

Basic Conditions Statement

This Basic Conditions Statement has been prepared in support of the Moulton Neighbourhood Plan (MNP) 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.

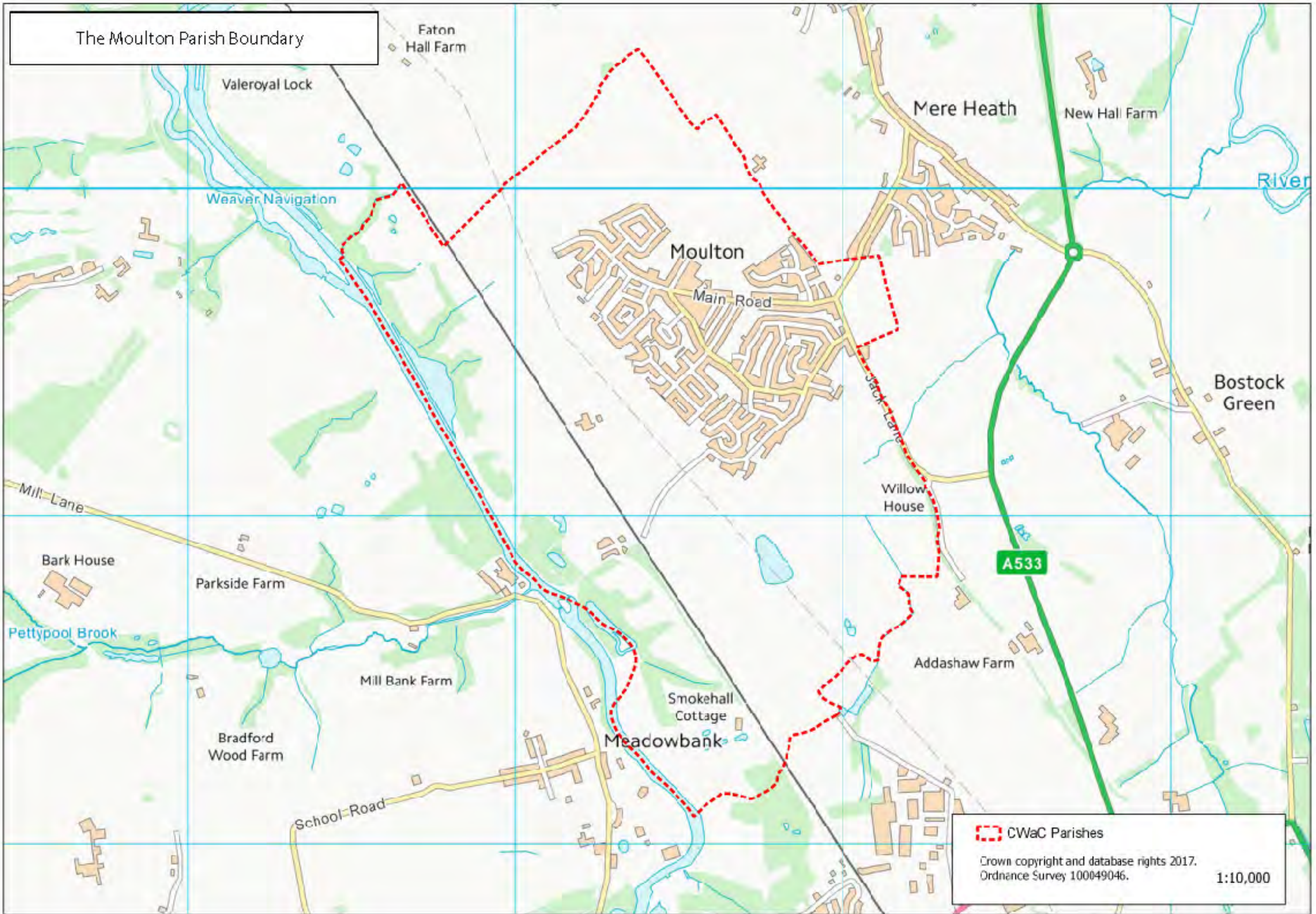
The core basic conditions for Neighbourhood Plans, as required by paragraph 8 of schedule 4B of the Town and Country Planning Act 1990 (as amended), are as follows:

- 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 or excluded development	The Moulton 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 Moulton Neighbourhood Plan is being submitted by a qualifying body	The Moulton Neighbourhood Plan is submitted by the Moulton Parish Council, which is a qualifying body as defined by the Localism Act 2011.	See submission draft plan
The Moulton Neighbourhood Plan covers a stated plan period	The Moulton Neighbourhood Plan covers a plan period from 2015 to 2030, a period of 15 years. This reflects the Local Plan period for Cheshire West and Chester.	See submission draft plan
The Moulton Neighbourhood Plan covers a designated Neighbourhood Area	The Moulton Neighbourhood Plan covers a neighbourhood area, as designated by Cheshire West and Chester Borough Council in 06 March, 2013. The neighbourhood area relates only to the Parish of Moulton 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 Moulton Parish Map in draft plan

<p>The Moulton Neighbourhood Plan is in conformity with the NPPF</p>	<p>In order to ensure that the Moulton Neighbourhood Plan conforms to the National Planning Policy Framework (NPPF), an Assessment of Compliance has been undertaken. Table 1 in Appendix 1 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>A new NPPF (NPPF 2018) was adopted in July 2018. To demonstrate that the Moulton Neighbourhood Plan is in accordance with both frameworks, two assessment tables are available in appendix 2 (both NPPF 2012 and NPPF 2018).</p>	<p>See Appendix 2 – Assessment of Compliance Table 2.1 and 2.2</p>
<p>The Moulton Neighbourhood Plan contributes to sustainable development as set out by the NPPF</p>	<p>The policies within Moulton’s Neighbourhood Plan promote sustainable development, as set out in the NPPF. Chapter 2 of the NPPF sets out sustainable development as consisting of the following factors:</p> <ul style="list-style-type: none"> • 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. <p>As demonstrated in the Assessment of Compliance table, the Moulton Neighbourhood Plan is compliant with the NPPF 2012 and NPPF 2018, which has an overarching aim of promoting sustainable development in terms of economic, social, and environmental issues. The policies in the Moulton Neighbourhood Plan all help deliver one or more element of sustainable development.</p>	<p>See Appendix 2 - Assessment of Compliance Table 2.1 and 2.2</p>

<p>The Moulton Neighbourhood Plan is in conformity with Cheshire West and Chester Borough Council's Local Plan (2015) and Vale Royal Borough Local Plan (saved after January, 2015)</p>	<p>In order to ensure that the Moulton Neighbourhood Plan conforms to the Cheshire West and Chester Borough Council's Local Plan and the saved policies from the Vale Royal Borough Local Plan, an Assessment of Compliance has been undertaken – see Table 2.1 and 2.2 in Appendix 2. The relevant strategic policies in the Local Plan were agreed upon with the Local Planning Authority.</p>	<p>See Appendix 3 - Assessment of Compliance Table 3.1 and 3.2</p>
<p>The Moulton Neighbourhood Plan is in conformity with the appropriate EU regulations</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 & 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 Moulton 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>



Appendix 2 - Assessment of Compliance Table for Moulton Neighbourhood Plan
Table 2.1 and 2.2 - Assessment of Compliance Table - NPPF (2012 & 2018)

	√	Compliment	~	Not applicable	x	A conflict may occur							
National Planning Policy Framework 2012:	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
Moulton NP Policies:													
General Principles													
GP1 Settlement First	√	√	√	~	~	~	~	√	~	~	√	~	~
GP2 Sustainable Development	~	~	~	~	~	~	√	√	~	√	√	~	√
Housing													
H1 Key Settlement Gap	~	√	√	~	~	~	~	~	~	~	√	~	~
H2 Location of New Residential Development	√	√	√	~	~	√	√	√	~	~	√	~	~
H3 Infill	~	√	~	~	~	√	√	~	~	~	~	~	~
H4 Mix	√	√	√	~	~	√	√	~	~	~	√	~	~
H5 Developemnt of Regent St	√	√	√	~	~	√	√	~	~	~	~	~	~
Design and Heritage													
DH1 General Design	~	√	~	~	~	√	√	√	~	√	√	~	√
DH2 Heritage Assets	~	√	~	~	~	√	√	~	~	~	~	√	√
DH3 Streets and Footpaths	~	√	~	~	~	√	√	√	~	~	√	~	√
Environment & Open Space													
EOS1 Natural Environment & Biodiversity	~	~	√	~	~	~	~	√	~	√	√	~	~
EOS2 Local Green Space	~	~	√	~	~	~	~	√	~	√	√	~	~
EOS3 Green Infrastructure	~	~	√	~	~	√	√	√	~	√	√	~	√
EOS4 Key Views	~	~	√	~	~	~	~	√	~	√	√	√	~
Transport													
T1 Sustainable Transport	√	√	√	√	~	~	~	~	~	~	~	~	~
T2 Parking	√	√	√	√	~	~	~	~	~	~	~	~	~
ASP Transport	√	√	√	√	~	~	~	~	~	~	~	~	~
T3 Traffic Management	√	√	√	√	~	~	~	~	~	~	~	~	~
Community Facilities & Tourism													
CFT1 Community Buildings	~	√	~	~	~	~	~	√	~	~	~	√	~
Aspiration (CFT1)	~	√	~	~	~	~	~	√	~	~	~	√	~
CFT2 Developer Contributions	~	√	~	√	~	~	~	√	~	~	√	√	~
CFT3 Tourism	√	√	√	√	~	~	~	√	~	~	√	√	~
Aspiration (CFT3)	√	√	√	√	~	~	~	√	~	~	√	√	~

National Planning Policy Framework 2018:	2 - Achieving sustainable development	5 - Delivering a sufficient supply of homes	6 - Building a strong, competitive economy	7 - Ensuring the vitality of town centres	8 - Promoting healthy and safe communities	9 - Promoting sustainable transport	10 - Supporting high quality communications	11 - Making effective use of land	12 - Achieving well-designed places	13 - Protecting Green Belt Land	14 - Meeting the challenge of climate change, flooding and coastal change	15 - Conserving and enhancing the natural environment	16 - Conserving and enhancing the historic environment	17 - Facilitating the sustainable use of minerals
Moulton NP Policies: General Principles														
GP1 Settlement First	~	√	√	√	√	~	~	√	~	~	~	√	~	~
GP2 Sustainable Development	√	√	~	~	√	~	~	√	√	~	√	√	~	√
Housing														
H1 Key Settlement Gap	~	~	~	√	~	~	~	√	~	~	~	√	~	~
H2 Location of New Residential Development	√	√	√	√	√	~	~	√	√	~	~	√	~	~
H3 Infill	√	√	~	√	~	~	~	√	√	~	~	~	~	~
H4 Mix	√	√	√	√	~	~	~	√	√	~	~	√	~	~
H5 Developemnt of Regent St	~	√	√	√	~	~	~	√	√	~	~	~	~	~
Design and Heritage														
DH1 General Design	√	√	~	√	√	~	~	√	√	~	√	√	~	√
DH2 Heritage Assets	√	√	~	√	~	~	~	√	√	~	~	~	√	√
DH3 Streets and Footpaths	√	√	~	√	√	~	~	√	√	~	~	√	~	√
Environment & Open Space														
EOS1 Natural Environment & Biodiversity	√	~	~	~	√	~	~	~	~	~	√	√	~	~
EOS2 Local Green Space	√	~	~	~	√	~	~	√	~	~	√	√	~	~
EOS3 Green Infrastructure	√	√	~	~	√	~	~	~	√	~	√	√	~	√
EOS4 Key Views	√	~	~	~	√	~	~	~	~	~	√	√	√	~
Transport														
T1 Sustainable Transport	√	~	√	√	~	√	~	~	~	~	~	~	~	~
T2 Parking	√	~	√	√	~	√	~	~	~	~	~	~	~	~
ASP Transport	~	~	√	√	~	√	~	~	~	~	~	~	~	~
T3 Traffic Management	~	~	√	√	~	√	~	~	~	~	~	~	~	~
Community Facilities & Tourism														
CFT1 Community Buildings	√	~	~	√	√	~	~	√	~	~	~	~	√	~
Aspiration (CFT1)	√	~	~	√	√	~	~	√	~	~	~	~	√	~
CFT2 Developer Contributions	√	~	~	√	√	√	~	√	~	~	~	√	√	~
CFT3 Tourism	√	~	√	√	√	√	~	√	~	~	~	√	√	~
Aspiration (CFT3)	√	~	√	√	√	√	~	√	~	~	~	√	√	~

Appendix 3 - Assessment of Compliance Table for Moulton Neighbourhood Plan
Table 3.1 - Assessment of Compliance Table - Cheshire West and Chester Local Plan

	✓	Compliment	~	Not applicable	x	A conflict may occur														
Policies from Cheshire West and Cheshire Local Plan (part 1)	STRAT 1 - Sustainable Development	STRAT 8 - Rural Area	STRAT 9 - Green Belt and Countryside	STRAT 10 - Transport and Accessibility	STRAT 11 - Infrastructure	ECON 1 - Economic Growth, Employment and Enterprise	ECON 2 - Town Centres	ECON 3 - Visitor Economy	SOC 1 - Delivering affordable housing	SOC 2 - Rural exception sites	SOC 3 - Housing mix and type	SOC 5 - Health and well-being	SOC 6 - Open space, sport and recreation	ENV 1 - Flood risk and water management	ENV 2 - Landscape	ENV 3 - Green infrastructure	ENV 4 - Biodiversity and geodiversity	ENV 5 - Historic environment	ENV 6 - High quality design and sustainable construction	
Moulton NP Policies:																				
General Principles																				
GP1 Settlement First	✓	✓	✓	~	~	~	~	~	~	~	✓	~	~	~	✓	~	~	~	~	
GP2 Sustainable Development	✓	✓	✓	~	~	~	~	~	~	~	✓	~	~	~	✓	~	~	~	~	
Housing																				
H1 Key Settlement Gap	✓	~	✓	~	~	~	~	~	✓	✓	✓	~	~	~	✓	~	~	~	~	
H2 Location of New Residential Development	✓	✓	✓	~	~	~	~	~	✓	✓	✓	~	~	~	✓	~	~	~	~	
H3 Infill	✓	✓	✓	~	~	~	~	✓	~	~	✓	~	~	~	~	~	~	~	~	
H4 Mix	✓	~	~	~	~	~	~	~	~	~	✓	~	~	~	~	~	~	~	~	
H5 Developemnt of Regent St	✓	✓	✓	~	~	~	~	~	✓	~	✓	~	~	~	~	~	~	~	~	
Design and Heritage																				
DH1 General Design	~	~	~	~	~	~	~	~	✓	~	✓	~	~	~	~	~	~	~	✓	
DH2 Heritage Assets	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	✓	~	~	✓	✓	
DH3 Streets and Footpaths	✓	~	~	~	~	~	~	~	~	~	~	✓	~	~	✓	~	~	~	✓	
Environment & Open Space																				
EOS1 Natural Environment & Biodiversity	✓	~	~	~	~	~	~	~	~	~	~	✓	✓	✓	✓	✓	✓	~	✓	
EOS2 Local Green Space	~	~	~	~	✓	~	~	~	~	~	~	✓	✓	✓	✓	✓	✓	~	✓	
EOS3 Green Infrastructure	✓	~	~	~	~	~	~	✓	~	~	~	✓	✓	✓	✓	✓	✓	~	✓	
EOS4 Key Views	✓	~	~	~	~	~	~	~	~	~	~	✓	✓	✓	✓	✓	~	✓	✓	
Transport																				
T1 Sustainable Transport	✓	~	~	✓	~	~	✓	✓	~	~	~	~	~	~	~	~	~	~	~	
T2 Parking	~	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	
ASP Transport	~	~	~	~	~	✓	✓	~	~	~	~	~	~	~	~	~	~	~	~	
T3 Traffic Mangement	✓	~	~	✓	~	~	✓	~	~	~	~	~	~	~	~	~	~	~	~	
Community Facilities & Tourism																				
CFT1 Community Buildings	✓	✓	~	~	✓	~	~	~	~	~	~	✓	✓	~	~	~	~	✓	~	
Aspiration (CFT1)	~	✓	~	~	✓	~	~	~	~	~	~	✓	✓	~	~	~	~	~	~	
CFT2 Developer Contributions	~	✓	~	~	~	~	~	~	~	~	~	✓	~	~	~	~	~	~	~	
CFT3 Tourism	~	✓	~	~	✓	~	~	✓	~	~	~	✓	~	~	~	~	~	~	~	
Aspiration (CFT3)	~	✓	~	~	✓	~	~	~	~	~	~	✓	✓	~	✓	✓	~	~	~	

Table 3.2 - Assessment of Compliance Table - Vale Royal Local Plan (Saved Policies)

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