Wilmslow Neighbourhood Plan
Basic Conditions Statement

This Basic Conditions Statement has been prepared in support of the Wilmslow Neighbourhood plan (WNP) 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 relevant basic conditions for Neighbourhood Plans, as required by paragraph 8 of schedule 4B of the Town and Country Planning Act 1990 (as amended), are detailed below with reference made to the elements and documents by which any assessment can be made.

1. 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. In this case this includes that:

   a.) that the plan policy content relates to land use planning,
   b.) That the plans has been submitted by a qualifying body and is for an identified plan area
   c.) that the plan covers a stated period
   d.) that the plan has undertaken the correct procedures for consultation and engagement

2. Having regard to national policies and advice contained in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (NPPG);

3. The making of the Neighbourhood Plan contributes to the achievement of sustainable development as defined by the NPPF;

4. 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), which in this case is the Cheshire East Local Plan Strategy 2017 (CELPS);

5. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
The following table sets out the response to points 1 – 5 above with reference to other documents, where appropriate, which are either submitted alongside this neighbourhood plan or included in the appendix to this document.

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<tr>
<th>Basic Condition</th>
<th>Statement</th>
<th>Evidence / Reference</th>
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<tr>
<td>1a. The neighbourhood plan is related to the use and development of land and does not include or excluded development</td>
<td>The Wilmslow 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 manage development of a variety of types including residential development, employment development, and guidance for community, education, sports, and leisure facilities. In addition to these key types of development the plan also includes a number of overarching themes including those dealing with transport, design, heritage and environmental factors (natural and built). In addition to the above themes the plan also includes a specific section dealing with the Wilmslow Town Centre (identified as the Core to avoid confusion with other Local Plan policies) and includes a series of policies aimed at realising the role that the town centre can provide in serving the town and the surrounding rural hinterland. In addition to the policies, the plan also includes a number of aspirations which are not planning policies, but which also are related to the use and development of land within the town. However, in these cases, these set out an approach to working alongside others involved in the process to ensure that decisions take account of local aspirations and issues.</td>
<td>See submission draft Neighbourhood Plan</td>
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<td>1b. The Wilmslow Neighbourhood plan is being submitted by a qualifying body</td>
<td>The Wilmslow Neighbourhood plan is submitted by the Wilmslow Town Council (in the role of a Parish Council), which is a qualifying body as defined by the Localism Act 2011.</td>
<td>See submission draft Neighbourhood Plan</td>
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<td>1b (2). The Wilmslow Neighbourhood plan covers a designated Neighbourhood Area</td>
<td>The Wilmslow Neighbourhood Plan covers a neighbourhood area, as designated by Cheshire East Council [22.06.16]. The Neighbourhood plan area was designated in 2016 as being the extant Parish boundary.</td>
<td>See Appendix 1 – designation letter and boundary map</td>
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<td>1c. The Wilmslow Neighbourhood plan covers a stated plan period</td>
<td>The Wilmslow Neighbourhood plan covers a plan period from 2016 (and the designation of the Neighbourhood plan area) to 2030. This end date reflects end date the CELPS (2030), which in turn reflects the period of identified housing and employment need set for both Wilmslow and wider Cheshire East.</td>
<td>See submission draft plan and the Cheshire East Local Plan Strategy (2017)</td>
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</table>
| 1d. The Wilmslow Neighbourhood plan has undertaken the correct process of consultation and engagement | The Neighbourhood Plan has been subject to consultation and engagement in excess of the required six-weeks, pre-submission consultation required by the Neighbourhood Planning Regulations. Full details are provided within the accompanying Consultation Report, however may be summarised in four principle sections:  
  - Initial consultation on the issues with the community (Late 2016)  
  - Detailed consideration by local volunteers and community champions (Spring / Summer 2017)  
  - Consultation on draft emerging policy outlines (Autumn 2017)  
  - Consultation of a draft plan under the provisions of regulation 14 of the Neighbourhood Planning Regulations (Summer 2018)  
Overall it is considered that this element discharges the requirement and is significantly in excess of the requirements of the regulations and the basic condition. | See accompanying consultation report for further details |
2. The Wilmslow Neighbourhood plan is in conformity with guidance in national policy – the NPPF (2018)

In order to ensure that the Wilmslow Neighbourhood plan conforms to the National Planning Policy Framework (NPPF), an Assessment of Compliance has been undertaken. Appendix 2 demonstrates how the final proposed policies all link back to specific chapters and paragraphs within the NPPF (2018) 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.

Paragraph 11 of the NPPF sets out the requirements for plan making in order to ensure that they deliver the ‘presumption in favour of sustainable development’. The following paragraphs detail the Neighbourhoods plan response to these requirements in bold. Paragraph 11 states that:

a.) Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.

The plan recognises the allocations made by the CELPS for both residential and employment land all of which have been considered by an Inspector as being sound and meeting the required tests. Flexibility for residential land is provided by two areas of safeguarded land should they be required in a further plan period. As a result, the Local Plan address most of this requirement. However, a number of sites are identified in the town core which will also assist in adding flexibility to the overall supply.

In addition, the Neighbourhood Plan accepts that development inside of the settlement boundary will likely to be brought forward and seeks to promote the redevelopment of previously developed land (where this is appropriate) further adding to the

See Appendix 2
flexibility. Specific policies are included within the plan to both identify sites and ensure that this development is appropriate.

b.) Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless;

The Neighbourhood Plan is not a strategic policy document – that is the role of the CELPS – and as such it is not required for the plan to ensure the delivery of the objectively assessed need. However, the Neighbourhood Plan supports the strategic allocations which are considered to meet this need by the CELPS, and seeks to identify opportunities within the town core to further meet these needs.

i. The application of the policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan areas, or,

Whilst development within the settlement boundary is supported by this Neighbourhood Plan (subject to meeting the detailed policy requirements) the entire settlement is surrounded by the Green Belt and as such there is a strong restriction of development within these areas. With the strategic need met by the CELPS, and additional smaller urban sites identified within the Neighbourhood Plan, there is considered to not be any need to examine additional sites through this neighbourhood plan.

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

In this case, this criteria is irrelevant.
3. The Wilmslow Neighbourhood plan contributes to sustainable development as set out by the NPPF

The policies within Wilmslow’s Neighbourhood Plan promotes sustainable development, as set out in the NPPF (2018). The approach to sustainable development is clearly articulated within the Neighbourhood Plan as part of the preamble to the plan setting out how the goals of economic, social, and environmental policy has been integrated into the policy making. The first three policies of the Neighbourhood Plan (SP1 – 3) also seek to articulate the overarching direction for the delivery of sustainable development articulated in the preamble.

As demonstrated in the Assessment of Compliance table, the Wilmslow Neighbourhood Plan is compliant with the NPPF 2018, which has an overarching aim of promoting sustainable development in terms of economic, social, and environmental issues. The policies in the Wilmslow Neighbourhood Plan all help deliver one or more element of sustainable development.

Chapter 2 of the NPPF (Achieving Sustainable Development) states that achieving sustainable development means that the planning system has three overarching objectives, which are independent but need to be pursued in mutually supportive ways, with net gains across all objectives sought.

4. The Wilmslow Neighbourhood plan is in conformity with the strategic policies of for the area – in this case the Cheshire East Local Plan Strategy (2017)

In order to ensure that the Wilmslow Neighbourhood plan conforms to the Cheshire East Local Plan Strategy an Assessment of Compliance has been undertaken – see appendix 3. The CELPS sets out the strategic policies for the entire Borough.

**Note:** The development plan does include saved policies of the former Macclesfield Borough Local Plan (2004), however, those retained are not considered to be strategic otherwise they would have been replaced by the CELPS.

Furthermore, these policies are in the process of being completely replaced by the Site Allocations and Development Policies Document (SADPD). Consideration of these policies is sensible, but it should be noted that they
5. The Wilmslow Neighbourhood plan is in conformity with the appropriate EU regulations

Habitats Regulations:
It is not envisaged that any of the development that would be consented by the policy framework set by this Neighbourhood Plan 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. This was also considered as part of the SEA Screening undertaken on the plan by the LPA.

Environmental Impact:
The Wilmslow Neighbourhood Plan does allocate sites for development within the settlement boundary. However all of these sites are considered to be previously developed, and would be supported by Local Plan policies. As a result, it is considered that any minor impacts would be effectively controlled by the wording of these specific policies and wider strategic policies in the CELPS.

In addition the Neighbourhood Plan does identify types of development that might be considered acceptable within the Wilmslow settlement boundary and broad locations within the town centre where this could occur. In addition, and in accordance with chapter 11 of the NPPF, the plan is focused on making better use of previously developed land, making more effective use of the land within the settlement boundary. It is considered that policies within the plan, and the within the CELPS will ensure that any environmental impacts are mitigated.

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.

See submission draft neighbourhood plan
See comments in Environmental Statement with regard to the SEA Screening undertaken by CEC considering this plan.
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.

*Human rights:*

The plan has been positively prepared, based on significant and detailed community consultation, to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.
Appendix 1 – Designated Neighbourhood Area
Notice of Designation of Wilmslow Neighbourhood Area

Name of Designated Neighbourhood Area: Wilmslow Neighbourhood Area

Name of Relevant Body: Wilmslow Town Council

Consultation Period: 27.04.16 – 08.06.16

Decision:

Notice is hereby given that Cheshire East Borough Council, pursuant to a decision made on 22.06.16 by the Neighbourhood Planning Manager, has designated the neighbourhood area as applied for by Wilmslow Town Council, as the Wilmslow Neighbourhood Area pursuant to section 61G of the Town and Country Planning Act 1990. The boundary of the designated area is shown on the attached map.

Reasons for the decision:

- The application submitted is valid
- The application submitted is appropriate for the purposes of preparing a Neighbourhood Plan

Approved By:

Tom Evans, Neighbourhood Planning Manager on: 22.06.16

Designated Neighbourhood Area:

As required under The Neighbourhood Planning (General) Regulations 2012 Part 2 Regulation 7 (2), the decision document and a map of the designated area can be viewed at the following locations:

- Cheshire East Council’s neighbourhood planning web pages
- Wilmslow Town Council offices
- Cheshire East Council offices at Westfields, Middlewich Road, Sandbach

For further information please contact the Neighbourhood Planning Team on 01270 685893 or via email at neighbourhoods@cheshireeast.gov.uk
Appendix 2 – Assessment of Neighbourhood Plan policies against the relevant sections of the NPPF (2018)
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Appendix 3 – Assessment of Neighbourhood Plan policies against the relevant policies of the Cheshire East Local Plan Strategy (2017)
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| PG 4 | Green Gaps | PG 5 | Strategic Open | SD 1 | Sustainable Development | EG 3 | Existing Prosperity and Commerce | SC 3 | Health Recreation | SE 3 | Trees, SE 6 | SE 7 | SE 9 | SE 12 | Pollution, Jodrell Bank | CO 3 | Digital | CO 4 | Travel |