

# Maghull Neighbourhood Plan

## Basic Conditions

### Statement



November 2017



#mymaghull



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## 1. Introduction

1.1 This document is the Basic Conditions Statement in support of the submission to Sefton Council version of the Maghull Neighbourhood Plan (the Plan) as required by Section 15 of the Neighbourhood Planning (General) Regulations 2012.

1.2 The Statement addresses each of the “basic conditions” required of the Regulations which are that the Neighbourhood Plan must:

- be appropriate having regard to national policy;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies in the development plan of the local area;
- be compatible with human rights requirements; and
- be compatible with EU regulations.

The Statement also explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

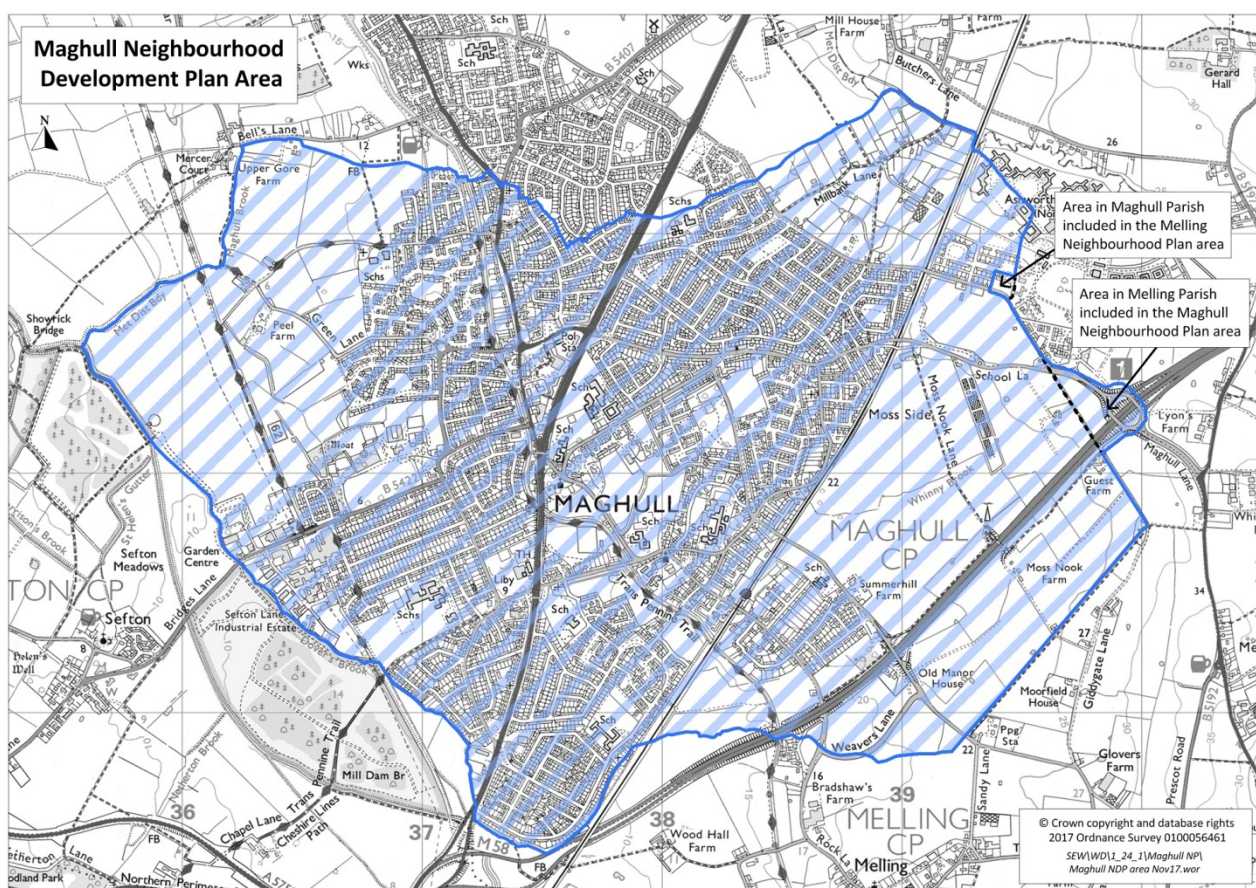
1.3 Maghull Town Council has delegated the preparation of the Maghull Neighbourhood Plan to the Maghull Neighbourhood Plan Steering Group with support from officers of Maghull Town Council. The role of the Steering Group is set out in the terms of reference in Maghull Town Council’s Scheme of Delegation as agreed at Annual Council in May 2015.

1.4 The draft Plan contains policies relating to the development and use of land within the Neighbourhood Area. Proposals relating to planning matters (the use and development of land) have 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.

## 2. Qualifying Body

2.1 The Maghull Neighbourhood Plan is proposed by Maghull Town Council as a Qualifying Body. The preparation of the Plan has been delegated to the Maghull Neighbourhood Plan Steering Group as agreed by Full Council on 13<sup>th</sup> December 2013. The Maghull Neighbourhood Plan relates to development of land within the Neighbourhood Plan Area.

2.2 The Plan area covers the majority of the parish of Maghull including the entirety of the site known as Land East of Maghull which includes an area of Melling Parish. A small area of Maghull Parish has been included in the Melling Neighbourhood Plan area. The plan area is shown on the map in Figure 1, which also identifies the land that has been swapped. This area was subject to six weeks consultation and was formally designated in accordance with Section 61G(1) of the Localism Act 1990 and Part 2 of the Neighbourhood Planning (General) Regulations 2012 on 5th February 2015.





### **3. Basic Condition Statement**

#### **3.1 Plan Period**

3.1.1 The period the Plan covers is from its adoption until 2037, subject to potential review every 5 years.

#### **3.2 Excluded Matters**

3.2.1 The Maghull Neighbourhood Plan does not deal with matters such as mineral extraction and waste development or Nationally Important Infrastructure Projects. It also does not deal with matters set out in Section 61K of the Localism Act 2011.

#### **3.3 Neighbourhood Area**

3.3.1 The Plan area covers the majority of the parish of Maghull including the entirety of the site known as Land East of Maghull which includes an area of Melling Parish. A small area of Maghull Parish has been included in the Melling Neighbourhood Plan area. The plan area is shown on the map in Figure 1, which also identifies the land that has been swapped. This area was subject to six weeks consultation and was formally designated in accordance with Section 61G (1) of the Localism Act 1990 and Part 2 of the Neighbourhood Planning (General) Regulations 2012 on 5th February 2015. There are no other overlapping Neighbourhood Development Plans in place within the Neighbourhood Area.



## **4. National Policies and Advice**

4.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of National Planning Practice Guidance (NPPG) in respect of formulating Neighbourhood Plans.

### **4.2 Building a strong, competitive economy**

4.2.1 The Maghull Neighbourhood Development Plan (NDP) sets out the following policies that aim to build a strong, competitive economy:

- MAG 1: List of Infrastructure Projects
- MAG 2: Regeneration of the Maghull District Centre

4.2.2 These policies meet the NPPF's aims by supporting regeneration within the district centre as well as promoting infrastructure projects within the town.

### **4.3 Ensuring the vitality of town centres**

4.3.1 The Maghull NDP sets out the following policies that aim to ensure the vitality of the town centre:

- MAG 1: List of Infrastructure Projects
- MAG 2: Regeneration of the Maghull District Centre

4.3.2 Elements of the Infrastructure List include the town centre regeneration as well as traffic schemes to improve the overall layout of the district centre. Mag 2 seeks to ensure that all stakeholders are involved in the regeneration of the town and thereby ensuring its continued presence and success.

### **4.4 Promoting sustainable transport**

4.4.1 The Maghull NDP sets out the following policies that aim to promote sustainable transport:

- MAG 1: List of Infrastructure Projects
- MAG 5: Green Corridors
- MAG 6: Land East of Maghull Masterplan

4.4.2 These policies meet the aims of the NPPF by promoting green travel and connectivity between the development at the Land East of Maghull and the rest of the town. The Masterplan ensures that this will be done in a cohesive and structured way which is easily understood. The policy regarding travel around Land East of Maghull is structured so to encourage drivers to access the motorway system quickly. By placing



the local centre more centrally in the site this would reduce the number of journeys by car.

## **4.5 Delivering a wide choice of high quality homes**

4.5.1 The Maghull NDP sets out the following policy that aims to deliver a wide choice of high quality homes:

- MAG 4: Character Areas
- MAG 6: Land East of Maghull Masterplan

4.5.2 This policy meets the aims of the NPPF by ensuring that the site Land East of Maghull is built in an agreed and structured way with key design components being included.

## **4.6 Requiring good design**

4.6.1 The Maghull NDP sets out the following policies that aim to require good design:

- MAG 3: Maghull Local List
- MAG 4: Character Areas
- MAG 6: Land East of Maghull Masterplan

4.6.2 These policies meet the aims of the NPPF by ensuring that any development within Maghull is in keeping with the Character Areas identified. The other policies require masterplans to be developed or submitted to ensure that any development within the town contributes positively to making it a better place for people. The design policy seeks to establish a strong sense of place which incorporates green spaces as well as the built environment.

## **4.7 Promoting healthy communities**

4.7.1 The Maghull NDP sets out the following policies that aim to promote healthy communities:

- MAG 1: List of Infrastructure Projects
- MAG 5: Green Corridors

4.7.2 These policies meet the aims of the NPPF by ensuring that the Infrastructure List includes provision for more sports facilities in the town so as to deliver the social, recreational and cultural facilities required by the NPPF. The green corridors policies seek to encourage pedestrians and cyclists to use rights of way and green spaces more frequently.



## **4.8 Conserving and enhancing the historic environment**

4.8.1 The Maghull NDP sets out the following policies that aim to conserve and enhance the historic environment:

- MAG 3: Maghull Local List
- MAG 4: Character Areas

4.8.2 These policies meet the aims of the NPPF by ensuring that the heritage of the town is safeguarded and that any development or alterations are made sympathetically to the environment.





## **5. Contribution to the Achievement of Sustainable Development**

- 5.1 The National Planning Policy Framework (NPPF) states a presumption in favour of sustainable development. According to the NPPF, this means positive growth that contributes to the economic, environmental and social progress for this and future generations.
- 5.2 The Maghull Neighbourhood Plan promotes growth in the area with a mix of new housing which will support the needs of the whole community. It also seeks to reinvigorate the town centre and integrate new housing into the greater Maghull area thereby reducing the reliance on private cars as well as providing an opportunity to regenerate some areas in particular the town centre. The area directly to the south of the shopping arcade in the town centre is identified as a regeneration area within Sefton Council's Local Plan and it is the aspiration of the Town Council that new development in this area will enhance and revitalise both the shopping experience and the night time economy with a mix of shops and restaurants/cafes. This will encourage economic prosperity in the town as well as increasing the likelihood that the area becomes a destination venue.
- 5.3 Green corridors connecting areas of new development with established areas also contribute to sustainable development allowing Maghull to retain and enhance its green spaces. The Plan also identifies and promotes the creation of the Maghull Local List which identifies buildings of architectural value and merit in the town as suggested by local residents. This seeks to protect and improve both the built and green environments.
- 5.4 The social aspects of any development in the town will be assisted by Section 106 contributions to improve community assets and infrastructure. The Neighbourhood Plan also seeks to encourage developers to design their sites with connecting linkages to the town.



## **6. General Conformity with the Strategic Policies of the Adopted Local Plan**

6.1 The Neighbourhood Development Plan conforms in general terms with Sefton Council's Adopted Local Plan. Sefton Council adopted their Local Plan in April 2017 and the Neighbourhood Plan has been developed whilst the Local Plan was being formulated. Therefore, the Neighbourhood Plan policies tie in closely with those of the Local Plan.

6.2 Policy MAG 1: List of Infrastructure Projects is in conformity with the following Local Plan policies:

- SD1 Presumption in favour of sustainable development
- SD2 Principles of sustainable development
- MN1 Housing and employment requirement
- MN 2 Housing, employment and mixed use allocations
- MN3 Land east of Maghull
- ED2 Retail, leisure and other town centre uses
- ED6 Regeneration areas
- IN1 Infrastructure and developer contributions
- IN 2 Transport
- EQ1 Healthy Sefton

6.3 This is because it seeks developer contributions to assist with the town centre regeneration, provide additional sporting facilities which assists with a healthier lifestyle and it is directly linked to the Land East of Maghull

6.4 Policy MAG 2: Regeneration of the Maghull District Centre is in conformity with the following Local Plan policies:

- SD2 Principles of sustainable development
- ED2 Retail, leisure and other town centre uses
- ED6 Regeneration areas

6.5 This is because it seeks to assist with the regeneration of the district centre in Maghull by actively working with developers, land owners, Sefton council and other stakeholders to ensure a sustainable development and deliver improvements to the centre.

6.6 Policy MAG 3: Maghull Local List is in conformity with the following Local Plan policies:

- NH 9 Heritage assets
- NH15 Non designated Heritage Assets

6.7 This is because the policy seeks to ensure well designed and sympathetic extensions and alterations to those buildings which appear on the Maghull Local List.



6.8 Policy MAG 4: Character Areas is in conformity with the following Local Plan policies:

- MN7 The Green Belt
- EQ9 Provision of public open space, strategic paths and trees
- NH 5 Protection of open space and countryside recreation areas
- NH11 Works affected Listed Buildings
- NH12 Conservations Areas
- NH15 Non designated Heritage Assets

6.9 This policy seeks to ensure that any development within the town reflects the distinct characteristics of each area to ensure that it is sympathetic not only to Listed Buildings and the Conservation Area but also to the other distinct areas of Maghull.

6.10 Policy MAG 5: Green Corridors is in conformity with the following Local Plan policies:

- SD2 Principles of sustainable development
- MN3 Land East of Maghull
- EQ1 Healthy Sefton
- EQ3 Accessibility
- EQ9 Provision of public open space, strategic paths and trees
- NH1 Natural Assets

6.11 Maghull is dominated by its parks and open spaces. The Neighbourhood Plan seeks to ensure that any development in the town provides residents with useable public space as a valuable amenity. The policies in the Neighbourhood Plan seek to specifically require the development at the Land East of Maghull to conform with the greenness of the town.

6.12 Policy MAG 6: Land East of Maghull Masterplan is in conformity with the following Local Plan policies:

- SD1 Presumption in favour of sustainable development
- SD2 Principles of sustainable development
- MN3 Land east of Maghull
- EQ9 Provision of public open space, strategic paths and trees

6.13 The only way that a large development such as Land East of Maghull will be successful as a sustainable development is if a Masterplan for the area is submitted, as detailed in the Local Plan, with a complete phasing and infrastructure delivery and a programme of implementation. The site will have such an impact on the town that is reasonable to expect that this information can and should be provided as part of the Masterplan documentation.



## **7. EU Regulations**

- 7.1 A Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report has been prepared and the three statutory environmental bodies were consulted. All three were in broad agreement with the Council's view that a SEA is not required for the proposed Maghull Neighbourhood Plan. In addition, Natural England agreed with the Council's view that 'appropriate assessment' is not required to be made under Regulations 61, 62 and 63 of the Conservation (Natural Habitats &c) Regulations (as amended) unless the Maghull Neighbourhood Plan proposes to allocate additional land for development. If this is the case, rescreening will be required.

## **8. Conclusion**

- 8.1 The Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to have been met by the Maghull Neighbourhood Plan and all the policies therein. It is suggested therefore, that the Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.