

## HANDBRIDGE NEIGHBOURHOOD PLAN

### BASIC CONDITIONS STATEMENT

November 2024

Published by Handbridge Neighbourhood Forum under the Neighbourhood Planning (General)  
Regulations 2012 (as amended)

# HANDBRIDGE NEIGHBOURHOOD PLAN

## BASIC CONDITIONS STATEMENT

NOVEMBER 2024

### CONTENTS

1. INTRODUCTION
2. BACKGROUND
3. CONDITION (A): NATIONAL PLANNING POLICY
4. CONDITION (D): ACHIEVING SUSTAINABLE DEVELOPMENT
5. CONDITION (E): THE DEVELOPMENT PLAN
6. CONDITION (F): EU-DERIVED OBLIGATIONS
7. SUMMARY

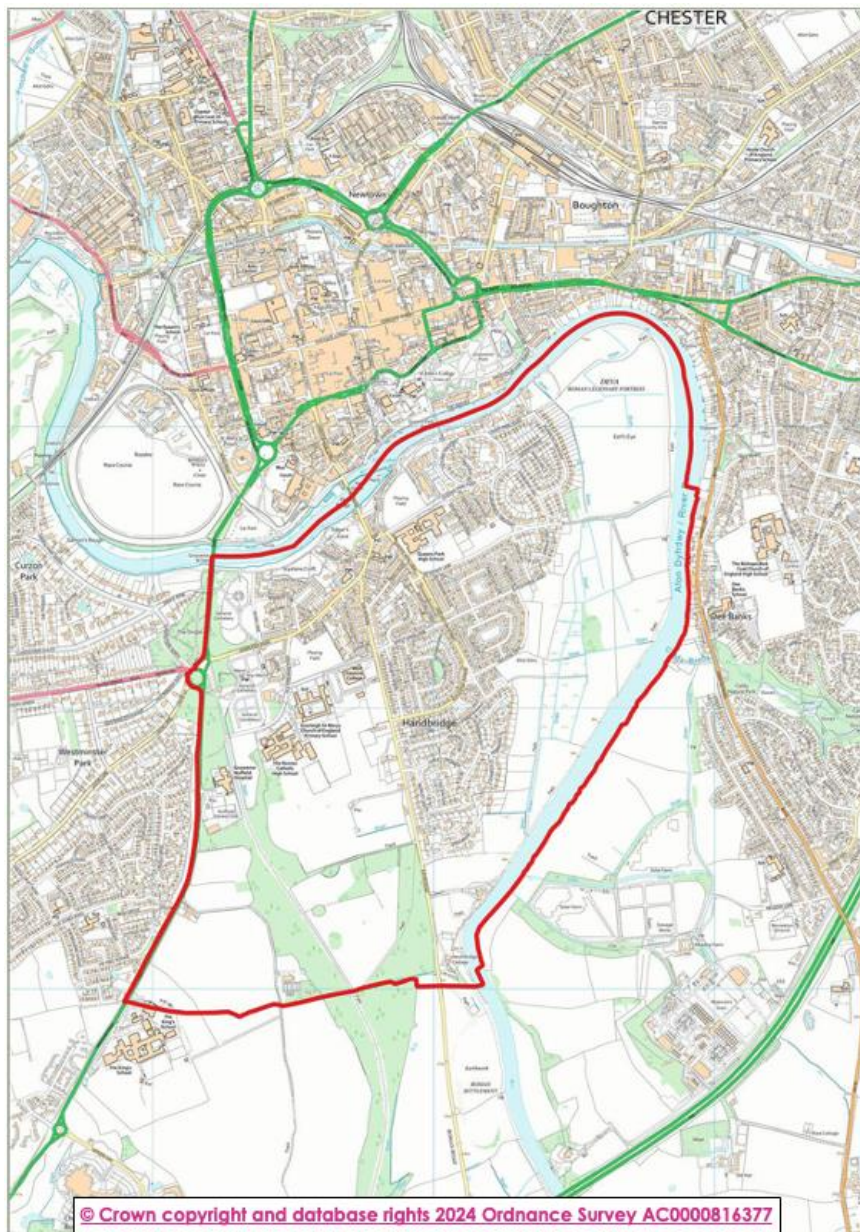
# 1.INTRODUCTION

## The Neighbourhood Plan

1.1 This Statement has been prepared by ONH on behalf of the Handbridge Neighbourhood Forum “the Neighbourhood Forum” to accompany its submission of the Handbridge Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority, Cheshire West and Chester Council (CWaC), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Neighbourhood Forum, the ‘Qualifying Body’, for the Neighbourhood Area (“the Area”), shown on Plan A below. CWaC designated the Forum and the Area in November 2020.

1.3 ONH has provided the professional planning advice and support to the forum throughout the project, alongside occasional help from CWaC officers.



Plan A: Handbridge Designated Neighbourhood Area

1.4 The Neighbourhood Plan contains 12 land use policies, which are defined on the Policies Map where they apply to a specific part of the Area. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2025 to 2040, which follows the norm of having a 15 year period, assuming the Plan is made in 2025. It may also correspond for the most part with the plan period of the new CWaC Local Plan but this is not yet known.

1.5 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 or other proposals, and of development management matters that seek to refine and/or update existing policies.

### **The Basic Conditions**

1.6 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, 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.

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

- A. 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;
- D. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development;
- E. 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); and
- F. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

1.8 It is noted that the Levelling Up & Regeneration Act 2023 has made provision for Condition E to be amended by replacing the current requirement with a narrower condition in respect of not undermining the housing site allocation provisions in an adopted Local Plan. However, at the time of the expected examination of the Neighbourhood Plan, the regulations enabling that part of the Act have not been made.

## 2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Neighbourhood Forum in January 2021. The key driver of this decision was a sense of wanting to plan positively for the future of the Area, with the encouragement of CWaC to local communities to prepare Neighbourhood Plans.

2.2 A steering group was formed comprising the residents and Neighbourhood Forum representatives. The group has been delegated authority by the Neighbourhood Forum to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Neighbourhood Forum approved the publication of the Pre-Submission plan in March 2024 and the Submission Plan in November 2024.

2.3 The Neighbourhood Forum has consulted the local community extensively over the duration of the project. It has also worked closely with officers of CWaC 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 adopted Local Plan.

2.4 As a suburb of the city of Chester and lying primarily within its defined urban area that is also inset from the surrounding Green Belt, the scope of the Neighbourhood Plan is confined to shaping incremental change to maintain the character of Handbridge, rather than have to plan for housing or other growth around its edges.

### 3. CONDITION (A): REGARD TO 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 July 2021 and then December 2023, mindful that in finalising the Plan, a further iteration of the NPPF is expected imminently. The consultation version of July 2024 did not indicate any significant change in policy direction that would affect the policies of the Neighbourhood Plan.

3.2 The guidance of the online Planning Practice Guidance has also been followed in respect of formulating Neighbourhood Plans. As demonstrated in Table A, this plan has taken to opportunity to revise development plan policies to reflect the amendments to the Use Classes Order introduced in September 2020 as they apply to this Area (PPG 13-009c).

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

#### General Paragraphs

3.4 The Neighbourhood Forum believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.5 The Neighbourhood Forum considers that its Neighbourhood Plan has provided its community with the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the adopted strategic policies for the area (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §67/§68) are therefore not relevant to this Neighbourhood Plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

#### Specific Paragraphs

3.6 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary

Policy No.	Policy Title	Commentary
HNP1	Local Nature Network	This policy aims to safeguard and enhance Handbridge's natural environment by establishing a Local Nature Network that prioritises the protection and enhancement of local wildlife habitats and wider ecological networks (§185a), as well as integrating biodiversity protection into local planning, emphasising mitigation, net gain and community involvement to ensure long-term coherent and resilient ecological networks (§180d) and cultural benefits.
HNP2	Local Green Spaces	The policy designates land as Local Green Spaces to identify and protect green areas of particular importance to the community in Handbridge (§105). The designated spaces are in reasonably close proximity to the community they serve, are demonstrably special to the community, and are local in character and not extensive tracts of land (§106).
HNP3	Incidental Open Spaces of Community Value	The policy promotes wellbeing and healthy lifestyles through the provision of safe and accessible green infrastructure (§96) by identifying existing open space and land that should not be built on (§103). The incidental open spaces identified do not meet the Local Green Spaces requirements but nevertheless make a valuable contribution to the wellbeing of the community and general amenity of the area.
HNP4	Sustainable Transport	This policy considers transport issues at the earliest stages of plan-making and development proposals (§108) and will not support any development that is likely to have a negative impact on traffic infrastructure, ensuring that any developments likely to have an impact on traffic are supported by a Transport Assessment.
HNP5	Sustainable Travel Network	This policy identifies existing Sustainable Travel Networks and prioritises active travel, promoting opportunities for walking and cycling across Handbridge (§108).
HNP6	Parking	This policy helps support local businesses and services through the retention and provision of parking, helping to create the conditions in which businesses can expand and adapt (§85).

**Table A: Neighbourhood Plan & NPPF Conformity Summary**

Policy No.	Policy Title	Commentary
HNP7	Design	This policy identifies the special qualities of the Area and explains how this should be reflected in development. It stops short of design coding, but its professionally-prepared Design Guidelines document reflects local aspirations which are grounded in an understanding and evaluation of the area and its defining characteristics (§132).
HNP8	Key Views	This policy identifies a number of key views across Handbridge and to its surrounding areas (derived from the Design Guidelines analysis) to ensure that development proposals are sympathetic to the local character, built environment and landscape setting (§132 and §135c).
HNP9	Local Landmarks	This policy identifies landmarks that are significant in the area (derived from the Design Guidelines analysis) and supports development proposals that are sympathetic to local character or enhance local landmarks and their significance in the landscape setting (§135c).
HNP10	Local Heritage Assets	This policy has used the Historic England guidance and evidence (derived from the Design Guidelines analysis) to identify local heritage assets and to describe the contribution they make to the character of Handbridge (§198a). This will enable the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application (§209).
HNP11	Local Historic Landscapes	This policy follows the same approach as that of HNP10, but for natural rather than built local heritage assets with the aim of preserving and enhancing their local significance as valued landscapes (§180a). It is intended as a positive strategy for the conservation and enjoyment of the historic environment in Handbridge by ensuring that future development does not impose on these landscapes (§196).
HNP12	Commerce	This policy aims to support the commercial and social vitality and viability of the local retail and services of Handbridge (§85). The policy also plans positively for the provision of community and local services to enhance the sustainability of the community (§97a).



## 4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 As neither a Sustainability Appraisal nor Strategic Environmental Assessment Report have been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to positive (green), neutral (yellow) or adverse (red) effects, taking into account the proposed policy mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
HNP1	Local Nature Network				This policy has the potential to have positive environmental effects by maintaining and possibly enhancing the functionality of green and blue infrastructure in Handbridge, promoting the recovery of the natural environment and mitigating climate change.
HNP2	Local Green Spaces				The policy has the potential to have a positive social effect in retaining existing open spaces that are utilised and valued by the community. It has the potential to have a positive environmental effect by supporting long-term ecological enhancement within such areas.
HNP3	Incidental Open Spaces ...				The policy has the potential to have minor positive social and environmental effects by retaining smaller open spaces that contribute to local amenity, community wellbeing, and the ecological network.
HNP4	Sustainable Transport				This policy has the potential to have minor positive social and environmental effects by reducing car usage and congestion on and around the local road network, improving not only road safety, but also the sustainability of travel.

Table B: Neighbourhood Plan & Sustainable Development

Policy		Social	Economic	Environmental	Commentary
HNP5	Sustainable Travel Network				This policy has the potential to have minor positive social and environmental effects by promoting active travel methods such as walking and cycling which has the possibility to support general health and wellbeing, as well as reducing car usage and therefore emissions in the local area.
HNP6	Parking				This policy has the potential to have positive economic effects by facilitating a strong competitive economy, helping services and businesses to thrive with increased accessibility and by creating a high quality environment where people want to live and visit.
HNP7	Design				The policy has the potential to have positive environmental effects by providing clear design guidance and thereby ensuring high standards of design that are in keeping with the existing character of the area in all new development.
HNP8	Key Views				This policy has the potential to have positive environmental effects by identifying and conserving buildings and landmarks of local and architectural interest that contribute to the character and built landscape of the area, and by ensuring that new development takes appropriate design cues from such buildings and does not adversely impact on them and their surroundings.
HNP9	Local Landmarks				This policy has the potential to have minor positive social effects by enhancing sense of place and identity for the community, strengthening community cohesion in Handbridge.
HNP10	Local Heritage Assets				The policy has the potential to have positive environmental effects by identifying and conserving buildings of local historic and architectural interest that contribute to the character of the area, and by ensuring that new development takes appropriate design cues from such buildings and does not adversely impact on them.

Table B: Neighbourhood Plan & Sustainable Development

Policy		Social	Economic	Environmental	Commentary
HNP11	Local Historic Landscapes				The policy has the potential to have positive environmental effects by identifying and conserving buildings of local historic and architectural interest that contribute to the character of the area, and by ensuring that new development takes appropriate design cues from such buildings and does not adversely impact on them.
HNP12	Commerce				This policy has the potential to have positive social effects by supporting the retention of an important community asset, as well as economic effects by maintaining and supporting local independent businesses.

## 5. CONDITION (E): 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 CWaC development plan, that is the Cheshire West and Chester Local Plan (Part One) Strategic Policies (LP1), adopted in January 2015. These strategic policies are refined by the Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (LP2), adopted in July 2019. As explained in Paragraph 1.5, the period of both plans ends in March 2030, which is considered too short to apply to the Neighbourhood Plan. CWaC has embarked on its preparation of a replacement of both plans, but this may not be adopted until 2028. A future review of the Neighbourhood Plan may be undertaken then if necessary.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of any emerging Development Plan documents but there has been little of relevance published by CWaC during the production of this Plan.

5.3 The limitations on the scope of the Neighbourhood Plan policies are such that there are few strategic policies of direct relevance. In terms of the overall Plan vision and objectives, care has been taken to fit with policies STRAT3 of LP1 and CH1 of LP2 that establish the spatial strategy and principles for development in the city of Chester and its immediate environs. In practice its range of 12 policies are all intended to refine STRAT3 and CH1 to apply more carefully to Handbridge.

5.4 An assessment of the general conformity of each policy, and its relationship with emerging policy where relevant, is contained in Table C below. The policy references in the table are to policies of both parts of the adopted Local Plan using their respective coding, e.g. STRAT1, ENV1 and DM46.

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

No.	Policy Title & Refs	Commentary
HNP1	Local Nature Network	This policy aims to safeguard and enhance Handbridge's natural environment by establishing a Local Nature Network that prioritises the conservation of high-value habitats, wildlife corridors and ecological connectivity. It integrates biodiversity protection into local planning, emphasising mitigation, net gain and community involvement to ensure long-term ecological and cultural benefits. This is in line with Policy ENV3 and ENV4 of LP1, as the policy promotes a network of multi-functional green infrastructure while safeguarding biodiversity and geodiversity by protecting important sites and features. As well as Policy DM44 of LP2 as the policy identifies assets of biodiversity/geodiversity and aims to safeguard these.
HNP2	Local Green Spaces	This policy is in general conformity with policy ENV2 of LP1, which supports the designation of Local Green Spaces, as well as its policies SOC 5 and SOC 6 in promoting access to high quality green space and the provision of a network of diverse, multi-functional open spaces across the CWaC area.
HNP3	Incidental Open Spaces of Community Value	This policy is in general conformity with policies SOC 5 and SOC 6 of LP1 and DM35 of LP2, supporting the provision of a network of diverse open spaces across the CWaC area that contribute to the health and well-being of residents and provide natural habitats for small wildlife and insects.
HNP4	Sustainable Transport	This policy is in general conformity with policies STRAT10 and STRAT11 of LP1, as developments are required to demonstrate that any consequential additional traffic must show that it can be accommodated safely and satisfactorily within the existing highway network.
HNP5	Sustainable Travel Network	This policy is in general conformity with policy STRAT10 of LP1, as the policy supports developments which sustain, and where possible, enhance the functionality of the Sustainable Travel Network, therefore encouraging alternative means of transport to the private car and maintaining safe travel routes.

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

No.	Policy Title & Refs	Commentary
HNP6	Parking	This policy is in general conformity with policy T5 of LP2, as the policy recognises that the private car will remain the dominant form of transport for the foreseeable future and, as such, improvements to the highway network and parking provision will be made, such as increasing and improving parking capacity in Handbridge at key locations.
HNP7	Design	This policy is in general conformity with policy ENV6 of LP1, as refined by policies DM3 and DM46 (in the Conservation Areas) of LP2, promoting high quality design that respects local character and contributes to a sense of place through appropriate layout and design, especially in conserving and enhancing the significance of designated heritage assets and their settings.
HNP8	Key Views	This policy is in general conformity with ENV6 of LP1, as refined in policy DM3 (in the Conservation Areas) of LP2, seeking to protect views which are considered especially important in defining the relationship between Handbridge and its surroundings, therefore not being in support of developments which do not respect surroundings and where appropriate views into, over and out of the area.
HNP9	Local Landmarks	This policy is in general conformity with policies ENV5 and ENV6 of LP1, as refined by policy DM48 of LP2, identifying a number of landmarks and structures and affording them protection commensurate with their significance and design.
HNP10	Local Heritage Assets	This policy is in general conformity with policy ENV5 of LP1, as refined by policy DM48 of LP2, identifying a number of buildings and structures as non-designated heritage assets and affording them protection commensurate with their significance.
HNP11	Local Historic Landscapes	This policy is in general conformity with policy ENV5 and ENV6 of LP1, as refined by policy DM48 of LP2, identifying a number of local historic landscapes and affording them protection commensurate with their significance.

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

No.	Policy Title & Refs	Commentary
HNP12	Commerce	This policy is in general conformity with policies ECON2 of LP1 and DM15 of LP2 to promote the vitality and viability of Handbridge as a Local Centre for shops, cafes and services to service the local community to complement the higher order role of Chester city centre.

## 6. CONDITION (F): COMPATABILITY WITH EU-DERIVED OBLIGATIONS

6.1 CWaC provided a screening opinion in June 2024 that has determined that neither a Strategic Environmental Assessment (in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended)) nor a Habitats Regulation Assessment (in accordance with the Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)) are required. It has consulted the statutory bodies as per those Regulations. A copy of the final screening opinion is published separately.

6.2 The Neighbourhood Forum has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.3 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.4 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan includes some policies relevant to Air Quality. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they comprise small-scale interventions and do not negate from the framework for measurement and improvement of air quality set in the Directive.

## 7. SUMMARY

7.1 In Section 3 it is considered that each of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Neighbourhood Forum having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition A.

7.2 In Section 4 it is considered that each of the policies either contributes to the achievement of sustainable development or is neutral in its impact on one of more of the three sustainability themes. As a result, the Neighbourhood Plan, as a whole, meets Condition D.

7.3 In Section 5 it is considered that all the policies are in general conformity with the relevant strategic policies of the adopted development plan, with no incidence of two or more strategic policies being in tension, nor of the Forum having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition E.

7.4 In Section 6 it is considered the making of the Neighbourhood Plan accords with all EU-derived environmental and other obligations. As a result, the Neighbourhood Plan, as a whole, meets Condition F.

7.5 In conclusion, the Handbridge Neighbourhood Forum considers the Handbridge Neighbourhood Plan meets the basic conditions in full.