

# Silverton Parish Neighbourhood Plan

2013-2033

## Basic Conditions Statement

Version 4 – Post 3<sup>rd</sup> Full Consultation



**Silverton Parish Council**

**October 2022**

| Version |  |              |
|---------|--|--------------|
| 4       | Version 4 Submission to Parish Council | October 2022 |

## Contents

|   |   |
|---|---|
| 1. Legal Requirements .....   | 3 |
| 2. Introduction and Background .....  | 3 |
| 3. Conformity with National Planning Policy.....                                | 3 |
| 4. General conformity with the strategic policies of Mid Devon Local Plan ..... | 4 |
| 5. Contribution to the achievement of sustainable development .....             | 4 |
| 6. Compatibility with EU obligations and legislation.....                       | 4 |
| Conclusion .....  | 4 |

## 1. Legal Requirements

1.1 This statement has been prepared by Silverton Parish Neighbourhood Plan Committee on behalf of Silverton Parish Council to accompany its submission to Mid Devon District Council of the Silverton Neighbourhood Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2 The Neighbourhood Plan has been prepared by the Silverton Parish Council, a qualifying body, for the area covering Silverton Parish, as designated by Mid Devon District Council in April 2014.

1.3 The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2013 to 2033. It does not contain policies relating to excluded development as laid out in the Regulations.

1.4 The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan for the area ;
- Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

## 2. Introduction and Background

2.1 Silverton Parish Council agreed to draw up a Neighbourhood Plan following a very well attended public meeting in February 2014 in St Mary's Church, Silverton which was held in response to Mid Devon District Council's report that up to 66 houses could be built in the Parish, during the term of their Local Plan Review 2013-2033, on land put forward in and around the village of Silverton following their call for land in Silverton Parish in late 2013. This caused a great deal of consternation within the Parish. A Neighbourhood Plan Committee was subsequently appointed by the Parish Council in April 2014 and have worked on the plan, in close association with both the Parish Council and the public. Several public consultations have taken place over two day periods, which are detailed in the Consultation Statement. Members of the public has been updated regularly in both the Parish Magazine and on the Parish Council website.

## 3. Conformity with National Planning Policy

3.1 The Neighbourhood plan has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF) of April 2012. It also gives regard to the 12 core planning principles contained in paragraph 17 of the National Planning Policy Framework, alongside the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formation of Neighbourhood Plans.

3.2 All policies comply with the NPPF with the exception of Policy No. HS06 which is very specific to the Parish of Silverton.

## 4. General conformity with the strategic policies of Mid Devon Local Plan

4.1 The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the development plan for the area.

4.2 The current development plan for the area is the adopted Mid Devon Local Plan.

4.3 All policies comply with emerging Local Plan Review with the exception of Policy No. HS06 which is very specific to the Parish of Silverton.

## 5. Contribution to the achievement of sustainable development

5.1 A Neighbourhood plan must take into account the need to contribute to the achievement of sustainable development. This involves working to address the three separate strands of sustainability; economic, social and environmental.

5.2 Great care has been taken to discuss and implement the three strands of sustainability in to the policies, which is evident in the way they have been drafted in the Plan

5.3 We submitted our NP to Mid Devon for screening and their Report was produced in November 2018. It determined an Strategic Environmental Assessment (SEA) was required. We sought assistance from Locality and, with their help, commissioned AECOM to undertake an SEA of our Plan. AECOM produced a Scoping Report in March 2019. (Copy available on request)

## 6. Compatibility with EU obligations and legislation

6.1 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. Considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded.

6.3 It was also determined that the plan didn't require a Habitats Regulations Assessment

## Conclusion

The Steering Group has fully reviewed all extant policies at national and local authority levels. It thus submits this report as part of the Silverton Parish Neighbourhood Plan in the expectation that it meets the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990.