

**ERCALL MAGNA NEIGHBOURHOOD DEVELOPMENT  
PLAN 2017 – 2031**

**REGULATION 15 BASIC CONDITIONS STATEMENT**

**OCTOBER 2021**

# **BASIC CONDITIONS STATEMENT FOR THE ERCALL MAGNA NEIGHBOURHOOD DEVELOPMENT PLAN AS REQUIRED AT REGULATION 15**

## **1.0 INTRODUCTION**

1.1 This Basic Conditions Statement has been produced to explain how the Ercall Magna Neighbourhood Development Plan (NDP) and also referred to in this document as the Plan, has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2015 and how the Basic Conditions of neighbourhood planning and other considerations as prescribed by paragraph 8(2) of schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.

1.2 The Statement addresses each of the Basic Conditions required by the Regulations and explains how the submitted NDP meets the requirements of paragraph 8(2) of schedule 4B to the 1990 Town and Country Planning Act.

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

- the Neighbourhood Plan has regard to national policies and advice issued by the Secretary of State it is appropriate to make the Neighbourhood Plan;
- 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); and
- the making of the Neighbourhood Plan does not breach and is otherwise compatible with EU obligations.

## **Supporting Documents and Evidence**

1.4 The Neighbourhood Plan is supported by this Basic Conditions Statement, an Evidence Review document, a Strategic Environmental Assessment Screening Statement, a Habitat Regulation Screening Statement and an application for the designation of the NDP boundary.

1.5 The Evidence Review, Consultation and Early Engagement document that sets out the evidence gathered and the supporting documents in detail was published in November 2018. It can be viewed on the Parish Council's website. This Basic Conditions Statement sets out the justification for each policy in the NDP, the relevant strategic policies, strategic objectives and each of the relevant policies in the adopted Telford & Wrekin Local Plan 2011-2031 are identified to confirm conformity.

## **Key Statements**

1.6 Ercall Magna Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own administrative area.

1.7 The Neighbourhood Plan includes the whole of the administrative area of Ercall Magna Parish Council, the boundaries being the same as shown on the map accompanying the Neighbourhood Area designation application.

1.8 The Ercall Magna Neighbourhood Development Plan covers the period 2017 to 2031 in conformity with the Telford & Wrekin Local Plan 2011 - 2031. There is no provision to exclude development such as national infrastructure contained within the NDP.

1.9 The Plan does not relate to more than one Neighbourhood Area. It is solely related to the administrative area of Ercall Magna Parish Council as designated by Telford & Wrekin Council on 15<sup>th</sup> June 2017.

## **2.0 CONFORMITY WITH NATIONAL PLANNING POLICY**

2.1 The National Planning Policy Framework (NPPF) refers to neighbourhood plans and seeks that those plans have regard to the policies in the NPPF and to be in general conformity with the strategic policies of the local plan. This phrasing is explained more clearly by the Localism Act that refers to the ‘adopted development plan’.

2.2 This section demonstrates that the NDP has regard to the relevant policies within the NPPF in relation to:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong and competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Supporting high quality communications
- Making effective use of land
- Achieving well-designed places
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals.

2.3 The Ercall Magna Neighbourhood Development Plan has number of policy objectives that form the basis for the planning policies set out in the Plan. The objectives focus on:

- Housing
- Economy and jobs

- Environment and green spaces
- Transport and roads
- Recreation and play facilities
- Community facilities
- Local renewable energy
- Traffic, road safety, walking and cycling
- Implementation of the Plan.

2.4 Table 1 below summarises the NDP objectives and which NPPF policy area each objective seeks to address.

**Table 1. Neighbourhood Plan Objectives and NPPF Policy Areas**

<b>Ercall Magna NDP Objective</b>	<b>NPPF Policy Area</b>
Housing – scale, mix, tenure, quality, location, type and exemptions.	Achieving sustainable development. Delivering a sufficient supply of homes. Achieving well designed places. Making effective use of land. Conserving and enhancing the historic environment.
Environment - protecting and enhancing open spaces and providing new green spaces within new development.	Promoting healthy and safe communities, achieving well-designed places and conserving and enhancing the natural environment. Achieving sustainable development.
Economy and Jobs – provision of a range of local jobs and retention of existing employment land.	Building a strong competitive economy. Making effective use of land. Achieving sustainable development. Ensuring the vitality of town centres
Pedestrian’s traffic and transport – supporting public transport, road safety, walking, cycling and creating safe, convenient and accessible travel routes and links. Protecting off-street parking.	Promoting sustainable transport and promoting healthy and safe communities. Achieving sustainable development.
Community Wellbeing – protecting existing facilities and supporting the provision of new facilities.	Promoting safe and healthy communities. Achieving sustainable development.
Long-term Sustainability – support for energy efficiency in new buildings and support for local renewable energy projects.	Meeting the challenge of climate change, flooding and coastal change. Achieving sustainable development.
Conservation and Heritage – support for protecting the Conservation Area and listed buildings.	Achieving well-designed places. Conserving and enhancing the historic environment. Achieving sustainable development.
Tourism – provision of small scale tourism and leisure development.	Building a strong competitive economy. Ensuring the vitality of town centres.

	Conserving and enhancing the historic environment.
Implementation of the Plan.	Plan-making.

2.5 Table 2. Below provides a summary of how each policy in the Ercall Magna NDP conforms to the NPPF.

**Table 2. Assessment of how each Ercall Magna NDP Policy conforms to the NPPF.**

<b>Policy No.</b>	<b>Policy</b>	<b>NPPF</b>	<b>Comment</b>
H1, H2, H3, H4, H5, H6, H7	Housing	Delivering a sufficient supply of homes and well-designed places and achieving sustainable development. Making effective use of land. Conserving and enhancing the historic environment.	Policies support new housing development and high quality place led design that avoids flood risks, protecting the High Ercall Conservation Area and areas outside High Ercall. Provision of sheltered housing in suitable locations.
B1, B2	Economy and Jobs	Building a strong, competitive economy and achieving sustainable development. Ensuring the vitality of town centres	Supporting new industrial, business and commercial development and protecting existing employment land and premises.
EG1, EG2, EG3, EG4, EG5, EG6	Environment	Conserving and enhancing the natural environment. Promoting healthy and safe communities, achieving well-designed places. Achieving sustainable development.	Protecting public open spaces and the countryside. Supporting access to public open spaces. Protecting the natural environment whilst providing further green spaces.
TL1, TL2	Tourism and Leisure	Building a strong, competitive economy, achieving sustainable	Supporting small-scale development in appropriate and accessible locations, improving the quality

		development and conserving and enhancing the historic environment. Ensuring the vitality of town centres.	and diversity of tourism infrastructure.
TR1, TR2, TR3	Pedestrians, Traffic and Transport	Promoting sustainable transport and healthy and safe communities. Achieving sustainable development.	Enhancing/improving public rights of way, cycle links and pedestrian routes. Protecting off-street parking. Supporting traffic calming in residential areas.
CH1, CH2, CH3, CH4	Conservation and Heritage	Conserving and enhancing the historic environment Achieving well-designed places Achieving sustainable development.	Preservation of Ercall Magna and the High Ercall Conservation Area.
CF1, CF2	Community Wellbeing	Promoting healthy and safe communities. Achieving sustainable development.	Protecting existing facilities and supporting the provision of new facilities.
LRE1	Renewable Energy and Climate Change	Meeting the challenge of climate change, flooding and coastal change. Achieving Sustainable Development.	Support for energy efficiency in new buildings and support for local renewable energy projects.

### **3.0 MAKING A CONTRIBUTION TO ACHIEVING SUSTAINABLE DEVELOPMENT**

3.1 The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are:

- An economic objective
- A social objective
- An environmental objective

Table 3 below summarises how the Ercall Magna Plan contributes towards these objectives.

**Table 3. Assessment of the contribution of the Ercall Magna NDP towards the achievement of sustainable development.**

<b>Delivering the Economic Objective</b>
<p>NDP Policies:            B1 and B2 – supporting new employment and investment and protecting existing employment land and premises.            LRE1 – supporting energy efficient development and innovation in local renewable energy projects.            TL1, TL2 – improving the quality and diversity of new or existing tourism and reusing existing buildings for tourism benefits.</p>
<p>Comments: The Plan supports the provision of new local jobs, local investment and innovation in business and local energy initiatives. The Plan supports the existing local centres whilst also promoting tourism in the neighbourhood.</p>
<b>Delivering the Social Objective</b>
<p>NDP Policies:            H1, H2, H3, H4, H5, H6, H7 – supporting the provision of new housing to meet local needs and supporting high quality place-led design in new housing.            CF1 and CF2 – protecting existing community facilities and supporting the provision of new community facilities.            EG1, EG2, EG3, EG4, EG5, EG6 – protecting public open spaces and supporting the provision of accessible green open spaces.            TR1, TR2, TR3 – enhancing and improving public rights of way, improving road safety and capacity of parking for development.</p>
<p>Comments: The Plan seeks to maintain a thriving community with the provision of new housing to meet local needs with a range of community facilities and local services, supporting a range of local employment opportunities, protecting green and recreational spaces and supporting cycling and walking routes.</p>
<b>Delivering the Environmental Objective</b>
<p>NDP Policies:            H1, H2, H3, H4, H5, H6, H7 – supporting high quality new housing in the right place at the right time to meet local needs.            EG1, EG2, EG3, EG4, EG5, EG6 – protecting green open spaces and biodiversity and supporting the provision of accessible green open spaces            LRE1 – supporting energy efficient development and local renewable energy projects to help to address the challenge of climate change.            CH1, CH2, CH3 – preservation of Ercall Magna and the High Ercall Conservation Area.</p>
<p>Comments: The Plan recognises the value of local green spaces, the protection of local biodiversity and the value of environmental assets for local health and wellbeing. The Plan places emphasis on providing accessible pedestrian and cycle routes and supports the use of public transport as an alternative to private vehicles. The Plan also looks to preserve and enhance the historic environment in Ercall</p>

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3.2 The table above demonstrates the NDP provides a balance of economic, social and environmental policies that conform to the requirements of the NPPF. A Strategic Environmental Assessment was not required because the Plan is not likely to have a significant impact on the environment and was therefore screened out.

#### **4.0 GENERAL CONFORMITY WITH THE POLICIES OF THE LOCAL DEVELOPMENT PLAN**

4.1 It is a requirement of the Basic Conditions that the Neighbourhood Development Plan must be in general conformity with the strategic policies in any Development Plan that covers their area. The adopted Development Plan for the Ercall Magna Neighbourhood area is the Telford & Wrekin Local Plan 2011 – 2031 and the NDP has been prepared in conformity with the Local Plan. Any Local Plan policies that are not listed in the table below are not considered relevant to the NDP because the Ercall Magna Plan does not have any policies that directly relate to them.

**Table 4. Conformity of the Ercall Magna Neighbourhood Development Plan with the Telford & Wrekin Local Plan 2011 – 2031.**

<b>Telford &amp; Wrekin Local Plan Policy</b>	<b>Ercall Magna NDP Policy</b>
SP4 Presumption in Favour of Sustainable Development.	H1, H2, H3, H4, H5, H6, H7 Housing. B1, B2 Economy and Jobs. EG1, EG2, EG3, EG4, EG5, EG6 Environment and Green Spaces. TL1, TL2 Tourism and Leisure TR1, TR2, TR3 Pedestrians, Traffic and Transport CH1, CH2, CH3, CH4 Conservation and Heritage CF1, CF2, Community Facilities. LRE1, Renewable Energy and Climate Change.
EC2 Employment in the Urban Area.	B1, B2, Economy and Jobs.
EC12 Leisure, cultural and tourism development	TL1, TL2 Tourism and Leisure
HO1 Housing Requirement. HO2 Housing Allocation.	H1, H2, H3, H4, H5, H6, H7 Housing.
NE1, Biodiversity. NE2, Trees, Hedgerows and Woodlands. NE3 Existing Public Open Space. NE4 Provision of Public Open Space. NE5 Management and Maintenance of Public Open Space. NE6 Green Network. NE7 Strategic Landscapes.	EG1, EG2, EG3, EG4, EG5, EG6 Environment and Green Space
COM1, Community Facilities.	CF1, CF2, Community Wellbeing
C1, Promoting Alternatives to the Car.	H2, H2, H3, H4, H5, H6, H7 Housing.

C3, Impact of Development on Highways. C4, Design of Roads and Streets. C5, Design of Parking.	TR1, TR2, TR3 Pedestrians, Traffic and Transport. B1, B2, Economy and Jobs.
BE1, Design Criteria.	H1, H2, H3, H4, H5, H6, H7 Housing. CH1, CH2, CH3 Conservation and Heritage
BE4 Listed Buildings BE5 Conservation Areas BE6 Buildings of Local Interest	CH1, CH2, CH3, CH4 Conservation and Heritage
ER1, Renewable Energy.	LRE1, Renewable Energy and Climate Change.
ER12, Flood Risk Management.	H1, H2, H3, H4, H5, H6, H7 Housing. B1, B2, Economy and Jobs.

4.2 In Respect of Local Plan Policy SP4 Presumption in Favour of Sustainable Development the Ercall Magna Plan supports the Local Plan and conforms to the Local Plan Policies for:

- Local Centres
- Biodiversity and the Natural Environment
- Green and Public Open Spaces
- Community Facilities
- Transport and Roads
- Promoting Alternatives to the Car
- Building Design
- Nature Conservation
- Historic Buildings and Conservation
- Renewable Energy
- Flood Risk Management
- The Challenge of Climate Change
- Tourism and Leisure

In respect of all the other Local Plan Policies listed in the first column the NDP Policies in the adjacent column confirm conformity to the Local Plan. It can also be concluded from this assessment that the Policies contained in the Ercall Magna NDP make a contribution to the achievement of sustainable development as required in order to meet the Basic Conditions.

**5.0 THE ERCALL MAGNA NEIGHBOURHOOD DEVELOPMENT PLAN DOES NOT BREACH AND IS COMPATIBLE WITH EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS**

5.1 The Ercall Magna NDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

5.2 In addition to this Basic Conditions statement the Parish Council has prepared a Consultation Statement, a Strategic Environmental Assessment (SEA) Screening Statement and a Habitat Regulations Assessment (HRA) Screening Statement. All of these documents have been published together with the Regulation 15 Submission Plan and may be viewed at the Parish Council's website and the Telford & Wrekin Council website.

5.3 Based on the Screening Statements the Parish Council considers that the Plan does not require a Strategic Environmental Assessment under the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations 2010 (as amended). This is because there will be no significant environmental effects arising from the implementation of the Plan and the Plan is therefore screened-out of the SEA process. The Plan has been similarly screened under the Habitat Regulation Assessment process and the Parish Council considers that none of the Policies proposed within the Plan have the potential to have a likely significant effect on a European Site. The Plan can therefore be screened-out of the HRA process and an "Appropriate Assessment" is not required.

5.4 Therefore in accordance with Regulation 9 of the Strategic Environmental Appraisal Regulations 2004 the Parish Council as the responsible body has determined that an Environmental Assessment (SEA) of the Ercall Magna Neighbourhood Development Plan is not required as it is unlikely to have significant environmental effects.

## **6.0 CONCLUSION**

6.1 The Basic Conditions as set out in schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the Ercall Magna Neighbourhood Development Plan and all the Policies therein. The Parish Council therefore considers that the Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.