

CUMNOR PARISH NEIGHBOURHOOD PLAN  
2019 - 2031

SEPTEMBER 2020

BASIC CONDITIONS STATEMENT

Published by Cumnor Parish Council under the Neighbourhood Planning (General) Regulations 2012  
(as amended)

## 1.INTRODUCTION

1.1 This statement has been prepared by Cumnor Parish Council ("the Parish Council") to accompany its submission of the Cumnor Parish Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, The Vale of White Horse District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

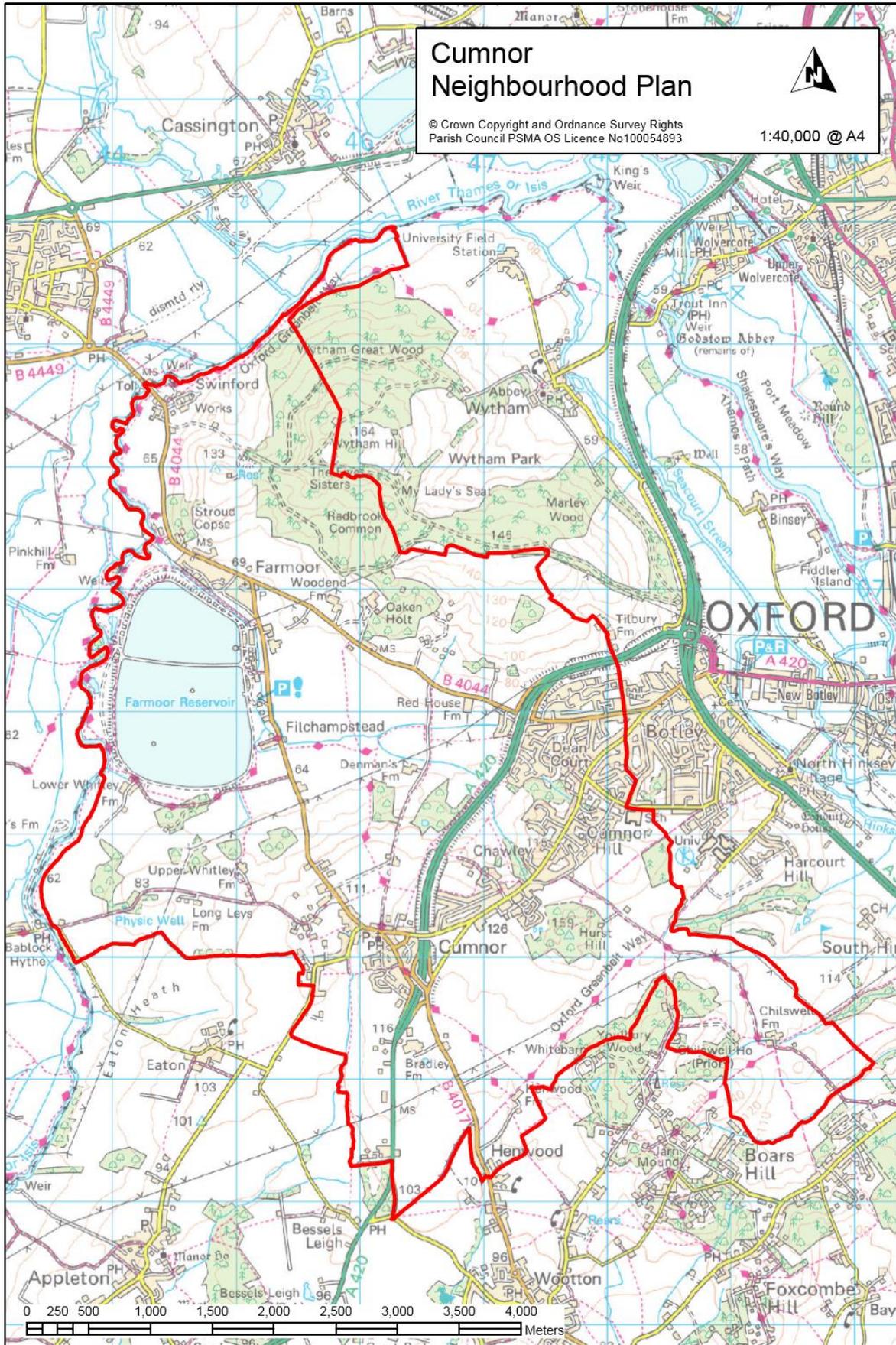
1.2 The Neighbourhood Plan has been prepared by the Parish Council, the 'Qualifying Body', for the Neighbourhood Area ("the Area"), which coincides with the boundary of the Parish of Cumnor shown on Plan A below. The District Council designated the Area in January 2017.

1.3 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 between 2019 – 2031, which corresponds with the end of the plan period of the Vale of White Horse Local Plan Part 1 and Part 2. The District Council has recently committed to undertaking the preparation of a new Local Plan looking to 2041 and this is currently in its very early stages.

1.4 The statement addresses each of the 'Basic Conditions' 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.

1.5 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,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood 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),
- f) The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.



Plan A: Cumnor Parish Designated Neighbourhood Area

1.6 The responsibility for determining a Neighbourhood Plan rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) and endorsed by the Courts on a number of occasions since, makes clear that:

*“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.”* (our emphasis)

1.7 The case acknowledged that there will often be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. It sensibly concluded that such tensions can only be resolved by the qualifying body using its planning judgement to strike an appropriate balance across the plan as a whole. The examination tests the extent to which the qualifying body has exercised its judgement in a reasonable way.

1.8 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range national policies influencing plan making, and that those policies may also be in tension. It is therefore expected that the examination of this Condition will take the same approach as Condition (e).

1.9 For these reasons, sections 3 and 5 of this Basic Conditions Statement highlight which policies of the Neighbourhood Plan are considered to meet Conditions (a) and/or (e) and, if any, those that do not. Where they do not, the Statement explains how the qualifying body has reached a view in those cases “where different parts of national policy need to be balanced” (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).

## **2.BACKGROUND**

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in April 2016. The key driver of this decision was a desire to plan positively for the future of the Parish, reflecting the encouragement of the District Council to local communities to prepare Neighbourhood Plans.

2.2 A Steering Group was formed comprising the residents and Parish Council representatives. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. In addition, as the qualifying body, the Parish Council approved the publication of the Pre-Submission plan in December 2019 and the Submission Plan now.

2.3 The Parish Council has consulted local communities extensively over the duration of the project. It has also worked closely with officers of the District Council 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 Local Plan. The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains twenty land use policies, which are defined on the Policies Maps which show where they apply, including their application to a specific part of the Area (see 3.2 below). The Plan has deliberately avoided containing policies that duplicate adopted development plan policies or national policies that are already used to determine planning applications. The policies are therefore a combination of development management matters that seek to refine and/or update existing policies to secure their specific application to this Parish.

2.5 The Steering Group debated if the Neighbourhood Plan should make housing site allocations. The Local Plan Part 2 made no allocations in Cumnor Parish and its spatial strategy essentially restricts any further development to meeting local needs and to support employment, services and facilities within the community. The focus of the Plan has therefore been to ensure the quality of new development is of a high standard.

### **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) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. 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

3.2 The Parish Council 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).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities 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 strategic policies for the area (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §65/§66) are therefore not relevant to this Neighbourhood Plan. The Plan is underpinned by extensive, 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

3.4 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**

No.	Policy Title	NPPF Ref.	Commentary
LGS1	Local Green Spaces	99-101	The policy designates a number of Local Green Spaces that the community have identified as being of particular importance to them. It is consistent with the local planning of sustainable development and complements investment in sufficient homes, jobs and other essential services, as none of the spaces has been earmarked for development (§99). In each case, the green space is in reasonably close proximity to the community it serves; is demonstrably special to the local community and holds a particular local significance and is local in character and not an extensive tract of land (§100). The policy wording is consistent with those for Green Belts (§101).
QA1	Quiet Areas	170, 180	The policy identifies and protects tranquil areas that are prized for their recreational and amenity value for this reason (§180). These areas are proposed as Local Green Spaces which also meet the definition of a Quiet Area in line with the procedure for designating Quiet Areas in Defra's Noise Action Plan for Agglomerations. In the event that the Local Planning Authority is successful in securing this status the policy seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution (§170e).
DBC1	General Design Principles in the Parish	125-127, 140, 185, 197	Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development (§125). These policies seek to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, by setting out some of the key design principles that should guide development proposals. It requires applicants to show that they have understood the site context and have chosen those principles that are most relevant to ensure a successful scheme design that establish or maintain a strong sense of place (§127). This allows for innovative,
DBC2	Cumnor Conservation Area		
DBC3	Design in the Low-Density Areas		
DBC4	Development in the Green Belt		
DBC5	Lower Cumnor Hill/Third Acre Rise Area of Special Local Character		
DBC6	Conserving and Enhancing Local Heritage Assets		

			modern design solutions. The policies bring clarity about design expectations (§126) and also identify the important features that will enable the preserving and enhancing of the open character of the areas within the Green Belt (§140), the Cumnor Conservation Area and its setting, the low density areas, the Lower Cumnor Hill/Third Acre Rise Area of Special Local Character (Policy DBC5), and Local Heritage Assets (§185) identified in Policy DBC6. Policies DBC5 and DBC6 have been specifically designed to ensure the provisions of §197 are triggered, by identifying those non-designated heritage assets.
DBC7	Important Views	125, 170	Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The policy identifies thirty-one Important Local Views that form part of these special qualities but is not prescriptive about design solutions (§125). As shown in the Character Assessment there are some demonstrable physical attributes within the surrounding landscape that are special in recognising the intrinsic character and beauty of the countryside (§170). The policy therefore requires development proposals to avoid unnecessary harm by way of their height, massing or obtrusive location.
RNE1	Green Infrastructure	149, 170	The policy contributes to and enhances the natural and local environment by minimising impacts on, and providing net gains for, biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (§170). Green Infrastructure is also a local contribution to ensure the future resilience of the local communities to climate change impacts by providing space for physical protection measures (§149).
RNE2	Flood Risk	149, 158, 163	The policy takes a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, by identifying those areas most at risk (§149) and steering new development to areas with the lowest risk of flooding (§158). The policy also seeks to ensure that flood risk is not increased elsewhere (§163) as ground water and surface water run-off are major issues for

			parts of the parish. Its provisions provide a Cumnor-specific context to this important matter which has already had adverse impacts in the Parish.
RES1	Residential Mix and Standards	61	The policy seeks to influence housing mix for housing developments to deliver a wide choice of homes that reflects local demand to create a demographically balanced community (§61).
RES2	Care Homes and Residential Institutions	125-127	Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development (§125). The policies bring clarity about design expectations (§126) for developments of Care Homes and Residential Institutions to ensure that these types of developments are sympathetic to local character and history, including the surrounding built environment and landscape setting. It does not prevent or discourage appropriate innovation or change, but encourages scheme design that establishes or maintains a strong sense of place (§127).
EBC1	Community, Sports & Recreation Facilities	92	The policies identify those especially important social, recreational and cultural facilities and services the community needs, including Farmoor Reservoir and the River Environment to enhance the sustainability of the local communities. It is intended to guard against the unnecessary loss of valued facilities and services, whilst ensuring that they are able to develop and modernise (§92).
EBC2	Farmoor Reservoir		
EBC3	River Environment and Access		
T11	Sustainable Transport	103, 149	The policy seeks a local contribution to ensure the future resilience of the local communities to climate change impacts through a number of sustainable transport measures (§149). The policy also seeks to ensure that new development generating traffic, situated in parts of the Parish that suffer from the highest level of congestion, has regard to mitigation in relation to the effect of the development on these locations and routes (§103).

T12	Cycle Routes	34, 91, 104	The policy aims to contribute to achieving healthy, inclusive and safe places, by safeguarding land which will enable and support healthy lifestyles that encourage walking and cycling (§91). It identifies and protects this route, as the evidence base shows it is critical in development infrastructure that will widen transport choice and provide high quality walking and cycling networks (§104). Although it is likely that only small infill schemes will come forward in the Parish, there may still be opportunities for those proposals to contribute to the goal of delivering this piece of infrastructure, depending on their location (§34).
T13	Footpaths and Bridleways	91, 104	The policy aims to contribute to achieving healthy, inclusive and safe places which do not undermine the quality of life or community cohesion through the provision of safe and accessible footpaths and bridleways (§91). It identifies and protects its public right of ways to widen transport choice and provide high quality walking and cycling networks (§104).
T14	Digital Connectivity	112	The policy supports the expansion of electronic communications networks by ensuring the new development incorporates high speed connectivity or other networks (§112).

Table A: Neighbourhood Plan & NPPF Conformity Summary

3.5 It is considered that all 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 Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

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

4.1 A draft version of the Neighbourhood Plan was submitted to the District Council to inform its 'screening opinion' on the need for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004. A final screening opinion ('Determination') was issued in October 2019 by the District Council, following a consultation period with the statutory bodies, as per those Regulations. The Determination Statement concludes that a SEA is not required (see Section 6 below for further details).

4.2 There is no legal requirement for Neighbourhood Plans to have a sustainability appraisal, however the 'basic conditions' require a qualifying body to demonstrate how its plan will contribute to the achievement of sustainable development in a systematic way. 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 significantly positive (++) , minor positive (+) , neutral (0) , minor adverse (-) or significant adverse (--) effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
LGS1	Local Green Spaces	++	0	+	These spaces are protected from harmful development primarily for their recreational value for the local community and some (Quiet Areas) for their degree of tranquillity. However, some also have environmental value as part of the wider green infrastructure network of biodiversity assets. There are no adverse social or economic effects as there remain opportunities for development to come forward in line with strategic policy.
QA1	Quiet Areas	++	0	+	
DBC1	General Design Principles in the Parish	+	0	+	

DBC2	Cumnor Conservation Area	+	0	+	Cumnor Conservation Area and its setting, and encourage the protection of a wide range of local heritage assets from unnecessary or unjustified loss. It should also lead to social benefits where development reflects those design matters which have been highlighted as important to the community is included in the design process, which ought to lead to better development outcomes which maintain local community identity.
DBC3	Design in the Low-Density Areas	+	0	+	
DBC4	Development in the Green Belt	+	0	+	
DB5	Lower Cumnor Hill/Third Acre Rise Area of Special Local Character	+	0	+	
DBC6	Conserving and Enhancing Local Heritage Assets	+	0	+	
DBC7	Important Views	+	0	0	
RNE1	Green Infrastructure	++	0	++	The assets identified are multi-functional in their recreational, ecological and climate change roles. There are no adverse social or economic effects as there remain opportunities for development to come forward in line with strategic policy.
RNE2	Flood Risk	0	0	+	Development considering Cumnor's vulnerabilities to flood risk ought to lead to better environmental outcomes.
RES1	Residential Mix and Standards	+	0	0	The policy will have a positive social effect by addressing a current imbalance in the range of housing types in the Parish, that may result in a more balanced demographic profile for the Parish in the longer term.
RES2	Care Homes and Residential Institutions	+	0	+	The policy will have a positive environmental effect in helping to ensure that the future standards of design reflect the characteristics of the Parish. It should also lead to social benefits, where development reflecting those design matters which have been highlighted as important to the community are included in the design process, which ought to lead to better development outcomes.
EBC1	Community, Sports & Recreation Facilities	++	+	+	Encouraging the use and improvement of the local community facilities will have both community and economic benefits as some are commercially

EBC2	Farmoor Reservoir	++	+	+	operated. There will also be an environmental benefit if local people can continue to use these facilities rather than have to travel outside the Parish if a facility closes.
EBC3	River Environment and Access	++	+	+	
TI1	Sustainable Transport	+	0	+	These policies will have a positive social effect in seeking to reduce the impact of traffic and encourage the use of sustainable transport. In doing so it will reduce congestion so having a positive environmental effect.
TI2	Cycle Routes	+	0	+	
TI3	Footpaths and Bridleways	+	0	+	
TI4	Digital Connectivity	+	+	0	By enabling and supporting access to high quality and reliable communications infrastructure the policy ought to lead to economic growth and social well-being.

## **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 development plan for the District, that is the Vale of White Horse Local Plan Part 1 and Part 2, which the District Council considers to be of a strategic nature (as per Planning Practice Guidance (§41-076)).

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, i.e. the Local Plan 2041. However, it is noted that the evidence base for emerging Development Plan Documents is important in informing the Neighbourhood Plan, and conformity with emerging policies is crucial for the long-term success of the Neighbourhood Plan, given that in the event of any future conflict the most recent policy will take precedence. At this stage however, it is too early to anticipate any such policies, and the Parish Council has committed to a review of the Neighbourhood Plan as necessary, having regard to changes to national policy and guidance, local policy or other factors.

5.2 The Local Plan Part 1 and 2 define Cumnor as a 'larger village' inset from the Green Belt in the settlement hierarchy of the District and does not propose to amend the Green Belt boundary to release land for development. The Neighbourhood Plan has sought to fit its policies within the vision, objectives and grain of the Local Plan Part 1 and 2 in a complementary way.

5.4 An assessment of the general conformity of each policy is contained in Table C below:

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

No.	Policy Title & Refs	Commentary
LGS1	Local Green Spaces	<p>Vale of White Horse Local Plan Part 1 Core Policies: 45</p> <p>Core Policy 45 requires new development proposals to demonstrate how green infrastructure assets, which would include Local Green Spaces, are retained and enhanced. However references to Local Green Spaces remain absent.</p>
QA1	Quiet Areas	<p>Vale of White Horse Local Plan Part 1 Core Policies: 44 Vale of White Horse Local Plan Part 2 Core Policies: 25</p> <p>The policy draws attention to specific areas which are valued for their tranquillity and seeks to protect them against intrusion from noise (44). It uses a new mechanism in doing so that is broadly in line with the overall purpose of Core Policy 25 which seeks to use the planning process to address the issue of noise pollution. However there are no references to Quiet Areas and the Noise Action Plan: Agglomerations (Urban Areas) Environmental Noise (England) Regulations 2006, which introduced a mechanism for designating Quiet Areas.</p>
DBC1	General Design Principles in the Parish	<p>Vale of White Horse Local Plan Part 1 Core Policies: 37, 39 Vale of White Horse Local Plan Part 2 Core Policies: 36, 37, 38</p>
DBC2	Cumnor Conservation Area	Vale of White Horse District Council Design Guide
DBC3	Design in the Low-Density Areas	<p>These policies seek to shape the appropriate design of new buildings to reflect the dominant characteristics of specific parts of the Parish and the heritage policies in respect of the Cumnor Conservation Area, the low-density area, the area of Special Local Character, and non-designated heritage assets. It therefore reflects the purpose of Core Policy 37 in encouraging proposals that reinforce local identity and supplement the provisions of the Vale of White Horse District Council Design Guide.</p>
DBC4	Development in the Green Belt	
DBC5	Lower Cumnor Hill/Third Acre Rise Area of Special Local Character	
DBC6	Conserving and Enhancing Local Heritage Assets	
DBC7	Important Views	<p>Vale of White Horse Local Plan Part 1 Core Policies: 44 Vale of White Horse Local Plan Part 2 Core Policies: 37</p> <p>The policy refines Core Policy 44 in defining important views to be protected from harmful</p>

		development and Core Policy 37 in respect of those views within, into or out of the Conservation Area.
RNE1	Green Infrastructure	Vale of White Horse Local Plan Part 1 Core Policies: 45, 46  The policy requires impacts on biodiversity to be considered and highlights sites of particular sensitivity consistent with the provisions of Core Policies 45 and 46, and a range of policies of the Vale of White Horse Local Plan Part 2 seeking to protect and enhance local biodiversity.
RNE2	Flood Risk	Vale of White Horse Local Plan Part 1 Core Policies: 42  The policy draws attention to locally significant flooding by highlighting areas at significant flood risk in the Parish of Cumnor. In practice, the policy wording shows how and where Local Plan policy should be implemented in the Parish of Cumnor.
RES1	Residential Mix and Standards	Vale of White Horse Local Plan Part 1 Core Policies: 22  §2.29 of the Vale of White Horse Local Plan Part 2 clarifies that Core Policy 22 provides sufficient flexibility to support a bespoke mix on Part 2 allocations should this become necessary. There is no reason to suggest that the principle should not extend to neighbourhood plans providing for development which may come forward. The policy does not exclude the provision of larger dwellings and therefore continues to seek a mix of dwelling types and sizes. The evidence shows that there is a lack of smaller dwellings in the parish and the policy seeks to secure their delivery at least in equal numbers, to try and address this imbalance.
RES2	Care Homes and Residential Institutions	Vale of White Horse Local Plan Part 1 Core Policies: 37 Vale of White Horse District Council Design Guide  The policy seeks to shape the appropriate design of Care Homes and Residential Institutions. It therefore reflects the purpose of Core Policy 37 in encouraging proposals that reinforces local identity and supplements the provisions of the Vale of White Horse District Council Design Guide.
EBC1	Community, Sports & Recreation Facilities	Vale of White Horse Local Plan Part 2 Core Policies: 34, 35
EBC2	Farmoor Reservoir	The policy identifies the leisure, sports and recreation facilities in the Parish and is consistent with these policies in their requirements of development proposals. It adds further provisions to protect
EBC3	River Environment and Access	

		and ensure longer term viability of these facilities.
T11	Sustainable Transport	Vale of White Horse Local Plan Part 1 Core Policies: 33, 35 Vale of White Horse Local Plan Part 2 Core Policies: 16, 17  The policy is consistent with the provisions of these adopted Local Plan Policies in respect of its encouragement of sustainable transport, and refines these to address specific concerns in the Parish.
T12	Cycle Routes	Vale of White Horse Local Plan Part 1 Core Policies: 33, 35 Vale of White Horse Local Plan Part 2 Core Policies: 16, 17  Although there is no specific provision for this piece of infrastructure in the Local Plans, the policy is consistent with the provisions of these adopted Local Plan Policies in respect of its encouragement of sustainable transport, and refines these to safeguard a piece of land for a new cycle path that will enable a modal shift to cycling.
T13	Footpaths and Bridleways	Vale of White Horse Local Plan Part 1 Core Policies: 33, 35 Vale of White Horse Local Plan Part 2 Core Policies: 16, 17  The policy is consistent with, and refines, these strategic policies to acknowledge the extent of existing walking, cycling and riding routes in the Parish and their popularity with the local community.
T14	Digital Connectivity	Vale of White Horse Local Plan Part 1 Core Policies: 36  The policy is consistent with the provisions of this adopted Local Plan Policy in respect of its requirements of appropriate infrastructure.

5.5 It is considered that all of the policies are in general conformity with the strategic policies of the adopted development plan, with no incidence of two or more strategic policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

## **6.CONDITION (F): COMPATABILITY WITH EU LEGISLATIONS**

6.1 The District Council provided a screening opinion in October 2019 that has determined that a Strategic Environmental Assessment, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004, is not required, following consultation with statutory bodies as per those Regulations. A copy of the final screening opinion is published separately.

6.2 As set out in Section 4, the Parish Council has met its obligations in relation to the EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.3 The Parish Council has also met its obligations in relation to the habitats provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Parish Council provided the District Council with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required, or to carry out the Appropriate Assessment if one was required.

6.4 The District Council's Habitats Regulations Screening Assessment concluded that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations), either alone or in combination with other plans or projects.

6.5 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in the 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.

6.6 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.

6.7 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 detract from, nor negate, the framework for measurement and improvement of air quality set in the Directive.