

# Basic Conditions Statement

Mavesyn Ridware Neighbourhood Development Plan

July 2024

## **Introduction**

This Basic Conditions Statement demonstrates how the Mavesyn Ridware Neighbourhood Development Plan ('Mavesyn Ridware Neighbourhood Plan') meets the basic conditions set out in paragraph 8 (2) of Schedule 4B to the *Town and Country Planning Act 1990* as applied to Neighbourhood Plans by section 38A of the *Planning and Compulsory Purchase Act 2004*.

The qualifying body (Mavesyn Ridware Parish Council) is required to produce this statement in line with regulation 15(1)(d) and regulation 22 (1)(e) of the *Neighbourhood Planning (General) Regulations 2012* (as amended).

## Legal Requirements

*This part of the Basic Conditions Statement confirms that in the view of Mavesyn Ridware Parish Council, the Mavesyn Ridware Neighbourhood Development Plan meets the legal requirements for a Neighbourhood Plan.*

### **The plan is being submitted by a qualifying body**

The Mavesyn Ridware Neighbourhood Plan (MRNP) is submitted by the qualifying body- Mavesyn Ridware Parish Council.

### **What is being proposed is a Neighbourhood Development Plan**

The MRNP relates 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.

### **The proposed Neighbourhood Development Plan states the period for which it is to have effect**

The MRNP specified the time period for which it is to have effect as 2024-2040.

### **The policies do not relate to excluded development**

The MRNP proposals do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure nor any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **The proposed Neighbourhood Development Plan does not relate to more than one neighbourhood area and there are no other Neighbourhood Development Plans in place within the neighbourhood area.**

The Plan proposals relate to the Mavesyn Ridware Parish Neighbourhood Area and to no other area. There are no other neighbourhood development plans relating to this neighbourhood area.

The Mavesyn Ridware Neighbourhood Area was designated on 16<sup>th</sup> December 2019, the Neighbourhood Area boundary is shown in **Appendix 1** to this statement and within the Neighbourhood Development Plan. The Neighbourhood Area follows the Mavesyn Ridware Parish boundary.

## Basic conditions

*This part of the Basic Conditions Statement confirms that in the view of Mavesyn Ridware Parish Council, the MRNP meets all of the basic conditions required for a Neighbourhood Development Plan.*

### Have appropriate regard to national policy

The National Planning Policy Framework 2023 (NPPF) sets out the planning Policies for England, together with the National Planning Practice Guidance (NPPG). The Submission Draft MRNP has been prepared having regard to the NPPF and NPPG.

The MRNP contains 12 policies. The table below provides a summary of how the policies have had regard to national policy and guidance. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

Table 1: Conformity with National Policies and Guidelines

Policy Reference	National Policies and Guidance References	
	Policy	Comments on conformity
MR01: Residential Development	NPPF: 71, 82, 83	The NPPF states that in rural areas planning policies and decisions should respond to local circumstances and support housing developments that reflect local needs. MRNP Policy MR01 accords with the NPPF by planning positively, supporting small and medium sites suitable for the housing in the Mavesyn Ridware area. These developments should be responsive to local circumstances, reflect local needs and maintain the vitality of rural communities.
MR02: Land East of Hill Ridware	NPPF: 71, 82,83, 88	MRNP Policy MR02 reflects the requirements of the NPPF as it identifies land for residential development and retail development which would be a suitable sized development for the area and would meet the housing requirements for the Parish, as outlined in the Mavesyn Ridware Housing Needs Assessment. Additionally, the delivery of housing is a national policy, and therefore the delivery of 33 new homes set out in MRNP Policy MR02 supports national goals.  The small retail development proposed (maximum 500 square meters) supports the rural economy through sustainable growth and expansion of business, advocated for in the NPPF.
MR03: Employment	NPPF: 88, 89	MRNP Policy MR03 reflects the requirements of the NPPF as it supports development to provide employment opportunities, particularly those that diversify the rural economy. However, any development should have regard to the character of the area and residential amenity.
MR04: Blithbury Redevelopment	NPPF: 7, 84, 96, 127	With the site located outside of existing settlements and in the open countryside, the site is not considered to be in a sustainable location and thus is considered not suitable under the context of national planning policy. The Mavesyn Ridware Strategic Environmental Assessment (SEA) considered that the only alternative would be to take a 'do nothing approach', leading to a continuation of national policy. However, considering that there is strong local support for the sustainable development of the site and that the planning consent has not been implemented, a 'do nothing' approach was not determined to be a reasonable alternative. Therefore, the redevelopment of the site is supported for residential institutions (Use Class C2) and education or other community facilities (Use Class F1), which are not traffic generating uses. Residential development (Use Class C3) will only be

		supported in exceptional circumstances to offset the unsustainable location, as required in the NPPF.
MR05: Sustainable Design	NPPF: 96, 100, 102, 132, 135, 163, 185  National design guidelines	Good design is a key aspect of sustainable development. The NPPF attaches great importance to achieving high quality, beautiful and sustainable buildings and places. MRNP policy MR05 requires new development to conserve and enhance local distinctiveness and sense of place. It includes policy criteria which reflect the qualities of the plan area. This includes safe, convenient and attractive developments which places green infrastructure at the heart of the design and layout. The policy supports developments that incorporate positive design and landscape features to reduce carbon use and support biodiversity. The policy has been informed by the Mavesyn Ridware Design Code.
MR06: Heritage and Character	NPPF: 135, 195, 196, 197, 206, 209	The NPPF requires plans to set out a positive strategy for the conservation and enjoyment of the historic environment. MRNP Policy MR06 has been informed by Lichfield District Council Conservation Area Appraisal and Landscape Character Assessment. The policy identifies key considerations that should be considered. It also highlights listed buildings and non-designated heritage assets.
MR07: Landscape and Nature	NPPF: 102, 105, 106, 180, 181	In accordance with the NPPF, MRNP policy MR07 sets out how development should have no significant adverse impacts on the historic and rural landscape and biodiversity of the parish. It provides an environmental constraints map to support the policy.
MR08: Local Green Space	NPPF: 102, 105, 106	The Local Green Space Report explains how the 8 sites which are proposed to be designated as local green space in policy MR08 meet the detailed requirements set out within the NPPF. The sites are close to the community, demonstrably special to the community, and support the local character.
MR09: Local Facilities	96, 97	The policy reflects the requirements of the NPPF as it identifies the facilities which have great importance to the local community and seeks to guard against their loss.
MR10: Local Energy Generation	NPPF: 158, 159, 160, 163, 164	Policy MR10 provides a positive strategy for renewable and low carbon energy development, as required by the NPPF. The policy highlights the key considerations against which community energy initiative proposals would be considered.
MR11: Movement and Active Travel	NPPF: 96, 104, 108, 110	The NPPF highlights that planning policies should provide for attractive and well-designed walking and cycling routes. Policy MR11 reflect this and defines criteria to be met, including supporting accessible and safe active travel by maximising pedestrian and cycle permeability and connectivity.
MR12: Burial Ground	Burial Act of 1855	In line with the Burial Act a site has been allocated as an additional burial ground. Development of the site or surrounding area that would compromise or prevent the use of the site as a burial ground will not be supported. The burial ground would need to demonstrate how site conditions and impacts have been considered and addressed, including drainage and ground conditions. This reflects risk of flooding.

### Contributes to the achievement of sustainable development

The NPPF defines the Government’s view of what sustainable development means in practice for the planning system in England. Paragraph 8 explains that there are three overarching objectives to sustainable development which are independent and need to be pursued in mutually supporting ways: economic, social and environmental.

This section of the report illustrates the alignment of objectives and policies of the MRNP with the three objectives of sustainable development.

The economic objective of the planning system is defined as:



*‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’*

Table 2 illustrates the alignment of the MRNP with the economic objectives of sustainable development.

Table 2: Economic alignment

Mavesyn Ridware Neighbourhood Plan Policy	Commentary
MR03: Employment	Policy MR03 supports new employment in Hill Ridware and the rural diversification of the economy throughout, providing there are no adverse effects on residential amenity. This approach will support the economic objectives of sustainable development.
MR09: Local Facilities	Policy MR09 requires high speed broadband infrastructure on site and within the curtilage of each dwelling, ensuring new communities are well connected and supporting remote working and entrepreneurship. This policy is likely to deliver long-term positive effects by supporting sustainable development through new employment opportunities.

The social objective of the planning system is defined as:

*‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural wellbeing.’*

Table 3 illustrates the alignment of the Mavesyn Ridware Neighbourhood Plan with the social objectives of sustainable development.

Table 3: Social alignment

Mavesyn Ridware Neighbourhood Plan Policy	Commentary
MR01: Residential Development	Policy MR01 identifies a mix of of housing types, sizes and tenures in residential development that should demonstrate regard for the latest evidence of housing need, including needs of an aging population. This meets the objective by ensuring a sufficient number and range of homes. Additionally, the policy requires housing to be flexible to meet differing and changing demands. This allows it to meet the needs of present and future generations.
MR02: Land East of Hill Ridware	Policy MR02 allocates for convenience retail floorspace in a highly accessible location off Ridware Road. This will provide existing and new residents in Hill Ridware and other settlements nearby access to a convenience store, reducing the need to travel further afield for essential groceries and associated service. This fulfils the economic, environmental and social aspects of sustainable development.



MR05: Sustainable Design	Policy MR05 seeks to promote safe, convenient and attractive environments for pedestrians. This helps to meet the social objective of sustainable development.
MR08: Local Green Space	Policy MR08 proactively seeks to protect and enhance the community offer, by protecting green spaces. This supports the delivery of both the social and environmental objectives.
MR09: Local Facilities	MR09 supports development, including protecting community facilities and green spaces. This supports the social element of sustainable development. The expansion of facilities within the parish will also reduce the need to travel, supporting the local economy. The policy therefore also supports the delivery of the environmental and economic objectives.
MR11: Movement and Active Travel	Policy MR11 promotes access to sustainable modes of transport, especially pedestrian and cycle connectivity. This objective supports both the social and environmental objectives of sustainable development.
MR12: Burial Ground	MRNP Policy MR12 allocates a site to extend the current burial grounds, which should help secure local provision for burial in the long term, meeting the social aspect of sustainable development.

The environment objective is:

*‘to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’*

Table 4 illustrates the alignment of the Mavesyn Ridware Neighbourhood Plan with the environmental objective of sustainable development.

Table 4: Environmental alignment

Mavesyn Ridware Neighbourhood Plan Policy	Commentary
MR02: Land East of Hill Ridware	MRNP Policy MR02 seeks to protect existing habitats by supporting the retention of existing landscape features including hedgerows and should help secure improvements through new green infrastructure, sustainable drainage systems, landscaping and trees. This supports the Environmental objective of sustainable development.
MR04: Blithbury Redevelopment	MRNP Policy MR04 seeks to protect the adjacent area of Deciduous Woodland and Traditional Orchards by requiring the design and layout of development to ‘include the retention of mature trees in and around the site’. This supports the Environmental objective of sustainable development.
MR05: Sustainable Design	Improvements in biodiversity are likely through measures set out in MRNP Policy MR05, which requires green infrastructure to form an integral part of the design and layout of development. This includes the use of native species or other species of high environmental value, incorporating gardens, street trees and sustainable drainage systems. Additionally, the provision in MRNP Policy MR05 provide indirect support for climate change mitigation, particularly through the policy encouragement for high

	<p>levels of sustainability in design. This policy further supports the use of recycled materials and materials from sustainable sources which should reduce embodied carbon.</p> <p>Overall, Policy MR05 should help safeguard existing/provide new ecological-rich habitats for local wildlife and mitigate against Climate Change, supporting the environmental element of sustainable development.</p>
MR06: Heritage and Character	MRNP Policy MR06 seeks to ensure that development protects and enhances the character, historic and rural character of the Parish. This objective supports the environmental and social objectives of sustainable development.
MR07: Landscape and Nature	MRNP Policy MR07 seeks to avoid harm on biodiversity by requiring development to avoid negative impacts and retain habitats, woodland area and the rural open setting of the Parish. It therefore supports the environmental elements of sustainable development.
MR08: Local Green Space	Policy MR08 identifies designated local green spaces across Mavesyn Ridware Parish, where the green spaces will be protected from development. This will benefit biodiversity as many green spaces provide a habitat for wildlife or form part of an ecological corridor. This will support the delivery of both the social and environmental objectives.
MR10: Local Energy Generation	This policy supports the delivery of local energy generation schemes. This policy therefore supports the environmental elements of sustainable development.
MR11: Movement and Active Travel	This policy supports development that supports active travel and maximises pedestrian and cycle permeability. This policy therefore supports both the environmental and social elements of sustainable development.

### Be in general conformity with strategic local policy

This section considers the extent to which the policies contained within the MRNP are in general conformity with the strategic policies of the development plan for the neighbourhood area, which are contained within Lichfield District Local Plan comprising the Local Plan Strategy and Local Plan Allocations documents.

Table 5 sets out how the Mavesyn Ridware Policies are in general conformity with the relevant strategic development plan policies.

Table 5: General conformity with the strategic policies

Mavesyn Ridware Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
MR01: Residential Development	Core Policy 1 Core Policy 3 Core Policy 6	The Local Plan recognises Hill Ridware (the largest settlement in the neighbourhood area) as 'other rural' in the settlement hierarchy and does not set out a housing requirement for this settlement level. MRNP policy MR01 accords with the local plan in that development in smaller rural areas, should be restricted and meet rural needs.
MR02: Land East of Hill Ridware	Core Policy 1 Core Policy 3	Policy MR02's allocation of a small housing development to meet local housing needs aligns with the local plan policies. In particular, the local plan states that development in smaller



		<p>rural villages and wider rural areas, such as Mavesyn Ridware Parish, should be restricted to meeting local needs. Local needs can include small scale housing and can include provision of a small convenience store.</p> <p>A Housing Needs Assessment (HNA) has been undertaken for the Mavesyn Ridware neighbourhood Area. The Assessment indicated that between 19 and 33 homes are required in the neighbourhood area to meet local needs up to 2040. Lichfield District Council has confirmed that up to 33 new homes represents the local housing needs.</p> <p>The Land East of Hill Ridware was identified through a neighbourhood plan call for sites to supplement sites identified in the Lichfield Strategic Housing Land Availability Assessment.</p>
MR03: Employment	Core Policy 1 Core Policy 3 Core Policy 7	Policy MR03 reflects the Local Plan's recognition that the rural area plays an important role in the local economy. Both policy MR03 and the local plan therefore support proposals for economic development and diversification of the rural economy.
MR04: Blithbury Redevelopment	Core Policy 1 Core Policy 3	<p>The Local Plan encourages the re-use of previously developed land in the most sustainable locations and encourages the reuse of buildings as a sustainable option. Whilst the site is not a sustainable location, the strong local support for the sustainable development of the site and the fact that planning consent has not been implemented led to the conclusion in the SEA that a 'do nothing' approach was not a reasonable alternative.</p> <p>Therefore, this policy proposes the land is used for a residential institution, education facility or other community facilities as a way to respond appropriately to the rural location.</p>
MR05: Sustainable Design	Core Policy 3	This policy adds local detail to Core Policy 3 of the Local Plan, which advocates for the protection and enhancement of the character and distinctiveness of Lichfield District.
MR06: Heritage and Character	Core Policy 3 Core Policy 13 Core Policy 14	This policy adds detail to Lichfield Districts local plan Core Policy 3 that advocates for the protection and enhancement of the character and distinctiveness of Lichfield District. This policy also links to Core Policies 13 and 14 which promotes the protection of the historic landscape and townscape
MR07: Landscape and Nature	Core Policy 3 Core Policy 13 Core Policy 14	The Local Plan seeks to maximise opportunities to protect and enhance biodiversity. Additionally, it supports the safeguarding of our ecological networks, including the restoration and creation of new habitats, veteran trees, trees and woodland planting. MRNP Policy MR07 supports this.
MR08: Local Green Space	Core Policy 3 Core Policy 10 Core Policy 13 Core Policy 14	Mavesyn Ridware Neighbourhood Plan designates Local Green Spaces which are important for the community and are of particular local significance.
MR09: Local Facilities	Core Policy 4 Core Policy 10	<p>The Local Plan seeks to protect, and where appropriate improve, services and facilities that provide a key function in the operation of existing communities.</p> <p>The Local Plan looks to enable people to live healthy and safe lifestyles by facilitating access to a range of high quality and well-maintained open spaces, playing pitches, sport, recreation, play facilities and cultural assets which are relevant to, and meet the needs of local communities. Policy MR09 looks to protect and improve local facilities in line with strategic policies.</p>

MR10: Local Energy Generation	Core Policy 1	The Council requires development to contribute to the creation and maintenance of sustainable communities and mitigate and adapt to the adverse effects of climate change. An example of this is enabling opportunities for renewable energy, reducing environmental impacts. MRNP Policy MR10 supports local energy generation, broadly aligning with Local Plan Policy SC2.
MR11: Movement and Active Travel	Core Policy 3 Core Policy 5 Core Policy 10 Core Policy 11	The Local Plan seeks to improve accessibility and widen transport choice, by ensuring all development is well served by a choice of transport modes including footpaths and cycle routes. In addition, the plan seeks to improve road safety, including pedestrian safety through promotion of active travel. MRNP policy MR11 supports this.  Additionally, the Lichfield District Integrated Transport Strategy identifies a number of key highway initiatives. Key community issues identified are relevant to Mavesyn Ridware Parish, including vehicle speeds and road safety, on-street parking, provision of improved bus services and impact of heavy vehicles.
MR12: Burial Ground		There are no strategic policies within the Local Plan that deals with burial plots.

## Be compatible with EU obligations

### European convention on human rights

Throughout the preparation of the MRNP emphasis has been placed to ensure that no sections of the community have been isolated and excluded. The MRNP is fully compliant with the requirements of the European Convention on Human Rights. There is no discrimination stated or implied. Nor any threat to the fundamental rights guaranteed under the convention.

### Strategic Environmental Assessment and Habitats Regulations

European Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment is known as the Strategic Environmental Assessment (SEA) Directive. SEA is required for all plans that may have significant effect on the environment. European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna protects habitats and species of European nature conservation importance. It is a requirement that a Habitats Regulation Assessment (HRA) is undertaken in line with the provisions set by the amended Conservation of Habitats and Species Regulations (2017) to assess the effects of the neighbourhood plan on European Sites.

SEA and HRA screening opinions were undertaken by Lichfield District Council in September 2023. The conclusion was that both a HRA and SEA was required because the plan seeks to allocate site(s) for development.

AECOM produced a HRA screening on behalf of Mavesyn Ridware Parish Council. The outcome of the HRA screening is that Policy MR02: Land East of Hill Ridware, is

considered to have the potential to result in Likely Significant Effects (LSEs), therefore Appropriate Assessment was undertaken. Appropriate Assessment determined that no adverse effect on the integrity of Cannock Chase SAC through air quality impacts would arise.

AECOM produced a SEA on behalf of Mavesyn Ridware Parish Council. Overall, neutral or positive effects are predicated across each SEA topic, with the exceptions being 'Flood Risk' and 'Landscape' objectives, where uncertain negative effects are being predicated relating to the allocation of 'Land East of Hill Ridware' and potential harm from fluvial flood risk. The effects on the Landscape objective are significant due to the potential harm to the landscape character. Whereas, effects are not significant under the Flood Risk objective, as existing national and local planning policy should safeguard against any potential increase in flood risk and its implication on existing and future residents.



## Appendix 1

