

Farndon

Neighbourhood Development Plan



Basic Conditions Statement

V3 May 2017

1 INTRODUCTION

This Basic Conditions Statement has been produced to explain how the proposed Farndon Neighbourhood Development Plan (hereafter known as the Farndon NDP or 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.

The Neighbourhood Plan has been produced by a steering committee including Farndon Parish Council members and community volunteers and the group have worked closely with CWaC

Effective community engagement throughout the process will mean that the Neighbourhood Plan will belong to the people of Farndon.

The Farndon NDP is supported by an evidence base summary document and a consultation statement. An environmental screening and habitat regulation assessment statement has been undertaken by CWaC and it was concluded that a full SEA was not required for the NDP. All of these documents have been submitted with the 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— (a) whether the draft neighbourhood development plan meets the basic conditions (see sub- paragraph (2)), (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 of the 1990 Town and Country Planning Act (excluding 2b. c3-5 as required by 38C (5))

How the Farndon Neighbourhood Plan meets the basic conditions

2.2 The FNDP meets the basic conditions of schedule 4B 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) Farndon Parish council is a qualifying body and entitled to submit a Neighbourhood Development Plan (NDP) for its own parish. The Farndon NDP expresses policies that relate to the development and use of land only within the neighbourhood area. 38B

2.5 (1a) The Farndon NDP covers the period from 2010 to 2030. A total of 20 years with 5 year reviews. This period has been chosen to align with the Cheshire West and Chester Local Plan (Part 1).

2.6 (1b) No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.

2.7 (1c) The Farndon NDP does not relate to more than one neighbourhood area. It is solely related to the area of Farndon as designated by Cheshire West and Chester Council on 23 October 2015. 2.8 (2) There are no other NDPs in place for the Farndon neighbourhood area.

2.9 (3) If there are any conflicts within the NDP, it is clarified that in the event of a conflict between a NDP Policy and any other statement or information in the plan, the conflict must be resolved in favour of the policy.

2.10 (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 Farndon NDP. These regulations set out:

- Processes by which neighbourhood plans are to be made and set out the consultation bodies for NDPs
- NDPs that are likely to have a significant effect on European Sites (habitats) must be subject to an appropriate assessment. An Environmental Screening and Habitats Regulation Assessment Statement has been prepared for the Neighbourhood Plan by CWAC. The screening exercise concluded that it is unlikely that there will be any significant environmental effects arising from the plan and that a Strategic Environmental Assessment is not required. It also concluded that the Plan is unlikely to have an adverse effect on a European site (as developed in the Conservation of Habitats and Species Regulations 2010)

2.11 (5) Refers to the publication of NDPs once made by a local planning authority in accordance with the regulations.

2.12 (6) Clarifies what is excluded development.

2.13 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.

2.14 Para 1(e) such other matters as may be prescribed. There are no other matters.

3 CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

A draft neighbourhood plan meets the basic conditions if -

Paragraph 2a 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

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:

- **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;**
- **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;**
- **Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;**
- **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;**
- **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;**
- **Contribute to conserving and enhancing the natural environment and reducing pollution;**
- **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;**
- **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)**
- **Conserve heritage assets in a manner appropriate to their significance**

- **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.**

3.2 These principles have been embodied throughout the construction of the Farndon Neighbourhood Plan, which has had regard to the following key policy areas as evidenced below.

Building a strong, competitive economy

3.3 The NPPF Para 21 states that LPAs should plan positively for local 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.

The Farndon NP positively responds to this in the following way: **3.5 Objective** - Strengthen existing economic activities and support new opportunities for local employment

- Policies 1.1 & 1.2 seek to protect existing employment opportunities and promote the expansion of new business opportunities.
- Policy 1.3 supports proposals for new retail, service and leisure facilities within the village.

There is nothing within the NDP which conflicts with these plan making aims, as set out in the NPPF.

Ensuring the vitality of village and town centres

3.4 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.

The Farndon NP positively responds to this in the following way:

Objective – Strengthen existing economic activities and support new opportunities for local employment

Objective - Strengthen public facilities

- Policy 1.2 Seeks to promote employment opportunities and encourage redevelopment of previously developed land within the settlement boundary
- Policy 1.1 Seeks to protect existing employment premises opportunities and resist loss of retail uses .

- Policy 1.3 supports proposals for new retail, service and leisure facilities within the village.
- Policy 4.1 supports the provision of community facilities and services within the settlement boundary.

3.5 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Supporting a prosperous rural economy

3.6 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

The Farndon NP positively responds to this in the following way:

Objective - Strengthen existing economic activities and support new opportunities for local employment

Objective - Strengthen public facilities **Objective** – support future development on ‘previously developed land’ in sustainable locations

- Policy 1.1 protects existing employment promises and guards against the loss of retail to residential use
- Policy 1.2 seeks to promote the growth of new and existing businesses.
- Policy 1.3 supports proposals for new retail, service and leisure facilities

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

Promoting sustainable transport

3.8 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.

3.9 The Farndon NDP positively responds to this topic in the following ways:

- Policy 1.3 Seeks to enhance the retail and leisure service opportunities within Farndon.
- Policy 2.3 seeks to ensure that housing developments will be well integrated into the existing settlement with good pedestrian connections.

- Policy 4.2 seeks to ensure that where community facilities are relocated, new facilities are accessible by public transport, walking, cycling or by car
- Policy 5.1 seeks to ensure that Farndon's highway system can accommodate any increase in the volume of traffic generated by new development.
- Policy 5.2 seeks to provide safe, direct and attractive pedestrian and cycle routes.

3.10 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Supporting high quality communication infrastructure

3.11 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.

3.12 Provision of superfast broadband is an important priority identified by the community of Farndon. Superfast broadband provides a sustainable alternative which will help to reduce the need for travel. This is reflected in CWAC's aspirations to roll out the provision of superfast broadband to all parts of Cheshire through the Connecting Cheshire Partnership. Superfast broadband is currently not available in all parts of the village but is needed to enable more people to work from home and serve the needs of local businesses.

3.13 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Delivering a wide choice of high quality homes

3.14 The NPPF para 54 states that LPAs should be responsive to local needs particularly for affordable housing. It is appropriate that NDPs 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.

3.15 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.

The Farndon NP positively responds to this in the following ways:

Objective - Ensure that housing growth reflects the needs of residents

3.16 Policy 2.2 seeks to ensure that all development should aim to provide housing which meets local housing need. Local housing need has been identified from available local statistics and consultation with the community in association with the independent parish needs survey. This will ensure that development provides an appropriate mix of housing types that respond to local

demand, including affordable homes and the provision of accommodation types to meet the long term needs of older people.

Policy 2.3 supports new small scale housing development in Farndon which meet local need and respects the character of the village

3.17 There is nothing with the NDP which conflicts with these plan making aims as set out in the NPPF.

Requiring good design

3.18 Para 56 – 62 of the NPPF explain how planmaking 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 lifetime of the development, establishing a strong sense of place responding to local character, and are safe yet attractive.

The Farndon NP positively responds to this in the following way:3.35 **Objective:** Respect the distinctive local character with regard to new development in relation to buildings materials, building lines and density, height, massing and design

Objective – protect and maintain the rural character of the landscape and the natural environment

- Policy 3.1 seeks to ensure that all development is of high standard of design and construction, be in keeping with the character and scale of surrounding property.
- Policy 3.2 seeks to ensure that the character of new housing should reflect the existing housing character of Farndon and new development should contribute to creating sociable and inclusive neighbourhoods that respond to the village character
- Policy 3.3 seeks to safeguard and enhance heritage assets and the character and setting of areas of acknowledged significance in the parish.

3.19 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Promoting healthy communities

3.20 The planning system plays an important role in facilitating social interaction and creating healthy, inclusive communities. The NPPF Para 69 promotes the creating 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.

3.21 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 wellbeing of communities. Building on existing open space, sports and recreation buildings and land will only be permitted under exceptional circumstances.

3.22 The NPPF encourages NDP to identify special protection green spaces which have significant importance to the community.

The Farndon NP responds to this in the following way:

Objective – Protect and maintain the rural character of the landscape and the natural environment

Objective – Ensure that housing growth reflects the needs of residents

3.23 Farndon NDP positively responds to these objectives in the following ways:

- Policy 4.3 seeks to require new development to assess and mitigate the impact on existing community facilities that are available in the village as well as those relating to education, health and well being
- Policy 5.2 seeks to provide safe, direct and attractive pedestrian and cycle routes.
- Policy 6.2 seeks to protect and conserve natural assets including wildlife and trees
- Policy 6.4 identifies and protects local green spaces

3.24 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Protecting Greenbelt land

There are no areas of Green Belt within the Farndon Neighbourhood Area.

Conserving and enhancing the natural environment

3.25 Para 76 of the NPPF allows for NDPs to designate land as Local Green Space which prevents development other than in special circumstances. Local Green Space should only be permitted where the area is in close proximity to the community it serves, and where it can be demonstrated to hold a particular local significance.

3.26 Para 109 of the NPPF reinforces that planning should contribute to and enhance the natural and local environment, through protecting existing landscapes and minimizing impacts on biodiversity. Brownfield development should be encouraged, providing the land is not of high environmental value.

3.27 The NPPF states that the aim of conserving and enhancing the natural environment should be to minimise pollution and other adverse effects on the local and natural environment.

The Farndon NP positively responds to this in the following ways:

Objective – Protect and maintain the rural character of the landscape and the natural environment

Objective – Support future development on ‘previously developed land’ in sustainable locations

- Policy 2.1 requires the appropriateness of new housing to be considered, and promotes brownfield development ahead of Greenfield development.
- Policy 3.1 seeks to protect identified key views which are important to local character.
- Policy 6.2 seeks to protect and conserve natural assets including wildlife and trees
- Policy 6.3 aims to protect and conserve the environment, including the River Dee
- Policy 6.4 identifies and protects local green spaces

3.28 There is nothing within the NDP which conflicts with these plan making aims as set out in the NPPF.

Conserving and enhancing the historic environment

3.29 The NPPF para 126 states that LPAs should have a positive strategy for the conservation and enjoyment of the historic environment.

3.30 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 recognizes the importance of both designated and non designated heritage assets.

The aim of the Neighbourhood Plan is to protect and enhance our heritage assets and the distinctive local character of the built environment 3.56 The Neighbourhood Plan area includes a number of Grade II and locally listed SSSI sites and a Conservation Area. All these areas are identified within the Neighbourhood Plan and shown in the NDP

3.31 As these existing designations are well covered by existing national and local policy and legislation, the Neighbourhood Plan instead focusses on undesignated heritage assets that have not been currently identified, thereby seeking to add value.

Objective – Protect the built environment, heritage assets and the Conservation Area

Objective – Respect the distinctive local character with regard to new development in relation to building materials, buildings lines and density, height, massing and design

- Policy 3.1 requires new development to be of a high standard of design and be in keeping with the scale and character of the surrounding development of Farndon.
- Policy 3.3 requires development to safeguard or enhance both designated and non designated heritage assets and the character and setting of areas of acknowledged significance in the parish.

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

4 CONTRIBUTING TO SUSTAINABLE DEVELOPMENT

Paragraph 2(d) A draft neighbourhood development plan meets the basic conditions if -the making of the neighbourhood development plan contributes to the achievement of 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 Farndon NDP has been subject to a Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Opinion and Determination (undertaken by Cheshire West and Chester) a copy of which has been submitted in support of the plan. This explains how the policies of the Neighbourhood Plan integrate with the Local Plan and concludes that it is unlikely there will be any significant environmental effects arising from the plan and that a Strategic Environmental Assessment is not required. It also concluded that the plan is unlikely to have an adverse effect on a European Site (as defined in the Conservation of Habitats and Species regulations 2010).

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.

CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

Paragraph 2(e) A draft neighbourhood development plan meets the basic conditions if - (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)

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 (DPDSs) adopted for the area and Schedule 8 extends this to include saved local plans.

5.3 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 part of Cheshire County Council all becoming Chester West and Chester Council.

5.2 The Cheshire West and Chester Local Plan (Part 1) Strategic Policies was adopted on 29th January 2015. It has been considered appropriate to assess policies of the Neighbourhood Plan against the Local Plan (Part 1) and relevant retained policies from the Chester District Local Plan. This is set out in the following section and section 6.

The Cheshire West and Chester Local Plan (Part 1)

5.4 Farndon NDP has been produced having regard to the Cheshire West and Chester Local Plan. 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. The evidence used in the production of the Farndon Neighbourhood Plan is derived from information and analysis used to inform the production of the Local Plan (Part 1) and the emerging Local Plan (Part 2) – Land Allocations and Detailed Policies.

5.5 The vision in the Local Plan (Part 1) is to support the main settlements in the Borough and further fulfil their role and function in providing access to services and facilities for their local and surrounding communities. Within the rural area there will be high quality sustainable housing and employment development to meet the needs of local communities, whilst protecting the character of the Cheshire countryside.

5.6 The local Plan (STRAT2) sets out the proposed level of new housing provision - Farndon has a target level in the region of 200 new dwellings.

5.7 This Basic Condition Statement endeavours to demonstrate that the Farndon NDP conforms with and will not conflict with the Local Plan (Part 1).

5.8 The policies in the Farndon Neighbourhood Plan reflect the Local Plan (Part 1). It seeks to refine and add details to the overall strategic planning policies of the Local Plan.

5.9 The Farndon NDP is intended to "give the community the direct power to plan the area in which they live through setting planning policies for the development and use of land".

5.10 It is considered that the Farndon NDP is in conformity with and positively supports the strategic needs and priorities of the local area and promotes development consistent with the requirements of the strategic policies of the development plan for the area. Cross references are noted throughout the Farndon Neighbourhood Plan policies with those of the adopted Local Plan (Part 1).

The Chester District Local Plan (2006)

A number of policies in the Chester District Local Plan have been retained until such time as they are replaced by the Cheshire West and Chester Local Plan (Part Two). CWaC has published a list of retained policies which are considered to be strategic, this can be viewed at:
<http://consult.cheshirewestandchester.gov.uk/file/4518243>

The following retained strategic policies are relevant to the Farndon NDP:

ENV26 - The Green Network

ENV30 - Strategic Wildlife Corridors

Policies in the neighbourhood plan chapter 6 support these policies and are in general conformity with them.

DETAILED CONSIDERATION OF FARNDON NEIGHBOURHOOD DEVELOPMENT PLAN

Topic 1 - Local Economy

Policies:

Policy 1.1 To protect existing employment premises opportunities.

Policy 1.2 Promote employment opportunities within Farndon.

Policy 1.3 Encourage a range of goods and services within the village shopping area.

Policy 1.4 Protect common land and other land along the riverbank.

6.1 The Local Economy objectives and policies of the Farndon NDP are considered to be in general conformity with the Cheshire West and Chester Local Plan (Part 1)

Cheshire West and Chester Local Plan (Part 1)

6.2 STRAT 1 Sustainable Development.

The Local Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption of sustainable development.

6.3 STRAT 2 Strategic Development. The Local Plan will promote strong, prosperous and sustainable communities whilst delivering ambitious development targets.

6.4 STRAT 10 Transport and Accessibility. Provide and develop reliable and efficient transport networks that support sustainable economic growth in the borough and the surrounding area.

6.5 ECON 1 Economic Growth, Employment and Enterprise. The Council will promote sustainable economic growth in the borough and wider sub-region supporting existing businesses, encouraging indigenous business growth and attracting new inward investment. The creation of new job opportunities across a range of sectors will be supported.

6.6 ECON 2 Town Centres – Shops and other community facilities within smaller districts and local centres should be retained.

6.7 ECON 3 Visitor Economy. The expansion of existing tourism assets or the creation of new tourism opportunities will be supported where this would enhance the existing tourism offer, benefit the local economy and be of a suitable scale for its location.

6.8 It is considered that the Local Economy policies of the Farndon NDP are in general conformity with the above policies of the Cheshire West and Chester Local Plan (Part 1).

Topic 2 -Meeting local needs

Policies –

Policy 2.1 Preference to be given to previously developed land, small scale in fill sites over the use of agricultural land for residential or commercial development.

Policy 2.2 New developments will be encouraged to include a mixed style of housing too include first time buyers dwellings also allowing “down sizing”. Affordable housing should be allocated to those with a local connection and remain affordable in perpetuity.

Policy 2.3 Details with the size and scale of future development in Farndon

6.9 The Housing objectives and policies of the Farndon NDP is considered to be in general conformity with the following policies of the Cheshire West and Chester Local Plan (part 1) which are relevant to this topic:

6.10 STRAT 1 - Sustainable Development seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development.

6.11 STRAT 2 - Identifies Farndon as one of 10 key service centres which form a focus for development within the rural area. STRAT 8 Rural area – sets out a housing requirement for Farndon of at least 200 dwellings, and requires that development should be appropriate in scale and design to conserve the character and setting of the settlement

6.12 STRAT 9 Greenbelt and Countryside - This policy protects the countryside by restricting development to that which requires a countryside location.

6.13 STRAT 10 Transport and accessibility - This policy provides for reliable and effective transport systems.

6.14 ENV 5 Historic Environment. Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of significance.

6.15 ENV 6 High Quality Design and Sustainable Construction. High standards of design and local distinctiveness, which build on the existing character of communities, are important not only for the appearance of the area, but also for the creation of safer and more sustainable environments.

6.16 SOC 1 Delivering Affordable Homes. The provision of affordable housing is a key priority which meets the needs of residents and will be sought on all sites unless there are exceptional circumstances. The Council will seek to maximize the proportion of affordable housing provided up to a target of 30%.

6.17 SOC 3 Housing Mix and Type . It is important to support a housing mix and type of dwellings to meet the needs of all sections of the community. These range from the provision of small family homes to assist households into home ownership and for older people who may wish to downsize. It also seeks to provide a range of accommodation types to meet the long term needs of older people.

6.18 It is considered that the housing policies of the Farndon NDP are in general conformity with the above policies of the Cheshire West and Chester Local Plan (Part 1)

Topic 3 – Built Environment

Policies –

Policy 3.1 New Development to be low key and preserve views and vista.

Policy 3.2 New housing development which requires open space provision under SOC6 of the adopted Local Plan (Part 1) will be expected to create new open space on site in accordance with these standards. In the case of major developments there is the possibility that a financial requirement will be sought for further sport and social provisions and future maintenance.

Policy 3.3 Conservation area and areas around or in the sight of listed buildings must be of a high quality and respect the surrounding buildings.

6.19 The Built Environment and Local Distinctiveness objectives and policies of Farndon NDP is considered to be in general conformity with the following Cheshire West and Chester Local Plan (Part 1) Policies:

6.20 STRAT 1 Sustainable Development. This policy states that the Local Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough, and to protect, enhance and improve the natural and historical environment.

6.21 ENV2 Landscape. The Local Plan will protect and, wherever possible, enhance landscape character and local distinctiveness by supporting the designation of Local Green Space.

6.22 ENV 5 Historical Environment. The Local Plan will protect the borough's unique and significant heritage assets through the protection and identification of designated and non-designated heritage assets and their settings. Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance.

6.23 ENV 6 High Quality Design and Sustainable Construction. The Local Plan will promote sustainable, high quality design and construction and where appropriate respect local character and be sympathetic to heritage, environment and landscape assets.

6.24 It is considered that the Built Environment and Local Distinctiveness policies of the Farndon NDP is in general conformity with the above policies of Cheshire West and Chester Plan (Part 1).

Topic 4 – Local Facilities

Policies –

Policy 4.1 The provision of community facilities and services within the defined settlement boundary will be supported subject to respecting residential amenity and local character.

Policy 4.2 Change of use or redevelopment will only be supported where it can be demonstrated, in the case of public and community services, that the proposal includes and suitable location of equivalent or enhanced facilities and it is accessible to all by public transport, walking, cycling or by car and have adequate parking.

Policy 4.3 Developers will be required to assess and mitigate the impact of significant new residential developments on existing community facilities that are available in the village as well as those related to education, health and well being. Where there would be insufficient capacity within Farndon’s educational establishments to accommodate the likely additional pupils arising from new development, developers will be expected to make appropriate provision to meet this need. This will generally be by means of financial contributions.

6.25 The Local Facilities objectives and policies of the Farndon NDP are considered to be in general conformity with the following policies of the Cheshire West and Chester Local Plan (Part 1):

6.26 STRAT 1 Sustainable Development. The Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough.

STRAT 8 Rural Area – supports the retention of rural shops and community facilities, and the provision of new facilities at an appropriate scale to the settlement.

6.27 STRAT 10 Transport and accessibility - This policy provides for reliable and effective transport systems and requires that development is accessible by a range of transport modes.

6.28 SOC 5 Health and Well-Being. The Plan seeks to meet the needs of residents and will provide new or improved health facilities across the borough, particularly in areas of recognized need. It also seeks to support opportunities to widen and strengthen the borough’s cultural, sport, recreation and leisure facilities.

6.29 SOC 6 Open Space, Sport and Recreation. This policy seeks to improve the quality and quantity of accessible open space, sport and recreation facilities in the local area. Also to provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity.

6.30 It is considered that the Local Facilities Policies of the Farndon NDP is in general conformity with the above policies of the Cheshire West and Chester Local Plan (Part 1).

Topic 5 – Transport and Communications

Policies:

Policy 5.1 states any development will need to demonstrate that additional traffic from the development can be accommodated safely and satisfactorily within the existing highway network. It also states Developers will be required to ensure that the travel and parking impacts of their proposals are accurately identified, assessed and mitigated. This should be discussed at an early stage with Cheshire West and Chester Highways officers so that the full implications of the lack of village car parking facilities can be addressed. Opportunities to improve public transport will be sought.

Policy 5.2 - New development should provide for safe, direct and attractive pedestrian and cycle routes through the developments and into the centre of the village, where these are required by the developer and do not currently exist or are in need of improvement.

Aspiration:

- Communications – support Cheshire West and Chester Council’s aspirations to roll out the provision of Superfast broadband to all parts of Cheshire through the Connections Cheshire Partnership.

The Transport and Communications objectives and policies of the Farndon NDP are considered to be in general conformity with the following policies of the Cheshire West and Chester Local Plan (Part 1):

6.31 STRAT 1 Sustainable Development. The Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development.

6.32 STRAT 10 Transport and Accessibility – requires that new development can be accommodated safely and satisfactorily within the existing, or proposed highway network. That satisfactory arrangements can be made to accommodate the additional traffic before the development is brought into use. Appropriate provision is made for access to public transport and other alternative means of transport to the car.

6.33 STRAT 11 Infrastructure. Developers will, where appropriate be required to contribute to the Council’s identified infrastructure priorities to secure the future of sustainable communities throughout Cheshire West and Chester and meet the wider sustainability.

6.34 SOC 5 Health and Well-Being. The Plan covers the promotion of safe and accessible environments and developments with good access by walking, cycling and public transport with less reliance on the private motor car.

6.35 ECON 1 Economic growth, employment and enterprise – development proposals should be in accessible locations by a range of transport modes.

Topic 6 Landscape & Environment

Policies –

Policy 6.1 Seeks to conserve the landscape by, ensuring tree planting design conserves and enhances the existing local character. Retaining existing mature trees and development sites. Retaining existing hedgerows. Encouraging new hedgerows as boundary markers, retaining existing sandstone walls. Respecting the conservation area boundary features and character.

Policy 6.2 Protect and conserve natural assets including wildlife and trees. Developers must produce wildlife assessments, retain existing wetland features, protect the 28 trees with the Parish Boundary covered by tree preservation orders as well as all other mature trees. Make provision for green space within developments.

Policy 6.3 Protect and conserve the environment – including land and river. All development must comply with Para 112 of the NPPF, observe the Housing and Planning Act 2016 and Local Plan to encourage the reuse of previously developed land in preference to greenfield sites. Observe the constraints of the Lower Dee Policy Environment Agency and conserve the Farndon Cliffs and River Dee (SSSI and SAC).

6.36 The Natural Environment objectives and policies of the Farndon NDP are considered to be in general conformity with the following policies of the Cheshire West and Chester Local Plan (Part 1):

6.37 STRAT 1 Sustainable Development - The Local Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development.

6.38 STRAT 9 Green Belt and Countryside - The intrinsic character and beauty of the Cheshire countryside will be protected by restricting development to that which requires a countryside location and cannot be accommodated within the identified settlements. Land outside settlement boundaries is classed as countryside and subject to the requirements of STRAT 9.

6.39 ECON3 Visitor Economy - This policy supports the expansion of existing tourism assets or the creation of new tourism opportunities.

6.40 SOC5 Health and Well-Being - The health and well-being of the residents is a prime concern to the Council. This policy includes the proposal to provide new improved health facilities across the borough and to support the promotion of high quality greenspace, and access to this across the borough.

6.41 ENV 2 Landscape This policy will protect and wherever possible enhance landscape, character and local distinctiveness.

6.42 ENV 3 Green Infrastructure. The Local Plan will support the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure.

6.43 ENV 4 Biodiversity and Geodiversity. The Local Plan will safeguard and enhance biodiversity and geodiversity through the identification and protection of sites and/or features of international, national and local importance.

7 COMPATABILITY WITH EU REGULATIONS

7.1 Neighbourhood plans require a Strategic Environment Assessment (SEA) and/or a Habitat Regulations Assessment (HRA) in accordance with the European Directive 2001/42/EC and 92/43/EEC, and the requirements of the Environmental Assessment of plans and programmes regulations 2004 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

7.2 The requirements of the SEA Directive have been fully considered during the Screening Assessment for the Farndon Neighbourhood Plan. An Environmental Screening and Habitats Regulation Assessment Statement and determination has been prepared for the Neighbourhood Plan by Cheshire West and Chester Council.

7.3 The screening assessment and determination concluded that it is unlikely there will be any significant environmental effects arising from the plan and that a Strategic Environmental Assessment is not required. It also concluded that the plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010).

7.4 The Farndon NDP 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.**

7.5 The proposed policies within the Neighbourhood Plan do not give rise to any potential impacts on these Human Rights.

7.6 In conclusion it is considered that the Farndon NDP is compliant with EU obligations.

Paragraph 2f A draft neighbourhood development plan meets the basic conditions if - (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

8 PRESCRIBED CONDITIONS AND PRESCRIBED MATTERS

Paragraph 2g A draft neighbourhood development plan meets the basic conditions if - (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

8.1 There are no other prescribed matters.

9 CONCLUSION

9.1 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 Farndon NDP.

9.2 In reviewing the Farndon Neighbourhood Plan against the appropriate framework of National and Local planning policies there were no conflicts apparent.

9.3 The information within this document demonstrates general conformity with Paragraph 8(1)(a) of the Town and Country Planning Act, therefore it is suggested that the Farndon Development Plan should proceed to Referendum.