

BOLTON NEIGHBOURHOOD DEVELOPMENT PLAN

2015 -2035

BASIC CONDITIONS STATEMENT

September 2nd 2015

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1. Introduction

1.1 This Statement has been prepared on behalf of Bolton Parish Council to accompany its submission to the local planning authority, Eden District Council (EDC), of the Bolton Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, which resolved to seek Neighbourhood Plan Area status on 23rd September 2013. The Parish was designated a Neighbourhood Area by Eden District Council on 14th February 2014. The Parish Council is, therefore, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Bolton. (see map page 4). To oversee the preparation of the BNDP, the Parish Council appointed a BNDP Steering Group in August 2014, comprising members of the Parish Council and members of the community of all ages.

1.3 The policies included in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from the 1st April 2015 to 31st March 2035 and it does not contain policies relating to excluded development, in accordance with the Regulations.

1.4 The Statement addresses each of the four '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 basic conditions if:

- having regard to national policies and advice contained in guidance 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);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

1.6 In the document "Neighbourhood Plans – Roadmap Guide", prepared by the advisory body "Locality", these Basic Conditions have been simplified as;

- they must have appropriate regard to national policy;
- they must contribute to the achievement of sustainable development;
- they must be in general conformity with the strategic policies in the local development plan for the area;
- must be compatible with EU obligations, including human rights requirements.

1.7 In order to consider the requirements to be compatible with EU obligations, two further basic conditions are set out in regulations. They are that a plan or order must not have a significant adverse effect on a designated European site or a European offshore marine habitat, and it must not cause significant adverse environmental impact. In these respects a Neighbourhood Plan is screened to gauge whether further investigation and mitigation of impacts are needed. If this is found to be the case plans are subject to

what is known as Strategic Environmental Assessment (SEA) and/or an Appropriate Assessment (AA) to mitigate effects on designated habitats.

1.8 To address these further requirements the Bolton Neighbourhood Plan has been subject to two screening exercises by Eden District Council, which concluded that the Plan would not have a significant impact on the environment or on a European wildlife site, and therefore, need not be subject to SEA or AA.

1.9 Whilst Neighbourhood Plans must conform to local strategic policy they do not just re-state the Local Planning Authority's plan, but set out the community's proposals for the development and use of land in their neighbourhood. They refine local strategic policy.

1.10 This includes setting policies on where development should go. The basic conditions ensure an appropriate balance between communities being able to take control of the future of their areas, whilst ensuring Neighbourhood Plans do not inappropriately constrain the delivery of important strategic policies for the local area.

1.11 Bolton Parish Council has worked closely with Officers of Eden District Council in the preparation of this Neighbourhood Plan. At the outset, whilst it was recognised that the NDP must broadly conform to adopted local policy, it was also recognised that aspects of adopted policy were already out of date and that the LPA were preparing a replacement Local Plan. A deliberate decision was therefore made to ensure the new NDP is compatible with emerging local policy. In July 2014 EDC published their consultation document, "Eden Local Plan – Preferred Options Document" and it is against this emerging policy that the NDP has also been assessed. The replacement Local Plan has not been submitted for examination to the Secretary of State yet.

1.12 Let us now address each of the above 4 conditions in turn.

2. National Policy

2.1 National Planning Policy is enshrined in the National Planning Policy Framework (NPPF) which was adopted in March 2012, and which has since been subject to minor modifications. The National Planning Practice Guidance (NPPG) published by the Department of Communities & Local Government (DCLG) in August 2013 in respect of formulating neighbourhood plans, is also relevant.

2.2 Set out below is a brief summary of those policies in the NPPF that are considered most relevant to the BNDP. The particular paragraphs referred to in the following are those considered the most appropriate to BNDP policies, but are not intended to be an exhaustive list of all possible relevant paragraphs:

- Sustainable Development –para's 14 & 15;
 - *Presumption in favour of sustainable development*
- Core Planning Principles – para.17;
 - *Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*
 - ✓
 - ✓ *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.*

- ✓ *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- ✓ *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- ✓ *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- ✓ *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*
- ✓ *....."*
- *"Prosperous Rural Economy – para 28;*
 - *"Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*
 - ✓ *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
 - ✓ *promote the development and diversification of agricultural and other land-based rural businesses;*
 - ✓ *support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*
 - ✓ *promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship."*
- *Rural Housing – paras. 54 and 55;*
 - *"In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs,....."*
 - *"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*
 - ✓ *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*

- ✓ *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
 - ✓ *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- **Good Design – para’s 58 & 60;**
 - *"Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:*
 - ✓ *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - ✓ *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
 - ✓ *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks*
 - ✓ *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
 - ✓ *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
 - ✓ *are visually attractive as a result of good architecture and appropriate landscaping.*
 - *Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."*
- **Promote Healthy Communities – paras 69, 76 and 77;**
 - *".....Planning policies and decisions, in turn, should aim to achieve places which promote:*
 - ✓ *safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
 - ✓ *safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas."*
 - *"Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period."*

- *"The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*
 - ✓ *where the green space is in reasonably close proximity to the community it serves;*
 - ✓ *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
 - ✓ *where the green area concerned is local in character and is not an extensive tract of land."*
- Meeting the Challenge of Climate Change, Flooding and Coastal Change – para 100;
 - *"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere."*
- Conserving and Enhancing the Natural Environment – para's 109, 114, & 118;
 - *109 – "The planning system should contribute to and enhance the natural and local environment by:*
 - 1) protecting and enhancing valued landscapes, geological conservation interests and soils;*
 - 2) recognising the wider benefits of ecosystem services;*
 - 3) minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
 - 4) preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
 - 5) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*
 - *114 –" Local planning authorities should:*
 - 1) set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and*
 - 2)"*
 - *118 – "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*
 - ✓ *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;....."*
 - ✓ *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;....."*
- *Conserving and Enhancing the Historic Environment – paras.126, 131 and 135;*

- *“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:*
 - ✓ *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - ✓ *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
 - ✓ *the desirability of new development making a positive contribution to local character and distinctiveness; and*
 - ✓ *opportunities to draw on the contribution made by the historic environment to the character of a place.”*
- *“In determining planning applications, local planning authorities should take account of:*
 - ✓ *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - ✓ *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - ✓ *the desirability of new development making a positive contribution to local character and distinctiveness.”*
- *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

2.3 All the policies in the BNDP conform to at least one of the above paragraphs, please see below in Table 1 for the specific cross references.

3. Sustainable Development

3.1 International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

3.2 With regard to UK planning policy the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the

right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

3.3 The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependant. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

3.4 Bolton village has been given a place in the hierarchy of settlements in Eden District for many years thereby allowing a certain quantum of development, Latterly, it is the view of the community that the scale of development allowed has been too great and disproportionate to the size and character of the village, and thereby, unsustainable in the broadest meaning of that word.

3.5 The desire for a proportionate rate of sustainable development is at the heart of the Bolton NDP, and the proposed policies aim to bring this about over the next 20 years, and to strike a sustainable balance between the need for development and the local environment. The BNDP seeks to promote proportionate sustainable development which brings the full range of economic, social and environmental benefits to the community.

4. Conformity with Local Strategic Policies

4.1 There are currently 3 potential sources for local Strategic planning policies, these are;

1. "Saved" Policies from the Eden Local Plan (1996).
2. The Adopted Eden Local Plan (2010); and,
3. The Emerging Replacement Eden Local Plan 2014-2032.

4.2 In November 2010 EDC adopted a Supplementary Planning Document (SPD) on "Housing", which addressed issues such as affordable housing, design, code for sustainable homes, and dwellings in the countryside, including farm dwellings and others for essential need. As a SPD this does not include any strategic policies, and, notwithstanding this, much of its content has been superseded by more recent national policy. Therefore, this SPD is not relevant to the BNDP in terms of conforming to strategic policy.

Eden Local Plan 1996 (Saved Polcies)

4.3 The "Saved" Policies from the 1996 Local Plan are largely non-strategic in character, and therefore, do not strictly need to be cited for conformity. However, just for completeness the most relevant to the BNDP are summarised below;

- NE1 – Protection of the open countryside; only essential development is acceptable.
- NE13 – Protection of trees.
- BE9 – Protection of archaeological remains.
- BE21 – Control of Light Pollution.

HS7 – Workers dwellings in the Countryside. There are aspects of this policy that do not conform to the NPPF, eg. nature of rural enterprises.

SE1 – Disposal of Sewage.

4.4 Whilst these policies are still material considerations in development management, most would now need to be amended to a greater or lesser degree to conform with recent national policy and guidance.

4.5 Policies in the Emerging Local Plan will supersede all these “Saved” policies. Therefore, it is more appropriate for the BNDP to be assessed against the emerging policies than these old saved policies soon to be superseded.

Eden Local Plan 2010

4.6 This is the current “Adopted Local Plan” and, therefore, would normally be the Plan to which the BNDP should conform, strategically. However, since 2010, with the adoption of the NPPF in March 2012, there have been significant changes in national planning policy and some adopted policies can be given little weight in planning decisions. The most relevant policies are summarised below, (though not all are strategic), with an annotation if it may be considered out of date.

CS1 – Sustainable Development Principles; much of this policy is still valid except for the requirement for a sequential approach to brownfield/greenfield development, which has been superseded by the NPPF.

CS2 – Locational Strategy; this policy places Bolton village in the “Local Service Centre” category in the settlement hierarchy (Appendix 2 of the CS), where small scale development is acceptable. It is the community’s opinion that the implementation of this policy has led to disproportionate development in Bolton, arguably beyond what might be considered small scale. This has been one of the main issues leading to the decision to prepare the BNDP. The BNDP supports “small scale” development in Bolton, but seeks to put in place much more detailed development management policies that will ensure that future development is truly small scale. Arguably, the BNDP conforms to the wording of Policy CS2; it is the interpretation/implementation of it that has been at issue.

CS3 – Rural Settlements and the Rural Areas; this policy seeks to sustain rural areas by encouraging local housing, the retention of facilities, transport services, agriculture, development sensitive to local character, and protection of the open countryside. This conforms to NPPF policy and, therefore, this is the main strategic policy to which the BNDP seeks to conform.

CS7 – Principles for Housing; this focuses on the quality, type and character of new housing and much of it is still valid, though certain aspects of the policy are now out of date, eg. reference to the Regional Spatial Strategy and Code for Sustainable Homes. The BNDP conforms to those parts of this policy that are still valid.

CS14 – Employment Development in Rural Areas; this encourages appropriate employment development in rural settlements and in the open countryside and is up to date with national policy. The BNDP seeks to conform to this policy.

CS16 – Principles for the Natural Environment; this promotes nature conservation/biodiversity etc., and is in line with the NPPF. The BNDP policies conform to this overarching policy.

CS17 – Principles for the Built (Historic) Environment; this promotes development sensitive to the existing built form including landscapes, listed buildings, historic parks and gardens and archaeology. The BNDP policies conform to this.

CS18 – Design of New Development; this seeks to promote high quality design sensitive to local distinctiveness. It also seeks to protect features of local importance. The BNDP is very much in line with this policy.

CS21, CS22 and CS24 – Principles for Services, Facilities, Sport and Informal Recreation; Protection of Village Services and Facilities; and Open Space and Recreation Land; 3 closely related policies; these seek to ensure the provision of infrastructure, community facilities and their retention. It also seeks to protect important areas of open space. BNDP policies conform to these policies.

4.7 Other CS policies cover issues that the BNDP does not attempt to address, eg. flooding, transport, renewable energy etc.

Eden Local Plan; Preferred Options; July 2014 (Updated July 2015)

4.8 In July 2014 Eden District Council published for consultation their “Preferred Options” Document for the emerging replacement Eden Local Plan. At the time of writing Eden District has published revised proposals for the Settlement Hierarchy in the emerging plan, (see below) It is established planning practice that any emerging plan, that has not been examined, cannot be given much weight in decision making. Nevertheless, it is also good practice for any NDP to assess the proposed policies against emerging policy, and, bearing in mind the importance of Eden’s Spatial Strategy in this case, it is particularly appropriate in relation to the BNDP. Many of the emerging policies are very similar to adopted 2010 policy.

LS1 – Locational Strategy; the original 2014 Preferred Options Document proposed a settlement hierarchy that put Bolton into the “Smaller Villages, Hamlets and Open Countryside” category, where only small scale development to meet local demand would be acceptable. This put Bolton lower down the hierarchy than the adopted Local Plan. In July 2015, during the 6 week consultation period of the BNDP, Eden District published a “Proposed Changes to the Draft Settlement Hierarchy – Update Paper”, which proposes that Bolton be a “Key Hub” which is more in line with its current status in the adopted Local Plan. The 27 Key Hubs are expected to deliver 720 dwellings during the Plan Period. Bearing in mind that Bolton is one of the smaller Key Hubs, The proposals in the BNDP, including those at Eden Grove, will ensure that Bolton delivers its share of the numbers allocated to Key Hubs in the hierarchy.

LS2 – Housing Targets and Distribution; this policy distributes the overall housing target to the settlement hierarchy and it shows (as of July 2015; see above) that in the “Key Hub” category there are sufficient dwellings under construction and with permission to meet the target at this level. Therefore, the BNDP proposals are in line with this.

RUR3 – Employment Development and Agricultural Diversification in Rural Areas; this seeks to encourage appropriate employment in rural areas and farm diversification. The BNDP policies are in line with this in terms of both the general thrust and detailed criteria.

DEV1 – General Approach to new Development; introduces the presumption in favour of sustainable development from the NPPF. The Bolton NDP seeks to define what is sustainable in Bolton Parish.

DEV5 – Design of New Development; this is very similar to adopted policy (see above). The BNDP conforms.

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HS2 – Housing to meet Local Need; seeks to support self build dwellings for local occupancy in the “Smaller Villages and Hamlets”. This is in line with the BNDP which also supports self build but also supports small scale open market development.

HS3 – Essential Dwellings for Workers in the Countryside; this sets down the criteria for essential dwellings for rural workers. Whilst the BNDP Policy HS3 conforms to the general thrust of this policy it also seeks more flexibility (as in Upper Eden NDP) in the occupancy of dwellings that are, in the first instance, “essential”.

EC3 – Employment Development in Existing Settlements; encourages employment development of an appropriate scale in settlements, subject to a range of criteria, including economic benefits. Bolton NDP conforms to this policy.

ENV1 – Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity; seeks to protect and enhance designated sites, habitats and species. Encourages new development to include enhancement proposals.

ENV2 – Protection and Enhancement of Landscapes and Trees; seeks to protect distinctive elements of landscape character, including trees. The BNDP seeks to define this in the character of Bolton village.

ENV11 – The Built (Historic) Environment; seeks to protect the character and settings of the full range of designated heritage assets, and also non-designated assets. This is an important consideration for BNDP which seeks to protect the character of the existing settlement from intrusive and overbearing development.

COM1 – Principles for Services and Facilities; sets down the criteria for new facilities and services, and seeks to protect existing facilities, eg. shops/pubs, from loss by imposing criteria such as the marketing of the property. The BNDP supports and refines this.

COM2 – Open Space, Sport, Leisure and Recreation Facilities; encourages new such facilities and seeks to protect existing facilities via a set of criteria. The BNDP supports and refines this by identifying important open spaces.

Table 1; Strategic Conformity of BNDP Policies

BNDP Policy	NPPF Paras.	Adopted ELP 2010	Emerging ELP 2014
DP1	Paras.14;15;17;54;55;58;60;109;114;118;126;131;135	Policies;CS3;CS7 CS16/17/18.	Policies;LS1/2;DEV5; HS2;ENV1/2/& 11
DP2	54 & 55	CS3	HS3
HS1	14;15;54;& 55	CS3	LS1;LS2;HS2
HS2	54 & 55	CS3	HS2 & HS3
HS3	54 & 55		
EN1	76		

EN2	69		
EMP1	28		
FAC1	28		
EG1	17;28;55;58;109;118;135		

4.9 The absence of references in some of the cells above is explained by the equivalent policies in the ELP 2010 and 2014 (if any), being non-strategic.

5. Human Rights and EU Obligations

5.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The BNDP does not remove or change any of the fundamental rights bestowed by such legislation.

5.2 A screening opinion will issued by EDC, which hopefully will advise that the Neighbourhood Plan will not need an environmental assessment to be prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA) on the basis that:

- There are no sites being allocated for development within the proposed neighbourhood Plan; and
- There are sufficient measures factored into the Plan to ensure there will be no significant environmental impact.

5.3 The River Eden is a designated European Nature site but the BNDP proposals are not of such a scale to potentially have a significant impact upon it, and, notwithstanding this, the Plan includes sufficient measures to prevent such impact. Therefore, no AA was needed either.

6. Conclusion

6.1 The BNDP policies conform to the NPPF and to the strategic policies of the Adopted and Emerging versions of the Eden Local Plan. It has no impact on Human Rights and does not contravene any EU Obligations. Accordingly, the BNDP meets the Basic Conditions of the 1990 Act (as amended).

**BNDP
September 2015**