



NORTHLEACH WITH EASTINGTON NEIGHBOURHOOD PLAN

2018-2031

BASIC CONDITIONS STATEMENT

Published by Northleach with Eastington Town Council under the Neighbourhood Planning (General) Regulations 2012

1. INTRODUCTION

1.1 This statement has been prepared by Northleach with Eastington Town Council ("the Town Council") to accompany its submission of the Northleach with Eastington Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, Cotswold District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Town Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish of Northleach which was designated by the District Council in February 2014 (see Plan A overleaf).

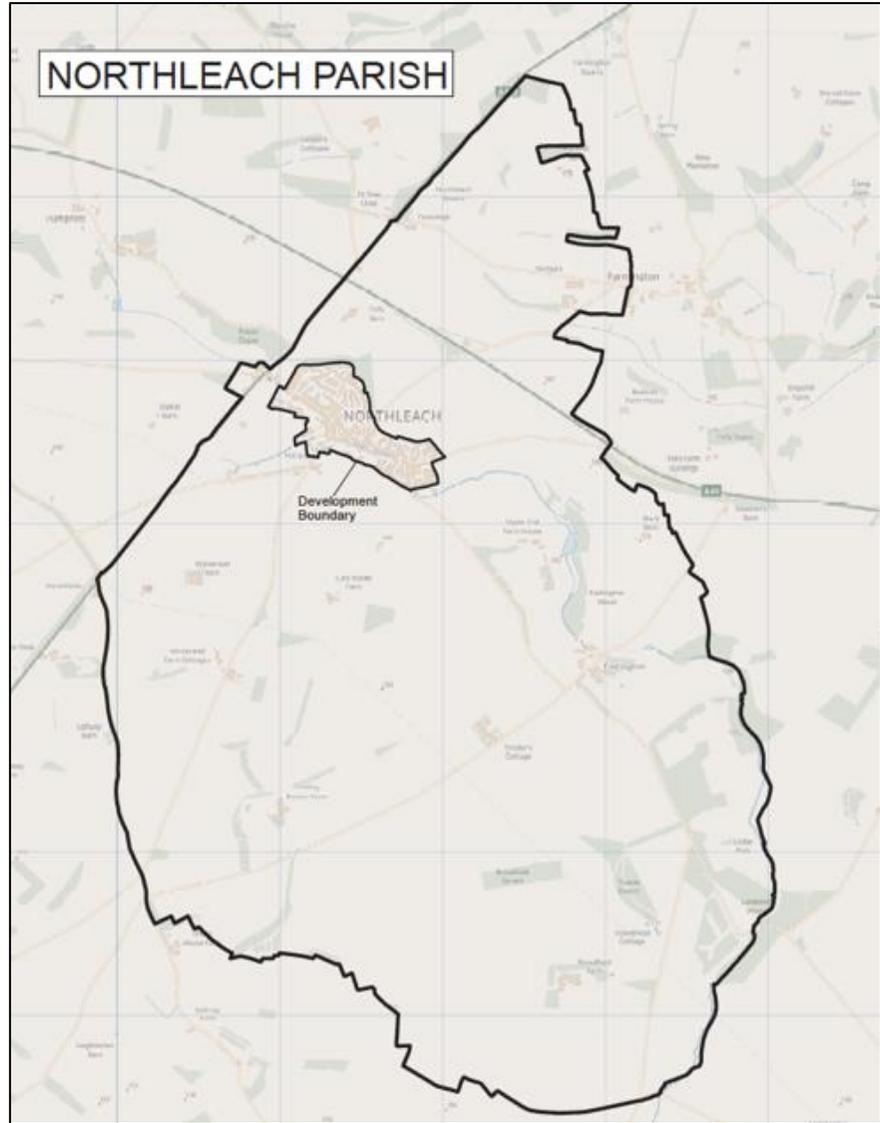
1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2018 – 2031, which reflects the end of the plan period of the emerging Cotswold District Local Plan 2011 – 2031.

1.4 The emerging Cotswold District Local Plan 2011 – 2031 is nearing its adoption. It is expected that the Local Plan will be adopted prior to the examination of the Neighbourhood Plan. This continued to be a reasonable assumption to make during the preparation of the Submission Plan.

1.5 The statement addresses each of the four 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.6 The Regulations state that a Neighbourhood Plan will be considered to have met the conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development 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 making of the Neighbourhood Development Plan does not breach and is otherwise compatible with EU obligations.



Plan A: The Designated Northleach Parish Neighbourhood Area

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Town Council four years ago. The key driver of this decision was a sense of wanting to plan positively for the future of the Parish, and especially the town itself. While knowing that no significant change has been planned for since 2011 and little is proposed in the coming decade or so, it wanted to ensure that the design standards in new development are maintained and that the town's tourism and community facilities improved.

2.2 A steering group was formed comprising the residents and Town Council representatives. The group has been delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Town Council approved the publication of the Pre-Submission Plan in February 2018 and of the Submission Plan in June 2018.

2.3 The Town Council has consulted local communities extensively over the duration of the project. It has also worked closely with officers of the District Council since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the emerging Local Plan. The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains six land use policies. The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific matters or other proposals and of development management matters that seek to refine the Local Plan policies.

3.CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) of 2013 and of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. The proposed changes to the NPPF (published for consultation in March 2018) are not expected to be finalised prior to the submission of the Plan. However, as the Plan may be examined in the light of the new NPPF, a review of those changes has been undertaken. It indicates that there are none that will fundamentally alter the national planning policy context of this Plan.

3.2 In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

Para 16 and 183

3.3 The Town Council considers the Plan has sought to plan positively to support new development in the town. This has been difficult, given the approach adopted in the new Local Plan, which has allocated housing sites and addressed other policy matters affecting the town in some detail. Hence, previous proposals to allocate land for housing and employment development have not survived into this final version. However, there remain proposals to complement the Local Plan in promoting tourism in the town centre and in seeking to resolve longstanding education capacity and parking issues.

Para 184 and 185

3.4 The Town Council considers the policies of the Plan are in general conformity with the policies of the new Local Plan. It is considered to strike a positive balance between the physical and policy constraints of the town and the desire to address pressing concerns.

3.5 Table A below demonstrates the relationship between each policy and other relevant parts of the NPPF:

No.	Policy Title	Commentary
NE1	Public Parking	The policy recognises tourism as an important economic growth factor for the town and therefore allocates land for a car park to meet the demand of visitors to the town. The allocation also enables improvements to be made to the Market Place. These proposals will support the vitality and viability of the town centre (§23). The policy also sets out a number of criteria required to be met to provide for a planning balance between the proposed use, and the benefits that would result from such a use on the local economy, and the landscape (AONB), heritage and flood risk effects resulting from development at this location (§115, §126 and §100 respectively). The development is not considered 'major' in the context of §115 and so the tests of §116 are not engaged.
NE2	Primary School Expansion	The policy supports proposals to enable the expansion of and/or improvements of the Primary School and pre-school provision. It therefore creates an opportunity for longer term success of the school and improved nursery provision to meet local need (§70). The policy conditions address the necessary landscape (AONB) and heritage constraints, in line with §115 and §126 respectively.
NE3	Design of the Built and Natural Environment	This policy sets out robust and comprehensive criteria for the quality of development that will be expected in the Parish (§58) and especially within the Conservation Areas and their settings, to help implement §126 in conserving and enhancing the special character of their heritage assets.
NE4	Town Centre	This policy serves four distinct but closely related purposes in supporting the continued vitality and viability of the town centre, all in line with §23 and §28. It encourages improvements to existing town centre (primarily, but not exclusively retail) uses, it encourages new town centre uses, it resists the loss of town centre uses and it identifies a series of important, complementary environmental improvements. However, in respect of the first purpose, the policy requires proposals to cause no harm to heritage assets, in line with §134.

NE5	Tourism Development	The policy encourages proposals that will boost the economic value of tourism (§23 and §28). It also identifies the Old Prison site on A429 Fosse Way as being particularly valuable to achieve this and recognises its status as an important heritage asset by setting out principles to conserve the important elements that contribute to its significance (§126). The policy has been welcomed by the operators of the building.
NE6	Local Green Spaces	This policy identifies important spaces to be protected from harmful development through their designation as a Local Green Spaces, in line with §76. Each proposed space meets the tests set out in §77.

4.CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 At the outset, when the Town Council was considering making site allocations in the Plan, it was agreed with the District Council that a strategic environmental assessment (SEA) of the Plan would be necessary, in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004. The Town Council then determined that this would be done within the broader scope of a Sustainability Appraisal (SA) to enable the social and economic effects of the Neighbourhood Plan to be understood alongside its environmental effects. The District Council considered it unnecessary to prepare a screening opinion in these circumstances and the Town Council consulted the statutory bodies on the scope of the appraisal.

4.2 Since this decision, the District Council has discouraged any additional proposals for housing or economic development in the Neighbourhood Plan and those draft proposals have been dropped. As a result, it is unlikely an SEA would now be necessary. However, having embarked on this exercise, the Town Council decided not to abandon it at the late stage it has progressed to submitting a final report.

4.3 The report concludes:

“10.1 The assessment indicates that the proposals of the Submission Plan will have a number of positive effects and a small number of likely or possible negative effects. The potential for significant negative effects has been avoided through site selection and by the policy wording requiring mitigation measures.

10.2 In some cases – notably polices NE1 and NE2 – the positive social and economic effects are assessed as greater than the negative landscape and/or heritage effects, which can be mitigated through detailed scheme design in due course.

10.3 A number of reasonable alternatives to the policies have been assessed but none appear to lead to better sustainability outcomes, marginal though the differences are in most cases.

10.4 Therefore, the assessment of the final objectives and policies of the Neighbourhood Plan indicates that the Plan contributes to the achievement of sustainable development and offers a supplementary level of guidance to those of national or development policy.”

4.4 In which case, the Town Council considers the Neighbourhood Plan will contribute to the achievement of sustainable development, albeit it in a very modest way.

5. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for the District. As explained in the introduction, it is assumed the new Cotswold District Local Plan 2011 – 2031 will be adopted prior to the examination of the Neighbourhood Plan. The Plan has therefore been prepared to be in general conformity with the new Local Plan.

5.2 The latest version, the Submitted Cotswold District Local Plan 2011-2031 (July 2017): Tracked Changes with Main Modifications February 2018, defines Northleach as a principal settlement in the settlement hierarchy, and Policy S12 covers the town. Policy S12 recognises the preparation of the Neighbourhood Plan and allocates a housing development site, protects existing employment sites and supports tourism initiatives identified by the Neighbourhood Plan for the Parish.

5.3 An assessment of the general conformity of each policy, and its relationship with emerging Local Plan policy where relevant, is contained in Table B below:

Table B: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
NE1	Public Parking	Northleach is defined as a local centre in the retail hierarchy (Policy EC7) and is required to maintain and enhance retail provision to support its role in servicing its local community, visitors and tourists. Tourism is considered as important to the long term economic prosperity of the town and Policy S12 supports the principle of a small visitor's car park in Northleach to contribute to this. Policy NE1 identifies land for this purpose that is considered essential for maintaining the functionality of the town centre to contribute to tourism in line with Policy INF5 and meets the locational principals set out in that policy. The location of the car park is sensitive and therefore the policy sets out the criteria to preserve these sensitivities, in line with Policies EN5, EN7, EN11, and EN14. The policy also includes criteria to meet the principles set out for the development of tourist facilities set out in Policy EC10.
NE2	Primary School Expansion	Policy INF2 allows for the provision/alteration of new community facilities. An opportunity to enable this at the primary school was identified through a detailed landscape evaluation that forms part of the evidence base of the Neighbourhood Plan. The policy no longer allocates specific land but rather sets out criteria to be met to make a scheme acceptable, including the provision of additional car parking, due to an increasing congestion, amenity and safety problem on the local road network in the vicinity of the school, as allowed for by Policy INF5. Any scheme is also required to create layouts that further expands pedestrian access and retains agricultural access, giving local effect to Policy INF4. The policy also recognises the sensitivity of the location of the school in terms of the Cotswolds AONB and the Northleach Conservation Area and requires a comprehensive landscape scheme to minimise visual impact as per policies EN5 and EN11.
NE3	Design of the Built & Natural Environment	This policy gives local effect to policies EN2 (the Cotswold Design Code) and EN11 and refines it in identifying a set of design attributes and opportunities that contribute to the special character of the Parish.

NE4	Town Centre	Policy EC7 defines Northleach as a 'Local Centre' to be the focus of the provision of main town centre uses and Policy EC8 sets a foundation for managing the mix of retail and other uses in town centres. Policy NE4 is intended to give local effect to the Local Plan policies by defining the mix of uses that contributes to the strategy for Northleach, which is focused on sustaining the importance of tourism to the long term economic prosperity of the town, as per Policy S12. The policy also refines Policy EN10 in resisting harm to designated heritage assets and allows the opportunity to demonstrate the benefit of the proposal, which in Northleach is to retain commercial uses within the Town Centre that contributes to its strategy. Finally, the policy identifies a series of improvements to the Market Square to attract further footfall and investment to the Town Centre refining Policy S12 that provides for such improvements to be made.
NE5	Tourism Development	This policy refines Policy EC10 in supporting new tourism proposals in Northleach. It especially gives that policy local effect in identifying a tourism development opportunity at the Old Prison site on A429 Fosse Way.
NE6	Local Green Spaces	The policy identifies and designates three Local Green Spaces complementing Policy EN3 that seeks to protect green infrastructure and the public realm.

6.COMPATABILITY WITH EU LEGISLATIONS

6.1 As noted in Section 4 above, the Town Council has complied with EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan using a Strategic Environmental Assessment (in this case incorporated into a Sustainability Appraisal). The process for doing so has been followed, with the advice of the District Council. As a proposal to abandon the appraisal would have required a rescreening and consultation with the statutory bodies, it was considered more appropriate to complete the process, even though it was no longer likely to be necessary, given the final plan policy content. The Final Sustainability Appraisal report is published as a separate document for submission and examination.

6.2 According to the Habitat Regulations Assessment (HRA) Screening Report May 2013 produced to inform the emerging Cotswold District Local Plan, the Neighbourhood Plan does not need to undertake a HRA as the parish is more than 15km away from any European designated sites of ecological value, such as Special Areas of Conservation (SAC), or Ramsar sites.

6.3 The Plan has also had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.