

## **A statement that the Draft Plan meets the basic conditions and complies with the relevant legislation**

The Draft Kings Clipstone Neighbourhood Development Plan, hereafter the Plan, has been prepared in accordance with the Town and Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future for the Parish and sets out how that vision will be realised through planning and controlling land use and development change.

The 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.

The Plan meets the following 'Basic Conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. A Neighbourhood Plan must meet these conditions if it is to proceed to a referendum and be made. The Basic Conditions are:

1. Has regard to national policy and guidance from Secretary of State;
2. Has special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses;
- 3 Has special regard to the desirability of preserving or enhancing the character or appearance of any conservation area;
4. Contributes to sustainable development;
5. Is in general conformity with the strategic policy of the development plan for the area or any part of that area;
6. Does not breach or is otherwise compatible with EU obligations – this includes the Strategic Environmental Assessment Directive of 2001/42/EC and compatibility with Convention rights, within the meaning of the Human Rights Act 1998; and
7. Prescribed conditions are met and prescribed matters are complied with.

The Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening and re-screening statements have been prepared for the Draft and Submission versions of the Plan by Newark and Sherwood District Council on behalf of the Parish Council. These concluded that the Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA. In terms of the HRA re-screening the recent judgement 'People over Wind, Peter Sweetman v Collte Teorantal' (12th April 2018) has been taken into consideration and in my opinion the conclusion remains that no significant effects are likely to occur as a result of implementation of the Plan with regards to the integrity of the Birklands and Bilhaugh SAC that falls within 15km of Kings Clipstone that also falls within a 5km buffer from Woodlark and Nightjar breeding areas. On this basis the Plan would not require a full HRA to be undertaken.