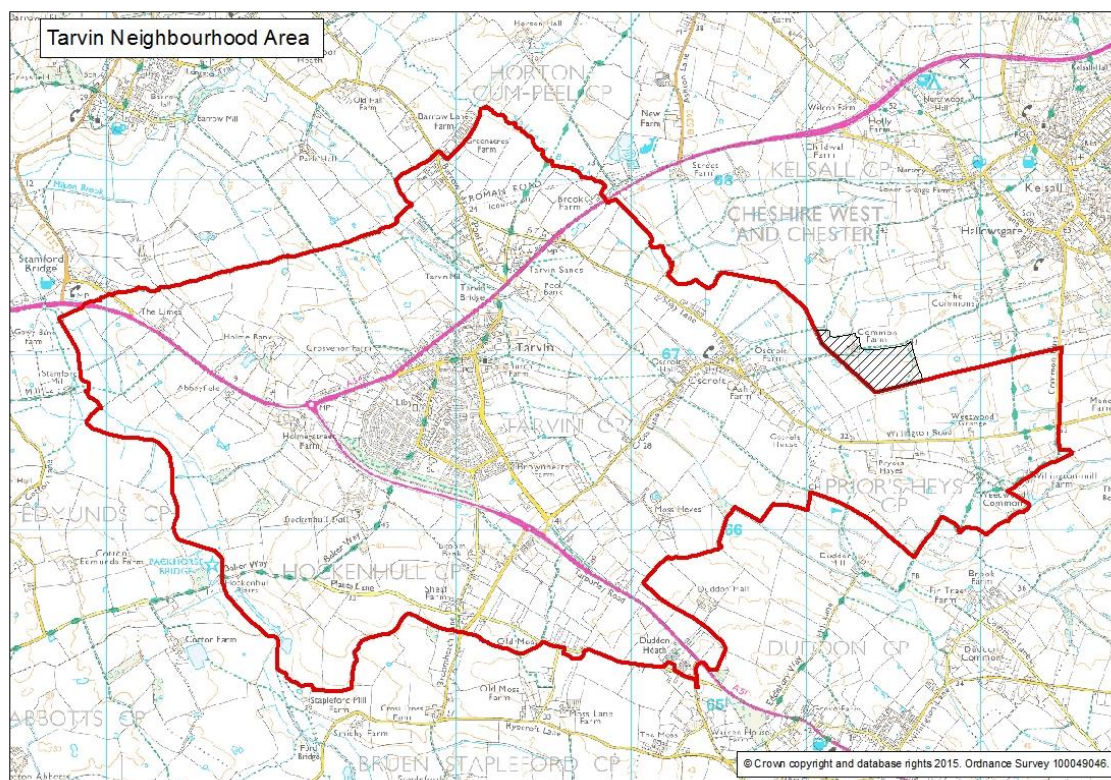


TARVIN NEIGHBOURHOOD PLAN

BASIC CONDITIONS STATEMENT

2018 – 2030



January 2019

1. Introduction

The Tarvin Neighbourhood Plan (TNP) for the plan period 2018 - 2030 has been prepared in accordance with the Requirements of Regulation 15 (1) (d) of the Neighbourhood Planning General Regulations 2012 (as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015) which requires a statement explaining how this proposed Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4 B to the Town and Country Planning Act 1990.

The Plan has been developed by a Steering Group of volunteers who are residents of the Plan area. The Plan is based on community feedback through two questionnaires.

2. Compliance with Statutory Requirements

- The Plan is submitted by Tarvin Parish Council which is a qualifying body. It has been prepared with the assistance of a Steering Group established by the Parish Council for the Neighbourhood Area.
- The Tarvin Neighbourhood Area was designated by Cheshire West and Chester Council (CWaC) on 19th November 2015. The Neighbourhood Area covers a large part of, and is entirely contained within, Tarvin parish.
- There is no other Neighbourhood Plan relating to the Tarvin Neighbourhood Area.
- The proposed TNP expresses policies that relate to the development and use of land only within the Tarvin Neighbourhood Area.
- The specified TNP period of 2018 - 2030 is contemporaneous with the end date of the Cheshire West and Chester Local Plan.
- There is no provision in the TNP for excluded development such as waste disposal, extraction of minerals or national infrastructure.
- There is no intention to hold a referendum to include persons outside the plan area.

3. Conformity with the National Planning Policy Framework

The TNP has been prepared taking into account the National Planning Policy Framework. The table below shows how the TNP relates to both the 2012 and 2018 versions of the Framework.

NPPF 2012 Core Principle	NPPF 2018	Tarvin Neighbourhood Plan
<p>1. Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.</p> <p>2. Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>Para 15 - The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.</p>	<p>The plan has been prepared by local people with extensive consultation. The plan includes a vision for the area and clear, positively expressed policies and proposals to meet the needs and priorities for the area, based on views expressed by the community.</p> <p>Examples include allocating land for new recreation facilities, new cycle routes and an extension to the Tarvin Community Woodland.</p>
<p>3. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.</p>	<p>Para 11 – plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.</p> <p>Para 13 – neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies, and should shape and direct development that is outside of these strategic policies</p>	<p>The housing requirement for Tarvin in the Local Plan (Part One) has almost been met and there is no need to allocate additional land. Even so, the TNP includes policies which support economic and housing development where it reflects strategic policies; can be accommodated without detrimental impact on the local area, and where it does not further strain on existing infrastructure. See TNP policies HG1, HG2, HG4, HG5 and HG6; TR1, TR2, TR3, TR4, TR5 and TR6; ED1, ED2, ED3 and ED4.</p>
<p>4. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;</p>	<p>Chapter 12 is concerned with achieving well designed places.</p> <p>Para 125 - Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect</p>	<p>This principle is supported by policies in the Landscape and Environment section, HG3 and HG5.</p> <p>The plan requires that new housing development has full regard to the Tarvin Village Design Statement.</p>

NPPF 2012 Core Principle	NPPF 2018	Tarvin Neighbourhood Plan
	<p>local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p>	
<p>5. Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;</p>	<p>NPPF 18 retains the approach to protecting the green belt in chapter 12. Paragraph 170 requires policies to contribute to and enhance the natural and local environment, through a number of criteria which include recognising the intrinsic character and beauty of the countryside.</p>	<p>The NP recognises the primary importance of preserving the green belt and the open countryside.</p>
<p>6. Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);</p>	<p>Chapter 14 is concerned with meeting the challenge of climate change, flooding and coastal change. Para 148 requires the planning system to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p>	<p>Transition to a low carbon future and encouraging the use of resources are supported by TNP policies ED1 - 4 inclusive.</p>

NPPF 2012 Core Principle	NPPF 2018	Tarvin Neighbourhood Plan
7. Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;	Chapter 15 is concerned with conserving and enhancing the natural environment.	Policies in the Landscape and Environment section are concerned with conserving and enhancing the natural environment, in particular policies LE1, LE and LE7.
8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;	Chapter 11 promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.	TNP supports the reuse of previously developed land and buildings and supports development which would reduce the need to travel (policies HG2, ED1, ED3).
9. Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);	Chapter 11 promotes the effective use of land. Para 118 requires planning policies to encourage multiple benefits from urban and rural land.	The plan area, and in particular the village of Tarvin, is already mixed use in character. The plan seeks to retain and enhance the existing mix of uses to sustain the vitality of the village and maximise community benefits.
10. Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;	Chapter 16 is concerned with conserving and enhancing the historic environment. Para 184 repeats the text from the Core Principle 10.	Policy LE6 in particular supports this principle.
11. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;	Chapter 9 is concerned with promoting sustainable transport. Para 103 requires the planning system to actively manage patterns of growth in support of a number of objectives including promotion of walking, cycling and public transport, and focussing significant development in locations which are or can be made sustainable.	Tarvin is identified in the Cheshire West and Chester Local Plan (Part 1) Strategic Policies as a key service centre which is a sustainable location for development. The importance of communication by foot or cycle is addressed by TNP policies LS2, LS3 and LS4.

NPPF 2012 Core Principle	NPPF 2018	Tarvin Neighbourhood Plan
<p>12. Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.</p>	<p>Chapter 8 is concerned with promoting healthy and safe communities which promote social interaction, are safe and accessible and enable and support healthy lifestyles.</p>	<p>This is addressed in TNP policies LS1-3 and further strengthened by the identification of Local Green Spaces identified as LE1.1-10 inclusive. LE2: sites of sport, recreation and amenity value; LE4: future extension of Tarvin Community Woodland; LE5: significant views; LE6: sites of archaeological/historical significance. So far as physical health of the community is concerned provision of an expanded health service is provided in TNP policies HP1 and HP2.</p>

4. Contribution to Sustainable Development

NPPF 2018 describes the three dimensions of sustainable development which the planning system should perform, namely an economic, social and environmental role. The TNP contributes to these dimensions in the following way:

NPPF 2018	Tarvin Neighbourhood Plan
<p>An economic role to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</p>	<p>The TNP supports employment development in appropriate locations. It identifies necessary infrastructure and includes policies to ensure this is put in place – see policies HG1, HG2, HG4, HG6, TR1, TR3, TR4, TR5, ED1, ED2, ED3, ED4, HP1, HP2.</p>
<p>A social role to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p>The TNP supports new housing development in appropriate locations (HG1, HG2), which respects the character of the local area (HG3). The plan supports the provision of local services and facilities to meet the health and well-being of the community, and protects existing recreation facilities and supports new facilities (LS1, LE2). It supports the provision of new footpaths and cycleways (LS2, LS3), and makes provision for improved health facilities (HP1, HP2).</p>
<p>An environmental role to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>The plan protects the natural and built environment in policies HG3, HG5 and LE1-7.</p> <p>The plan includes proposals for new cycleways and footpaths to provide alternatives to cars – LS2, LS3. Policies seek to minimise congestion and the impact of traffic from new development – TR2, TR3, TR4, TR5, TR6.</p>

5. Conformity with Strategic policies in the Local Plan

Neighbourhood Plans must be in general conformity with the strategic policies in the adopted development plan.

The development plan for the purposes of the TNP is the Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) and retained policies in the Chester District Local Plan (2006). The Local Plan (Part Two) Land Allocations and Detailed Policies is currently at examination. Preparation of the TNP has taken account of policies in the adopted plans and the emerging Local Plan (Part Two).

The table below shows how the TNP policies comply with policies in the Local Plan (Part One) and emerging policies in the Local Plan (Part Two) which have been identified as being strategic. There are no relevant retained policies in the Chester District Local Plan which have been identified by CWaC as being strategic.

The list of policies which CWaC consider to be strategic is available to view on the Council's website at <http://consult.cheshirewestandchester.gov.uk/file/4518243>.

Tarvin Neighbourhood Plan Policy	Summary of policy	Conformity with the CWaC Local Plan (Part One)	Conformity with strategic policies in the emerging Local Plan (Part Two)
HG1 – Infill Housing	Housing development on infill and redevelopment on sites within the settlement boundary will be acceptable where it complies with other relevant policies.	STRAT 2 – Strategic Development STRAT 8 – Rural Area	R 1 – Development in the rural area
HG2 – Small Scale Development	Large areas of housing development not permitted outside the settlement boundary. Small scale development of sustainably located previously developed sites may be acceptable where rural character can be protected. All new development should maximise the retention of surface water and minimise runoff.	STRAT 1 – Sustainable development STRAT 9 – Green Belt and Countryside ENV 1 – Flood risk and water management	DM 1 – Development of previously developed land
HG3 – Housing Character	New residential development should respect and where possible enhance the built environment and local character.	ENV 2 – Landscape ENV 6 – High quality design and sustainable construction	N/A
HG4 – Availability of recreation facilities	Larger areas of new housing will not be appropriate unless the development of recreation facilities and highways improvements have been implemented (policies LS1 and HG6)	STRAT 11 - Infrastructure	N/A
HG5 – Settlement separation	Protects the undeveloped gap between Tarvin and Oscroft from development	ENV 2 - Landscape	N/A
HG6 – Traffic generation	Anticipated traffic generation from new development should be assessed. Developments should be accessed safely from the highway network with appropriate provision for pedestrians and cyclists.	STRAT 10 – Transport and accessibility	N/A

Tarvin Neighbourhood Plan Policy	Summary of policy	Conformity with the CWaC Local Plan (Part One)	Conformity with strategic policies in the emerging Local Plan (Part Two)
LS1 – Leisure Site	Land east of Tarporley Road is allocated for recreational facilities	SOC 5 – Health and well-being SOC 6 – Open space, sport and recreation	N/A (replaces policy SR3 in the Chester District Local Plan)
LS2 – New cycle routes	Identifies potential routes for a safe cycle route between Tarvin and Oscroft	SOC 5 – Health and well-being STRAT 10 – Transport and accessibility	N/A
LS3 – new footpath routes	Identifies highway verge on the south side of the A54 as a footpath route	SOC 5 – Health and well-being STRAT 10 – Transport and accessibility	N/A
LE1 – Local Green Spaces	Identifies 10 sites to be designated as Local Green Spaces and protects them from development	ENV 2 – Landscape SOC 6 - Open space, sport and recreation	N/A
LE2 – Sites of sport, recreation and amenity value	Protects four sites from built development that would compromise their amenity and sport and recreation value	SOC 5 – Health and well-being SOC 6 – Open space, sport and recreation	N/A
LE3 – Nature conservation	Identifies and protects important wildlife sites	ENV 4 – Biodiversity and geodiversity	DM 44 – protecting and enhancing the natural environment
LE4 – Future extension of Tarvin Community Woodland	Identifies and protects land adjacent to the east of the A51 at Tarvin roundabout for an extension to the existing community woodland.	SOC 5 – Health and well-being SOC 6 – Open space, sport and recreation	N/A

Tarvin Neighbourhood Plan Policy	Summary of policy	Conformity with the CWaC Local Plan (Part One)	Conformity with strategic policies in the emerging Local Plan (Part Two)
LE5 – Significant views	Identifies 12 significant views which should be protected from development which would damage them	ENV 2 - Landscape	N/A
LE6 – sites of archaeological/historical significance	Identifies two locations of local archaeological and/or historical interest which should be protected from development	ENV 5 – Historic environment	N/A
LE7 – Landscape and wildlife	Requires that new development preserves and enhances local character, green spaces, wildlife, access to the countryside	ENV 2 – Landscape ENV 4 - Biodiversity and geodiversity ENV 6 - High quality design and sustainable construction SOC 5 – Health and well-being	N/A
TR1 – Parking (Garden Field)	Allocates land for off street parking at the Garden Field	STRAT 11 - Infrastructure	N/A
TR2 – Other car parking proposals	Supports proposals for off road car parking to alleviate parking and traffic congestion in High St, Lower High St and Church St	STRAT 11 - Infrastructure	N/A
TR3 – Complementary Funding	Directs funding to highway improvements in the Tarvin NP area	STRAT 11 - Infrastructure	T1 – Local road network improvement schemes
TR4 – Adapting the highway network	Proposals for minor adaptations to highways infrastructure will be acceptable provided they do not have significant negative impacts	STRAT 11 - Infrastructure	T1 – Local road network improvement schemes

Tarvin Neighbourhood Plan Policy	Summary of policy	Conformity with the CWaC Local Plan (Part One)	Conformity with strategic policies in the emerging Local Plan (Part Two)
TR5 – Major road improvements	Proposals for major improvements to highways infrastructure will be acceptable provided they do not have significant negative impacts	STRAT 11 - Infrastructure	T1 – Local road network improvement schemes
TR6 – Traffic impact assessments	Requires traffic impact assessments in proposals for significant housing development	STRAT 10 – Transport and accessibility	N/A
ED1 – Change of use	Relates to changes of use between residential, business and retail uses	STRAT 8 – Rural area	N/A
ED2 – Existing industrial locations	Permits small scale measures to improve adaptability and marketability at two identified industrial locations	STRAT 8 – Rural area ECON 1 – Economic growth, employment and enterprise	N/A
ED3 – home based businesses and live/ work units	Supports proposals for small scale home based businesses and live/work units subject to criteria	STRAT 9 – Green Belt and countryside	N/A
ED4 – Communications infrastructure	Supports proposals to facilitate expansion of high speed electronic communication networks	STRAT 11 - Infrastructure	N/A
HP1 – Existing health care facilities	Protects existing health facility against loss to other uses unless satisfactory alternative provision is in place	SOC 5 – Health and well-being	N/A
HP2 – Additional health care facilities	Safeguards the office site on Meadow Close for non-residential health care and associated services	SOC 5 – Health and well-being	N/A

6. EU Regulations

We believe that the TNP is not in conflict with any EU Regulations and furthermore it is considered that the TNP properly reflects the views and aspirations of its community as expressed in its introduction paragraph 1.2.

SEA Directive

European Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA Directive) to be carried out for certain plans and programmes to assess their effects on the environment. This Directive was transposed in law by the Environmental Assessment of Plans and Programmes Regulations 2004. Neighbourhood Development Plans fall within the scope of this legislation.

A screening determination has been carried out for the Tarvin Neighbourhood Plan Steering Group by Cheshire West and Chester Council. As a result of the screening assessment it is considered unlikely that there will be any significant environmental effects arising from the Tarvin Neighbourhood Plan. A Strategic Environmental Assessment of the Tarvin Neighbourhood Plan is therefore not required.

Habitats Directive

The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

The first stage of Habitats Regulations Assessment (HRA) is to screen a plan or programme to identify if there are likely to be any significant effects on Natura 2000 sites. This will indicate whether a full Appropriate Assessment is required. The regulations require that the impacts and effects of any land use plan being assessed are considered in combination with other plans and projects that may also be affecting the relevant European site(s).

A screening carried out by Cheshire West and Chester Council for the Tarvin Neighbourhood Plan Steering Group concluded that “the Tarvin Neighbourhood Plan is unlikely to have an adverse effect on a European designated site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects”.

European Convention on Human Rights.

The Tarvin Neighbourhood Plan has regard to the fundamental human rights and freedom guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The policies in the plan do not give rise to any potential impacts on human rights.