

Beeston, Tiverton and Tilstone Fearnall Neighbourhood Plan

BASIC CONDITIONS STATEMENT

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1 INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Beeston, Tiverton & Tilstone Fearnall Neighbourhood Development Plan (hereafter known as the “Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan” or “the Neighbourhood Plan”) has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the ‘basic conditions’ of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.
- 1.2 The Neighbourhood Plan has been produced by a Neighbourhood Planning Working Group including Beeston and Tiverton & Tilstone Fearnall Parish Council members and community volunteers from both Parishes. Cheshire Community Action has been assisting the Working Group with the preparation of the document and the Group has worked closely with Cheshire West and Chester Council (CWaC).
- 1.3 Effective community engagement throughout the process will mean that the Neighbourhood Plan will belong to the people of Beeston, Tiverton & Tilstone Fearnall.
- 1.4 The Neighbourhood Plan is supported by a Policy Proposals Report and a Consultation Statement. All of these documents have been submitted alongside the Neighbourhood Plan.

2 BASIC CONDITIONS

Basic conditions to be met

- 2.1 Schedule 4B to the Town and Country Planning Act (Para 8) sets out the following basic conditions that Neighbourhood Development Plans must meet:

- 8(1)** *The examiner must consider the following—*
- (1.a) whether the draft neighbourhood development plan meets the basic conditions (see sub- paragraph (2)),*
 - (1.b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L,*
 - (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and*
 - (e) such other matters as may be prescribed.*
- (2)** *A draft neighbourhood development plan meets the basic conditions if—*
- (a) 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,*
 - (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,*
 - (e) 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),*
 - (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and*
 - (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.*
- (6)** *The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).*

Para 8 of schedule 4B to the 1990 Town and Country Planning Act (excluding 2b. c3-5 as required by 38

How the Neighbourhood Plan meets the basic conditions

- 2.2 The Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan meets the basic conditions of schedule 48 to the 1990 Town and Country Planning Act, Schedule 4B, 8(1) (a). This is set out in the following sections of this Basic Conditions Statement.
- 2.3 Schedule 4B section 8(1) (b) covers the provision of 61E (2), 61J and 61L as amended by s38C (5) (b) this provides a reference to the provision of 38A and 38B. The following information is submitted in respect of 38A and 38B.

38A

- 2.4 **(1)** Beeston Parish Council and Tiverton & Tilstone Fearnall Parish Councils are both qualifying bodies and as such are entitled to submit their own individual Neighbourhood Development Plans (NDPs) for their own parishes. However because these two neighbouring parishes share common interests including an important corridor that runs the whole length of the border between the two parishes it was decided to produce a single NDP covering both parishes. A Neighbourhood Plan Working Group, which included representatives from both parishes, was formed to produce a Beeston, Tiverton and Tilstone Fearnall Neighbourhood Plan. The Neighbourhood Plan area, which covers both parishes, was approved by CWaC on 9th July 2013.
- 2.5 **(2)** The Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area. Other 'aspirations' are also described in the Neighbourhood Plan but these are clearly distinguished from the policies and are non-statutory.

38B

- 2.6 **(1a)** The period of the Neighbourhood Plan forms the basis of planning policy for the area to 2030. This deliberately follows the period of the CWaC Local Plan. It is intended that the Neighbourhood Plan is to be reviewed and updated regularly during this process (potentially every 5 years).
- 2.7 **(1b)** No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 2.8 **(1c)** The Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Beeston, Tiverton and Tilstone Fearnall as designated by Cheshire West and Chester Council on 9th July 2013.
- 2.9 **(2)** There are no other Neighbourhood Development Plans (NDPs) in place for the approved Beeston, Tiverton and Tilstone Fearnall neighbourhood area.

- 2.10 (3)** If there are any conflicts within the Neighbourhood Plan, it is clarified that in the event of a conflict between a policy and any other statement or information in the plan, the conflict must be resolved in favour of the policy.
- 2.11 (4)** Regulations made by the Secretary of State relating to NDPs in the Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the Neighbourhood Plan. These regulations set out:
- Processes by which neighbourhood plans are to be made and set out the consultation bodies for NDP's.
 - NDP's that are likely to have a significant effect on European Sites (habitats) must be subject to an appropriate assessment. Following consultation with CWaC and the Environmental Agency it was determined that an Environmental Screening and Habitats Regulation Assessment was not required.
- 2.12 (5)** Refers to the publication of NDP's once made by a local planning authority in accordance with the regulations.
- 2.13 (6)** Clarifies what is excluded development.
- 2.14** Para 1(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates. It is not considered that there is any benefit or reason for extending the area for the referendum beyond the Designated Neighbourhood Plan Area.
- 2.15** Para 1(e) such other matters as may be prescribed. There are no other matters

3 CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

3.1 The National Planning Policy Framework

(NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development, and that the policies contained in the NPPF, taken as a **whole**, constitute the Government's view of what sustainable development in England means in practice for the planning system.

3.2 NPPF sets out 12 core land-use planning principles that should underpin plan-making and decision-taking. These are that planning should:

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;
2. Be a **creative exercise** in finding ways to enhance and improve the places in which people live their lives; **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;
3. Always seek to secure **high quality design** and a good standard of amenity for all existing and future occupants of land and buildings;
4. **Take account of the different roles and character of different areas ...**, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
5. Support the **transition to a low carbon future in a changing climate**, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resource;
6. Contribute to **conserving and enhancing the natural environment** and reducing pollution;
7. **Encourage the effective use of land** by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
8. **Promote 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);
9. **Conserve heritage assets** in a manner appropriate to their significance;

10. **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; and take account of and support local strategies to **improve health, social and cultural wellbeing** for all.
- 3.3 These principles have been embodied throughout the preparation of the Beeston, Tiverton & Tilstone Fearnall Plan, which has had regard to the following key policy sections of the NPPF, as evidenced below.

Building a strong, competitive economy

- 3.4 The NPPF Para 21 states that local planning authorities (LPA's) should plan positively for local inward investment to match and meet anticipated needs over the plan period. Support should be given to existing business whilst identifying priority areas for infrastructure provision and environmental enhancement. The NPPF encourages flexible working practices such as the integration of residential and commercial units within the same unit.
- 3.5 **Aim 3** of the Neighbourhood Plan is to *“encourage small-scale development that enhances economic sustainability and employment opportunities.”*
- 3.6 **Aim 4** is to *“support the proposed provision of local retail outlets”*
- 3.7 **Aim 2** is to *“ensure that the residential development of single detached or semi detached dwellings in keeping with adjacent properties continues to contribute to the range of housing available in the villages”*
- 3.8 The Neighbourhood Plan positively responds to this in the following ways:
- Policy BE1 supports new built development which properly reflects the nature of existing properties and respects the character of the area.
 - Policy ED1 promotes applications for new development that generates employment.
 - Policy ED2 requires that this development has a positive impact on the built environment and historic character of the locale.
 - Policy ED3 promotes development that supports the retention of existing business and discourages change of use away from employment activity.
 - Policy ED4 promotes proposals to consolidate, expand or add to local retail provision as long as they are primarily aimed at meeting the needs of the local population.
 - Policy ED5 seeks to improve broadband connectivity.
- 3.9 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Ensuring the vitality of town centres

- 3.10 Para 23 of the NPPF recognises that town/local centres are the heart of the community. Promotion of a distinctive and flourishing local economy, exhibiting vitality and dynamism will assist in the strengthening of the local economy and provide local facilities to new and existing residents.
- 3.11 The Neighbourhood Plan covers 3 villages along with their surrounding hamlets, with a local economy that is largely agricultural. None of the villages have a “town centre” as such and businesses are dispersed around the neighbourhood rather than being grouped together in a central location.
- 3.12 The Neighbourhood Plan therefore does not look to address these plan-making aims, as set out in the NPPF.
- 3.13 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Supporting a prosperous rural economy

- 3.14 The NPPF Para 28 states that sustainable growth and expansion of all business types will be supported along with the retention and development of local services and community facilities in villages, such as shops, meeting places, sports venues and cultural facilities.
- 3.15 **Aim 3** of the Neighbourhood Plan is to *“encourage small-scale development that enhances economic sustainability and employment opportunities.”*
- 3.16 The Neighbourhood Plan positively responds to this in the following ways:
- Policy ED1 promotes applications for new development that generates employment.
 - Policy ED3 promotes development that supports the retention of existing business and discourages change of use away from employment activity.
- 3.17 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Promoting sustainable transport

- 3.18 Para 37 of the NPPF states that policies should aim for a balance of land uses within their area, allowing for people to be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.
- 3.19 **Aim 5** of the Neighbourhood Plan is to *“welcome measures that result in improvements to the safety and accessibility of the transport network.”*
- 3.20 The Neighbourhood Plan recognises that public transport provision across the area is poor and declining. The Neighbourhood Plan positively responds to this in the following way:

- Policy T1 encourages the re-opening of Beeston Railway Station to provide residents with much improved transport links.

3.21 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Supporting high quality communications infrastructure

3.22 Para 162 of the NPPF, refers to infrastructure and specifically the provision of telecommunication infrastructure. Para 42 specifically refers to the development of high speed broadband technology which plays a vital role in the provision of local community facilities and services.

3.23 Aim 9 of the Neighbourhood Plan is to *“seek improvements to the speed and capacity of the communications network”*

3.24 The Neighbourhood Plan positively responds to this in the following ways:

- Policy ED5 seeks to improve broadband connectivity.
- Policy ED6 acknowledges the need for improved mobile signal connectivity, whilst minimizing the negative impacts on the Neighbourhood Plan area caused by telecommunication masts.

3.25 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Delivering a wide choice of high quality homes

3.26 The NPPF para 54 states that LPA's should be responsive to local needs particularly for affordable housing. It is appropriate that NDP's as locally specific and statutory elements of the adopted Development Plan can set the criteria that refine the application of National Policy. It is clear that the NPPF does not wish to set a blanket approach to such elements of policy and a NDP is an appropriate mechanism to provide a locally distinctive approach to the aspect of policy.

3.27 The NPPF encourages a mix of housing to create a choice of house types. It seeks mixed and inclusive communities through planning for demographic trends. The NPPF also defines intermediate affordable housing as housing that is sub market and restricted to eligible households by reference to local incomes and house prices.

3.28 Aim 1 of the Neighbourhood Plan is to *“manage housing growth to 2030.”*

3.29 Aim 2 of the Neighbourhood Plan is to *“ensure that the residential development of single detached or semi detached dwellings in keeping with adjacent properties continues to contribute to the range of housing available in the villages.”*

3.30 The Neighbourhood Plan positively responds to this in the following ways:

- Policy BE1 supports new built development which properly reflects the nature of existing properties and respects the character of the area.

Policy BE3 provides for a suitable mix of housing types and sizes to reflect the housing needs of the community.

Policy BE3 also aims to provide affordable housing as part of any development of more than 5 houses on a single site.

- 3.31 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Requiring good design

- 3.32 Paragraphs 56-62 of the NPPF explain how plan-making should promote high quality design. It states that good design is a key aspect of sustainable development. Developments should ensure that they add to the overall quality of the area for the lifetime of the development, establishing a strong sense of place responding to local character, and are safe yet attractive.

- 3.33 **Aim 2** of the Neighbourhood Plan is to *“ensure that the residential development of single detached or semi detached dwellings in keeping with adjacent properties continues to contribute to the range of housing available in the villages.”*

- 3.34 The Neighbourhood Plan positively responds to this in the following ways:

- Policy BE1 supports new built development which properly reflects the nature of existing properties and respects the character of the area.
- Policy BE2 requires new developments to incorporate, where practical, energy efficient measures by the use of new and recycled materials.
- Policy BE2 also requires new developments to, where feasible, make full use of power generated by renewable energy systems as well as minimizing water usage.
- Whilst not a policy, Section 5.1 encourages a zero carbon footprint for new development and whilst not prescriptive to encourage design such that the resultant environmental changes are positive.
- Policy BE3 requires new housing proposals to respect the built environment with regards to design and historic character.
- Policy BE3 also requires new housing proposals to provide sufficient external amenity space, refuse and recycling storage; adequate vehicle and bicycle parking and high quality streetscape.

- 3.35 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Promoting healthy communities

- 3.36 The planning system plays an important role in facilitating social interaction and creating healthy, inclusive communities. The NPPF Para 69 promotes the creation of safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.

- 3.37 Access to high quality open spaces and opportunities for sport and recreation are promoted in Para 73 of the NPPF for making an important contribution to the health and well being of communities. Building on existing open space, sports and recreation buildings and land will only be permitted under exceptional circumstances.
- 3.38 The NPPF encourages NDPs to identify special protection for green spaces which have significant importance to the community.
- 3.39 **Aim 6** of the Neighbourhood Plan is to *“preserve and enhance designated and non-designated heritage assets, historic buildings, the waterways and natural environment”*
- 3.40 **Aim 8** is to *“sustain and safeguard long-standing and established community places”*
- 3.41 The Neighbourhood Plan positively responds to this in the following ways:
Section 5.4 highlights the importance of the Natural Environment to the community and to their quality of life. With this in mind it is important to maintain and protect the rural and tranquil nature of the area; and to maintain and protect traditional rural features.
Policy NE1 requires that views of Beeston Castle and its setting within the local landscape should not be adversely affected by new development.
 - Policy NE2 requires that development proposals should not adversely affect the River Gowy, Shropshire Union Canal , towpath and embankment. These are important areas for recreation, visual amenity as well as being of historic value.
Policy NE3 requires that all Public Footpaths and Bridleways and the Sandstone Trail to be protected and maintained throughout the parishes.
Policy CP2 encourages proposals that seek to sustain and safeguard long standing and established community activities.
- 3.42 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Protecting Green Belt Land

- 3.43 There is no Green Belt Land within the Neighbourhood Plan area.

Meeting the challenge of climate change, flooding and coastal change

- 3.44 Local Authorities are encouraged to adopt proactive strategies to mitigate and adapt to climate change, taking into full account of flood risk.
- 3.45 Para 95 of the NPPF states that in order to support the move to a low carbon future, LPA's should plan for new development in locations and ways which reduce greenhouse gas emissions. The NPPF actively supports energy efficiency improvements to existing buildings and set local requirements for sustainable

buildings that is consistent with the Government's zero carbon policy and adopt nationally described standards.

- 3.46 There is no specific Aim relating to this in the Neighbourhood Plan.
- 3.47 However the Neighbourhood Plan responds positively to the challenges of climate change and is in conformity with the flooding policies of the NPPF. It largely leaves these matters to existing national and local policy and regulation.
- 3.48 Policy BE2 of the Neighbourhood Plan encourages new developments to incorporate, where practicable, energy efficiency measures by use of new and recycled materials.
- 3.49 Policy BE2 also supports the use by new developments of power generated by renewable energy systems and measures to minimize water usage. This will contribute to the Government's objective of reducing reliance on fossil fuels, which will help in the challenge to reduce the effects of climate change.
- 3.50 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Conserving and enhancing the natural environment

- 3.51 Para 109 of the NPPF reinforces that planning should contribute to and enhance the natural and local environment, through protecting existing landscapes and minimising impacts on biodiversity. Brownfield development should be encouraged, providing the land is not of high environmental value.
- 3.52 **Aim 6** is to *"preserve and enhance designated and non-designated heritage assets, historic buildings, the waterways and natural environment"*
- 3.53 **Aim 7** is to *"maintain rural tranquillity and dark skies"*
- 3.54 The Neighbourhood Plan positively responds to this in the following ways:
- Policy BE1 requires that new development respect the character of the local built environment, its history and surrounding natural landscape and seek to reinforce this character through quality design.
- Policy BE3 requires that future housing proposals must retain as many mature / established trees as possible.
- Whilst Policy BE3 encourages new development that generates employment it is required to have a positive impact on the built environment and historic character of the locale.
- Policy NE1 requires that public views of Beeston Castle and its setting within the local landscape should not be adversely affected by new development.
- Policy NE2 states that development proposals that would adversely affect the recreational value, visual amenity and historic value of the Shropshire Union

Canal or River Gowy settings or damage their environments will be strongly resisted.

Policy NE3 states that all Public Footpaths and Bridleways and The Sandstone trail should be protected and maintained throughout the parishes.

Policy NE4 states that new development should not adversely affect views of open countryside or local landmarks.

Policy NE5 states that stone and wooden stiles within the parishes should be preserved. New gates and/or access ways created should not disturb the existing stiles.

Policy NE7 requires that new development proposals should preserve existing hedgerows and their surrounding features, including sandstone walls; and incorporate landscaping plans that, where possible, use traditional hedgerow plants such as Hawthorn and Beech.

Policy NE7 also acknowledges that Townfield Lane is an important feature in the landscape and its hedgerows and wildlife should be protected from development.

Ponds are an important feature of the area and Policy NE8 looks to ensure that proposals for new development, including extensions of existing buildings, must be designed so as to not adversely affect ponds.

- Policy NE9 highlights the desire of the community to maintain dark skies, except where there are highway safety concerns.

- 3.55 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF.

Conserving and enhancing the historic environment

- 3.56 NPPF para 126 states that LPA's should have a positive strategy for the conservation and enjoyment of the historic environment.

- 3.57** Proposals that preserve historic elements and character of the setting, which make a positive contribution to or better reveal the significance of the historic asset should be treated favourably. The NPPF recognises the importance of both designated and non-designated heritage assets.

- 3.58 **Aim 6** is to “*preserve and enhance designated and non-designated heritage assets, historic buildings, the waterways and natural environment.*”

- 3.59 There are parts of all three villages that were designated in the Chester City Local Plan as Conservation Areas (ENV35-41), many listed buildings (including a War Memorial), and two sites of National Importance, Beeston Iron Lock on the Shropshire Union Canal and, Beeston Castle (ENV31) which are both Scheduled Ancient Monuments. All of these features are identified within the Neighbourhood Plan.

3.60 The Neighbourhood Plan positively responds to this in the following ways:

- Policy BE1 requires that new development respect the character of the local built environment, its history and surrounding natural landscape and seek to reinforce this character through quality design.
- Whilst Policy BE3 encourages new development that generates employment it is required to have a positive impact on the built environment and historic character of the locale.
- Policy NE1 requires that public views of Beeston Castle and its setting within the local landscape should not be adversely affected by new development
- Policy NE4 states that new development should not adversely affect views of open countryside or local landmarks.
- Policy NE5 states that stone and wooden stiles within the parishes should be preserved. New gates and/or access ways created should not disturb the existing stiles.
- Policy NE7 requires that new development proposals should preserve existing hedgerows and their surrounding features, including sandstone walls; and incorporate landscaping plans that, where possible, use traditional hedgerow plants such as Hawthorn and Beech.
- Policy NE7 also acknowledges that Townfield Lane is an important feature in the landscape and its hedgerows and wildlife should be protected from development.
- Ponds are an important feature of the area and Policy NE8 looks to ensure that proposals for new development, including extensions of existing buildings, must be designed so as to not adversely affect ponds.
- Policy CP1 requires that Tiverton War Memorial and Tiverton Village Green and their settings should be protected from the adverse effects of any development.

3.61 There is nothing within the Neighbourhood Plan that conflicts with these plan-making aims, as set out in the NPPF

4 CONTRIBUTING TO SUSTAINABLE DEVELOPMENT

- 4.1 Sustainable development is about positive growth - making economic, environmental and social progress for this and future generations.
- 4.2 There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system 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; and
 - **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.
- 4.3 At the heart of the National Planning Policy Framework is a *“presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”*.
- 4.4 The Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan did not require an Environmental Screening and Habitats Regulation Assessment to be undertaken.
- 4.5 The Neighbourhood Plan has considered all aspects of economic, social and environmental sustainability in its production and its policies will contribute to the promotion of sustainable development. This is summarised in the Table 4.1 on the following page.
- 4.6 The contribution of the Plan to sustainable development can also be understood by the consideration in Section 3 of how the Plan responds to the guidance set out in the NPPF, which itself seeks to promote sustainable development.

Table 4.1: Contribution of the Neighbourhood Plan to Sustainable Development

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
Policy – Built Environment		
BE1. New Built Development	Supports a limited amount of housing and other development growth, however this should not erode the qualities that make the villages special.	<ul style="list-style-type: none"> • Ensure that new built developments do not harm or adversely affect the existing environment. • Protection and enhancement of existing cultural heritage and landscape
BE2. Development Impacts	Need to address the impact that new development is likely to have on local facilities. To encourage energy efficiency measures and to make use of renewable energy systems. Minimise water usage. A zero carbon footprint will be strongly encouraged.	<p>Ensure that any impact is mitigated through additional investment.</p> <p>To minimise energy demand (and costs).</p> <p>To reduce the demand on fossil fuels and minimise the ongoing carbon footprint.</p> <ul style="list-style-type: none"> • To minimise the demands on water supply. • Promote innovative sustainability features in design.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
BE3. Housing Development	Provide affordable homes as part of any development of more than 5 houses on a single site.	<ul style="list-style-type: none"> • Supports social sustainability by encouraging the building of lower cost homes to meet the needs of the rural community.
Policy – Economic Development		
ED1. New Employment	New development generating employment should respect the character of its surroundings and should have no adverse impact on the character and amenity of existing nearby residential areas.	<ul style="list-style-type: none"> • Supports retention of the distinctive local character and raises design quality of new development, which will ensure the area becomes an attractive place to live in and visit. • Protection and enhancement of existing cultural heritage and landscape
ED2. Character and Scale of Employment Developments	Development for employment uses will be required to have a positive impact on the built environment and historic character of the locale by design in keeping with existing structures and the use of materials such as local sandstone and native wood from sustainable sources.	<ul style="list-style-type: none"> • Supports retention of the distinctive local character and raises design quality of new development, which will ensure the area becomes an attractive place to live in and visit. • Protection and enhancement of existing cultural heritage and landscape
ED4. Retail Premises	To support the expansion of local retail provision as long as they are primarily aimed at meeting the needs of the local population.	<ul style="list-style-type: none"> • Meeting the needs of the local population. • Reducing the need to travel (typically by car) and hence reducing the carbon footprint.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
ED5. Broadband	To improve the electronic communication networks and high speed broadband.	<p>To enable business to operate more effectively within the area.</p> <ul style="list-style-type: none"> • To enable effective homeworking • To reduce the need to travel and hence reduce carbon emissions.
ED6. Radio and Telecommunication Masts	Sets out the need for radio and telecommunication masts to be sited and designed to minimise the negative impacts on the character and appearance of the area.	<ul style="list-style-type: none"> • Recognition of the need for good communications, whilst protecting the existing cultural heritage and landscape
Policy – Transport		
T1. Beeston Railway Station	The recommendation for the re-opening of Beeston Railway Station.	<p>To improve the public transport capabilities within the area (which is very limited). Would reduce the use of cars in particular with regards to journeys to Chester and Crewe.</p> <ul style="list-style-type: none"> • Could provide a catalyst for local bus services to the station, further reducing car usage.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
Policy – Natural Environment		
NE1. Beeston Castle	Public views of Beeston Castle and its setting within the local landscape should not be adversely affected by new development.	<ul style="list-style-type: none"> • Beeston Castle is a Scheduled Ancient Monument and a significant tourist attraction. • This policy recognises that there is a need to protect an important historic monument which is at the heart of the community.
NE2. Waterway	The River Gowy, Shropshire Union Canal, towpath and embankment are important features of the local environment. Development proposals that would adversely affect the recreational value, visual amenity and historic value of the canal or River Gowy setting or damage their environments will be strongly resisted.	<ul style="list-style-type: none"> • Cheshire Wildlife Trust has identified core, high ecological value sites for nature conservation in the Plan Area. • The Trust identifies that this site should be valued highly when planning decisions are made. • These waterways are of crucial importance for nature conservation and ecosystem services as well as being important for the enjoyment of future generations.
NE3. Footpaths	All Public Footpaths and Bridleways and The Sandstone trail should be protected and maintained throughout the parishes.	<ul style="list-style-type: none"> • The Plan area has a large number of footpaths including a section of the Sandstone Trail. • These are popular walks and are used and appreciated by local people and visitors alike. • It is important that these historic rights of way are protected and remain accessible for future generations.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
NE4. Views	New development should not adversely affect views of open countryside or local landmarks.	<ul style="list-style-type: none"> • A key feature of the area is the views of open countryside and local landmarks. • These views should be protected for future generations.
NE5. Stiles	<p>Stone and wooden stiles within the parishes should be preserved. New gates and/or access ways created should not disturb the existing stiles.</p> <p>Accessible stiles and gates should be built alongside traditional stiles, rather than replace them altogether.</p>	<ul style="list-style-type: none"> • A characteristic of the footpaths in the parishes is the stone stile. These important historic features are slowly disappearing and should be protected from further loss and damage.
NE6. Tree Planting	All new housing developments will be encouraged to plant at least one new tree, of a native species, for each new dwelling.	<ul style="list-style-type: none"> • A small but important step in terms of enhancing the natural environment, helping to improve biodiversity and reducing the carbon footprint of the development.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
NE7. Hedgerows	<p>Development proposals should:</p> <ul style="list-style-type: none"> • preserve existing hedgerows and their surrounding features, including sandstone walls; and • incorporate landscaping plans that, where possible, use traditional hedgerow plants such as Hawthorn and Beech. <p>Townfield Lane is an important feature in the landscape and its hedgerows and wildlife should be protected from development.</p>	<ul style="list-style-type: none"> • Hedgerows form an important historical and environmental part of the local landscape. • They are also important for wildlife and biodiversity. • Townfield Lane in particular forms an important feature in the landscape and provides good habitat and a good corridor for dispersal for a wide range of species.
NE8. Ponds	<p>Proposals for new development, including extensions of existing buildings, must be designed so as to not adversely affect ponds.</p>	<ul style="list-style-type: none"> • Local ponds are an important part of the area's heritage reflecting the area's unique history from the Ice Age to WWII. • These ponds provide valuable habitats for fish, frogs and newts, as well as water birds.

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
NE9. Dark Skies	Dark skies are to be preferred over street lights except where there are overriding highway safety considerations. Future lighting schemes should be designed to be in keeping with the local character. In all cases, outdoor lighting sources should have a minimum impact on the environment, should minimise light pollution, and should minimise adverse effects on wildlife. As and when existing lighting systems are maintained and replaced they should be updated to meet low environmental impact standards.	<ul style="list-style-type: none"> • The desire for dark skies where practicable supports the requirement for low levels of (light) pollution and for minimizing the impact on the natural environment.
Policy – Community Assets and Activities		
CP1. Community Assets	<p>Tiverton War Memorial and Tiverton Village Green and their settings should be protected from the adverse effects of any development.</p> <p>Development or improvement of facilities for public use will be encouraged.</p>	<ul style="list-style-type: none"> • This recognises the importance of the community assets and the need to preserve important monuments and facilities. • Also recognised is that improvements to existing community facilities would be welcome as long as they are done in a way that is sympathetic to the needs and aspirations of the area.

5 CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

- 5.1 Neighbourhood plans must demonstrate that they are in general conformity with the strategic policies of the adopted development plan for the local area. Section 38 of the Planning and compulsory Purchase Act 2004 defines "development plan" as the development plan documents (DPDs) adopted for the area and Schedule 8 extends this to include saved local plans.
- 5.2 The Cheshire West and Chester (CWaC) Local Plan is split into Part One and Part Two. The Local Plan (Part One): Strategic Policies, which sets out the overall vision, spatial strategy and strategic objectives and policies for the borough, was adopted in January 2015. Work is ongoing on the Local Plan (Part Two): Land Allocations, and Detailed Policies, which sets out non-strategic allocations and detailed policies following on from Part One. Until the Local Plan (Part Two) is adopted, a number of policies from the former district local plans will remain in place as part of CWaC's development plan. The Beeston, Tiverton and Tilstone Fearnall Area falls within the former Chester District Local Plan.
- 5.3 This assessment of conformity is therefore made against the **adopted CWaC Local Plan (Part One): Strategic Policies** and the retained policies of the **Chester District Local Plan**.

Chester District Local Plan Retained Policies

- 5.4 **Chester District Local Plan Retained Policies** were adopted on 12th May 2006, under the Planning and Compulsory Purchase Act 2004 and the policies within the Plan were saved for a period of 3 years from the date of adoption. For Chester, this meant that the policies in the Chester District Local Plan were saved until May 2009. To ensure that these policies continued to be valid in the determination of planning applications after May 2009, the Council secured agreement from the Secretary of State.
- 5.5 Government Office accepted that all policies with the exception of HO1 setting out the scale of housing provision could be retained. Therefore this policy lapsed but all other policies have been retained. In the absence of up to date housing policies within the local plan, the fallback position for assessment is therefore the NPPF.
- 5.6 Since the introduction of the NPPF in March 2012, existing local plan policies in the Borough for the supply of housing have been deemed out of date, because the Council cannot demonstrate the required five year supply.
- 5.7 However, now that the CWaC Local Plan (Part One) has been adopted the retained policies of the Chester District Local Plan are now documented in Appendix 1 of the development plan. The

overall aim of the Chester District Local Plan was to adopt a holistic approach towards improving the quality and vitality of all facets of life in Chester District.

- 5.8 The majority of the District's development requirements are to be met in Chester's urban area as the focus of the sub region. Development in rural areas will be targeted at meeting the needs of local people, conserving the countryside and ensuring the continued vitality of rural communities as well as safeguarding agricultural land and supporting the agricultural economy.
- 5.9 The policies of the Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan are considered to be consistent with the Saved Policies of the Chester District Local Plan. Table 5.1 explains how the policies are compliant.

The Cheshire West and Chester Local Plan

- 5.10 Cheshire West and Chester was formed following the Local Government Reorganisation in 2009. This consisted of Chester City, Vale Royal, Ellesmere Port and Neston and Cheshire County Council all becoming Chester West and Chester Council. Work subsequently commenced on a Cheshire West and Chester Local Plan (Part One and Part Two). Part One (Strategic Policies) is now complete and was adopted in January 2015. It is against Part One that conformity of the Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan is to be measured.
- 5.11 The close relationship between the community and the Council has ensured general conformity between the plans and minimised any potential conflict between the two documents.
- 5.12 Cheshire West and Chester Local Plan (Part One) provides strategic planning policy for the Cheshire West and Chester Area. It includes in Appendix 1 the retained Policies from the Chester District Local Plan which will remain in place until the Cheshire West and Chester Local Plan (Part Two) is adopted.
- 5.13 The Neighbourhood Plan is in conformity with the strategic policies of Cheshire West and Chester Local Plan (Part One) and the retained policies of the Chester District Local Plan. Please refer to Table 5.1 which cross-references this conformity

Table 5.1: Compliance of the Neighbourhood Plan with the Development Plan

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
1. Manage housing growth to 2030		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • secure the essential link between the environment and the economy through sustainable development • create a safe, healthy environment for residents, visitors and people who work in the District • enhance rural society and promote the rural economy • provide a range of dwellings to meet the 	Supports strategic objectives SO2, SO3, SO6, SO10, SO11, SO12
2. Ensure that the residential development of single detached or semi detached dwellings in keeping with adjacent properties continues to contribute to the range of housing available in the villages.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • secure the essential link between the environment and the economy through sustainable development • create a safe, healthy environment for residents, visitors and people who work in the District • enhance rural society and promote the rural economy • provide a range of dwellings to meet the 	Support strategic objectives SO2, SO3, SO6, SO10, SO11, SO12
3. Encourage small-scale development that enhances economic sustainability and employment opportunities.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • secure the essential link between the environment and the economy through sustainable development • create a safe, healthy environment for residents, visitors and people who work in the District <ul style="list-style-type: none"> • secure a healthy, vibrant economy throughout the Plan period • enhance rural society and promote the 	Support strategic objectives SO2, SO3, SO6
4. Support the proposed provision of local retail outlets.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • enhance rural society and promote the rural economy 	Supports strategic objectives SO2, SO3
5. Welcome measures that result in improvements to the safety and accessibility of the transport network.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • provide an efficient transport network throughout the plan area 	Supports strategic objectives SO4, SO5
6. Preserve and enhance designated and non-designated heritage assets, historic buildings, the waterways and natural environment.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • protect and enhance the architectural and historic character of the District • maintain the most valued habitats, wildlife species and geological and landscape features at current levels as a minimum and to seek opportunities for habitat enhancement and creation • promote tourism in the District and to safeguard existing attractions, accommodation and facilities • provide a wide variety of sporting and 	Supports strategic objectives SO8, SO10, SO11, SO12, SO13

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
7. Maintain rural tranquillity and dark skies		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • protect and enhance the architectural and historic character of the District • maintain the most valued habitats, wildlife species and geological and landscape features at current levels as a minimum and to seek opportunities for habitat enhancement and creation. 	Supports strategic objectives SO10, SO11, SO12, SO13
8. Sustain and safeguard long-standing and established community places		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • enhance rural society and promote the rural economy • safeguard and develop community facilities • promote and enhance the enjoyment of the 	Supports strategic objective SO8, SO13
9. Seek improvements to the speed and capacity of the communications network.		Supports the following 'guiding principles' (from para 2.16): <ul style="list-style-type: none"> • secure a healthy, vibrant economy throughout the Plan period • enhance rural society and promote the rural 	Supports strategic objective SO4
BE1. New Built Development	New development will: <ul style="list-style-type: none"> • be of an appropriate size,height, scale, mass, rural skyline, materials,layout, access and density reflecting the nature of the predominant development type in the area; • respect the character of the local built environment, its history and surrounding natural landscape and seeks to reinforce this character through quality design. 	Conforms with the following policies: ENV21, ENV22, ENV37, ENV47, EC23, HO4, HO5	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT1 – Sustainable development • ENV5 – Historic environment • ENV6 – High quality design and sustainable construction
BE2. Development Impacts	New development must: <ul style="list-style-type: none"> • address the impact that it is likely to have on local facilities, either directly or through developer or other contributions. • incorporate, where practicable, energy efficiency measures by the use of new and recycled materials. • where feasible, make full use of power generated by renewable energy systems. • minimise water usage. 	Conforms with the following policies: EC23, HO4, HO5	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT1 – Sustainable development • ENV1 – Flood risk and water management • ENV7 – Alternative energy supplies

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
BE3. Housing Development	<p>Future housing proposals must, where feasible:</p> <ul style="list-style-type: none"> • limit development to an appropriate scale which complies with Strategy 9 of the CWaC Local Plan • provide a suitable mix of housing types and sizes to reflect the housing needs identified by the survey results; • provide affordable homes as part of any development of more than 5 houses on a single site; • ensure that developer contributions are utilised for the benefit of the local community, primarily to fund infrastructure improvements; • respect the built environment with regards to design and historic character; • retain as many mature/established trees as possible; and; • provide sufficient external amenity space, refuse and recycling storage; • provide adequate vehicle and bicycle parking and high quality streetscape. 	Conforms with the following policies: ENV21, ENV27, ENV37, ENV47, TR13, EC23, HO4, HO5, SR5	<p>Conforms with the following Local Plan policies:</p> <ul style="list-style-type: none"> • STRAT1 – Sustainable development • STRAT9 – Green Belt and countryside • STRAT11 – Infrastructure • SOC1 – Delivering affordable housing • SOC3 – Housing mix and type • ENV2 – Landscape • ENV3 – Green infrastructure • ENV6 – High quality design and sustainable construction
ED1. New Employment	<p>Applications for new development generating employment will be encouraged. All new employment development should respect the character of its surroundings, by way of its massing, scale and design, and safeguard residential amenity. Such development must include adequate provision for vehicle and cycle parking.</p> <p>Proposals for new development that combines living and small-scale employment space will be encouraged, provided there is no adverse impact on the character and amenity of existing nearby residential areas.</p>	Conforms with the following policies: ENV22, ENV37, ENV47, TR13, EC11, EC21, EC22	<p>Conforms with the following Local Plan policies:</p> <ul style="list-style-type: none"> • STRAT1 – Sustainable development • ECON1 – Economic growth, employment and enterprise • ECON3 – Visitor economy
ED2. Character and Scale of Employments Developments	Development for employment uses will be required to have a positive impact on the built environment and historic character of the locale by design in keeping with existing structures and the use of materials such as local sandstone and native wood from sustainable sources. It is likely that overground warehousing/storage uses would have a negative visual impact on their immediate surroundings and are unlikely to be acceptable.	Conforms with the following policies: ENV22, ENV37, ENV47, EC21, EC22	<p>Conforms with the following Local Plan policies:</p> <ul style="list-style-type: none"> • STRAT1 – Sustainable development • STRAT9 – Green Belt and countryside • ENV2 – Landscape • ENV5 – Historic environment • ENV6 – High quality design and sustainable construction

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
ED3. Existing Businesses	Development that supports the retention of existing businesses will be encouraged. Similarly, proposals for change of use of existing business premises away from employment activity will be discouraged unless it can be demonstrated that reasonable attempts have been made to preserve employment or that the premises are not viable.	Conforms with the following policies: EC11, EC21, EC22, RET12, HO10	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT1 – Sustainable development • ECON1 – Economic growth, employment and enterprise <p>There is no specific Local Plan policy that discourages the change of use of existing business premises away from employment activity, but this is viewed as being an issue in the area and one that needs to be discouraged.</p>
ED4. Retail Premises	Proposals to consolidate, expand or add to local retail provision in the villages will be broadly supported provided that they can be demonstrated to meet the needs of the local population rather than be aimed at attracting a significant customer base from outside the area. Such proposals could reasonably include licenced premises or café-style uses	Conforms with the following policies: EC11, EC21, RET12, RET14	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT10 – Transport and accessibility • ECON1 – Economic growth, employment and enterprise <p>With regards to STRAT10 this really fits into accessibility that of providing retail provision to the villages for the local population that would reduce the need for transport (typically a car).</p>
ED5. Broadband	Proposals that seek the expansion of electronic communication networks and high speed broadband, along with improvements to connectivity, will be supported.		Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT11 – Infrastructure • ECON1 – Economic growth, employment and enterprise
ED6. Radio and Telecommunication Masts	The development of radio and telecommunication masts must be sited and designed to minimise the negative impacts on the character and appearance of the Neighbourhood Plan area.	Conforms with the following policies: ENV22, ENV29, ENV37, ENV38, ENV47, ENV75	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • ENV2 – Landscape • ENV5 – Historic environment <p>A large part of the area is a designated Conservation Area and has many listed buildings and sites of historic interest. It is for these reasons that care must be taken with regards to choosing suitable locations for such installations.</p>
T1. Beeston Railway Station	The re-opening of Beeston Railway Station, with adequate nearby parking provision and associated facilities, will be fully supported. The site of the former station and immediate environs is to be protected from development that could compromise the future provision of a new rail station and associated facilities.	Conforms with the following policies: TR11	. Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT10 – Transport and accessibility <p>Public transport within the villages is poor, and whilst the re-opening of Beeston Railway Station does not specifically appear in the Local Plan, this is viewed as a priority for the villages as it would provide valuable connections to Chester and Crewe and act as a stimulus for local bus</p>
NE1. Beeston Castle	Public views of Beeston Castle and its setting within the local landscape should not be adversely affected by new development.	Conforms with the following policies: ENV22, ENV25, ENV29, ENV31, ENV32, ENV37, ENV38	. Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT9 – Green Belt and countryside • ENV2 – Landscape • ENV5 – Historic environment

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
NE2. Waterway	The River Gowy, Shropshire Union Canal, towpath and embankment are important features of the local environment. Development proposals that would adversely affect the recreational value, visual amenity and historic value of the canal or River Gowy setting or damage their environments will be strongly resisted.	Conforms with the following policies: ENV27, ENV29, ENV30, ENV31, ENV32, ENV37, ENV38, ENV44, SR11, SR12, SR14	. Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT9 – Green Belt and countryside • SOC6 – Open space, sport and recreation • ENV2 – Landscape • ENV4 – Biodiversity and geodiversity
NE3. Footpaths	All Public Footpaths and Bridleways and The Sandstone trail should be protected and maintained throughout the parishes.	Conforms with the following policies: ENV29, ENV37, SR17	. Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT9 – Green Belt and countryside • SOC6 – Open space, sport and recreation • ENV2 – Landscape • ENV4 – Biodiversity and geodiversity
NE4. Views	New development should not adversely affect views of open countryside or local landmarks.	Conforms with the following policies: ENV29, ENV37, ENV38	. Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT9 – Green Belt and countryside • ENV2 – Landscape
NE5. Stiles	Stone and wooden stiles within the parishes should be preserved. New gates and/or access ways created should not disturb the existing stiles. Accessible stiles and gates should be built alongside traditional stiles, rather than replace them altogether.	Conforms with the following policies: ENV34	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • STRAT9 – Green Belt and countryside <ul style="list-style-type: none"> • ENV2 – Landscape • ENV5 – Historic environment
NE6. Tree Planting	All new housing developments will be encouraged to plant at least one new tree, of a native species, for each new dwelling.	Conforms with the following policies: ENV21	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • ENV3 – Green infrastructure
NE7. Hedgerows	Development proposals should: <ul style="list-style-type: none"> • preserve existing hedgerows and their surrounding features, including sandstone walls; and • incorporate landscaping plans that, where possible, use traditional hedgerow plants such as Hawthorn and Beech Townfield Lane is an important feature in the landscape and its hedgerows and wildlife should be protected from development.	Conforms with the following policies: ENV21, ENV27, SR12	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • ENV3 – Green infrastructure • ENV4 – Biodiversity and geodiversity
NE8. Ponds	Proposals for new development, including extensions of existing buildings, must be designed so as to not adversely affect ponds.	Conforms with the following policies: ENV27, SR12	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • ENV3 – Green infrastructure • ENV4 – Biodiversity and geodiversity

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Retained Policies of the Chester District Local Plan	Conformity with the CWaC Local Plan (Part One): Strategic Policies
NE9. Dark Skies	Dark skies are to be preferred over street lights except where there are overriding highway safety considerations. Future lighting schemes should be designed to be in keeping with the local character. In all cases, outdoor lighting sources should have a minimum impact on the environment, should minimise light pollution, and should minimise adverse effects on wildlife. As and when existing lighting systems are maintained and replaced they should be updated to meet low environmental impact standards.	Conforms with the following policies: ENV27	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • ENV2 – Landscape • ENV4 – Biodiversity and geodiversity Dark skies as such does not feature in the Local Plan, but the villages feel that light pollution should be minimised in keeping with local character and to minimise the effects on wildlife. The exception to this would be where lighting is required for Health and Safety reasons.
Policy – Community Assets and Activities			
CP1. Community Assets	Tiverton War Memorial and Tiverton Village Green and their settings should be protected from the adverse effects of any development. Development or improvement of facilities for public use will be encouraged.	Conforms with the following policies: ENV34, ENV37, CF13	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • SOC5 – Health and well-being • SOC6 – Open space, sport and recreation • ENV5 – Historic environment
CP2. Community Activities	Proposals that seek to sustain and safeguard long standing and established community activities will be encouraged.	Conforms with the following policies: CF13	Conforms with the following Local Plan policies: <ul style="list-style-type: none"> • SOC5 – Health and well-being • SOC6 – Open space, sport and recreation

6 COMPATABILITY WITH EU REGULATIONS

- 6.1 The Strategic Environmental Assessment (SEA) is a requirement of the EU Directive on the assessment of the effects of certain plans and programmes on the environment. The requirements of the SEA Directive have been fully considered during the assessment of the Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan.
- 6.2 The Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan is considered to have met the following Human Rights Articles:
- Article 1 – Protection of property
 - Article 8 – Right to respect for private and family life
 - Article 14 – Prohibition of discrimination
 - Protocol 12 – Article 1 – General prohibition of discrimination.
- 6.3 The proposed policies within the Neighbourhood Plan do not give rise to any potential impacts on these Human Rights.
- 6.4 In conclusion it is considered that the Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan is compliant with EU obligations.

7 PRESCRIBED CONDITIONS AND PRESCRIBED MATTERS

7.1 There are no other prescribed matters.

8 CONCLUSION

- 8.1 It is considered that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 have been met by the Beeston, Tiverton & Tilstone Fearnall Neighbourhood Plan.
- 8.2 In reviewing the Neighbourhood Plan against the appropriate framework of National and Local planning policies there were no conflicts apparent.
- 8.3 The information within this document demonstrates general conformity with Paragraph 8(1) (a) of the Town and Country Planning Act (1990); therefore it is recommended that the Development Plan should proceed to Referendum.