

Mitcheldean
Neighbourhood Development Plan
2018 - 2026

Submission Document

Basic Conditions

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1. Introduction

This Basic Conditions Statement has been produced to explain how the proposed Mitcheldean Neighbourhood Development Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.

This Statement of Conformity document outlines how the Mitcheldean Neighbourhood Plan meets all these requirements.

2. Meeting Legal Requirements

- 2.1 The Mitcheldean Neighbourhood Plan is being submitted by a qualifying body, namely Mitcheldean Parish Council for the designated Neighbourhood Plan area of Mitcheldean Parish (Map 1)
- 2.2 The Neighbourhood Plan sets out policies which relate to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 2.4 The proposed Mitcheldean Neighbourhood Plan document states the period for which it is to have effect. That period is from the Plan being made up to 2026 the same period as Forest of Dean District Council Local Plan 2018-2026.
- 2.5 The Mitcheldean Neighbourhood Plan does not deal with excluded development such as county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.6 The Neighbourhood Plan proposal relates to the Mitcheldean Neighbourhood area and to no other area. The Neighbourhood Area is identifiable on a map on page X (Map 1) of the Mitcheldean Neighbourhood Plan document and is identical to the area designated by Forest of Dean District Council on 18th July 2013 within the meaning of Section 61G of the Town and Country Planning Act 1990, pursuant to an application from Mitcheldean Parish Council. There are no other neighbourhood plans relating to that neighbourhood area. (<https://www.fdean.gov.uk/media/5631/notice-of-a-designation-of-a-neighbourhood-area-mitcheldean-a.pdf>)
- 2.7 The Mitcheldean Neighbourhood Plan has been produced with extensive input from the local community and other stakeholders, as described in the accompanying Consultation Statement (app. W). The Neighbourhood Area was designated by Forest of Dean District Council following the required process and consultation period. Consultation on the Pre Submission Draft of the Neighbourhood Plan has been conducted as required by the

Planning Regulations 2011 in terms of timescales and in terms of recording and consideration of issues and suggestions made.

3. Meeting the requirements Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990

3.1 A number of 'basic conditions' must be met by Neighbourhood Development Plans and the following sections highlight how the Mitcheldean Neighbourhood Plan meets requirements in relation to: having regard to national policies and principles of sustainable development; being in general conformity with Forest of Dean District Council's Local Plan adopted policies (<https://www.fdean.gov.uk/residents/planning-building/planning-policy/local-plan-new/>) and is compatible with EU obligations. Have appropriate regard to National Policy (i.e. the National Planning Policy Framework updated version Feb 2019 and related guidance) and achievement of sustainable development

The Mitcheldean Neighbourhood Plan is developed within the framework for sustainable development as set out in the NPPF. The NDP provides supporting policies in respect of: Economy; Housing; business and sustainable tourism; Community and Community Facilities; Historic & Natural Environment; Infrastructure; Transport and Access

3.2 Policies relating to balancing economic, social and environmental issues are integrated into the Plan resulting in Sustainable Development. The NDP addresses this by: ensuring Mitcheldean village is vital and viable; promoting Mitcheldean as a visitor destination while supporting sustainable tourism; protecting and enhancing the rich historic heritage, biodiversity and natural environment; encouraging business development and job creation; enabling good housing development design including accessibility to suit diverse needs; improving living, working, travel and leisure conditions and widening the choice of homes.

3.3 This builds on the NPPF and FODDC aims to deliver sustainable development through:

- Planning positively for housing growth
- Managing environmental issues
- Protecting and enhancing historic the environment
- Planning for a strong vibrant economy
- Promoting healthy communities
- Protecting and enhancing the natural environment

3.4 Core planning principles of the NPPF are supported through the Mitcheldean Neighbourhood Plan, including:

Housing policies to enable delivery of a choice of high quality inclusive homes achieved through identified developable sites. High quality design is encouraged through defined

characteristics and specific design principles which accord with those of the local planning authority- Forest of Dean District Council.

Consideration of flood mitigation measures which accords with the NPPF aims of addressing climate change and enhancing the natural environment through policies relating to open spaces.

Emphasis on building a strong sustainable economy and ensuring improvements and enhancements which will stimulate economic regeneration.

Conserving and enhancing the historic and natural environment reflect core planning principles in the NPPF regarding protecting and enhancing valued heritage landscapes and minimising impacts on biodiversity

Delivering the social, recreational and services the community needs by retaining and enhancing town centre, health care and community facilities.

- 3.5 The Mitcheldean Neighbourhood Plan is genuinely community plan led and empowers local people to shape their surroundings during production and implementation. Stakeholders have approached the exercise creatively in order to enhance the area and its surroundings. The Mitcheldean Neighbourhood Plan will be reviewed by Mitcheldean Town Council at its Annual Parish Meetings in April/ May where a monitoring report will be presented. Major reviews will be conducted in 2021 and 2026 to ensure conformance with the FODDC CS and the examined FODDC AP and to take into account any changes or new policies arising from a new or equivalent Core Strategy/ Local Plan in order to consider whether any changes in circumstances warrant redrafting.

4. **Be In General Conformity With the Strategic Policies of The Local Planning Authority's Local Plan**

- 4.1 Mitcheldean lies within the administrative area of Forest of Dean District Council (FODDC). The requirement of the basic conditions is that the Mitcheldean Neighbourhood Plan is in general conformity with strategic policies in the current adopted Local Plan. Relevant policies in the case of FODDC are those which still apply (have been saved) from the 2012 Core Strategy. With good practice, the Mitcheldean Neighbourhood Plan has used information from the new evidence base prepared by Forest of Dean District Council.
- 4.2 Mitcheldean Neighbourhood Plan's approach, vision and objectives (Mitcheldean NDP section 5.0) recognises the Forest of Dean District Core Strategy and Allocations Plan. *'Mitcheldean with a population of over 2200 is also the location of Vantage Point, a business estate which with its neighbouring MEWS workshops covers about 28ha. This includes by far the largest range of workspace available for rent in the district ranging from high quality offices to large areas suitable for manufacturing or warehousing. The*

Core Strategy recognises this and will permit further intensification of employment on existing sites in Mitcheldean. There are other smaller employment sites at Mitcheldean and although the services in the centre have declined over recent years there is still a range including a library and health centre. The review of settlement boundaries to be undertaken is unlikely to make major changes and as a result the village is likely to experience steady development, including some intensification within the existing built up area and realisation of existing commitments over the next few years.’ (FOD Core Strategy para. 7.70)

4.3 The Forest of Dean District Council adopted the Allocations Plan 2006 -2026 on 28th June 2018: <https://www.fdean.gov.uk/residents/planning-building/planning-policy/local-plan-new/allocations-plan/> (Mitcheldean ref: section 29 pp234 -239)

Together with the Core Strategy, the Cinderford Northern Quarter Area Action Plan (CNQAAP), the Allocations Plan and any Made Neighbourhood Plans form the Local Plan for the Forest of Dean and guide future planning applications. The adoption of the allocations Plan replaces the remaining parts of the Local Plan Review 2005. It will sit within the context of the Core Strategy and has to be in conformity with it.

The role of the Allocations Plan is to:

- Provide detail of how and where policies in the Core Strategy will be implemented
- Detail allocations for development
- Detail protective designations
- Detail revised defined settlement boundaries.

4.4 The Core Strategy defines the settlement of Mitcheldean as a ‘*Large village with employment and/or services important to a wider area. Some scope for additional development. Of the 976 new dwellings provided in the district to 2026, Mitcheldean will provide approximately 101 and include existing commitments.*’

4.5 The Mitcheldean Neighbourhood Plan demonstrates it is in conformity by directly referencing the Local Plan or deferring to it in the following policies:

FODDC Policies	Mitcheldean Neighbourhood Plan Policies
CSP.1-Design and environmental protection	E1 Protecting the Conservation Area and Encouraging High Quality Design E2 Protecting Heritage Assets E3 Protecting and Enhancing Local Landscape Character E4 Biodiversity E5 Landscape Character Impact
CSP.2-Climate Change Adaptation	T1 Transport and Accessibility
CSP.4-Development at Settlements	H2 Gateway and outside settlement boundary (outside the village)
CSP.5-Housing	H1 Housing within Mitcheldean village

CSP.7-Economy	B1 Supporting Local Businesses Development and Tourism B2 Supporting Local Businesses Development and Tourism in the Protection Zones. B3 Supporting Sustainable & Responsible Tourism
CSP.8-Retention of community facilities	AC1 Provision and Protection of Community Facilities
CSP 9 recreational and amenity land	AC2 Local Green Space

- 4.6 In keeping with the purpose of Neighbourhood Development Plans, policies in the Mitcheldean Neighbourhood Plan add detail and considerations which are specific to the area. This approach can be seen in policies B1 to B3 which add detail regarding economic regeneration, business development. Policies H1 and H2 add detail to design policies and a mix of housing including affordable housing. Policies E1 to E5 make specific reference to distinctive local character including specific views and key features to be considered for developments.

5. Compatibility with EU obligations

The Mitcheldean Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community and stakeholders. It does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels.

6. Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA)

Confirmation has been sought from the Local Planning Authority (Forest of Dean District Council) that the Mitcheldean Neighbourhood Plan will not trigger the need for a full Strategic Environmental Assessment or Habitat Regulations Assessment. Forest of Dean District Council screened the Mitcheldean Neighbourhood Plan to determine whether or not a full HRA and SEA were required.

- 6.1 The HRA Assessment (completed February 2019), concluded that:

‘The screening assessed the version 9 of the plan (January 2019), which included 13 policies. The screening process did not identify any policies which had the potential to have likely significant effects on the European designated sites. It has been concluded that the NDP will not result in any likely significant effects, alone or in combination, on European designated Nature Conservation Sites.’ (Forest of Dean District Council HRA Screening Appendix V)

6.2 The SEA Assessment (completed February 2019), concluded that:

'The assessment considers the Mitcheldean Neighbourhood Development Plan for the period up to 2026 (M-NDP) and is a plan to which the Environmental Assessment of Plans and Programmes Regulations 2004 applies.

Following the assessment (tables 1 & 2) the Forest of District Council has concluded that the M-NDP, will not result in significant environmental effects.

Therefore an Environmental Assessment is currently not required for the M-NDP' (Forest of Dean District Council SEA Screening Appendix V)