

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
The plan is related to the use and development of land and does not include excluded development	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
The Cuddington Neighbourhood Plan is being submitted by a qualifying body	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
The Cuddington Neighbourhood Plan covers a stated plan period	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
The Cuddington Neighbourhood Plan covers a designated Neighbourhood Area	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

The Cuddington Neighbourhood Plan is in conformity with the NPPF	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.	See Appendix 2 – Assessment of Compliance against NPPF (Table 1)
The Cuddington Neighbourhood Plan contributes to sustainable development as set out by the NPPF	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: • to contribute to building a strong, responsive, and competitive economy; • to support strong, vibrant, and healthy communities; and • to contribute to protecting and enhancing the natural, built, and historic environment.	See Appendix 2 – Assessment of Compliance against NPPF (Table 1)
	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.	

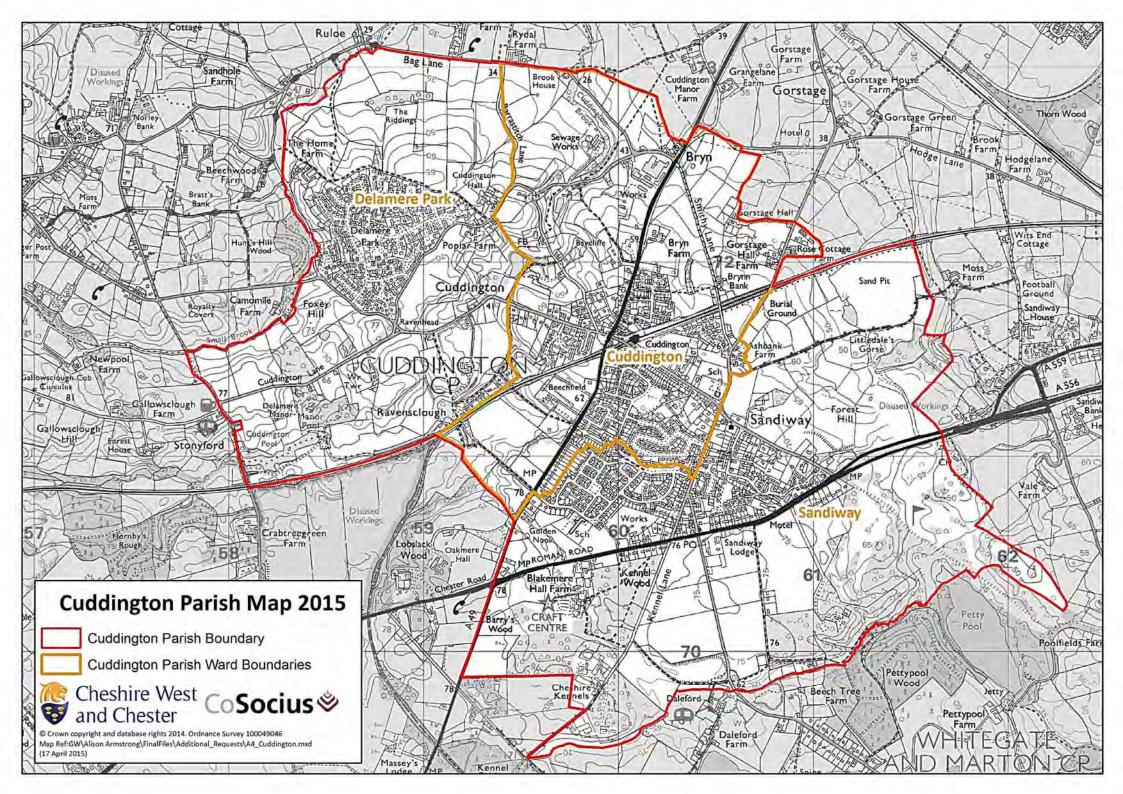
The Cuddington Neighbourhood Plan is in conformity with Cheshire West and Chester Borough Council's Local Plan (2015)	In order to ensure that the Cuddington Neighbourhood Plan conforms to Cheshire West and Chester Borough Council's Local Plan, an Assessment of Compliance has been undertaken – see Table 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 polices.	See Appendix 2: Assessment of Compliance (CWAC) Tables 2.1, 2.2, 2.3
The Cuddington Neighbourhood Plan is in	Habitats Regulations:	See submission draft plan
conformity with the appropriate EU regulations	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 & 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. Environmental Impact: 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.	See submission draft plan
	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. Human rights: The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.	

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

	-I	Compliment		Not applicable	v	A conflict may coour							
	V	Compliment	~	Not applicable	X	A conflict may occur							
National Planning Policy Framework	1 - Building a strong,	2 - Ensuring the	3 - Supporting a	4 - Promoting	5 - Supporting high	6 - Delivering a wide	7 - Requiring good	d 8 - Promoting	9 - Protecting Green	n 10 - Meeting the	11 - Conserving and	12 - Conserving and	13 - Facilitating the
	competitive	vitality of town	prosperous rural	sustainable	quality	choice of high quality	/ design	healthy communities	Belt Land	challenge of climate	enhancing the	enhancing the historic	sustainable use of
	economy	centres	economy	transport	communications	homes	•	•		change, flooding and	natural environment	environment	minerals
	,		,		infrastructure					coastal change			
Policles:													
Environment													
Policy 1 - Landscape Setting	~	~	~	~	~	~	V	~	~	~	~	V	~
Policy 2 - Settlement 'Gateways'	~	~	~	~	~	~	√	~	~	~	~	\checkmark	~
Aspiration: Settlement 'Gateways'							√					\checkmark	
Policy 3 - Local Heritage Assets	~	~	~	~	~	~	~	~	~	~	~	√	~
Policy 4 - Habitats and Wildlife Corridors	~	~	~	~	~	~	~	~	~	~	V	~	~
Policy 5 - Protecting Trees, Hedgerows and Vegetation	~	~	~	~	~	~	~	~	~	V	V	~	~
Policy 6 - Local Green Space		_						N.			1		
Policy 6 - Local Green Space Policy 7 - Open Countryside	_	_			_			N.	N		2		_
Policy 7 - Open Countryside	~	~	~	~	~	~	~	1	V	~	V	~	~
Policy 8 - Views and Vistas	~	~	~	~	~	~	~	٧	~	~	~	~	~
F 10 · 11													
Economy and Retail			,		1								
Policy 9 - Employment Development	V	~	٧	~	V	~	٧	~	~	~	~	~	~
Policy 10 - Retail Development	$\sqrt{}$	1	√	~	~	~	V	~	~	~	~	~	~
Policy 11 - Working from Home	\checkmark	~	~	~	√	~	√	~	~	~	~	~	~
Policy 12 - Tourism	\checkmark	\checkmark	\checkmark	~	~	~	~	~	~	~	~	~	~
Policy 13 - Blakemere	\checkmark	~	V	~	~	~	√	~	~	~	~	~	~
Housing and Design													
Policy 14 - Housing Mix and Type	~	~	~	~	~	√	\checkmark	~	~	~	~	~	~
Policy 15 - Affordable Housing	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 1	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 2	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 16 - Location of Buildings	~	~	~	~	~	√	~	~	\checkmark	~	~	~	~
Policy 17 - Design for New Development	~	~	~	~	~	V	√	~	~	~	~	~	~
Aspiration: Design for New Development	~	~	~	~	~	V	V	~	~	~	~	~	~
Policy 18 - Eco-design and Energy Saving	~	~	~	~	~	~	V	V	~	V	~	~	~
Aspiration: Eco-design and Energy Saving		_		-			V	1		1			_
Aspiration: Eco-design and Energy Saving							٧	٧		V			
Travel and Movement													
Policy 19 - Improved Pedestrian, Cycle and Public Transport		V		N			V	N.		1			
Access	~	٧	~	V	~	~	V	V	~	V	~	~	~
Aspiration: Improved Pedestrian, Cycle and Public Transport		V		V			V	V		V			
Access		•		•			2	,		,			
Policy 20 - Parking Standards	~	~	~	~	~	~	V	~	~	~	~	~	~
Policy 21 - Traffic Impact of New Development	~	~	~	~	~	~	~	٧	~	~	~	~	~

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

Appendix 2: Assessment of C	ompliance	able 2.1 - C	neshire	west and (inesnire Lo		icies																	
	√	Compliment	~	Not applicable	x	A conflict may occur																		
Policies from Cheshire West and Cheshire Local Plan (part 1)	Sustainable	STRAT 2 Strategic Development	Rural	B STRAT 9 Green Belt and countryside	STRAT 10 Transport and accessibility	STRAT 11 Infrastructure	ECON 1 Economic growth, employment an enterprise		ECON 3 Visitor economy	SOC 1 Delivering affordable housing	ENV 2 Landscape	ENV 3 Green infrastructure	ENV 4 Biodiversity and geodiversity	ENV 5 Histori environment	c ENV 6 High quality design and sustainable construction	ENV15 Strategic open space	of Special	s ENV26 The Green e Network in Chester District	ENV30 Strategic wildlife corridors	EC2 Allocations f employment land	EC3 Areas or allocated for cultural and tourism uses	Business	EC7 Stanlow Petrochemicals Complex	EC8 Site of Former Inco and B Powe Stations
Cuddington NP Policies: Environment Policy 1 - Landscape Settling Policy 2 - Settliment "Cateways"	٧	~	V	٧	~	~	~	√	~	~	٧	~	~	7	ĵ	~	4	٧	~	~	~	~	~	~
Aspiration: Settlement 'Gateways'	~	~	~	~	√	~	~	~	√	~	V	~	~	~	√	~	~	~	~	~	~	~	~	~
Policy 3 - Local Heritage Assets	√	~	√	~	~	~	~	~	~	~	~	~	~	V	~	~	~	~	~	~	√	~	~	~
Policy 4 - Habitats and Wildlife Corridors	V		√	V							V	√	√				V	V	V					
Policy 5 - Protecting Trees, Hedgerows and	V	~	V	√	~	~	~	~	~	~	V	V	V	~	~	~	V	√	V	~	~	~	~	~
Vegetation Policy 6 - Local Green Space	-1	~			~	~	~	~	~	~				~	~	~ al	~		4	~	~	~	~	~
Policy 6 - Eocal Green Space Policy 7 - Open Countryside	V	~	V	√ √	~	~	~	~	~	~	V	V	√	~	~	~	√	√ √	V	~	~	~	~	~
Policy 8 - Views and Vistas	√	~	1	√	~	~	~	~	~	~	V	~	~	~	~	~	V	~	~	~	~	~	~	~
Economy and Retail																								
Policy 9 - Employment Development	V	√	~	~	~	V	√	~	~	~	~	~	~	~	~	~	~	~	~	√	~	V	~	~
Policy 10 - Retail Development	√	√	~	~	~	√	√	√	~	~	~	~	~	~	~	~	~	~	~	√	~	V	~	~
Policy 11 - Working from Home	V	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	~
Policy 12 - Tourism Policy 13 - Blakemere	V	~	٧	~	~	~	√	~	√ 	~	~	~	~	~	~	~	~	~	~	~	√ -:	~	~	~
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Housing and Design																								
Policy 14 - Housing Mix and Type Policy 15 - Affordable Housing	N	~	~	~	~	~	~	~	~	~ ./	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 1	V	~	~	~	~	~	~	~	~	1	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 2	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 16 - Location of Buildings	√	√	~	√	~	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 17 - Design for New Development	√	√	~	~	~	√	~	~	~	~	~	~	~	~	√	~	~	~	~	~	~	~	~	~
Aspiration: Design for New Development	V	~	~	~	~	√	~	~	~	~	~	~	~	~	√	~	~	~	~	~	~	~	~	~
Policy 18 - Eco-design and Energy Saving	V	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	~	~	~	~	~	~
Aspiration: Eco-design and Energy Saving	4	~	~	~	~	~	~	~	~	~	~	~	~	~	V	~	~	~	~	~	~	~	~	~
Travel and Movement																								
Policy 19 - Improved Pedestrian, Cycle and	,				,	,																		
Public Transport Access	٧	~	~	~	٧	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Improved Pedestrian, Cycle and	V	V			V	V	√		√															
Public Transport Access	.1		~	~	,t			~		~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 20 - Parking Standards Policy 21 - Traffic Impact of New	V	-	~		Y	4		~		-	-	-	-	-	_		_			~	-			-
Development	4	√	~	~	٧	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~

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

	√	Compliment	~	Not applicable	x	A conflict may occur													
	RET2 Primary shopping streets	RET3 Secondary shopping streets	RET10 Suburban shopping centres	HO2 Allocations for housing development	H06 Infill development in "washed over" villages in the Green Belt	SR1 Standards of provision for formal and informal sport	SR3 Meeting existing shortfall in	provision in new housing development - i) Play	formal and informal sport and recreation provision in new housing development ii)	SR7 Guidelines for formal and informal sport and recreation provision in new housing development iii) Amenity open space	Countryside recreation		MI2 Sealand Road	GS5 The Open Countryside		Wildlife	Areas of Special County Value	NE12 Areas of Significant Local Environmental Value	NE18 Mersey Estuary Zone
Cuddington NP Policies:																			
Environment	-	_	_	_		_			_	_									
Policy 1 - Landscape Setting		_			_	-	-	_	_	_	~	~	~	٧	~	~	~	V	~
Policy 2 - Settlement 'Gateways'		_			_	-	-	_	_	_	~	~	~	~	~	~	~	~	~
Aspiration: Settlement 'Gateways'	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 3 - Local Heritage Assets											~	٧	~	~	~	~	~	~	~
Policy 4 - Habitats and Wildlife Corridors	~	~	~	~	~	~	~	~	~	~				√		√		√	
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Policy 5 - Protecting Trees, Hedgerows and	_	_	_	_	_	_	_	_	_	_								V	
Vegetation			-	-	_	_	_	_	_	_	~	~	~	~	~	~	~		~
Policy 6 - Local Green Space	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 7 - Open Countryside	~	~	~	~	~	~	~	~	~	~	V	~	~	V	~	~	~	V	~
Policy 8 - Views and Vistas	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	√	~
Economy and Retail																			
Policy 9 - Employment Development	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 10 - Retail Development	V	V	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 11 - Working from Home	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 12 - Tourism	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 13 - Blakemere	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Housing and Design	-	_	_			_			_	_									
Policy 14 - Housing Mix and Type		-		V	-	-	-	-	-	-	~	~	~	~	~	~	~	~	~
Policy 15 - Affordable Housing	~	~	~	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 1	~	~	~	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Affordable Housing 2		-		-	-	-	-	-	-	-	~	~	~	~	~	~	~	~	~
Policy 16 - Location of Buildings	~	~	~	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 17 - Design for New Development		_			_	_	_	√	√	√									
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Aspiration: Design for New Development																			
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Policy 18 - Eco-design and Energy Saving		_			_	_	_	_	_	_									
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Aspiration: 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	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~

Appendix 2: Assessment of Compliance Table 2.3 - Cheshire West and Cheshire Local Plan policies

Compliment - Not applicable x A conflict may

	V	Compliment	~	Not applicable	Х	occur																
Policles from Cheshire West and Cheshire Local Plan (part 1)			H2 Housing Allocations	E5 Employment Land Allocations	RT2 Sports Facilities and Open Spaces	RT3	T5 Railway Stations	T18 General Highways Policies	H1 Allocation of land for housing development		EMP2 Stanlow Special Policy Area	EMP3 Hooton Park Strategic Site	EMP4 Ince Marshes	EMP5C Cheshire Oaks	EMP7 Ince Power Station Site	EMP8 Land at Station Road Ince	ENV6 Area of Special County Value for Landscape (ASCV)	ENV12 Coastal Zones	REC2 Open space provision in new residential development	SHOP1 Primary Shopping Areas	SHOP2 Local Shopping Centres	SHOP3 Small Shopping Centres
Cuddington NP Policies: Environment																						
Policy 1 - Landscape Setting	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	~	~
Policy 2 - Settlement 'Gateways'	\checkmark	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Settlement 'Gateways'	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 3 - Local Heritage Assets	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	~	~
Policy 4 - Habitats and Wildlife Corridors	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	√	~	~	~	~	~
Policy 5 - Protecting Trees, Hedgerows and	,																,					
Vegetation	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	V	~	~	~	~	~
Policy 6 - Local Green Space	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 7 - Open Countryside	V	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 8 - Views and Vistas	v	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Economy and Retail																						
Policy 9 - Employment Development	_	_	_	al.	_	_	_	_	_	x!			_	_	_	_	_	_	_	_	_	_
Policy 10 - Retail Development	-		-	-1	-		-	-		V		-	-		-		-	· ·		-1	-1	V
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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	~	~	V	~	~	~	~	~	V	~	~	~	~	~	~	~	~	~	~	~	~	~
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Policy 17 - Design for New Development	~	~	~	~	~	V	~	~	~	~	~	~	~	~	~	~	~	~	٧	~	~	~
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							√	V														
Public Transport Access	~	~	~	~	~	~	,		~	~	~	~	~	~	~	~	~	~	~	~	~	~
Aspiration: Improved Pedestrian, Cycle and							.1	.1														
Public Transport Access	~	~	~	~	~	~	V	√	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 20 - Parking Standards	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Policy 21 - Traffic Impact of New																						
Development	_							√		_												
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