

# Basic Conditions Statement

This Basic Conditions Statement has been prepared in support of the Cuddington Neighbourhood Plan (CNP) and demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012. The regulations require that a Neighbourhood Plan deals with planning matters (i.e. the use and development of land) is submitted by a qualifying body, covers a stated plan period, and identifies a designated neighbourhood area.

The core basic conditions for Neighbourhood Plans, as required by paragraph 8 of schedule 4B of the Town and Country Planning Act 1990 (as amended), are as follows:

- Having regard to national policies and advice contained in the National Planning Practice Guidance;
- The making of the neighbourhood plan contributes to the achievement of sustainable development;
- The making of the 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);
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Basic Condition	Statement	Evidence/Reference
<b>The plan is related to the use and development of land and does not include excluded development</b>	The Cuddington Neighbourhood Plan relates to planning matters (the use and development of land) and does not deal with 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. Policies within the plan seek to control development of a variety of types including residential, leisure / tourism, and employment uses.	See submission draft plan
<b>The Cuddington Neighbourhood Plan is being submitted by a qualifying body</b>	The Cuddington Neighbourhood Plan is submitted by Cuddington Parish Council, which is a qualifying body as defined by the Localism Act 2011.	See submission draft plan
<b>The Cuddington Neighbourhood Plan covers a stated plan period</b>	The Cuddington Neighbourhood Plan covers a plan period from 2015 to 2030, a period of 15 years. This reflects the date from which the Local Plan for Cheshire West and Chester (part 1) was made and when it runs up to.	See submission draft plan
<b>The Cuddington Neighbourhood Plan covers a designated Neighbourhood Area</b>	The Cuddington Neighbourhood Plan covers a neighbourhood area, as designated by Cheshire West and Chester Borough Council on 23 June 2015. The neighbourhood area relates only to the Parish of Cuddington and does not include in whole or part any other neighbourhood area. It is the only Neighbourhood Development Plan (NDP) in the designated area and no other NDP exists or is emerging for any part of the designated area.	See Appendix 1

<p><b>The Cuddington Neighbourhood Plan is in conformity with the NPPF</b></p>	<p>In order to ensure that the Cuddington Neighbourhood Plan conforms to the National Planning Policy Framework (NPPF), an Assessment of Compliance has been undertaken. Table 1 in Appendix 2 demonstrates how the final proposed policies all link back into the core aims of the NPPF and thus fully support the strategy established at the national level. As previously noted, this document does not consider minerals and waste planning and as such there can be no contribution made by any policies to this topic. However, by the same effect, the plan is not considered to conflict with possible minerals and waste planning.</p>	<p>See Appendix 2 – Assessment of Compliance against NPPF (Table 1)</p>
<p><b>The Cuddington Neighbourhood Plan contributes to sustainable development as set out by the NPPF</b></p>	<p>The policies within Cuddington’s Neighbourhood Plan promote sustainable development, as set out in the NPPF. Paragraph 7 of the NPPF sets out sustainable development as consisting of the following factors:</p> <ul style="list-style-type: none"> <li>• to contribute to building a strong, responsive, and competitive economy;</li> <li>• to support strong, vibrant, and healthy communities; and</li> <li>• to contribute to protecting and enhancing the natural, built, and historic environment.</li> </ul> <p>As demonstrated in the Assessment of Compliance table, the Cuddington Neighbourhood Plan is compliant with the NPPF which has an overarching aim of promoting sustainable development in terms of economic, social, and environmental issues. The policies in the Cuddington Neighbourhood Plan all help deliver one or more element of sustainable development.</p>	<p>See Appendix 2 – Assessment of Compliance against NPPF (Table 1)</p>

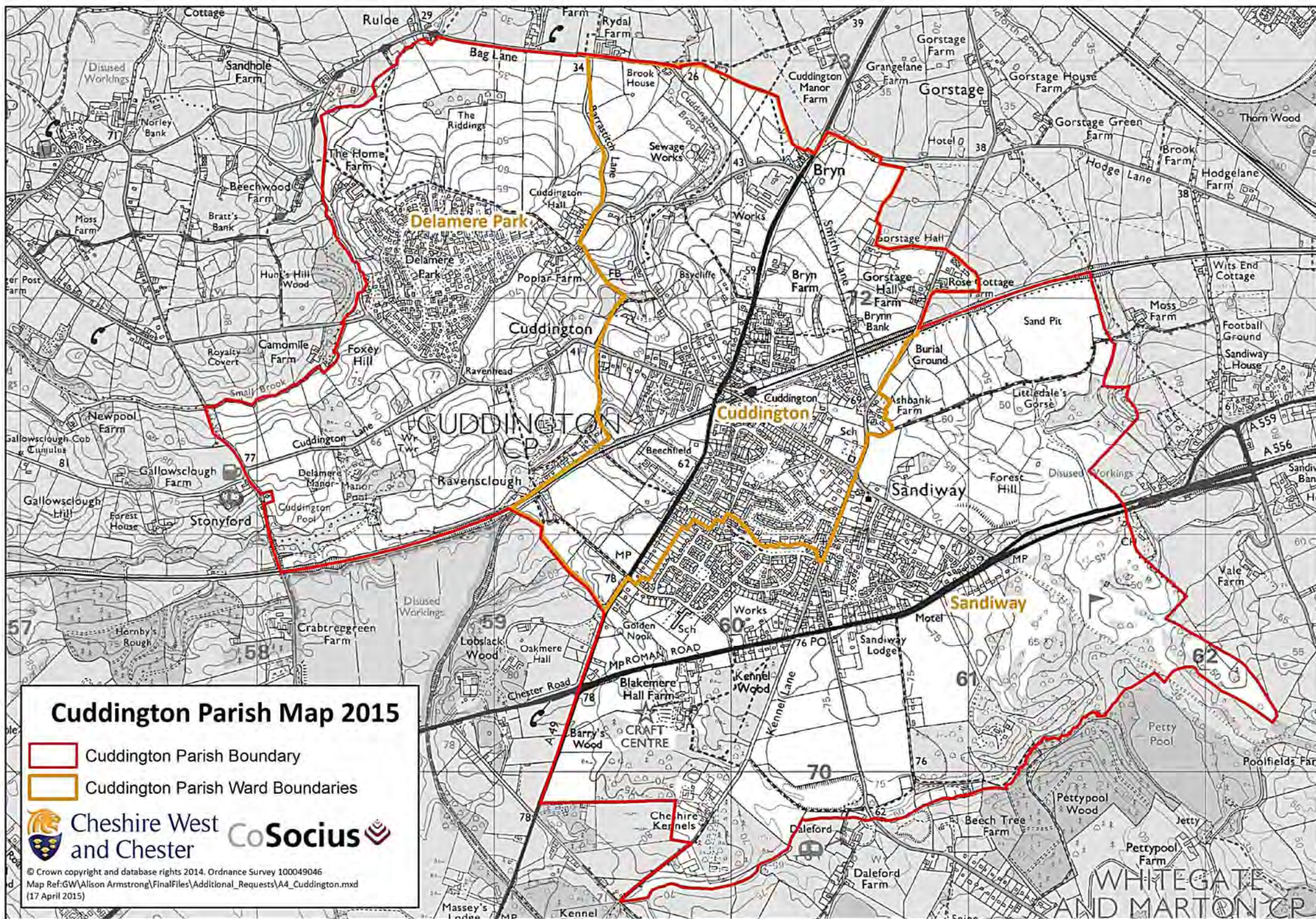
<p><b>The Cuddington Neighbourhood Plan is in conformity with Cheshire West and Chester Borough Council's Local Plan (2015)</b></p>	<p>In order to ensure that the Cuddington Neighbourhood Plan conforms to Cheshire West and Chester Borough Council's Local Plan, an Assessment of Compliance has been undertaken – see Table 2.1, 2.2 and 2.3 in Appendix 2. The relevant strategic policies in the Core Strategy were agreed upon with the Local Planning Authority. These included relevant saved strategic policies.</p>	<p>See Appendix 2: Assessment of Compliance (CWAC) Tables 2.1, 2.2, 2.3</p>
<p><b>The Cuddington Neighbourhood Plan is in conformity with the appropriate EU regulations</b></p>	<p><i>Habitats Regulations:</i></p> <p>It is not envisaged that any of the development that would be consented by this framework will affect any habitats covered by Natura 2000 and therefore the subject of Articles 6 &amp; 7 of the Habitats Directive. It is not envisaged that any of the proposals covered in this plan would affect either of these designated areas.</p> <p><i>Environmental Impact:</i></p> <p>The Cuddington Neighbourhood Plan does not allocate sites for development. The document is the lowest level of plan adoption within the Local Planning Authority (LPA) area, and does not influence the preparation of other plans. It is designed to promote sustainable development - in line with guidance contained in the National Planning Policy Framework.</p> <p>It's not envisaged that over the life span of the Plan (up to 2030) that the supported development in the Development Plan would individually or cumulative have a significant affect when measured against the thresholds within Article 3.5.</p> <p><i>Human rights:</i></p> <p>The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.</p>	<p>See submission draft plan</p>

## Appendices:

Appendix 1 – Designated Neighbourhood Area

Appendix 2 – Assessment of Compliance against:

- National Planning Policy Framework (Table 1)
- Cheshire West and Chester Local Plan (Tables 2.1, 2.2 and 2.3)



Appendix 2: Assessment of Compliance Table 1 - National Planning Policy Framework

	√	Compliment	~	Not applicable	x	A conflict may occur								
National Planning Policy Framework	1 - Building a strong, competitive economy	2 - Ensuring the vitality of town centres	3 - Supporting a prosperous rural economy	4 - Promoting sustainable transport	5 - Supporting high quality communications infrastructure	6 - Delivering a wide choice of high quality homes	7 - Requiring good design	8 - Promoting healthy communities	9 - Protecting Green Belt Land	10 - Meeting the challenge of climate change, flooding and coastal change	11 - Conserving and enhancing the natural environment	12 - Conserving and enhancing the historic environment	13 - Facilitating the sustainable use of minerals	
Policies:														
Environment														
Policy 1 - Landscape Setting	~	~	~	~	~	~	√	~	~	~	~	√	~	
Policy 2 – Settlement 'Gateways'	~	~	~	~	~	~	√	~	~	~	~	√	~	
Aspiration: Settlement 'Gateways'							√					√		
Policy 3 - Local Heritage Assets	~	~	~	~	~	~		~	~	~	~	√	~	
Policy 4 - Habitats and Wildlife Corridors	~	~	~	~	~	~		~	~	~	√		~	
Policy 5 - Protecting Trees, Hedgerows and Vegetation	~	~	~	~	~	~	~			√	~	~	~	
Policy 6 - Local Green Space	~	~	~	~	~	~	~	√			√	~	~	
Policy 7 - Open Countryside	~	~	~	~	~	~	~	√	√		√	~	~	
Policy 8 - Views and Vistas	~	~	~	~	~	~	~	√		~	~	~	~	
Economy and Retail														
Policy 9 - Employment Development	√	~	√	~	√	~	√	~	~	~	~	~	~	
Policy 10 - Retail Development	√	√	√		~	~	√	~	~	~	~	~	~	
Policy 11 - Working from Home	√	~	~	~	√	~	√	~	~	~	~	~	~	
Policy 12 - Tourism	√	√	√	~	~	~	~	~	~	~	~	~	~	
Policy 13 - Blakemere	√	~	√	~	~	~	√	~	~	~	~	~	~	
Housing and Design														
Policy 14 - Housing Mix and Type	~	~	~	~	~	√	√	~	~	~	~	~	~	
Policy 15 - Affordable Housing	~	~	~	~	~	~	~	~	~	~	~	~	~	
Aspiration: Affordable Housing 1	~	~	~	~	~	~	~	~	~	~	~	~	~	
Aspiration: Affordable Housing 2	~	~	~	~	~	~	~	~	~	~	~	~	~	
Policy 16 - Location of Buildings	~	~	~	~	~	√	~	~	√	~	~	~	~	
Policy 17 - Design for New Development	~	~	~	~	~	√	√	~	~	~	~	~	~	
Aspiration: Design for New Development	~	~	~	~	~	√	√	~	~	~	~	~	~	
Policy 18 - Eco-design and Energy Saving	~	~	~	~	~	~	√	√	~	√	~	~	~	
Aspiration: Eco-design and Energy Saving	~	~	~	~	~	~	√	√	~	√	~	~	~	
Travel and Movement														
Policy 19 - Improved Pedestrian, Cycle and Public Transport Access	~	√	~	√	~	~	√	√	~	√	~	~	~	
Aspiration: Improved Pedestrian, Cycle and Public Transport Access		√		√			√	√		√				
Policy 20 - Parking Standards	~	~	~	~	~	~	√	~	~	~	~	~	~	
Policy 21 - Traffic Impact of New Development	~	~	~	~	~	~	~	√	~	~	~	~	~	

## Appendix 2: Assessment of Compliance Table 2.1 - Cheshire West and Cheshire Local Plan policies

[illegible]

## Appendix 2: Assessment of Compliance Table 2.2 - Cheshire West and Cheshire Local Plan policies

Policies from Cheshire West and Cheshire Local Plan (part 1)	RET2 Primary shopping streets	RET3 Secondary shopping streets	RET10 Suburban shopping centres	H02 Allocations for housing development	H06 Infill development in "washed over" villages in the Green Belt	SR1 Standards of provision for formal and informal sport and recreation	SR3 Meeting existing shortfall in provision of areas for formal and informal sport and recreation	SR5 Guidelines for formal and informal sport and recreation provision in new housing development - i) Play areas	SR6 Guidelines for formal and informal sport and recreation provision in new housing development ii) Playing pitches	SR7 Guidelines for formal and informal sport and recreation provision in new housing development iii) Amenity open space	SR14 Countryside recreation	CU1 Cultural buildings	M12 Sealand Road	GS5 The Open Countryside	NE2 Designated Sites of International and National Nature Conservation Importance	NE6 Wildlife Corridors and Green Wedges	NE11 Areas of Special County Value	NE12 Areas of Significant Local Environmental Value	NE18 Mersey Estuary Zone
Cuddington NP Policies:																			
Environment																			
Policy 1 - Landscape Setting	~	~	~	~	~	~	~	~	~	~	~	~	~	✓	~	~	~	✓	~
Policy 2 - Settlement 'Gateways'	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Settlement 'Gateways'	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 3 - Local Heritage Assets	~	~	~	~	~	~	~	~	~	~	~	✓	~	~	~	~	~	~	~
Policy 4 - Habitats and Wildlife Corridors	~	~	~	~	~	~	~	~	~	~	~	~	~	✓	~	✓	~	✓	~
Policy 5 - Protecting Trees, Hedgerows and Vegetation	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	✓	~
Policy 6 - Local Green Space	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 7 - Open Countryside	~	~	~	~	~	~	~	~	~	~	✓	~	~	✓	~	~	~	✓	~
Policy 8 - Views and Vistas	~	~	~	~	~	~	~	~	~	~	~	~	~	✓	~	~	~	✓	~
Economy and Retail																			
Policy 9 - Employment Development	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 10 - Retail Development	✓	✓	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 11 - Working from Home	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 12 - Tourism	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 13 - Blakemere	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Housing and Design																			
Policy 14 - Housing Mix and Type	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 15 - Affordable Housing	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 1	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 2	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 16 - Location of Buildings	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 17 - Design for New Development	~	~	~	~	~	~	~	✓	✓	✓	~	~	~	~	~	~	~	~	~
Aspiration: Design for New Development	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 18 - Eco-design and Energy Saving	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
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Travel and Movement																			
Policy 19 - Improved Pedestrian, Cycle and Public Transport Access	~	~	~	~	~	~	~	~	~	~	✓	~	~	~	~	~	~	~	~
Aspiration: Improved Pedestrian, Cycle and Public Transport Access	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 20 - Parking Standards	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 21 - Traffic Impact of New Development	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~

Policies from Cheshire West and Cheshire  
Local Plan (part 1)

[illegible]