

Basic Conditions Statement

Byfleet Neighbourhood Plan

Published: 1 July 2025

Prepared for: Byfleet Neighbourhood Forum

Contents

- 1. Introduction 3
- 2. Regard to national policies and advice 4
- 3. The plan contributes to the achievement of sustainable development..... 7
- 4. General conformity with strategic policies in the development plan 9
 - Woking Core Strategy 9
- 5. Compatibility with EU obligations..... 11
- 6. Prescribed conditions are met 12

1. Introduction

- 1.1. A neighbourhood plan can only be put to a referendum and be made if it meets each of the 'basic conditions'. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions relevant to neighbourhood plans are:
- a)** having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
 - b)** the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
 - c)** the making of the order (or 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).
 - d)** the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
 - e)** prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 1.2. This Basic Conditions Statement demonstrates how the submission neighbourhood plan meets the basic conditions as required by regulation 15(1)(d) and regulation 22(1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.3. The Byfleet Neighbourhood Forum (who are the qualifying body) have considered how the neighbourhood plan meets the basic conditions throughout the process of developing this neighbourhood plan.

2. Regard to national policies and advice

- 2.1. A neighbourhood plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the government's planning policies for England and how these are expected to be applied.
- 2.2. Paragraph 13 of the National Planning Policy Framework is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies.
- 2.3. Beyond this, the content of a draft neighbourhood plan will determine which other aspects of national policy are or are not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.
- 2.4. Set out below are the policies contained within the submission neighbourhood plan cross referenced to national policies and advice. It should be noted that the table below is not exhaustive and there may be other NPPF references that are not included in the table below:

Byfleet Neighbourhood Plan		National policies and advice	
Policy No.	Policy Title	References	Comments on conformity
Policy 1	High Quality Design	NPPF paras 8, 131, 132, 135	Policy 1 requires new developments to be of a high standard of design that positively contributes to the character of the area. It provides additional requirements for more contemporary development and specifically for proposals involving high-rise buildings. The policy is in conformity with the NPPF which similarly requires development to be of a high quality of design that is sympathetic to local character.
Policy 2	Renewable Energy and Sustainability	NPPF paras 8, 135, 162, 165, 167, 198, 202	Policy 2 seeks to ensure that energy generating infrastructure is situated as close as possible to existing buildings to prevent any harm to amenities of nearby occupants or to the character of the area, heritage assets, community facilities and open spaces. The NPPF similarly seeks to encourage the use and supply of renewable and low carbon energy and heating, and also seeks to ensure that development is designed in a way to avoid harm to residential amenity.
Policy 3	Byfleet Village Heritage	NPPF paras 8, 203, 212, 213, 214, 216, 220	Policy 3 seeks to support development that makes a positive contribution to the local character of the conservation area. It also supports the sensitive increase in density where historic assets are not adversely impacted. It also supports the removal and replacement of features which negatively impact on the conservation area. The NPPF acknowledges the importance that heritage assets make to places, and requires plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In this light, Policy 3 seeks to enhance the historic environment.

Byfleet Neighbourhood Plan		National policies and advice	
Policy No.	Policy Title	References	Comments on conformity
Policy 4	Byfleet Centre Regeneration	NPPF paras 8, 85, 86, 90, 109, 112	Policy 4 encourages the regeneration of the village centre by supporting a range of retail and other uses, as well as a change of use of upper floor space within the centre to residential. It also supports the redevelopment of the town centre where it has regard to the massing and character of the area, the loss of employment floorspace should be compensated for, and an appropriate level of parking is provided. It also supports proposals that improve the public realm. The NPPF requires policies to help create conditions in which businesses can invest, expand and adapt which Policy 4 helps to achieve by supporting a range of uses in the village centre. The NPPF also supports the growth of local centres.
Policy 5	Safeguarding Business and Employment Sites	NPPF paras 8, 85, 90, 111	Policy 5 seeks to protect and enhance existing employment uses and premises by not supporting proposals that would result in the loss of employment uses or premises unless it can be demonstrated that it is not viable and that an appropriate alternative site or premise can be identified. It also supports new B2 development where existing village facilities are not compromised or reduced. Paragraph 85 of the NPPF seeks address challenges for the future which would restrict areas to built on their strengths. The protection of key employment floorspace would help to achieve this which also ensuring that Byfleet remains well served by infrastructure such as cycle paths and pavements.
Policy 6	Flood Management	NPPF paras 8, 170	The policy supports development that will not increase the risk of flooding elsewhere and requires significant forms of development to provide surface water details and that consideration is given to the use of SuDS and details of its management. The NPPF seeks to steer inappropriate development away from areas at highest risk of flooding.
Policy 7	Infrastructure	NPPF paras 8 96, 98, 109, 111	Policy 7 requires development to be accompanied by appropriate transport infrastructure improvements, where necessary. It also requires new development, where practicable, to be connected to walking and cycling routes, public and community transport, and provide walking and cycling access to the social, community and retail facilities in the village. The NPPF seeks to support infrastructure to support health living, as well as supporting sustainable travel through pursuing opportunities to promote walking, cycling and public transport use.
Policy 8	Local Green Spaces	NPPF paras 8, 106, 107, 108	Policy 8 sets out the local green spaces which have been identified and designated through assessment. The policy states that local green

Byfleet Neighbourhood Plan		National policies and advice	
Policy No.	Policy Title	References	Comments on conformity
			spaces will be protected from inappropriate development in accordance with Green Belt policy set out in the NPPF. The local green spaces have been designated in accordance with the criteria set out in the NPPF.
Policy 9	Trees, hedges and woodland	NPPF paras 8, 136, 187, 193	Policy 9 requires development to avoid or mitigate any harm against existing trees and/or hedges. It does not support the loss of ancient trees, veteran trees, trees that are subject to TPOs, trees in conservation areas and trees that are of good amenity value, or the loss of native hedges. It seeks to retain ancient trees and trees of good amenity value in development proposals allowing for the protection of roots and canopies. The NPPF recognises the importance that trees make to the character and quality of urban environments and seeks to support the retention of existing trees where possible. The NPPF also seeks to avoid the loss or deterioration of irreplaceable habitats such as ancient woodland and veteran trees unless a suitable compensation strategy is in place.
Policy 10	Recreational & Leisure Facilities	NPPF paras 8, 96, 98, 103, 104, 105	Policy 10 does not support the loss of existing formal and information recreation spaces unless it is demonstrated that the space is surplus to requirements or alternative provision is made elsewhere in the plan areas that is at least equivalent in size and number of facilities offered or would result in a net improvement in the quality of facilities. The NPPF supports policies which contribute to health living and guard against the unnecessary loss of value facilities and services.
Policy 11	Community Facilities	NPPF paras 8, 96, 98	Policy 11 does not support the loss or significant harm to the value of Byfleet's community facilities unless there is no identified need for the facility in its original purpose and that it is not viable for any other social or community use, or adequate alternative facilities are provided elsewhere. The provision of additional community facilities and services will be supported. Similarly, to the above, the NPPF supports policies which contribute to health living and guard against the unnecessary loss of value facilities and services.

3. The plan contributes to the achievement of sustainable development

3.1. The NPPF confirms that:

7. *The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, 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 needs⁴. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.*
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
9. *These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*

3.2. A brief summary of how each policy within the Submission Neighbourhood Plan contributes towards each objective is set out below:

Policy	Economic	Social	Environmental
Policy 1	n/a	The policy contributes to the fostering of well designed, beautiful and safe places.	n/a

Policy	Economic	Social	Environmental
Policy 2	The policy can support the sustainable operation of businesses, potentially lowering costs.	n/a	The policy helps to support renewable energy generation, reducing pollution and mitigating and adapting to climate change.
Policy 3	n/a	Policy helps with the protection and enhancement of the conservation area.	n/a
Policy 4	Policy supports the provision of a range of retail and other uses, certain changes of use and redevelopment within the town centre to support village centre regeneration.	Policy supports development that improves the public realm.	n/a
Policy 5	Policy does not support the loss of employment uses and premises which would harm the vitality of the village.	Policy does not support the loss of employment uses and premises which could result in job losses.	n/a
Policy 6	n/a	n/a	Policy does not support development that would increase flood risk and supports development that utilises SuDS.
Policy 7	n/a	Policy supports infrastructure improvements including footpaths and cycleways.	Policy supports improvements to infrastructure which encourages active travel of use of private car.
Policy 8	n/a	Policy supports the protection of Local Green Spaces which are of significant community value.	n/a
Policy 9	n/a	The retention and protection of trees and enhancement of biodiversity can have value to the health and wellbeing of the community.	Policy supports the protection and retention of trees as well as enhancement to biodiversity.
Policy 10	n/a	Policy supports the protection of recreation and leisure facilities which contribute to mental and physical wellbeing.	n/a
Policy 11	n/a	Policy supports the protection of recreation and leisure facilities which contribute to mental and physical wellbeing.	n/a

4. General conformity with strategic policies in the development plan

4.1. The Development Plan consists of:

- Woking Core Strategy (2012)
- Development Management Policies Development Plan Document (2016)
- Site Allocations Development Plan Document (2021)
- Neighbourhood Plans
- Surrey Minerals Plan Core Strategy and Primary Aggregates DPDs (2011)
- Surrey Waste Plan (2020)
- Saved Policy NRM6: Thames Bassin Heath SPA from the South East Plan

4.2. The strategic policies contained within the Core Strategy and whether the plan is in general conformity with them is considered below. Overall, it is considered that the plan is in general conformity with the strategic policies in the development plan.

4.3. There are no strategic policies in the Development Management Policies Development Plan Document, the Neighbourhood Plan does not provide any site allocations and there are no policies in the Surrey Minerals Plan Core Strategy and Primary Aggregates DPDs or Waste Plan.

Woking Core Strategy

Core Strategy Policy	Byfleet NP Policy	How the Byfleet NP Conforms
CS1	All policies	The entire plan seeks to address how the spatial strategy for the borough is implemented.
CS2	N/A	CS2 is only relevant for Woking Town Centre.
CS3	N/A	CS3 is only relevant to West Byfleet District Centre.
CS4	Policy 4, Policy 5	Policy 4 seeks to support a diverse range of retail and other uses in the village centre, as well as other changes of use and redevelopment. CS4 supports new Class A floorspace within the local centres. Policy 5 supports the retention of employment floorspace and CS4 seeks to retain shops and other economic uses due to their importance to the community. Policies 4 and 5 are therefore in conformity with CS4.
CS5	N/A	This policy is not relevant to the Byfleet Neighbourhood Plan.
CS6	N/A	The neighbourhood plan endorses CS6 and national policy for development within the Green Belt.
CS7	Policy 9	Policy 9 supports the enhancement of biodiversity and retention and protection of important trees. This is reflected in CS7.
CS8	N/A	The Thames Basin Heaths SPA is not relevant to the Byfleet Neighbourhood Plan.

Core Strategy Policy	Byfleet NP Policy	How the Byfleet NP Conforms
CS9	Policy 6	Policy 6 seeks to avoid development increasing flood risk elsewhere and incorporate SuDS where possible. CS9 similarly supports the use of SuDS and requires development to reduce the risk of surface water flooding.
CS10	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around housing.
CS11	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around housing mix.
CS12	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around affordable housing.
CS13	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around older people and vulnerable groups.
CS14	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around gypsies, travellers and travelling showpeople.
CS15	Policy 5	Policy 5 does not support the loss of employment floorspace which CS15 also seeks to achieve.
CS16	N/A	The Byfleet Neighbourhood Plan does not provide specific policies around the delivery of infrastructure.
CS17	Policy 8, Policy 10	Policy 8 supports the protection of Local Green Spaces and Policy 10 supports the protection of other open spaces and recreation. CS17 seeks to resist the loss of open space, sport, recreation or play facilities.
CS18	Policy 7	Policy 7 seeks to support the provision and improvement of active travel infrastructure which CS18 also seeks to achieve by development a sustainable transport system, including proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and facilities.
CS19	Policy 11	Policy 11 seeks to support the retention of community facilities CS19 similarly seeks to resist the loss of social and community facilities.
CS20	Policy 3	Policy 3 supports the protection and enhancement of the conservation area. CS20 also supports development that makes a positive contribution to the character, distinctiveness and significance of the historic environment which includes conservation areas.
CS21	Policy 1	Policy 1 supports development that is of a high quality of design and respects the character of the area. The requirements of Policy 1 are similarly set out in CS21 but Policy 1 provides requirements that are more specific to Byfleet.
CS22	Policy 2	Policy 2 supports the provision of renewable energy generation. CS22 requires development to utilise sustainable construction techniques and save on CO2 emissions such as through renewable techniques.
CS23	Policy 2	Similarly to the above, CS23 supports the use of renewable and low carbon energy generation which is echoed in Policy 2.
CS24	Policy 1	Policy 1 encourages development to be of a high quality of design which respects the character of the area. CS24 also supports development that conserves and enhances local landscape and townscape character.
CS25	N/A	The Byfleet Neighbourhood Plan does not policies around the presumption in favour of sustainable development.

5. Compatibility with EU obligations

- 5.1. With regard to 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). Woking Borough Council have confirmed that a SEA is not required.
- 5.2. With regard to 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). No neighbourhood development orders are proposed by the qualifying body, so the directive does not apply.
- 5.3. With regard to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively), Woking Borough Council have confirmed that an Appropriate Assessment of the Byfleet Neighbourhood Plan is not required.
- 5.4. With regard to the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) and the Water Framework Directive (2000/60/EC). There are no policies contained in the Byfleet Neighbourhood Plan that are within the scope of the directives.

6. Prescribed conditions are met

- 6.1. Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribe 2 basic conditions in addition to those set out in the primary legislation. These are:
- the making of the neighbourhood 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.
 - having regard to all material considerations, it is appropriate that the Neighbourhood Development Order is made (see Schedule 3 to the Neighbourhood Planning (General) Regulations 2012 (as amended), where the development described in an order proposal is Environmental Impact Assessment development.
- 6.2. The qualifying body considers that both of these conditions are met.



Planning, Development, Collaboration

South East & London Office

The Long Barn, Poplars Place
Turners Hill Road
Crawley
West Sussex
RH10 4HH

01293 978 200

info@squiresplanning.co.uk

Thames Valley Office

Unit 2-3, Dorcan Business Village,
Murdock Road, Dorcan,
Swindon
Wiltshire
SN3 5HY

01793 570 830

info@squiresplanning.co.uk



RTPI

Chartered Town Planners