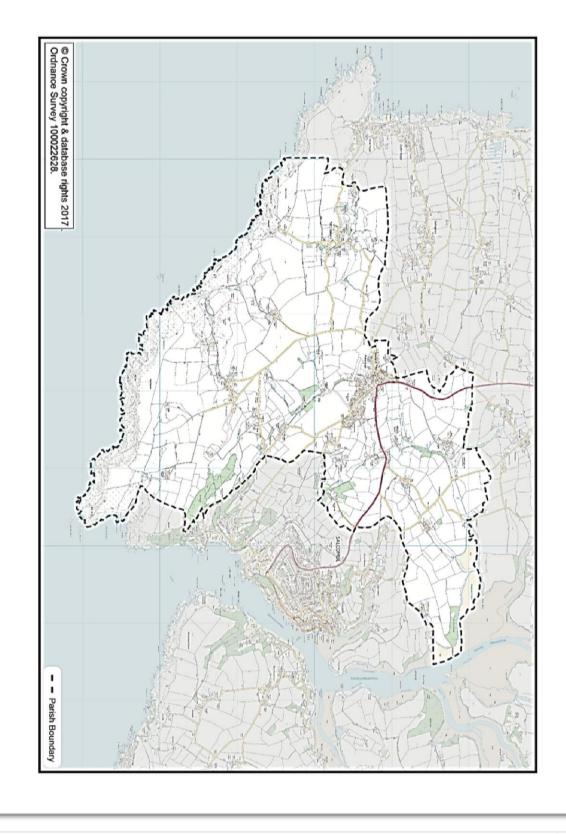
MNP BASIC CONDITIONS STATEMENT

# 2014-2034

## MALBOROUGH'S NEIGHBOURHOOD PLAN BASIC CONDITIONS STATEMENT



#### MAP OF MALBOROUGH DESIGNATED AREA





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#### 1. INTRODUCTION

#### **BASIC CONDITIONS**

This Basic Conditions Statement has been prepared to accompany the Malborough Parish Neighbourhood Plan (MNP). This statement is required to fulfil the legal obligations under Regulation 15 of the Neighbourhood Planning Regulations 2012.

Paragraph 8 of schedule 4B of the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans must meet the following basic conditions.

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- The making of the neighbourhood development 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), in this case South Hams District Council (SHDC) and the Joint Local Plan for Plymouth and South West Devon.

• The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations.

The Basic Conditions statement addresses these requirements in four sections.

- Demonstrates the conformity of the MNP with the NPPF.
- Shows how the MNP will contribute to delivering sustainable development.
- Demonstrates the conformity of the MNP with the Joint Local plan for Plymouth and S West Devon.
- Shows compliance with the appropriate EU obligations.

#### SUBMITTING BODY

The Malborough Neighbourhood Plan is submitted by Malborough Parish Council which is a qualifying body as defined by the Localism Act 2011.

The application relates to the Parish of Malborough in S Devon. In September 2013 a formal application was submitted to SHDC to designate the whole Parish as a Neighbourhood Plan area and Malborough Parish Council was confirmed as the 'qualifying body' entitled to prepare a Neighbourhood Plan.

The designated area was confirmed by SHDC Executive in December 2013 after the statutory consultation period expired.

Malborough Parish Council confirms that this Neighbourhood Plan relates only to the Parish of Malborough. It is the only Neighbourhood Plan for the designated area.

The plan period of the MNP is from 2014-2034 and it does not contain policies related to excluded development in accordance with the regulations.

The MNP does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.

It is considered that there is no benefit in extending the area for the referendum beyond the Neighbourhood Plan area.

Malborough is situated on the coast of the South Hams in Devon to the west of the town of Salcombe and lies within the S Devon AONB as shown on the map above.

#### 2. DEMONSTRATES THE CONFORMITY OF MNP WITH NPPF

#### NATIONAL POLICY

The following section describes how the MNP proposals relate to the NPPF.

#### SUSTAINABLE DEVELOPMENT

The central theme of the NPPF is the presumption in favour of sustainable development. In this context sustainable development is broadly defined internationally (Resolution 24/187 of the UN General assembly) as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The MNP has been prepared with regard to national policies as set out in the NPPF and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating NP's.

How the MNP complies with the 12 principles of the NPPF and therefore ensures that the plan promotes sustainable development as described below:

Principle	How MNP complies with the principle
1. 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. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;	<ul> <li>The plan has developed a vision and objectives for the village based on local appraisals, local surveys and consultations which will help to deliver the community's aspirations.</li> <li>Objective HD1 To encourage, facilitate and integrate, a steady stream and mix of new housing (affordable, social and market) to meet evidenced needs of local people over the next twenty years. This new housing should be of a type and size that meets the changing local needs of residents over their lifetimes. This plan targets a minimum of 63 new homes being built in the parish between 2014 and 2034</li> <li>This is supported by policies</li> <li>Planning for growth</li> <li>Community Balance</li> <li>Local Allocation Policy</li> <li>Principle residence restriction</li> <li>Change of use/level of occupancy</li> <li>Delivery</li> </ul>
2. Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives	The vision on which the plan is based states that 'in 2034 Malborough will continue to be a vibrant, growing and prosperous community. It will have a balanced demographic of young people, working families and the elderly and retired. There is an aspiration that more than 90% of the housing stock will remain as permanent

3. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities	homes and these will be affordable and accessible to the local community. Local employment opportunities and services will be encouraged whilst the rural character of the village and its surroundings will be protected. Malborough will continue to provide and develop diverse leisure and recreational activities to ensure a happy, healthy and diverse community.' This vision is supported by policies; 1. Planning for growth 2. Community Balance 3. Local Allocation Policy 4. Principle residence restriction 5. Change of use/level of occupancy 6. Delivery 9. Supporting Community Housing 27. Local green space designations 28. Protection of green spaces 29. Gardens 30. Community benefit 31. Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character Malborough is a 'sustainable' village and the plan outlines how the community feels it can develop. Supported by policies: 1. Planning for growth 2. Community Balance 3. Local Allocation Policy 4. Principle residence restriction 5. Change of use/level of occupancy 6. Delivery 9. Supporting Community Housing 10. Allocation Policy 4. Principle residence restriction 5. Change of use/level of occupancy 6. Delivery 9. Supporting Community Housing 10. Allocation 11. Time frame and scale 12. Type 15. Reserve site allocation 16. Custom & Self Build – Great Park (part of) 33. Short term parking for local businesses 34. Change of use 35. Change of use 36. Employment and enterprise 37. Tourism
4. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings	Objective HD2 'Building by design. New build schemes will insist on high quality design that sit comfortably with and respond to local surroundings, the landscape and existing buildings. Development must protect & enhance the quality of the local environment. To ensure new development, especially for family occupation, includes ample garden areas to serve the future

	residents and to reflect the current character of the area.
	Policies that support this;
	7. High quality design
	12. Type
	13. Access and integration
	14. Amenity Land and community facilities
	17. Adapting to climate change: New developments
	and consequential improvements (Residential)
	18. Adapting to climate change: New developments
	and consequential improvements (non-domestic)
	28. Protection of green space
	29. Gardens
	30. Community benefit.
	40. Residential streets & access roads
5. Take account of the different roles and	Malborough village has limited facilities, shop, Post
character of different areas, promoting the	Office, a school and two pubs and is surrounded by
vitality of our main urban areas, protecting the	agricultural land.
Green Belts around them, recognising the	Policies to enhance this;
intrinsic character and beauty of the countryside	7. High quality design
and supporting thriving rural communities within	23. Siting of development
it	25. Trees, woodland, hedgerows and Devon banks
6. <b>Support the transition</b> to a low carbon	When consulted over 2/3rds of the respondents in
future in a changing climate, taking full account	Malborough were in favour of renewables although
of flood risk and coastal change, and encourage	wind turbines and solar farms were not popular.
the reuse of existing resources, including	Policies to support this:
conversion of existing buildings, and encourage	7. High quality design
the use of renewable resources (for example, by	17. Adapting to climate change: New developments
the development of renewable energy)	and consequential improvements (Residential)
the development of renewable energy	18. Adapting to climate change: New developments
	and consequential improvements (non-domestic)
	19. Retrofitting historic/listed buildings
	22. Support for small scale renewable & low carbon
	energy schemes 41. Sustainable transport
	With most of the Parish at 400' above sea level,
	flooding is not a problem. The stress on sustainable
	drainage for new development in policy 17 should help
	to prevent future problems
7. Contribute to conserving and enhancing the	The sites put forward and considered for development
natural environment and reducing pollution.	adjoining the village are all of equal quality so they have
Allocations of land for development should	been assessed on other criteria including how they sit in
prefer land of lesser environmental value, where	the AONB landscape.Projects to support this:
consistent with other policies in this Framework	7. High quality design
	23. Siting of development
	25. Trees, woodland, hedgerows and Devon banks
	26. Biodiversity
8. <b>Encourage</b> the effective use of land by	There are no brownfield sites for development in

reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value	Malborough. Policies that promote the use of existing buildings for new uses. 34. Change of use (agricultural) 35. Change of use
9. <b>Promote</b> mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)	At present no mixed use developments have been mooted for Malborough. The reserve site was put forward to include car parking for the Church and some recreational use to mitigate the effect on the Church. Policies to help this: 23. Siting of development 24. Heritage 32. Existing Employment sites
10. <b>Conserve</b> 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	Malborough has 53 listed buildings /monuments in the Parish, with over 20 listed cottages in the conservation area in the centre of the village. Many of the monuments are in open countryside so should be unaffected by development. Policy 24. Heritage
11. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	<ul> <li>Malborough is still served by a regular bus service being on the main road between Kingsbridge and Salcombe.</li> <li>There is also a cycle track between Malborough and Salcombe.</li> <li>Policies to achieve this:</li> <li>13. Access and integration.</li> <li>27. Local green space designations.</li> <li>28. Protecting greenspace.</li> <li>40. Residential streets and access roads.</li> <li>41. Sustainable transport.</li> <li>42. Accessibility for all</li> </ul>
12. <b>Take account of and support</b> local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs	Malborough has good sports facilities built up over time in the Village Hall land to include football pitches, tennis courts, cricket pitch, skatepark, extensive playground and outdoor gym. There is also a large Village Hall which is widely used for community and social activities. It is the intention of this MNP to use Section 106 agreements to improve the facilities to accommodate the increased population. Relevant Policies 14. Amenity land and community facilities 30. Community Benefit

### 3. SHOWS HOW MNP WILL CONTRIBUTE TO DELIVERING SUSTAINABLE DEVELOPMENT

The NPPF sets out three 'dimensions' to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system, including MNP, to perform a number of roles.

- 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.
- 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.

This table, below, is an appraisal of each of the MNP policies against these three sustainability dimensions.

Policy No.	Policy Title	Conformity	Social Impact	Economic Impact	Environmental Impact
	1= very positive, 2= positiv 3=neutral, 4= negative 5=very negative	ve			
1	Planning for Growth	Yes	1	2	3
2	Community Balance	Yes	1	2	3
3	Local Allocation Policy	Yes	1	2	3
4	Principle Residence restriction	Yes	1	3	3
5	Change of use/Level of Occupancy	Yes	2	2	2
6	Delivery	Yes	1	2	3
7	High Quality Design	Yes	1	2	2
8	Retail and Commercial Frontages New Employment Units	Yes	2	2	2
9	Supporting Community Housing	Yes	1	2	2
10	Allocation	Yes	1	1	3

#### MNP POLICY APPRAISAL

11	Time frame and scale	Yes	1	1	3
12	Туре	Yes	2	2	3
13	Access and integration	Yes	2	3	2
14	Amenity Land and Community Facilities	Yes	1	3	2
15	Reserve Site Allocation	Yes	2	2	3
16	Custom and Self-Build Great Park – part of	Yes	1	2	2
17	Adapting to climate change (residential)	Yes	3	2	1
18	Adapting to climate change (non- domestic)	Yes	3	1	1
19	Retrofitting historic/ listed buildings	Yes	2	2	1
20	Dark skies policy	Yes	2	2	3
21	South West Water	Yes	1	3	2
22	Support for small scale renewables & low carbon energy schemes	Yes	2	1	1
23	Siting of development	Yes	2	2	3
24	Heritage	Yes	2	3	3
25	Trees, Woodland, hedgerows and Devon Banks	Yes	1	3	1
26	Biodiversity	Yes	2	3	1
27	Local Greenspace designation	Yes	1	2	2
28	Protection of Green spaces	Yes	1	3	1
29	Gardens	Yes	2	3	2
30	Community Benefit	Yes	1	2	2
31	Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character	Yes	1	3	2
32	Existing Employment sites	Yes	3	1	2
33	Short Term parking for local Businesses.	Yes	2	1	3
34	Change of use - (agricultural)	Yes	3	1	2
35	Change of use	Yes	3	1	2
36	Employment and enterprise	Yes	2	1	3
37	Tourism	Yes	3	1	2
38	The conversion of touring	Yes	3	2	3

	sites into permanent sites				
39	Design of Employment sites	Yes	3	1	3
40	Residential Streets and access roads	Yes	1	3	2
41	Sustainable Transport	Yes	1	2	1
42	Accessibility for All	Yes	1	1	1

#### 4. GENERAL CONFORMITY OF MALBOROUGH NEIGHBOURHOOD PLAN .....

.....with the Core strategies of South Hams District Council (SHDC) set out in the LDF Adopted 2006 (CS). Also with the SHDC LDF Development Policies of July 2010 (DP) and the SHDC LDF Affordable Housing Development Plan document of September2008 (AH). Conformity with the emerging Joint Local Plan of Plymouth and S West Devon (JLP) is also shown.

SHDC Policies	JLP	MNP
CS2. Housing Provision	SPT1. Delivering Sustainable development. SPT2. Sustainable linked neighbourhoods and sustainable rural communities SPT3. Provision of New Houses TTV1. Prioritising growth through a Hierarchy of sustainable settlements TTV 2. Delivering sustainable development in the thriving towns and villages DEV1. Protecting health and amenity DEV2. Air, water, soil, noise and land DEV8. Meeting local housing need in the Thriving Towns and Villages Policy Area DEV9. Meeting local housing need in the Plan Area DEV10. Delivering high quality housing DEV20. Place shaping and the quality of the built environment	<ol> <li>Planning for growth</li> <li>Community Balance</li> <li>Local Allocation Policy</li> <li>Principle Residence Restriction</li> <li>High Quality Design</li> <li>Allocation (Portlemore Downs)</li> <li>Time frame and scale</li> <li>Type</li> <li>Reserve site allocation</li> <li>Custom and Self build Gt Park (part of)</li> <li>Siting of development</li> <li>Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character []</li> </ol>
CS3. Employment Land Provision DP14. Protection of Employment land	<ul><li>SPT1. Delivering Sustainable</li><li>development</li><li>SPT 4. Provision of Employment</li><li>floor space</li><li>TTV2. Delivering sustainable</li><li>development in the thriving towns</li></ul>	<ol> <li>Retail and Commercial Frontages including new employment sites</li> <li>Existing employment sites</li> <li>Short term parking for local business</li> </ol>

	and villages TTV31. Development in the Countryside DEV2. Air, water, soil, noise and land DEV14. Maintaining a flexible mix of employment sites DEV18. Protecting local shops and services	<ul> <li>34. Change of use (agricultural)</li> <li>35. Change of use</li> <li>36. Employment and Enterprise</li> <li>37. Tourism</li> <li>39. Design of Employment sites</li> </ul>
CS6. Affordable housing AH1. Affordable housing Provision AH2. Allocated sites 60% affordable in rural areas AH3 Unallocated sites 50% affordable.	TTV1. Prioritising growth through a Hierarchy of sustainable settlements DEV8. Meeting local housing need in the Thriving Towns and Villages Policy Area DEV9. Meeting local housing need in the Plan Area DEV10. Delivering high quality housing	<ol> <li>Community Balance.</li> <li>Local Allocation Policy.</li> <li>Time frame and scale.</li> <li>Type</li> </ol>
<ul> <li>CS7. Design</li> <li>DP1. High Quality design</li> <li>DP3. Residential Amenity</li> <li>DP4. Sustainable Construction</li> <li>DP7. Transport, Access and</li> <li>Parking</li> <li>DP8. Open Space, Sport and</li> <li>Recreation</li> <li>DP9. Local Facilities</li> <li>DP11. Housing Mix and Tenure</li> </ul>	DEV10. Delivering high quality housing SPT1. Delivering Sustainable development SPT2. Sustainable linked neighbourhoods and sustainable rural communities SPT6. Spatial Provision of retail. SPT10. Balanced transport strategy for growth and healthy and sustainable communities SPT11. Strategic Approach to the Natural Environment. TTV1. Prioritising growth through a Hierarchy of sustainable settlements, sustainable linked neighbourhoods and sustainable settlements, sustainable linked neighbourhoods and sustainable rural communities TTV2. Delivering sustainable development in the thriving towns and villages DEV1. Protecting health and amenity DEV2. Air, water, soil, noise and land DEV3. Sport and recreation DEV4. Playing pitches DEV 8. Meeting local housing need in the Thriving Towns and Villages Policy Area	<ol> <li>Planning for growth</li> <li>Community Balance</li> <li>High quality Design</li> <li>Time frame and scale</li> <li>Type</li> <li>Access and integration</li> <li>Amenity land and</li> <li>community facilities</li> <li>South West Water</li> <li>Trees, woodland, hedgerows</li> <li>and Devon banks</li> <li>Local green space</li> <li>designations</li> <li>Protection of green spaces</li> <li>Gardens</li> <li>Community Benefit</li> <li>Proposals would be</li> <li>expected to enhance the</li> <li>community enjoyment of the</li> <li>green space and contribute to an</li> <li>improvement to the character</li> <li>[]</li> <li>Residential Streets and</li> <li>access roads</li> <li>Accessibility for All</li> </ol>

CS11. Climate Change	conservation DEV30. Trees, woodlands and hedgerows DEV34. Delivering low carbon development DEV35. Renewable and low carbon energy (including heat) DEV36. Community energy	<ul> <li>7. High Quality Design</li> <li>17. Adapting to climate change</li> <li>new development and</li> <li>consequential improvements</li> <li>(residential)</li> <li>18. Adapting to climate change</li> </ul>
CS10. Nature conservation DP5. Biodiversity and Geological Conservation	SPT1. Delivering Sustainable development SPT2. Sustainable linked neighbourhoods and sustainable rural communities SPT11. Strategic approach to the natural environment SPT13. European Protected sites, mitigation of recreational impacts from development DEV27. Nationally protected landscapes DEV28. Protecting and enhancing biodiversity and geological	<ul> <li>7. High quality Design</li> <li>25. Trees, woodland, hedgerows and Devon banks</li> <li>26. Biodiversity</li> <li>28. Protection of green spaces</li> <li>30. Community Benefit</li> <li>31. Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character</li> <li>[]</li> </ul>
CS9. Landscape and historic environment DP2. Landscape Character DP6. Historic Environment	SPT1. Delivering Sustainable development DEV21. Conserving the historic environment DEV22. Development affecting the historic environment DEV24. Landscape character DEV30. Trees, woodlands and hedgerows	<ul> <li>24. Heritage</li> <li>25. Trees, woodland, hedgerows and Devon banks</li> <li>26. Biodiversity</li> <li>28. Protection of green spaces</li> </ul>
	DEV9. Meeting local housing need in the Plan Area DEV20. Place shaping and the quality of the built environment DEV24. Landscape character DEV29. Green and play spaces (including Strategic Green Spaces, Local Green Spaces and undesignated green spaces) DEV30. Trees, woodlands and hedgerows DEV31. Development in the Countryside DEV32. Meeting the community infrastructure needs of new homes	

		consequential improvements (non-domestic) 19. Retrofitting historic and listed buildings 20. Dark skies policy 22. Support for small scale renewable and low carbon energy schemes
CS 13. Rural Diversification DP15. Development in the Countryside DP16. Conversion and reuse of existing buildings in the countryside	TTV31. Development in the Countryside DEV15. Supporting the rural economy	<ul> <li>23. Siting of development</li> <li>25. Trees, woodland, hedgerows and Devon banks.</li> <li>34. Change of use (agricultural)</li> <li>36. Employment and Enterprise</li> <li>37. Tourism</li> </ul>
	TTV3. Empowering local residents to create strong and sustainable communities	The whole plan 30. Community Benefit 31. Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character []
	DEV9. Meeting local housing need in the Plan Area Self-build	9. Supporting Community Housing
	DEV10. Delivering high quality housing Houses in multiple occupation	<ol> <li>Change of use/Level of occupancy</li> <li>Supporting community housing</li> </ol>
	DEV31. Specific provisions relating to transport	41. Sustainable Transport
	DEV32. Meeting the community infrastructure needs of new homes	<ol> <li>South West Water</li> <li>Community Benefit</li> </ol>
	DEL1. Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy	<ul> <li>6. Delivery</li> <li>31. Proposals would be expected to enhance the community enjoyment of the green space and contribute to an improvement to the character []</li> </ul>

#### 5. COMPATIBILITY WITH EU LEGISLATION

a) Malborough 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 1998. The consultation process has aimed to include all sections of the community, including hard-to-reach and under-represented groups such as young people and the disabled.

- b) South Hams District Council advised Malborough Neighbourhood Group that they would need to have a Strategic Environmental Assessment carried out.
- c) Also that they, South Hams District Council, would screen for the need for a Habitats Regulations Assessment in an email received on 16/3/17(text reproduced below)

........."Dear Debbie: Further to our telephone conversation today and my email below, I am writing to confirm that having reviewed the proposed Malborough Neighbourhood Plan, it is the Council's opinion that Strategic Environmental Assessment should be carried out in order to assess potential impacts of the Neighbourhood Plan on the environment.

This is primarily due to the proposed allocation of a site for housing development within the Area of Outstanding Natural Beauty at Portlemore Downs. In the absence of detailed evidence to show that this site will not have an unacceptable impact on the landscape within the AONB, a SEA report should be undertaken. Government guidance is clear that such a report should be proportional to the plan being assessed and the relevant issues, and I suggest that in this case the SEA should focus primarily on this landscape issue.

We have advised that the Neighbourhood Plan group should apply for help with this work from the DCLG Technical Support package (see the link in the email below), and I understand that you will need this email to show that SEA is considered necessary.

The Habitats Regulations Assessment (HRA) is a separate process to ensure that the Neighbourhood Plan will not have any unacceptable impacts on a European designated site. We will continue with the screening report for this and inform you of the outcome as soon as possible.

Best wishes, **Mandy Goddard I Neighbourhood Planning Officer** South Hams District Council I West Devon Borough Council Email: <u>mandy.goddard@swdevon.gov.uk</u>

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Aecom Infrastructure and Environment UK Limited were the consultants assigned to prepare the Scoping Report which was sent out on 19/07/2017.

This resulted in the Environmental Report to accompany the submission version of the Neighbourhood Plan of 24/11/2017.

South Hams District Council carried out Habitats Regulation Screening with their Report in May 2017.

Screening Opinion
The Council considers that there are no European Sites in the vicinity of <u>Malborough</u> that could be subject to significant effects from developments proposed in the <u>Malborough</u> Neighbourhood Plan and that therefore further <u>assesment</u> under the Habitats Regulations is not required. The full reasons are set out below
South Hams District Council_05/05/2017

These three documents accompany this Basic Condition Statement.

#### 6. CONCLUSION

- a) It is the view of the Malborough Parish Neighbourhood Plan (NP) Forum that the foregoing has shown that the Basic Conditions as set out in Schedule 4B of the Town and Country planning Act 1990 are considered to be met by the Malborough NP and all the policies therein.
- b) The plan has appropriate regard to the NPPF and will contribute to the achievement of sustainable development. It is in conformity with strategic policies contained in South Hams District Council Local Plan and the emergent Joint Local Plan covering South Hams, Plymouth and West Devon.
- c) The plan meets the relevant EU obligations.
- d) On that basis it is respectfully suggested to the Examiner that the Malborough Neighbourhood Plan complies with Paragraph 8(2) of Schedule 4B of the Act.



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**Associated documents**: S.E.A. Screening Report July 2017, S.E.A. Environmental Report November 2017, Habitats Regulation Assessment May 2017