

Basic Conditions Statement

Alvington Parish

Appendix 2

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August 2019

ALVINGTON
NEIGHBOURHOOD DEVELOPMENT PLAN

2019 - 2026

Submission Document

Basic Conditions

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1. INTRODUCTION

This Basic Conditions Statement has been produced to explain how the proposed Alvington 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 document outlines how the Alvington Neighbourhood Plan meets all these requirements.

2. MEETING LEGAL REQUIREMENTS

- 2.1 The Alvington Neighbourhood Plan is being submitted by a qualifying body, namely Alvington Parish Council for the designated Neighbourhood Plan area of Alvington Parish.
- 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.
- 2.3 Alvington Neighbourhood Plan document clearly distinguishes between planning policies relating to land use and any projects which, in parallel, will help to achieve the Plan's objectives.
- 2.4 The proposed Alvington 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 2012-2026.
- 2.5 The Alvington 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 Alvington Neighbourhood Plan area and to no other area. The Neighbourhood Area is identifiable on a map on page 5 of the Alvington Neighbourhood Plan document and is identical to the area designated by Forest of Dean District Council on 12th May 2016 within the meaning of Section 61G of the Town and Country Planning Act 1990, pursuant to an application from Alvington Parish Council. There are no other neighbourhood plans relating to that neighbourhood area.

2.7 The Alvington Neighbourhood Plan has been produced with extensive input from the local community and other stakeholders, as described in the accompanying Consultation Statement. 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 Alvington 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 and is compatible with EU obligations.

3.2 Have appropriate regard to National Policy (i.e. the National Planning Policy Framework (NPPF) and related guidance 2019) and achievement of sustainable development. The Alvington Neighbourhood Plan is developed within the framework for sustainable development as set out in the NPPF. The Alvington Neighbourhood Plan provides supporting policies in respect of Housing; Transport; Environment; Economy; Community Infrastructure and Reducing Flood Risk. Policies relate to balancing economic, social and environmental issues (environmental factors are integrated within the plan) resulting in Sustainable Development. The Alvington Neighbourhood Plan addresses this by encouraging small business, making net gains for nature, enabling good design, improving living, working and travel conditions and a choice of homes.

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

- Planning positively for economic and 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 The Alvington 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 Alvington Neighbourhood Plan will be reviewed by Alvington Parish Council as set out in Section 12 page 43 of the Plan. Major reviews will be conducted in 2026 to ensure conformance with the FODDC reviewed Local Plan to take into account any changes or new policies arising from a new or equivalent Core Strategy

in order to consider whether any changes in circumstances warrant redrafting.

- 3.5 Core planning principles of the NPPF are supported through the Alvington Neighbourhood Plan, including enhancing the natural environment through policies relating to open spaces.
- 3.6 Consideration of flood mitigation measures accords with the NPPF aims of addressing climate change. Emphasis on reducing flood risk reflects core planning principles in the NPPF regarding a risk based approach to the location of development.
- 3.7 Housing policies in the Alvington Neighbourhood Plan enables housing mix and quality design which accord with those of the local planning authority (Forest of Dean District Council).

4. BE IN GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE LOCAL PLANNING AUTHORITY’S LOCAL PLAN

- 4.1 Alvington lies within the administrative area of Forest of Dean District Council (FODDC). The requirement of the basic conditions is that the Alvington 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 and Allocations Plan adopted 28th June 2018. With good practice, the Alvington Neighbourhood Plan has used information from the evidence base prepared by Forest of Dean District Council.
- 4.2 Alvington Neighbourhood Plan’s approach, vision and objectives recognises the Forest of Dean District Core Strategy.
The Alvington Neighbourhood Plan demonstrates it is in conformity by directly referencing the Local Plan or deferring to it in the following policies:

FODDC Policies	Alvington Neighbourhood Plan Policies
CSP.1-Design and environmental protection	NE1 and NE2 - Natural Environment
CSP.2-Climate Change Adaptation	F1 - Reducing Flood Risk
CSP.3-Sustainable Energy use within Development Proposals	BE1 and BE2 - Built Environment
CSP.5-Housing	HM1 - Housing Mix
CSP.7-Economy	E1, E2 and E3 - Economy, Business and Tourism; C1 Local Community, Retail, Commercial Facilities and Services
CSP.8-Retention of community facilities	C2 New Community and Recreation Facilities
CSP 9 recreational and amenity land	BE2 – (Local Green Space)

- 4.3 In keeping with the purpose of Neighbourhood Development Plans, policies in the Alvington Neighbourhood Plan add detail and considerations which are specific to the area. This approach can be seen in policies F1 Reducing Flood risk which addresses climate change adaptation and policies E1, E2 and E3 - Economy, Business and Tourism; C1 Local Community, Retail, Commercial Facilities and Services which add detail to the local strategic objective to develop the local economy including tourism.

5 COMPATIBILITY WITH EU OBLIGATIONS

The Alvington 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 AND HABITATS REGULATION ASSESSMENT

Confirmation has been sought from the Local Planning Authority (Forest of Dean District Council) that the Alvington Neighbourhood Plan will not trigger the need for a full Strategic Environmental Assessment or Habitat Regulations Assessment.

Forest of Dean District Council screened the Alvington Neighbourhood Plan to determine whether or not a full HRA and SEA were required.

The HRA Assessment (Appendix 22) concluded that:

'The plan only contains policies for the assessment of the acceptability of proposed development and does not promote or identify substantial sites for development. Therefore the plan itself does not lead to new development. It is considered that the NDP will have no adverse effects alone or in combination on European Designated Nature Conservation Sites'.

The SEA assessment, (Appendix 23), concluded that:

'The assessment considers the Alvington Neighbourhood Development Plan for the period up to 2026 (A-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 A-NDP will not result in significant environmental effects.

**Therefore an Environmental Assessment is currently not required for the A-NDP
It has been concluded that:**

- i. The geographic spread of the NDP is limited.**
- ii. The locations, scale and effects of the NDP are very limited.**
- iii. The NDP does not create a significant new framework or programme in addition to the existing Development Plan (Core Strategy & Allocations Plan).**
- iv. The NDP is generally supportive and interpretive rather than instructive.**
- v. The NDP in combination with the Development Plan contains environmental mitigation and 'cancelation' factors'.**

