting healthy and safe communities</p>	<p>Policy BB02: Neighbourhood Centres Policy BB05: Place and Design Policy BB07: Local Green Space Green Design Guide</p> <p>The Plan seeks to enhance the vitality of neighbourhood centres, which include employment and community uses.</p> <p>The Plan promotes sustainable design and protects key green community spaces.</p>
<p>Chapter 9: Promoting sustainable transport</p>	<p>Policy BB05: Place and Design Policy BB06: Transport and Active Travel</p> <p>The Plan promotes sustainable transport and active travel and seeks to maintain Bilbrook as a walkable neighbourhood.</p>

<p>Chapter 11: Making effective use of land</p>	<p>Policy BB01: Residential Development Policy BB02: Neighbourhood Centres Policy BB03: Green and Blue Infrastructure Policy BB06: Transport and Active Travel Green Design Guide</p> <p>The Plan supports growth and has policies for environmental protection.</p>
<p>Chapter 12: Achieving well-designed places</p> <p>National Design Guide (2021)</p>	<p>Policy BB04: Heritage Policy BB05: Place and Design Policy BB06: Transport and Active Travel Green Design Guide</p> <p>The Plan places emphasis on sustainable and green design and active travel, through policies and a Green Guidance Note.</p> <p>These policies also takes account of the National Design Guide (2021) which states that well-designed places have ten characteristics. These are context, nature, identity, use, resources, movement, built form, public space, homes and buildings and lifespan.</p>
<p>Chapter 14: Meeting the challenge of climate change, flooding and coastal change</p>	<p>Policy BB03: Green and Blue Infrastructure Policy BB05: Place and Design Green Design Guide</p> <p>The Plan places emphasis on sustainable and green design.</p>
<p>Chapter 15: Conserving and enhancing the natural environment</p>	<p>Policy BB03: Green and Blue Infrastructure Policy BB05: Place and Design Policy BB07: Local Green Space Green Design Guide</p> <p>The Plan directly addresses protection of green and blue infrastructure.</p>
<p>Chapter 16: Conserving and enhancing the historic environment</p>	<p>Policy BB04: Heritage Policy BB05: Place and Design</p> <p>Policies directly addresses impacts on designated and non-designated heritage assets.</p>

5. Local Policy

5.1 Strategic Policies

Strategic policies are to be found in the following:

South Staffordshire Local Plan Core Strategy Development Plan Document, Adopted 11th December 2012.

Site Allocations Document (SAD) Right Place, Right Time: A Blueprint for Local Development, September 2018

5.2 General Conformity

General conformity relates to the policies of the neighbourhood plan taken as a whole, considered against adopted strategic local policies taken as a whole.

The draft Neighbourhood Plan has been drafted against the context of strategic local policies and helps to deliver and does not undermine and the spatial strategy set out in the South Staffordshire Local Plan 2012.

5.3 Policy Comparison (Core Strategy)

The Core Strategy includes:

National Policy 1: The Presumption in Favour of Sustainable Development

Core Policy 1 – The Spatial Strategy for South Staffordshire

Billbrook is identified as a ‘Main Service Village’, which will be the ‘main focus for housing growth, employment development and service provision’.

The Local Plan identifies a housing need for Bilbrook of 105 houses by 2028.

The following table compares the policies in the Neighbourhood Plan to the relevant corresponding Local Plan Core Strategy policies.

Bilbrook Neighbourhood Plan.	South Staffordshire Local Plan 2012
<p>Policy BB01: Residential Development</p> <p>Policy BB01 supports housing development within settlements and seeks to shape development in terms housing mix and the way affordable housing is provided. The policy does not seek to modify Local Plan proportions or thresholds.</p> <p>The policy helps achieve Local Plan Core Policy 6 and augments Policies H1, H2, H4, and H5.</p>	<p>Core Policy 6: Housing Delivery Policy EQ9: Protecting Residential Amenity Policy H1: Achieving a Balanced Housing Market Policy H2: Provision of Affordable Housing Policy H4: Delivering Affordable Housing Policy H5: Specialist Housing Accommodation</p>
<p>Policy BB02: Neighbourhood Centres</p> <p>Policy BB02 recognises the importance of Bilbrooks neighbourhood centres, which provide the focus for Bilbrook as a Main Service Village. The policies seek to maintain or enhance the vitality and viability of the centres.</p> <p>This helps to deliver Local Plan Core Policies 7 and 8.</p>	<p>Core Policy 7: Employment and Economic Development Core Policy 8: Hierarchy of Centres</p>
<p>Policy BB03: Green and Blue Infrastructure</p> <p>BB03 protects different aspects of the natural environment, and green and blue infrastructure.</p> <p>The policies support Core Policy 2 and augments Policies EQ1, EQ4 and HWB2.</p>	<p>Core Policy 2: Protecting and Enhancing the Natural and Historic Environment Policy EQ1: Protecting, Enhancing and Expanding Natural Assets Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape Policy HWB2: Green Infrastructure</p>

Bilbrook Neighbourhood Plan.	South Staffordshire Local Plan 2012
<p>Policy BB04: Heritage</p> <p>This policy protects designated and non-designated heritage assets, including a local list.</p> <p>The NP supports Local Plan Core Policy 2 and augments Policy EQ3.</p>	<p>Core Policy 2: Protecting and Enhancing the Natural and Historic Environment</p> <p>Policy EQ3: Conservation, Preservation and Protection of Heritage Assets</p>
<p>Policy BB05: Place and Design Green Design Guide</p> <p>BB05 and the Green Guidance Note help to achieve Local Plan Core Policies 3 and 4 and also take account of Policies EQ5, EQ11 and EQ12. They also take account of more recent guidance in the National Design Guide 2021.</p> <p>The Green Guidance Note is advisory in nature, so is wider in scope than the policies.</p>	<p>Core Policy 3: Sustainable Development and Climate Change</p> <p>Core Policy 4: Promoting High Quality Design</p> <p>Policy EQ5: Sustainable Resources and Energy Efficiency</p> <p>Policy EQ11: Wider Design Considerations</p> <p>Policy EQ12: Landscaping</p>
<p>Policy BB06: Transport and Active Travel</p> <p>BB06 places particular emphasis on and active travel, together with Policy BB05.</p> <p>The policy helps to achieve Local Plan Core Policies 3 and 11 and complements Policy EV11.</p>	<p>Core Policy 3: Sustainable Development and Climate Change</p> <p>Core Policy 11: Sustainable Transport</p> <p>Policy EV11: Sustainable Travel</p>
<p>Policy BB07: Local Green Space</p> <p>Policy BB07 designates Local Green Space, helping to achieve Local Plan Core Policy 14.</p>	<p>Core Policy 14: Open Space, Sport and Recreation</p>

5.4 Policy Comparison (Site Allocations Document)

The Site Allocations Document (SAD) September 2018 allocates a housing sites in Bilbrook in Policy **SAD2: The Housing Allocations**.

This includes:

Site Ref: 443 - Land off Pendeford Mill Lane (minimum 102 houses).

The SAD also identifies safeguarded land in Policy **SAD3: Safeguarded Land for Longer Term Development Needs** (sites 443 and 209 in Bilbrook).

Policy SAD9: Key Development Requirements sets submission requirements and other requirements relating to design and access, highways, housing mix, historic environment, open space, green infrastructure & sustainable drainage systems (SuDs), natural environment and resources and other matters.

6. EU Obligations

6.1 SEA and HRA Screening

The plan has been screened by South Staffordshire Council for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA).

The screening report concluded that the neighbourhood plan would be unlikely to have significant environmental effects, and full SEA and HRA would not be required.

Consultation with national statutory bodies (Natural England, the Environment Agency and Historic England) confirmed their opinions that full SEA would not be required. [just check with South Staffs that is the case, it should be as the outcome was negative].

6.2 EU Obligations

Given the screening outcomes, which took account of the responses of national statutory bodies, the draft Neighbourhood Plan meets the basic conditions relating to not breaching EU obligations and Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Extract from the **Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Statement**, January 2025.

7. Overall Screening Conclusion and Consultation

- 7.1 The SEA and HRA screening reports undertaken in relation to the draft Bilbrook Neighbourhood Plan have concluded that the neighbourhood plan is unlikely to give rise to any significant environmental effects or have significant effects on European sites. Accordingly, it is concluded that an SEA or HRA assessment is not required for the neighbourhood plan.
- 7.2 It is important to note that this screening opinion is based on a draft pre-Regulation 14 version of the Bilbrook Neighbourhood Plan. Consequently, if the content of the neighbourhood plan should materially change then the SEA/HRA process will need to be re-assessed and updated.
- 7.3 It is a requirement of the screening process to consult Historic England, the Environment Agency and Natural England when forming a view as to whether SEA and/or HRA is required.

7. Human Rights

7.1 Equalities Assessment

This part of the statement comprises an equalities assessment, to help demonstrate that the Neighbourhood Plan meets Human Rights requirements.

7.2 Community Engagement

The Neighbourhood Plan needs to cater for the diverse range of needs of the population. There is evidence to suggest that diversity is an important factor in achieving sustainable growth.

The draft plan is based on evidence (including economic, social and environmental data and analysis) and also the outcomes of engagement with the local community and stakeholders, from the earliest stages of the process.

Statutory consultation (Regulation 14) was undertaken, and this took account of consultation case law, including compliance with Gunning principles.

7.3 Legal Requirements

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 defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Everyone has at least two protected characteristics and this can change over someone’s lifetime.

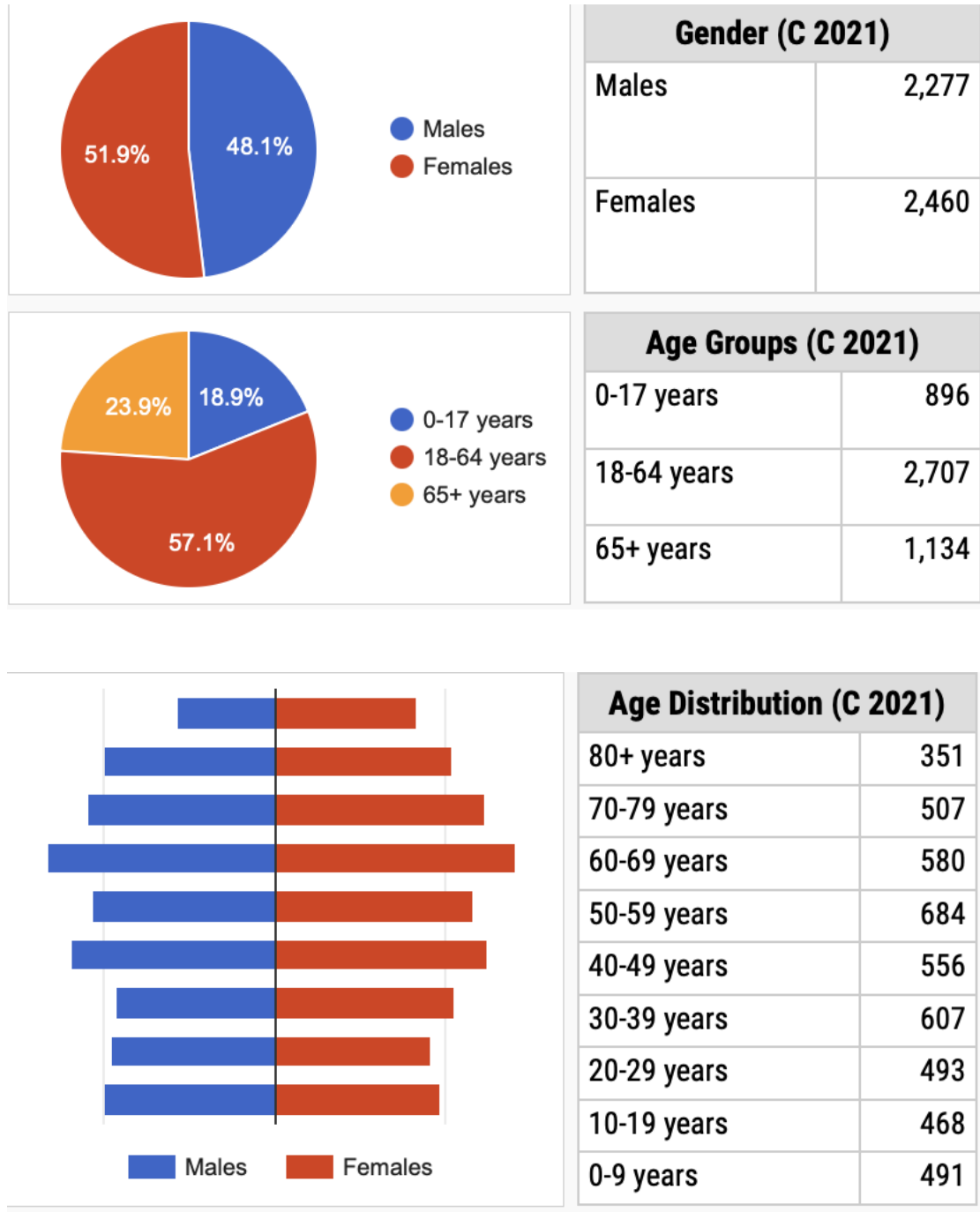
An Equalities Assessment is a systematic analysis of policies, to scrutinise the potential for positive or adverse impacts on a particular group or community, in particularly those with a protected characteristic.

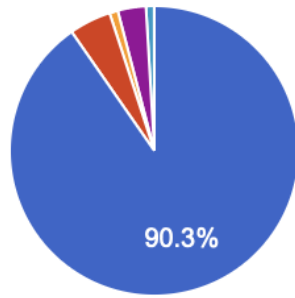
An assessment has been made on whether the Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics. If the impact is negative, this is given a high, medium or low assessment.

7.4 Bilbrook General Population Characteristics

Sourced from the 2021 Census key statistics the following illustrates key population characteristics for the Parish.

Population: 4740

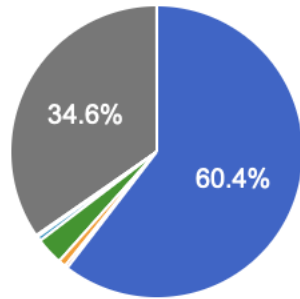




- White
- Asian
- Black
- Mixed/multiple
- Other eth...
- Other

Ethnic Group (C 2021)

White	4,273
Asian	221
Black	44
Arab	1
Mixed/multiple	149
Other ethnic group	43



- Christians
- Muslims
- Hindus
- Sikhs
- Buddhists
- Other reli...
- ▲ 1/2 ▼

Religion (C 2021)

Christians	2,725
Muslims	15
Hindus	37
Sikhs	136
Buddhists	23
Jews	1
Other religion	10
No religion	1,561

Table 1: Sexual orientation, 2021, England, Wales and regions of England

Area Name	Straight or Heterosexual (percent)	Gay or Lesbian (percent)	Bisexual (percent)	Pansexual (percent)	Asexual (percent)	Queer (percent)	All other sexual orientations (percent)
England	89.37	1.54	1.29	0.23	0.06	0.03	0.02
Wales	89.42	1.49	1.24	0.18	0.06	0.02	0.01
North East	91.03	1.56	1.19	0.18	0.06	0.02	0.01
North West	90.12	1.69	1.22	0.20	0.05	0.02	0.02
Yorkshire and The Humber	89.75	1.43	1.31	0.22	0.06	0.03	0.02
East Midlands	89.77	1.28	1.25	0.21	0.06	0.02	0.02
West Midlands	89.91	1.21	1.06	0.20	0.05	0.02	0.02
East of England	90.18	1.21	1.14	0.21	0.06	0.02	0.02
London	86.19	2.23	1.52	0.37	0.05	0.06	0.04
South East	89.84	1.48	1.29	0.22	0.06	0.03	0.02
South West	89.51	1.43	1.43	0.22	0.07	0.03	0.02

Source: Office for National Statistics - Census 2021

7.5 Impacts on Protected Characteristics

The policies of the Neighbourhood Plan are as follows:

- Policy BB01: Residential Development**
- Policy BB02: Neighbourhood Centres**
- Policy BB03: Green and Blue Infrastructure**
- Policy BB04: Heritage**
- Policy BB05: Place and Design**
- Policy BB06: Transport and Active Travel**
- Policy BB07: Local Green Space**

These policies are augmented by a **Green Guidance Note**.

Equalities assessment requires consideration of the impact of these policies on each of the protected characteristics. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

It should be noted that the needs, attitudes and opinions of people within any of these groups are as diverse as in the wider population, sometimes with polarised views.

Against protected characteristics, the following factors are of particular relevance.

Age:

Age can have implications for mobility, access to a car (especially older and younger groups), reliance on local facilities, housing needs and health, among other matters.

The Plan seeks to maintain or enhance the local centres in Bilbrook, which contain a range of local facilities and employment (BB02). Housing should meet diverse needs, including by supporting smaller housing (for first time buyers or downsizing) and accommodation suitable for older people (BB01). The Plan supports sustainable and active travel (BB05, BB06) and protects heritage, green and blue infrastructure and green spaces with community value (BB03, BB04, BB06, BB07). The Green Guidance Note responds to climate change, taking account of community concerns, including interests of younger and future generations.

The impact on all ages will be positive.

Disability:

Disability can have implications for accessibility, legibility, housing needs, access to employment, access to facilities and other factors.

The Plan seeks to cater for people with diverse needs, including visual, mobility and other challenges. The Plan seeks to maintain or enhance the local centres in Bilbrook, which contain a range of local facilities and employment (BB02). Housing should meet diverse needs, including specialist accommodation (BB01). The Plan supports sustainable and active travel (BB05, BB06).

The impact on people with disabilities will be positive.

Gender Reassignment:

Gender reassignment may have implications for housing, community facilities, safety and a range of other planning matters.

The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, the plan places emphasis on diversity, including in housing (BB01) and local facilities (BB02).

The impact on people that have undergone gender reassignment will be positive.

Pregnancy and Maternity:

Maternity has implications for numerous factors, including ease of movement, changing housing needs, and access to local facilities.

The Plan provides for diverse housing needs (BB01) and supports local facilities (BB02). The Plan places emphasis on creating a safe and convenient environment, making it easy to get around (BB05, BB06).

The impact on pregnant women will be positive.

Race:

Race and culture can be factors in housing needs, community facilities and a range of other planning matters.

The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, the plan seeks to cater for diverse needs in housing (BB01) and local facilities (BB02).

The impact will be positive on people of different races.

Religion or Belief:

Some religious beliefs may have implications for housing, community facilities and other planning matters.

The plan places emphasis on diversity, including in housing (BB01) and local facilities (BB02). The Plan includes environmental protection and supports sustainable development, which should complement some belief systems.

The impact on people with different religions and beliefs will be positive.

Sex:

Sex can have implications for a range of factors, including housing needs, community facilities and a range of other planning matters.

The plan seeks to shape housing (BB01) and support local facilities (BB02). It supports active travel and creation of safe and convenient places (BB05 and BB06). It protects green spaces with community value (BB07).

The impact will be positive.

Sexual Orientation:

LGBT+ status may have implications for housing, community facilities and a range of other planning matters.

The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, the plan places emphasis on diversity, including in housing (BB01) and local facilities (BB02).

The impact on LGBT+ people will be positive.

Economic Deprivation:

Economic status is not a protected characteristic. However, economic deprivation affects a proportion of the population and can affect different people at different times, and can sometimes be associated with protected characteristics.

The Neighbourhood Plan supports a range of housing (BB01) and seeks to maintain local centres (BB02), which contain employment and local facilities, reducing the need (and cost) of travel. The Plan supports sustainable transport and active travel, recognising the needs of those without access to a car (BB05, BB06).

7.6 Equalities Conclusions

The Neighbourhood Plan provides policies for the development of the Neighbourhood Area, to create sustainable growth and protection of the local environment. These will result in positive benefits for the local community, including those with protected characteristics.

The Neighbourhood Plan would not breach human rights law.

8. Conclusion

8.1 Legal Compliance

The Neighbourhood Plan has been through the processes and meets the requirements set out in planning legislation, including designation of the Neighbourhood Area, screening, and statutory consultation.

The Neighbourhood Plan has had regard to national policy and guidance. The policies of the Neighbourhood Plan help to achieve and do not undermine the spatial strategy in the South Staffordshire Local Plan, so the Neighbourhood Plan is in general conformity with strategic local policies.

The Neighbourhood Plan supports growth, protects the natural and historic environments, requires good design and supports active travel. It helps to ensure that development is sustainable, having regard to economic, social and environmental dimensions of sustainability and taking account of the needs of current and future generations. So the Plan helps to achieve sustainable development.

The Neighbourhood Plan has been screened and neither full SEA or full HRA are required.

In view of the above, the Neighbourhood Plan meets the Basic Conditions.

The Neighbourhood Plan has been based on evidence and the outcomes of community engagement, and then subject to statutory consultation, meeting the requirements of planning law and consultation case law. In addition, the equalities analysis in Chapter 7 of this statement identifies that there would not be negative impacts on protected characteristics. The Plan meets the requirements in human rights law.

9. Contact



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