

Appendix V
Basic
Conditions



V

COLEFORD

Neighbourhood Development Plan 2018 - 2026

Submission Document

Appendix V: Basic Conditions

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1. Introduction

This Basic Conditions Statement has been produced to explain how the proposed Coleford Neighbourhood Development Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.

This Statement of Conformity document outlines how the Coleford Neighbourhood Plan meets all these requirements.

2. Meeting Legal Requirements

- 2.1 The Coleford Neighbourhood Plan is being submitted by a qualifying body, namely Coleford Town Council, for the designated Neighbourhood Plan area of Coleford.
- 2.2 The Neighbourhood Plan sets out policies which relate to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 2.3 The Coleford Neighbourhood Plan document clearly distinguishes between planning policies relating to land use and projects which, in parallel, will help to achieve the Plan's objectives. Those projects are listed in a separate section of the Neighbourhood Plan document.
- 2.4 The proposed Coleford Neighbourhood Plan document states the period for which it is to have effect. That period is from the Plan being made up to 2026, the same period as Forest of Dean District Council Local Plan 2018-2026.
- 2.5 The Coleford Neighbourhood Plan does not deal with excluded development such as county matters (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.
- 2.6 The Neighbourhood Plan proposal relates to the Coleford Neighbourhood area and to no other area. The Neighbourhood Area is identifiable on a map on [page 5](#) of the Coleford Neighbourhood Plan document and is identical to the area designated by Forest of Dean District Council on 18th July 2013 (<http://www.fdean.gov.uk/media/3350/notice-of-designation-coleford.pdf>) within the meaning of Section 61G of the Town and Country Planning Act 1990, pursuant to an application from Coleford Town Council. There are no other neighbourhood plans relating to that neighbourhood area.
- 2.7 The Coleford Neighbourhood Plan has been produced with extensive input from the local community and other stakeholders, as described in the accompanying Consultation Statement (app. W). The Neighbourhood Area was designated by Forest of Dean District

Council following the required process and consultation period. Consultation on the Pre Submission Draft of the Neighbourhood Plan has been conducted as required by the Planning Regulations 2011 in terms of timescales and in terms of recording and consideration of issues and suggestions made.

3. Meeting the requirements Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990

- 3.1 A number of 'basic conditions' must be met by Neighbourhood Development Plans and the following sections highlight how the Coleford Neighbourhood Plan meets requirements in relation to: having regard to national policies and principles of sustainable development; being in general conformity with Forest of Dean District Council's Local Plan adopted policies (as saved in 2008) and is compatible with EU obligations; have appropriate regard to National Policy (i.e. the National Planning Policy Framework (NPPF) and related guidance) and achievement of sustainable development. The Coleford Neighbourhood Plan is developed within the framework for sustainable development as set out in the NPPF. The NDP provides supporting policies in respect of Coleford Town Centre; Economy; Housing; Community and Community Facilities; Historic & Natural Environment; Infrastructure; Transport and Pedestrian Access (Coleford NDP pages 6 to 7).
- 3.2 Policies relating to balancing economic, social and environmental issues are integrated into the Plan resulting in Sustainable Development. The NDP addresses this by ensuring Coleford Town Centre is vital, viable and dynamic; encouraging tourism by promoting Coleford as a visitor destination; preserving the rich historic heritage, biodiversity and natural environment; encouraging job creation; enabling good design including accessibility to suit diverse needs; improving living, working, travel and leisure conditions and widening the choice of homes.
- 3.3 This builds on the NPPF and FoDDC aims to deliver sustainable development through:
- Planning positively for housing growth
 - Managing environmental issues
 - Protecting and enhancing the historic environment
 - Planning for a strong vibrant economy
 - Promoting healthy communities
 - Protecting and enhancing the natural environment
- 3.4 Core planning principles of the NPPF are supported through the Coleford Neighbourhood Plan, including:
- Housing policies to enable delivery of a choice of high quality inclusive homes achieved through identified developable sites. High quality design is encouraged

through defined characteristics and specific design principles which accord with those of the local planning authority - Forest of Dean District Council.

- Consideration of flood mitigation measures which accords with the NPPF aims of addressing climate change and enhancing the natural environment through policies relating to open spaces.
- Emphasis on building a strong competitive economy and ensuring the vitality of the town centre through town centre improvements and enhancements which will stimulate economic regeneration.
- Conserving and enhancing the historic and natural environment reflect core planning principles in the NPPF regarding protecting and enhancing valued heritage landscapes and minimising impacts on biodiversity.
- Delivering the social, recreational provision and services the community needs by retaining and enhancing town centre, health care and community facilities.

3.5 The Coleford Neighbourhood Plan is genuinely community plan led and empowers local people to shape their surroundings during production and implementation. Stakeholders have approached the exercise creatively in order to enhance the area and its surroundings. The Coleford Neighbourhood Plan will be reviewed by Coleford Town Council at its Annual Parish Meeting in April/ May where a monitoring report will be presented. Major reviews will be conducted in 2021 and 2026 to ensure conformance with the FoDDC CS and the examined FoDDC AP and to take into account any changes or new policies arising from a new or equivalent Core Strategy/Local Plan in order to consider whether any changes in circumstances warrant redrafting.

4. **Be In General Conformity With the Strategic Policies of The Local Planning Authority's Local Plan**

4.1 Coleford lies within the administrative area of Forest of Dean District Council (FoDDC). The requirement of the basic conditions is that the Coleford Neighbourhood Plan is in general conformity with strategic policies in the current adopted Local Plan. Relevant policies in the case of FoDDC are those which still apply (have been saved) from the 2012 Core Strategy. With good practice, the Coleford Neighbourhood Plan has used information from the new evidence base prepared by Forest of Dean District Council.

4.2 Coleford Neighbourhood Plan's approach, vision and objectives (Coleford NDP p.10-11) recognises the Forest of Dean District Core Strategy.

'Coleford will develop better facilities in its centre, some additional housing and employment out of the centre will be built but the emphasis will be on the provision of services and the town's role as a service centre for residents and tourists. Increased retail provision and other services will benefit the locality without detriment to the district or

its other towns. The strategy is to support the town and to increase its range of employment, including tourism enterprises and to widen its service base. This will be achieved both by a widening of the range of opportunities on offer and by developing new housing and services.’ (Forest of Dean Core Strategy adopted 2012 page 81)

- 4.3 The **emerging Allocations Plan** (AP) shows how the proposals in the Core Strategy will be implemented. The final Allocations Plan will address the scale and sites for housing, employment, shopping and other built development but also areas that need to be protected including the green spaces within settlements and sites of ecological and historical importance. The Forest of Dean District Council submitted the Allocations Plan Submission Draft August 2015 and associated documentation to the Secretary of State on 28th August 2015, for independent examination by a Planning Inspector. Following the additional hearings into the Further Changes the Council have proposed Main Modifications to the Allocations Plan. The Planning Inspector responded, and FoDDC’s modifications, including increasing the housing number for the Coleford Settlement area to 1,055 (from 650 in the CS), have been submitted. As of October 2017, the AP with modifications is undergoing public consultation. The schedule of Main Modifications to the Allocations Plan Submission Draft August 2015 was approved by Full Council on the 19 October 2017 and The Main Modifications were subject to a public consultation between 23 October 2017 and 18 December 2017. Once adopted, the AP will be another key document in the new Local Plan. The steering group has engaged in constructive discussion with Forest of Dean District Council at key stages during the process. (<http://www.fdean.gov.uk/residents/planning-building/planning-policy/local-plan-new/allocations-plan/>)
- 4.4 The Core Strategy defines the settlement of Coleford as ‘*Coleford NDP area plus the area of Berry Hill (which is within West Dean Parish and is in the NDP area for the Berry Hill, Christchurch and Edge End NDP)*. CS settlement policies to date state: ‘The Core Strategy will in Coleford:
- Provide for about 650 new dwellings over the period to 2026, on eligible sites (over 10 dwellings/ 0.3ha, a 40% share of affordable housing will be sought), whilst maximising the use of previously developed land (subject to AP modifications and adoption).
 - Enable 6.8ha of employment generation uses to be developed, including service provision and continue to support the development of tourism facilities or accommodation.
 - Support the continued redevelopment of the town centre including areas for mixed uses and further retailing (up to approximately 1200m² convenience and about 1300m² for comparison goods). (Policy CSP.14)
- 4.5 The Coleford Neighbourhood Plan demonstrates it is in conformity by directly referencing the Local Plan or deferring to it in the following policies:

FODDC Policies	Coleford Neighbourhood Plan Policies
CSP.1-Design and environmental protection	Policy CE3 Improved Connectivity Policy CC4 Surrounding Settlements Policy CHE1 Protecting and Enhancing Local Character Policy CHE2 Protecting Heritage Assets Policy CNE1 Protecting and Enhancing Local Landscape Character in Coleford and its Surrounding Settlements Policy CNE2 Green Ring Policy CNE3 Green Infrastructure Policy CITPA1 Transport and Movement Policy CITPA2 Through Routes and Gateways Policy CITPA3 Local Infrastructure for Health and Wellbeing
CSP.2-Climate Change Adaptation	Policy CITPA1 Transport and Movement Policy CITPA4 Flooding and Increased Capacity in Water Systems
CSP.4-Development at Settlements	Policy CTC1 Site Allocations in the Town Centre Policy CTC2 Site Allocations on the edge of the Town Centre Policy CE4 Development other than housing
CSP.5-Housing	Policy CTC1 Site Allocations in the Town Centre Policy CTC2 Site Allocations on the edge of the Town Centre Policy CH1 – Small housing development sites Policy CH2 – New housing development Policy CH3 Sites outside the Town Centre
CSP.7-Economy	Policy CTC3 Enhancing the Public Realm of Coleford Town Centre Policy CTC4 Supporting Town Centre Retail and Service Provision Policy CE1 Supporting Tourism Development Policy CE2 Protecting and Supporting the Development of Local Employment Outside the Town Centre Policy CC2 Shops and Services in the Arc of Settlements within Coleford Parish but Outside the Town Centre
CSP.8-Retention of community facilities	Policy CC1 Retaining and Enhancing Community Facilities
CSP.9-Recreational and amenity land	Policy CC3 Local Green Spaces

4.6 In keeping with the purpose of Neighbourhood Development Plans, policies in the Coleford Neighbourhood Plan add detail and considerations which are specific to the area. This approach can be seen in policies CTC1 to CTC5 which add detail regarding economic regeneration, commercial and retail development. CH2 and CH3 add detail to design policies and a mix of housing including affordable housing. There is also reference to distinctive character including specific views and key features to be considered for developments.

5. Compatibility with EU obligations

The Coleford Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community and stakeholders. It does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district levels.

6. Strategic Environmental Assessment and Habitats Regulation Assessment

Confirmation has been sought from the Local Planning Authority (Forest of Dean District Council) that the Coleford Neighbourhood Plan will not trigger the need for a full Strategic Environmental Assessment or Habitat Regulations Assessment.

Forest of Dean District Council screened the Coleford Neighbourhood Plan to determine whether or not a full HRA and SEA were required.

6.1 The HRA Assessment (completed February 2018), concluded that:

‘Following a consultation period in May-June 2017, appropriately, a number of changes were made to the plan. Further changes were also made in February 2018. This report reviews the updated plan and considers any changes to the HRA that may be required as a result. The submission draft plan (21st February 2018) contains 24 policies related to the Coleford parish area.

Following the incorporation of the revisions, identified in a previous assessment, it is considered that the plan (21st February 2018 Submission Draft), would not likely to have significant effects on a European designated nature conservation sites alone or in combination.

The HRA has been subject to consultation with Natural England, who raised no objection to the assessment’s conclusions (Appendix 4) in earlier versions and subsequent changes are not considered to have altered the plan substantially to an extent which would require re-consultation of Natural England.

The plan should be rescreened if any other influential revisions are made.’

6.2 The SEA Assessment (completed February 2018), concluded that:

‘The assessment considers the Coleford Neighbourhood Development Plan for the period up to 2026 (C-NDP) and is a plan to which the Environmental Assessment of Plans and Programmes Regulations 2004 applies.

Following the assessment (tables 1 -3) the Forest of District Council has concluded that the C-NDP, will not result in significant environmental effects.

Therefore an Environmental Assessment is currently not required for the C-NDP’