



# Basic Conditions Statement (2018-2031)

May 2018

Draft Dursley Neighbourhood Development Plan

Submission Regulation 15 Version

# A Introduction

## A1 Outline

- A1.1 This basic conditions statement demonstrates how the *Draft Dursley Neighbourhood Development Plan* meets the basic conditions set out in paragraph 8 (2) of Schedule 4B to the *Town & Country Planning Act 1990* as applied to Neighbourhood Plans by section 38A of the *Planning & Compulsory Purchase Act 2004*<sup>1</sup>.
- A1.2 The qualifying body (Dursley Town 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).
- A1.3 This basic conditions statement has been prepared with regard to the following guidance/legislation:
- The *Locality Template Basic Conditions Statement*<sup>2</sup>
  - The Planning Aid Guide *Approaches to Writing a Basic Conditions Statements*<sup>3</sup>
  - The Planning Advisory Service's *Legal A Guide for Councils: Meeting your legal requirements for Neighbourhood Development Plans*<sup>4</sup>
  - The relevant extracts from the National Planning Practice Guidance<sup>5</sup>
  - The relevant Acts and Regulations which pertain to Neighbourhood Development Plans
- A1.4 A draft of the Statement has also been provided to the Planning Department at Stroud District Council

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<sup>1</sup> Planning Portal- National Planning Policy

<sup>2</sup> Template Basic Conditions Statement – Community Knowledge Hub

<sup>3</sup> Locality Guidance – Writing a Basic Conditions Statement Guidance and Best Practice Examples

<sup>4</sup> PAS Legal Compliance Checklist for NDP

<sup>5</sup> Planning Portal – National Planning Policy

## B Legal Requirements

*This part of the basic conditions statement confirms that in the view of Dursley Town Council, the draft Dursley Neighbourhood Development Plan (Submission Reg 15 Version) meets the legal requirements for a Neighbourhood Plan.*

### **B1 the draft plan is being submitted by the qualifying body**

B1.1 The Dursley Neighbourhood Development Plan is being submitted by Dursley Town Council – who are the qualifying body.

### **B2 What is being proposed is a neighbourhood development plan**

B2.1 The Dursley Neighbourhood Development Plan 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*.

### **B3 The proposed neighbourhood plan states the period for which it is to have effect.**

B3.1 The draft Dursley Neighbourhood Development Plan specifies the period for which is to have effect as 2018 – 2031, on the cover.

### **B4 The policies do not relate to excluded development**

B4.1 The neighbourhood plan proposal does not deal with county matters (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*.

### **B5 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

B5.1 The neighbourhood plan proposal relates to the Dursley Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to this neighbourhood area.

B5.2 The Dursley Neighbourhood Area was designated on 4th February 2014<sup>6</sup>, the Neighbourhood Area boundary is shown in **Appendix 1 to this statement** and within the Neighbourhood Plan. The Neighbourhood Area follows the Dursley Town Council boundary.

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<sup>6</sup> Stroud NDP Designations webpage – Dursley NDP Area Designation

## C Basic Conditions

*This part of the basic conditions statement confirms that in the view of Dursley Town Council, the draft Dursley Neighbourhood Development Plan (Submission Reg 15 Version) meets all the basic conditions required for a Neighbourhood Plan.*

### C1 Have appropriate regard to national policy

C1.1 The National Planning Policy Framework (NPPF)<sup>7</sup> sets out the Planning Policies for England, together with the National Planning Practice Guidance (NPPG)<sup>8</sup>. **Table 1** below, briefly summarises how the national policies and guidance have been taken into account for each planning policy in the Dursley NDP. This approach follows the format employed by Arundel District Council in their Basic Conditions Statement, as referenced in Planning Aid Guidance as good practice<sup>9</sup>. The non-land-use policies included in the NDP (referred to as Projects throughout the plan) have not been assessed.

#### *Policies*

Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
TC1	Town Centre Public Realm Improvements	Para 58; 8; 9; 23;	The plan provides a policy framework which protects the distinctive qualities of place including enhancements to the public realm and streetscapes.  It also supports the vitality of the town centre in line with section 2 para 23 of the NPPF.
ES1	Green Infrastructure	Para 99; 114;	The NDP plans for Green Infrastructure in accordance with national guidelines which encourage plan-making to consider this, planning for ecological and green networks.

<sup>7</sup> Planning Portal National Planning Guidance for NDPs

<sup>8</sup> Planning Portal Guidance for NDPs

<sup>9</sup>Arundel NDP Basic Conditions Statement

Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
ES2	Ancient Woodlands	Para 118	This policy conforms with national policies which protect ancient woodlands from development that would adversely affect them, unless the need for and the benefits of the development clearly outweigh the loss.
ES3	Key Views and Landscape	Para 58	The plan provides a policy framework which protects the distinctive qualities of place including landscape character and the national Area of Outstanding Natural Beauty designation.
H1	Housing Development	Para 16	The NDP supports the levels of housing growth identified in the Stroud Local Plan as required by the NPPF para 16.
H2	Housing Quality	Para 56-58	The NDP reinforces the principles of high quality and inclusive design identified in the NPPF.
E1	Safeguarding Employment Sites	Para 28	The plan supports local business development.
E2	Encourage Start up and New Businesses	Para 28	The plan supports local business development.
E3	Town Centre	Para 69	The NDP policies protect the role of the town centre as a vibrant place and focus for retail.
E4	Visitor Accommodation	Para 28	The plan supports rural tourism development, specifically visitor accommodation.
D1	Character and Design	Para 58; 59	The plan promotes policies that relate to the character and identity of place including local urban design policies, which are evidence based. The design policy reflects the principles of the NPPF and are not overly prescriptive but identify opportunity areas.
SF1	Community Facilities	Para 58	The plan policies support and identify local community facilities.

Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
SF2	Local Green Space Designation	Para 77-79; NPG advice	<p>The NDP local green space designations reflect the national criteria, and have been developed with this evidence based approach and in consultation with local people. It is the view of the qualifying body that local green space designations within the AONB are justified in line with the requirement of para 79. The approach has also had regard to the NPG advice.</p> <p><b>See separate Dursley NDP - Local Green Space Evidence Report (April 2018) for full details of all correspondence related to 8 proposed LGSD in plan.</b></p>
T1	Car Parking	Para 39	The NDP complies with the car parking standards set out in the Stroud Local Plan in line with para 39 of the NPPF. The approach also complies with the 2016 Ministerial Statement on Car Parking Standards
T2	Improve connections for pedestrians and cyclists	Para 35	The plan seeks to give priority to cycle and pedestrian movement in line with the national policy movement hierarchy summarised in para 35 of the NPPF.

Table 1: Dursley NDP General Planning/Land Use Policies in relation to the NPPF

## C2 Contributes to the achievement of sustainable development

C2.1 The keys ways that the Dursley Neighbourhood Plan will help contribute to meeting the objectives of sustainable Development are detailed below:

- The Neighbourhood Plan contains policies which relate to the environmental, social and economic aspects of the Parish. [Policies: All]
- The Neighbourhood Plan supports the protection and enhancement of environmental and historic assets. [Policies: TC1, ES1, ES2, ES3, D1, SF2]
- The Neighbourhood Plan supports the protection and enhancement of local facilities and infrastructure. [Policies: TC1, ES1, E1, E3, E4, SF2, T2]
- The Neighbourhood Plan is positive and proactive. It seeks to shape and direct housing, employment and retail development to the most appropriate locations in line with national policy considerations. [Policies: E1, E2, E3, E4, H1]

C2.2 The above approach follows the format employed by Broughton Astley Parish Council in their Basic Conditions Statement, as referenced in Planning Aid Good Practice Guidance<sup>10</sup>.

C2.3 In addition, a Sustainability Appraisal matrix has been completed to assess the emerging NDP policies by the NDP Steering Group, using the approach advocated by Stroud District Council in their NDP Sustainability Appraisal matrix template. This assessment is included as Appendix 1 to this report.

**C3 Be in general conformity with strategic local policy**

C3.1 The Local Policy which applies to the Dursley Neighbourhood Plan Area can be found in the following key policy documents:

- Stroud Local Plan (Adopted by Stroud District Council, 2015)<sup>11</sup>;

C3.2 As the Local Plan is strategic in nature, general conformity will be considered against this.

C3.3 The qualifying body considers that the Neighbourhood Plan is in general conformity with the adopted Stroud District Council Local Plan 2015. This is outlined in more detail in **Table 2** below.

Policy Ref	Planning Policy Title	Key Local Plan Cross Ref	Commentary
TC1	Town Centre Public Realm Improvements	SO3 Strategic objective; Town Centre and Retail; ES12 Better design of places; CP12; Guiding principles for Dursley area item 4 p62 and para 3.36;	Policy CP12 of the Stroud Local Plan recognises Dursley town centre as a key location for retail and as a centre for activity including retail. Public realm improvements are a key part of the vision for Dursley and support its role as a vibrant attractive town centre. Projects which support the vitality of the town centre are supported.

<sup>10</sup> Broughton Astley NDP Basic Conditions Statement

<sup>11</sup> Stroud Local Plan

Policy Ref	Planning Policy Title	Key Local Plan Cross Ref	Commentary
ES1	Green Infrastructure	ES6 Providing for biodiversity and geodiversity; CP6 Infrastructure; ES12 Better design of places	The evidence for the Green Infrastructure policy and mapping utilizes data included on the Gloucestershire Nature Map and other local environmental data and mapping collated by the Gloucester Wildlife Trust (in line with the approach suggested on p163 of the Stroud Local Plan, for green infrastructure mapping). P192 of the Stroud Local Plan also emphasises the importance of planning for green infrastructure at the Neighbourhood Planning level.
ES2	Ancient Woodlands	ES8	This policy supplements Stroud Local Plans policy on trees, hedgerow and woodland - showing the local extent of the Ancient Woodlands and emphasising the importance of them to local landscape character, distinctiveness and biodiversity.
ES3	Key Views and Landscape	Strategic objective 6; p62 Guiding principle 10 for Dursley; ES7 Landscape Character;	This policy supplement and supports Local Plan policies on landscape setting, key views and the AONB adding additional local detail and cross referencing new local evidence in the form of the Landscape Character Assessment for Dursley, which supplements the Stroud District Landscape Assessment referred to in policy ES7 with additional local detail.
H1	Housing Development	ES12 Better design of places; CP3 Settlement hierarchy - Dursley has a defined settlement boundary on the Local Plan policies map (para 2.76 p30);	This policy reflects the strategic policy approach for Dursley which focuses growth on brownfield sites and infill development within the settlement boundary - which acts as development limits within which suitable development may be permitted.

Policy Ref	Planning Policy Title	Key Local Plan Cross Ref	Commentary
H2	Housing Quality	ES12 Better design of places	This policy reflects the aspirations of the Local Plan policy on housing quality and high quality design.
E1	Safeguarding Employment Sites	E11 Key employment sites; E13 Small employment sites	This policy reiterates Local Plan policy on safeguarding and improving employment land within the NDP area. It provides additional detail on the expectations of local marketing for employment sites that are no longer in use.
E2	Encourage Start up and New Businesses	Guiding principle 3 p62; ES12 Better design of places; CP11 New Employment development; E13 Small employment sites	This policy supports business growth in Dursley reiterating the aspirations in the Stroud Local Plan at a local level, and highlighting local issues that should be tackled by an applicant when submitting a planning proposal.
E3	Town Centre Retail	CP12A; CP12C and CP12D	This policy supports the Stroud Local Plan policy which identifies Dursley town centre as a primary retail centre in a sustainable location.
E4	Visitor Accommodation	Guiding principle for Dursley 11 p62; E110 provision of new tourism opportunities;	This policy supports the development of visitor accommodation in Dursley, supporting the aspirations of the Economic Strategy to encourage and support the growth of the tourism economy locally.
D1	Character and Design	ES12 Better design of places - para	This policy supplements high level design policies in the Stroud Local Plan and links to key local evidence, some of which, has been prepared to support the NDP e.g. Dursley Landscape Character Assessment (2015), other evidence had been prepared to guide town centre improvements e.g. Dursley Urban Design Framework (2007). The Urban Design Framework also refers to other key historic and environmental assets identified on the Local Plan proposals map and Historic

Policy Ref	Planning Policy Title	Key Local Plan Cross Ref	Commentary
			Environment record, which are repeated and mapped here for the attention of applicants.
SF1	Community Facilities	CP3 Settlement hierarchy - identifies Dursley as an accessible local service centre; E16 Protecting community facilities; ES15 provision of outdoor play space;	<p>This policy adds local detail to the Stroud level community facilities policy, identifying and mapping key local facilities within Dursley which should be protected, subject to substantiated and justified reasons for their loss. This is particularly important as Dursley is identified as a first tier accessible local service centre under CP3 Settlement hierarchy policy.</p> <p>In particular the policy supplements policy E16, by providing additional detail and mapping local community facilities.</p>

Policy Ref	Planning Policy Title	Key Local Plan Cross Ref	Commentary
SF2	Local Green Space Designation	ES13 Protecting open space - bullet point D and final para	<p>The Stroud Local Plan does not include any Local Green Space Designations; however, it is possible for NDP to propose such designations in line with national policy and in line with the Stroud Local Plan policy ES12 which devolves this to NDP.</p> <p>The approach is in general conformity with the Stroud Local Plan policies about Green Infrastructure and Community Facilities, which these Local Green Spaces form part of.</p> <p>The evidence base produced relating to LGS outlines why the green spaces proposed are of importance to the community and are of particular local significance in line with the requirements of policy ES13.</p> <p><b>See separate Dursley NDP – Local Green Space Evidence Report (April 2018) for full details of all correspondence related to 8 proposed LGSD in plan.</b>  <u><a href="#">In Summary</a></u></p> <ol style="list-style-type: none"> <li>1. Kingshill House Play Park – Supported by DTC landowner.</li> <li>2. Land off Hardings Drive – No response to letter notifying the landowner of proposed LGSD for land.</li> </ol> <p><b>All owned by SDC</b></p> <ol style="list-style-type: none"> <li>3. Union Street Green</li> <li>4. Long Street Town Green</li> <li>5. Holywell Orchard</li> <li>6. Cambridge Avenue Play Area</li> </ol> <p><b>LGSD supported by SDC on basis these are transferred to DTC.</b></p> <ol style="list-style-type: none"> <li>7. Land off Acacia Drive</li> <li>8. Highfields Play Park &amp; Field.</li> </ol> <p><b>LGSD objected to by SDC. See SDCs detailed response dated March 2018 in Local Green Space Evidence Report.</b>  <b>These remain as proposed LGSD as per NDP SGs vote in April 2018.</b></p>

Policy Ref	Planning Policy Title	Policy	Key Local Plan Cross Ref	Commentary
T1	Car Parking		Appendix 2 car parking standards - Tables A, B & C	This is an encouraging policy only which supports the provision of additional car parking spaces in new development over and above the Stroud Local Plan parking standards. As it is not a requiring policy it is considered to be in general conformity.
T2	Improve connections for pedestrians and cyclists		CP5 Strategic site connectivity; E113 Protecting and extending cycle routes; SA3 strategic site at Cam; E111 Promoting sport, leisure and recreation.	This policy supports the delivery of the Stroud Local Plan policy on this matter, and the delivery of the strategic Cam, Dursley and Uley cycleway, and links to the national cycle route.

Table 2: Dursley NDP General Planning/Land Use Policies in relation to Strategic Local Policies

#### C4 Be compatible with EU obligations

C4.1 The Neighbourhood Plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Specifically:

- i. Where local green space designations, and development locations are proposed consultation and notification of inclusion in the NDP has occurred with the landowners concerned. In addition others who are affected by the proposals have been adequately consulted and have had the opportunity to comment on the proposals. The details of the consultation on the Plan are outlined in the Draft Consultation Statement<sup>12</sup> and specific consultation on proposed Local Green space Designation is included in the Local Green Space Evidence Report.
- ii. The Dursley Neighbourhood Plan group has prepared an evidence base which includes well documented evidence to underpin the policy approach<sup>13</sup>.
- iii. Stroud District Council, in line with the requirements of the European Directive 2001/42/EC, has an obligation to determine whether the Plan is likely to have significant environmental effects. To this end, Stroud District Council prepared a Strategic Environmental Assessment Screening Opinion<sup>14</sup>, in January 2018, which confirmed that a Strategic Environmental Assessment is not required.

<sup>12</sup> Dursley NDP Consultation Statement

<sup>13</sup> Dursley NDP Evidence Base

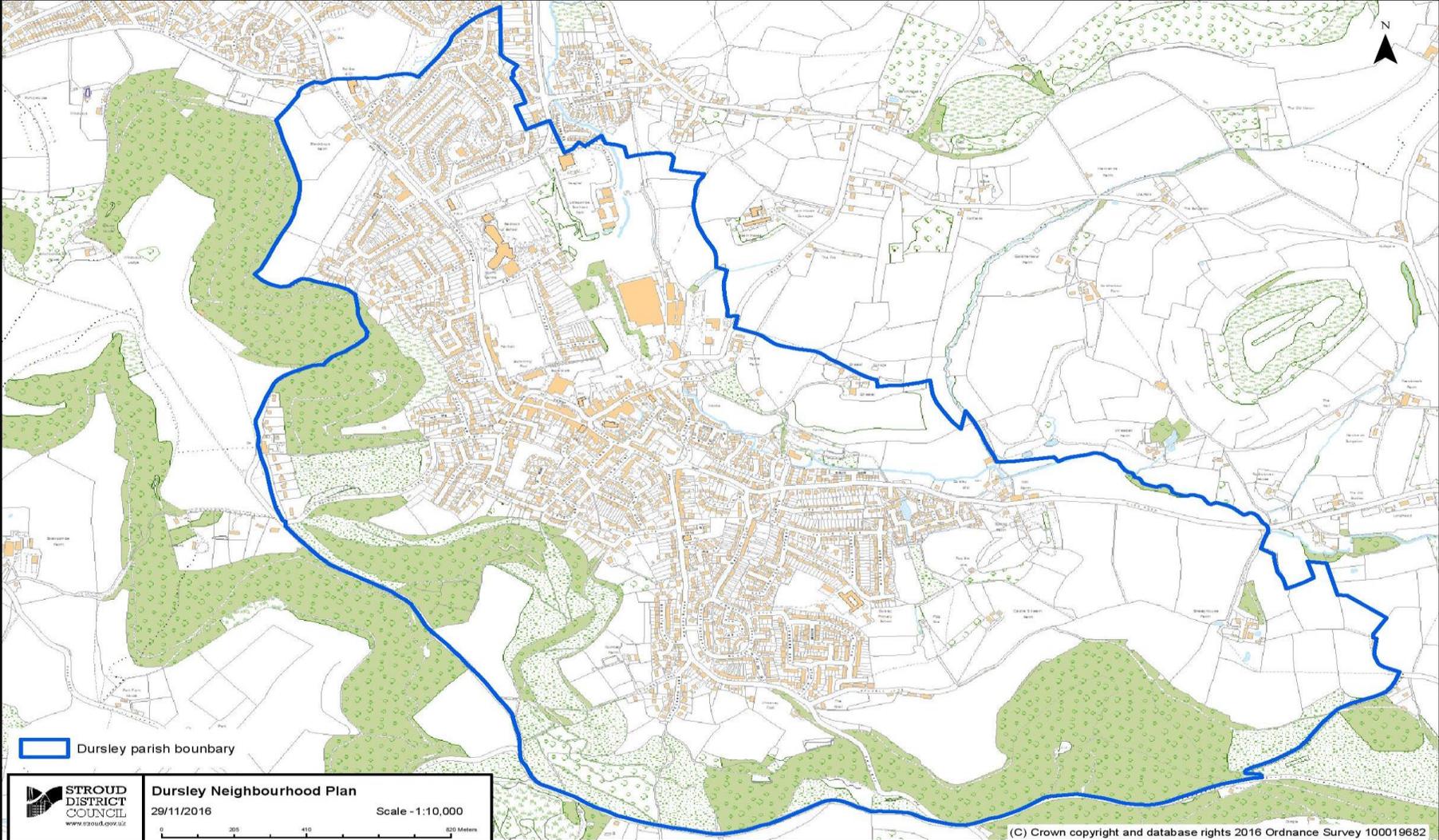
<sup>14</sup> Dursley NDP – SEA and HRA Screening Report

- iv. In addition, the Habitat Regulations Screening Opinion<sup>15</sup>, carried out by Stroud District Council in January 2018 concluded that an Appropriate Assessment will not be required

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15. Dursley NDP SEA and HRA Screening Report

Appendix 1 – Designated Dursley Neighbourhood Plan Area



Assessment of the contribution of the Dursley  
Neighbourhood Development Plan to the achievement of  
sustainable development.

# Dursley Neighbourhood Development Plan

2018 – 2031

## Introduction:

Contributing to the achievement of sustainable development is a basic condition neighbourhood development plans must meet if they are to proceed to a referendum. In order to demonstrate that a draft neighbourhood plan contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan guides development to sustainable solutions.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, one of the key aims of the Dursley Neighbourhood Plan is to contribute to the environmental, social and economic sustainability of Dursley.

The table below demonstrates how the policies in the Dursley Neighbourhood Plan contribute to the sustainability objectives set out by the Sustainability Appraisal of the adopted Stroud District Local Plan. This assessment format uses and follows the template guidance provided by Stroud District Council for Neighbourhood Plans.

## Assessment:

<b>Topic</b>	<b>Objectives</b>	<b>NDP Response</b>	<b>Type of impact Positive/neutral/negative</b>
Air	Ensure that air quality continues to improve.	Transport policy T2 seeks to improve connections for cyclists and pedestrians reducing car use.  The associated Cam, Dursley and Uley Greenway project, supported by Stroud DC will further support this.  By improving and retaining	Positive

Topic	Objectives	NDP Response	Type of impact Positive/neutral/negative
		community facilities including local green spaces in the town Policies SF1 1 and SF2 and supporting local employment Policies E1-E4 the need to travel is reduced supporting improvements to air quality.	
Biodiversity	Create, protect, enhance, restore and connect habitats, species and/or sites of biodiversity or geological interest.	Policies ES1, ES2 and ES3 seek to protect biodiversity including ancient woodlands, landscape character and facilities well connected green spaces.	Positive
Climate change mitigation	<p>Implement energy efficiency through building design to maximise the re-use of land and buildings, recycle building materials and use renewable sources of energy.</p> <p>Implement strategies that help mitigate global warming and adapt to unavoidable climate change within the District.</p>	Energy efficiency is considered to be adequately covered in Stroud DC policy. The effective use of land is encouraged through supporting development on brownfield sites. These are identified as potential areas for enhancement within the plan.	Positive
Community & Wellbeing	<p>Meet the challenge of a growing and ageing population.</p> <p>Encourage social inclusion, equity, the promotion of equality</p>	Policy SF1 seeks to safeguard existing community facilities and further improve the offer.	Positive

<b>Topic</b>	<b>Objectives</b>	<b>NDP Response</b>	<b>Type of impact Positive/neutral/negative</b>
	<p>and a respect for diversity.</p> <p>Maintain and improve the community's health with accessible healthcare for residents.</p> <p>Increase levels of physical activity especially among the young.</p> <p>Reduce crime and anti-social behaviour.</p> <p>Provide access to the countryside and appropriate land for leisure and recreation use</p>	<p>Policy SF2 seeks to designate local green spaces for the enjoyment by the local community.</p> <p>In addition, projects to further develop community wellbeing and improved access to facilities included in the NDP.</p>	
Economy & Employment	<p>Support a strong, diverse, vibrant and sustainable local economy to foster balanced economic growth.</p> <p>Develop the local economy within its environmental limits.</p> <p>Maintain and enhance employment opportunities within the District to meet both current and future needs.</p>	<p>Policy E1 seeks to protect existing employment sites.</p> <p>Policy E2 seeks to encourage start-ups and new businesses.</p> <p>Policy E3 seeks to maintain and enhance the vitality and viability of Dursley Town Centre.</p> <p>Policy E4 seeks to encourage the adequate provision of visitor accommodation.</p>	Positive

<b>Topic</b>	<b>Objectives</b>	<b>NDP Response</b>	<b>Type of impact Positive/neutral/negative</b>
Housing	Provide affordable and decent housing to meet local needs.	Policies H1 and H2 seek to ensure high quality and adaptable housing and supports development on infill sites and the associated development location commentary.	Positive
Landscape & Heritage	Reinforce local distinctiveness local environmental quality and amenity through the conservation and enhancement of the built and cultural heritage.  Conserve and enhance landscapes and townscapes.	Policies D1 and TC1 seek to ensure high quality design and response to local character.  Policies D1 and TC1 refer to existing townscape character and the defined character areas and urban design framework.	Positive
Soil	Protect and enhance soil quality	Soil quality is considered to be adequately covered in Stroud DC policy e.g. protection of high grade agricultural land and designated allotment sites.	Neutral
Transport & Accessibility	Promote traffic reduction and encourage more sustainable alternative forms of transport.  Restore, manage and promote the canal towpaths as part of the transport infrastructure.	Policies T1 and T2 and associated transport projects seek to prioritise sustainable forms of transport and support walking and cycling modes.  N/A	Positive

<b>Topic</b>	<b>Objectives</b>	<b>NDP Response</b>	<b>Type of impact Positive/neutral/negative</b>
Waste	Minimise the amount of waste produced, maximise the amount that is reused or recycled and seek to recover energy from the largest proportion of the residual material.	Water issues are considered to be adequately covered in Stroud DC policy.  The re-use of existing land is encouraged in the four potential areas for enhancement located in the town.	Positive
Water	Maintain and enhance the quality and quantity of ground and surface waters.  Manage and reduce the risk of flooding in new and existing development.	Sustainable Drainage and Flooding issues are considered to be adequately covered in Stroud DC policy.	Neutral.