



No Mans Heath & District Neighbourhood Plan

Basic Conditions Statement November 2017

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1. INTRODUCTION

This Basic Conditions Statement has been produced to explain how the proposed No Mans Heath Neighbourhood Development Plan (hereafter known as NP) 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 NP has been produced by a Neighbourhood Planning Steering Group including No Mans Heath & District Parish Council members, and other community volunteers. Planning consultant Andrew Thomson of the Thomson Planning Partnership has been assisting the Steering Group with the preparation of the document and the Group has worked closely with Cheshire West and Chester Council (CWaC).

Effective community engagement throughout the process will mean that the NP will belong to the people of the parish of No Mans Heath & District.

The NP is supported by a Consultation Statement. An Environmental Screening and Habitat Regulation Assessment Statement has been undertaken by CWaC and it was concluded that a full SEA and HRA was not required for the Plan. All of these documents have been submitted alongside the NP.

2. BASIC CONDITIONS

Schedule 4B to the Town and Country Planning Act (Para 8) sets out the following basic condition that NPs must meet:

The examiner must consider the following:

- (1) *(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 48 to the 1990 Town and Country Planning Act (excluding 2b. c3-5 as required by 38C (5))

How the Neighbourhood Plan meets the basic conditions

- 2.1 The NP 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.
- 2.2 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

- (1) No Mans Heath & District Parish Council is a qualifying body and entitled to submit a NP for its own Parish. A Neighbourhood Plan Steering Group, which includes representatives from No Mans Heath & District parish, has been formed to produce a No Mans Heath & District Neighbourhood Plan. The Neighbourhood Plan area (NPA), which covers both parishes, was approved by CWaC on 6th June 2013.
- (2) The NP expresses policies that relate to the development and use of land only within the NPA. Other 'aspirations' are also described in the NP but these are clearly separate from the policies and are non-statutory.

38B

- (1a) The period of the NP has been specified as 2010 to 2030. This deliberately follows the period of the CWaC LP. It is intended that the NP is to be reviewed and updated regularly during this process (potentially every 5 years).
- (1b) No provision for excluded development such as national infrastructure is contained within the NP.
- (1c) The NP does not relate to more than one neighbourhood area. It is solely related to the area of NMH&D as designated by CWaC 6th June 2013.
- (2) There are no other NPs in place for the approved NMH&D neighbourhood area.
- (3) If there are any conflicts within the NP, 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.
- (4) Regulations made by the Secretary of State relating to NPs in the Neighbourhood Planning (General) Regulations 2012 have been used in the process of making the NP.

These regulations set out processes by which NPs are to be made and set out the consultation bodies for NPs.

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

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

- (6) Clarifies what is “excluded development”.

Para 1(d) whether the area for any referendum should extend beyond the NPA to which the draft NP relates. It is not considered that there is any benefit or reason for extending the area for the referendum beyond the Designated NPA.

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

3. CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 2a:- A draft neighbourhood 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:
1. Be **genuinely plan-led**, empowering local people to shape their surroundings, with succinct LPs and NPs 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 re-use 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 re-using 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);
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;
11. 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 NMH&D NP, 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 (LPAs) 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 4** of the NP is to “*strengthen and support economic activity...*”
- 3.6 **Aim 1** is to “*Encourage limited small scale development, which protects and enhances the existing rural character, built form and landscape setting of the village.*”
- 3.7 The NP positively responds to this in the following ways:
- Policy ECON1 promotes the development of new businesses in the countryside
 - Policy ECON2 supports the retention of employment sites and community facilities
 - Policy ECON3 supports the use of rural buildings for farm diversification, small businesses, recreation and tourism.
 - Policy H1 supports new small scale housing development
 - Policy RS2 seeks to ensure that the required community infrastructure is in place to support a growing and local economy

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

Ensuring the vitality of town centres

- 3.9 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.
- 3.10 **Aim 3** of the NP is to “*Sustain and improve local services and community facilities to meet the changing needs of the plan area over the plan period.*”
- 3.11 The NP positively responds to this in the following ways:
- Policy RS1 promotes the continuing use, refurbishment and improvement of all community buildings and their associated uses and supports the provision of new community uses where they do not have significant harmful impacts on the amenities of residents or on other neighbouring uses.
- 3.12 There is nothing within the NP that conflicts with these plan-making aims, as set out in the NPPF.

Supporting a prosperous rural economy

- 3.13 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.
- 3.14 **Aim 4** of the NP is to “*strengthen and support economic activity of an appropriate size and rural character that looks to provide training and employment for local people.*”
- 3.15 The NP positively responds to this in the following ways:
- Policy ECON 1 promotes the development of new small scale employment opportunities appropriate to the rural area
 - Policy ECON 2 states that the loss of local employment sites will only be supported where it can be demonstrated that the use is no longer viable or required and that the existing business/premises have been actively marketed.
 - Policy ECON 3 supports the re-use, conversion and adaptation of rural buildings for small businesses and tourism
 - Policy H1 supports new small scale housing development
 - Policy RS2 seeks to ensure that the required community infrastructure is in place to support a growing and local economy

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

Promoting sustainable transport

3.17 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.

3.18 **Aim 5** of the NP is to “*secure on-going improvements to local infrastructure and digital connectivity for the area*”

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

- Policy TRANS 2 seeks to encourage contributions towards enhancement of the existing networks of cycling and pedestrian facilities within the PA
- Policy RS 3 seeks to improve existing public footpath networks and the construction of new tracks and links as well as the redevelopment of the former railway line from Hampton through Tattenhall to Gatesheath

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

Supporting high quality communications infrastructure

3.21 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.

3.22 **Aim 5** of the NP is to “*secure on going improvements to local, infrastructure and digital connectivity for the area*”

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

- Policy TRANS 1 seeks to improve connections to the strategic fibre network in the NPA

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

Delivering a wide choice of high quality homes

3.25 The NPPF para 54 states that LPAs “*should be responsive to local needs particularly for affordable housing*”. It is appropriate that NPs 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 NP is an appropriate mechanism to provide a locally distinctive approach to the aspect of policy.

- 3.26 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.
- 3.27 **Aim 1** of the NP is to “*encourage limited small-scale development which protects and enhances the existing character, built form and landscape setting of the settlements in the NPA*”
- 3.28 **Aim 2** of the NP to “*deliver housing growth in line with CWaC LP Policy STRAT 9 which meets the needs of local people with respect to size and price of houses*”.
- 3.29 The NP positively responds to this in the following ways:
- Policy H1 supports small scale new housing development
 - Policy H2 provides for high quality design to provide a mix of housing including an element of low cost market housing.
- 3.30 There is nothing within the NP that conflicts with these plan-making aims, as set out in the NPPF.

Requiring good design

- 3.31 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.
- 3.32 **Aim 1** of the NP is to “*encourage limited small scale sensitive development which protects and enhances the existing rural character, built form and landscape setting of the settlements in the PA.*”
- 3.33 **Aim 6** of the NP is to “*prioritise local distinctiveness in every element of change and growth.*”
- 3.34 The NP positively responds to this in the following ways:
- Policy ECON3 supports the re-use of rural buildings where the conversion or adaptation work respects local character.
 - Policy ECON4 requires all new employment development to be of a high quality of design so that it compliments and enhances adjoining development, does not result in a loss of amenity and provides an

appropriate level of landscaping and on site car parking to meet the needs of the prospective occupiers.

- Policy LAN5 supports environmentally sustainable buildings.
- Policy H1 is supportive of new housing provided that it is small in scale and environmentally sustainable incorporating the latest Fabric Energy Efficiency Standards and reflecting the guidance in Building for Life 12.
- Policy H2 requires all new housing development to be of a high quality of design and provide a mix of housing to meet local needs

3.35 There is nothing within the NP 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 NPs to identify special protection for green spaces which have significant importance to the community.

3.39 **Aim 7** of the NP is to “*protect and enhance the quality and character of both the natural and built environment of the PA*”.

3.40 **Aim 8** is to “*involve local people in the process of plan making, monitoring and delivery of the NP*”

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

- Policy RS1 encourages the continued use, refurbishment and improvement of all community buildings in the NPA.
- Policy RS3 encourages improvements to the existing public footpath, cycle-ways and bridleway network in the NPA area.
- Policy TRANS 2 seeks to encourage contributions towards enhancement of the existing networks of cycling and pedestrian facilities within the PA

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

Protecting Green Belt Land

- 3.43 There is no Green Belt within the NPA. The NP responds positively to Green Belt Policies of the NPPF. It largely leaves these matters to existing national and local policy and regulation. There are no significant issues within the NP area that have an effect upon the Green Belt

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 full account of possible flood risks.
- 3.45 Para 95 of the NPPF states that in order to support the move to a low carbon future, Local Planning Agencies 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 are consistent with the Government's zero carbon policy and adopt nationally described standards.
- 3.46 **Aim 7** is to "*protect and enhance the natural and built environment*".
- 3.47 The NP 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. There are no significant watercourses within the Neighbourhood Plan area and flood risk is not a particular local issue.
- 3.48 There is nothing within the NP that conflicts with these plan-making aims, as set out in the NPPF.

Conserving and enhancing the natural environment

- 3.49 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.
- 3.50 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 designation should only be permitted where the area is in reasonably close proximity to the community it serves, and where it can be demonstrated to hold a particular local significance.
- 3.51 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.
- 3.52 The NP positively responds to this in the following ways:

- Policy LAN 2 requires all new developments to respect and enhance the local landscape quality ensuring that woodlands trees and hedgerows are retained and enhanced
- Policy LAN 7 protects existing wildlife sites, drainage ditches, brooks and culverts

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

Conserving and enhancing the historic environment

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

3.55 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.

3.56 The NP responds positively to the challenges of conservation of the historic environment and is in conformity with the policies of the NPPF. It largely leaves these matters to existing national and local policy and regulation. There are no significant heritage designations within the NPA.

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

4. CONTRIBUTING TO SUSTAINABLE DEVELOPMENT

Paragraph 2(d)

A draft neighbourhood development plan meets the basic conditions if:

(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development

4.0 Sustainable development is about positive growth - making economic, environmental and social progress for this and future generations.

4.1 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, and adapt to climate change including moving to a low carbon economy.

- 4.2 At the heart of the NPPF is a “presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”.
- 4.3 The NMH&D NP has been subject to an Environmental Screening and Habitats Regulation Assessment (undertaken by CWaC), and it was decided after consultation that a full SEA was not required. This explains how the policies of the NP integrate with the emerging LP and concludes that there will be no significant adverse environmental impacts.
- 4.4 The NP 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 Table 4.1 below.
- 4.5 The contribution of the NP to sustainable development can also be understood by the consideration in Section 3 of how the NP 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
1. Local Economy		
ECON1. New Business	Promotes new small scale employment opportunities that are appropriate to the rural environment	<ul style="list-style-type: none"> • New economic development and employment opportunities. • Improves economic sustainability of new and expanding local businesses
ECON2. Loss of employment sites and community facilities	Sets out criteria regarding the loss of local employment sites and community facilities	<ul style="list-style-type: none"> • Economic sustainability support to the local rural economy
ECON3. Use of Rural Buildings	Sets out criteria for the use of rural buildings for farm diversification, small businesses, recreation and tourism	<ul style="list-style-type: none"> • Economic sustainability support to the local rural economy • Promotes tourism which will have economic sustainability benefits to tourism.
ECON4. Scale, Design and amenity	Sets out criteria for new employment development.	Supports and promotes the rural economy
2. Transport and Communications		
TRANS1. Fibre Optics to Premises	Sets out the requirement for expanding fibre optic connectivity in the PA	<ul style="list-style-type: none"> • Promotion of connectivity • Supports the rural economy

TRANS2. Traffic	Sets out the requirement for traffic mitigation statements and contributions to cycling, equestrian and pedestrian facilities in the Parish	<ul style="list-style-type: none"> Promotion of highway safety and sustainable travel.
TRANS3. Parking	Sets out the requirement for onsite and offsite car parking	Promotion of highway safety
3. Landscape and Environment		
LAN1. Landscape Character and Important Views	Sets out how new development should respect and enhance existing views and skylines into and out of the countryside.	<ul style="list-style-type: none"> Supports the retention of the distinctive local character and protects and enhances the existing landscape
LAN2. Woodland, Trees, Hedgerows and Fencing	Sets out how new development should seek to protect woodlands, trees and hedgerows that contribute to the distinctive character of No Mans Heath from loss or damage	<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 landscape.
LAN3. Extensions and Alterations to Existing Buildings	Sets out how the design of any alterations and extensions to existing buildings should maintain, respect and enhance the existing character of No Mans Heath	<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.
LAN4. Common Land	Protects existing Common Land	<ul style="list-style-type: none"> Supports retention of the distinctive local character of area. Protection and enhancement of existing cultural heritage and landscape.
LAN5. Environmental Sustainability of Buildings	Encourages the use of sustainable energy in existing and new developments and sustainable drainage systems	<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.
LAN6. Agricultural Buildings	Sets out policy for new agricultural buildings in the open countryside	<ul style="list-style-type: none"> Supports retention of the distinctive local character.
LAN7. Buffer Zones and Wildlife Corridors	Policy seeks to protect and enhance buffer zones and wildlife corridors	<ul style="list-style-type: none"> Protection and enhancement of existing assets. Protection and enhancement of existing cultural heritage and natural environment.
LAN8. Renewable Energy	Policy to support renewable and low carbon energy proposals	<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.

4. Housing		
H1. Scale of Housing Development	<p>Supports new housing development that is small in scale, up to 5 houses, and is environmentally sustainable incorporating the latest Fabric First Energy Efficiency Standards.</p> <p>The preferred location for new housing development includes support for the re-use of empty properties; the re-use of redundant or disused buildings; the redevelopment of brownfield sites; infill housing within existing settlements of up to 2 houses in an otherwise built up frontage; and small scale developments, on greenfield or rural exception sites within, or adjoining, existing settlements.</p>	<ul style="list-style-type: none"> • Promotion of brownfield development. • Promotion of development close to the existing village that supports sustainable modes of travel to shops and services. • Development on sites that are most appropriate – minimising impacts on the natural environment. • Delivery of new housing delivers social sustainability by widening housing choice locally. • Increasing the catchment population of the plan area furthers economic sustainability of local services.
H2.Density	Supports new housing development across the plan area that is of a density sympathetic to the rural character of the area and not suburban or urban in character	<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 and inclusive place to live.
H3. Design	All new housing will be expected to be of a high quality design	<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 and inclusive place to live.
H4. Development Boundary	Development will be focused within the existing built up area of No Mans Heath	<ul style="list-style-type: none"> • To reflect Policy STRAT 9 in the Local Plan and to preserve the character of the plan area.
5. Recreation and Social Infrastructure		
RS1. Existing and new Community Facilities	Supports the retention, continued use, refurbishment and improvement of all community buildings in the PA	<ul style="list-style-type: none"> • Social sustainability to support the rural area of the plan
RS2. Contributions to Community Infrastructure	Support the retention, continued use, refurbishment and improvement of all community buildings in the PA.	<ul style="list-style-type: none"> • Social sustainability to support the rural area of the plan
RS3. Footpaths, Cycle-ways and Bridleways	Supports the improvement of the existing networks in the PA.	<ul style="list-style-type: none"> • Promotion of highway safety and sustainable travel. Supports the social sustainability of the rural area.

5. CONFORMITY WITH THE STRATEGIES OF THE DEVELOPMENT PLAN

Adopted Local Plan Part One: Strategic Policies – January 2015

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 NPs 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 LPs.
- 5.2 The current adopted LP for the area is the CWaC LP (adopted 2015). CWaC 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. The NMH&D NP has been produced in accordance with the CWaC LP. The close relationship between the community and the Council has ensured:
1. General conformity between the plans and minimised any potential conflict between the two documents.
 2. The evidence used in the production of the NP includes information and analysis used to inform the production of Part 2 of the LP, alongside new evidence base analysis collated specifically for the NP.
 3. The vision for NMH&D in the Local Plan Preferred Policy Direction document 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. In Part 2 of the LP, NMH&D may be identified as a 'local service centre'. 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.
 4. The NP has considered housing need, local character and community infrastructure and as a result follows the housing target set for the rural area in STRAT8.
 5. The adopted LP (Part 1) provides the strategic planning policy for the CWaC. Some of the existing Saved Policies of the Chester District Local Plan have also been retained until replaced by the Local Plan (Part Two) Detailed Policies and Land Allocations.

6. This Basic Condition Statement endeavours to demonstrate that the NP will not conflict with the saved policies of the Chester District Local Plan 2006.

The policies in the NP reflect the Adopted LP. It seeks to refine and add detail to the overall strategic planning policy of the LP, and to be flexible enough to work alongside the implementation of it.

It is considered that the NP is aligned with and positively supports the strategic needs and priorities of the local area. It promotes development consistent with the requirements of the adopted strategic policies of the development plan for the area.

The NP is in conformity with the strategic policies of the adopted CWaC LP (Part One) and the retained policies of the Chester District Local Plan. Please refer to Table 5.1 below, which cross-references this conformity.

Table 5.1 Conformity of the Neighbourhood Plan with the Development Plan

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the CWaC Adopted LP (Pt 1) January 2015	Conformity with the CD LP 2006 (Retained Policies)
Aims			
1. To encourage limited small-scale sensitive development which protects and enhances the existing rural character, built form and landscape setting of NMH&D		Supports Strategic Objective SO6	
2. Provide sufficient homes in line with CWaC Local Plan STRAT9 which meets the needs of NMH&D for the NP period up to 2030		Supports Strategic Objective SO6	
3. To sustain and improve local services and community facilities to meet the changing needs of NMH&D over the NP period		Supports Strategic Objectives SO1,SO2 and SO5	
4. To strengthen and support economic activity in NMH&D		Supports Strategic Objectives SO1,SO2 and SO3	
5. To secure on-going improvements in transport, infrastructure and digital connectivity		Supports Strategic Objectives SO2,SO4,SO7 and SO8	

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the CWaC Adopted LP (Pt 1) January 2015	Conformity with the CD LP 2006 (Retained Policies)
6. To prioritise local distinctiveness in every element of change and growth		Supports Strategic Objective SO12	
7. To protect and enhance the natural environment and wildlife habitats in the area.		Supports Strategic Objectives SO10 and SO13	
8. To involve local people in the process of plan making, monitoring and delivery of the Plan		Supports Strategic Objectives SO2,SO3,SO4,SO5,SO6,SO7, SO8,SO10,SO11,SO12 and SO13	
1. Local Economy			
ECON1. New Business	Promotes new small scale sustainable employment opportunities in the countryside	This policy supports ECON 1, ECON 3, STRAT 8 and STRAT 9	See EC11 and EC14
ECON2. Loss of Employment Sites and Community Facilities	Policy seeks to resist the loss of local employment sites and community facilities	This policy supports ECON 1, STRAT 8 and STRAT 9	See EC6
ECON3. Use of Rural Buildings	Policy supports farm diversification and the re-use of rural buildings	This policy supports ECON 1 and STRAT 9	See EC11
ECON4. Scale, Design and Amenity	New employment development to respect the character of NMH&D	This policy supports ECON 1, ENV6, STRAT 8 and STRAT 9	
2. Transport and Communications			
TRANS1. Fibre to Premises	This policy promotes digital connectivity across the Parish	This policy is in general support of STRAT 11 and ECON 1 and provides further local detail.	
TRANS2. Traffic	This policy sets out requirement for assessment of local travel impacts of new development.	This policy is in general support of STRAT 10 and STRAT 11	
TRANS3. Parking	This policy supports new development which provides sufficient on-site car parking	This policy supports ECON 1 and STRAT 9	See TR 13,14 and 15

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the CWaC Adopted LP (Pt 1) January 2015	Conformity with the CD LP 2006 (Retained Policies)
3. Landscape and Environment			
LAN1. Important Local Green Space within the Parish	Sets out how new development should respect and enhance existing views and skylines as well as protecting existing locally important green spaces.	ENV3 Green Infrastructure	ENV17 important areas of green space
LAN2. Woodlands, Trees and Hedgerows	Sets out the requirements for the protection of existing woodlands, trees and hedgerows in the PA	This policy supports policy ENV 3 providing further local detail.	See ENV21
LAN3. Extensions and Alterations to Existing Buildings in the Countryside	Sets out how the design of alterations and extensions to existing buildings should maintain, respect and enhance the existing rural character of the PA.	This policy reflects ENV 6 and the requirement to respond to existing local character in ENV 5	See ENV66
LAN4. Common Land	Seeks to protect the common land within the PA.	This policy reflects STRAT 9 and ENV 4 and 5	
LAN5. Environmental Sustainability of Buildings	Promotes the use of environmentally sustainable technology on new and existing buildings	This policy reflects ENV 6	
LAN6. Agricultural Buildings	Supports the re-use, conversion and adaptation of agricultural buildings for new uses appropriate to the rural area	This policy reflects STRAT 9	See HO10
LAN7. Buffer Zones and Wildlife Corridors	Supports the maintenance and enhancement of existing wildlife sites, drainage ditches, brooks and culverts.	This policy re-iterates and supports policies in the ENV 3 and ENV 4 and provides further local detail.	See ENV29, 30 and 31
LAN8. Renewable Energy	Supports renewable and low carbon energy proposals	This policy reflects ENV 6	
4. Housing			
H1. Scale of Housing Development	Support for re-use of empty properties and redundant buildings, brownfield redevelopment, infill and small- scale on greenfield or rural exception sites within or adjoining existing settlements.	This policy reiterates policies STRAT 2, STRAT 8 and STRAT 9	

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the CWaC Adopted LP (Pt 1) January 2015	Conformity with the CD LP 2006 (Retained Policies)
H2. Density	Seeks to protect the rural character of the plan area.	This policy supports policies STRAT 2, STRAT 8 and STRAT 9	See HO5,HO6 and HO7
H3. Design	New housing small in scale and of a high quality of design.	Local level detail in line with STRAT 2, STRAT 8 and STRAT 9 allowing the form of new housing to reflect local characteristics. This policy also responds to ENV 6 to respect local character and achieve a sense of place.	
H4 Development Boundary	Introduces a Development Boundary for No Mans Heath	To reflect Policy STRAT 9 in the Local Plan	See HO6 and HO7
5. Recreational and Social Infrastructure			
RS1. Existing and New Community Facilities	Promotes the retention, continued use, refurbishment and improvement of all community buildings and their associated uses in NMH&D	This policy supports and reiterates ECON 1 and ECON 3 and provides further local detail.	
RS 2. Contributions to Community Infrastructure	Sets out mechanism for mitigation of the impact of new development on the existing community infrastructure	This policy reiterates and supports STRAT 11	
RS3. Footpaths, Cycleways and Bridleways	Policy supports improvements to the public rights of way network in the Parish	This policy supports SOC 5, STRAT 10 and STRAT 11	See TR4,5 and 6

6. COMPATIBILITY WITH EU REGULATIONS

A Strategic Environmental Assessment (SEA) screening was undertaken by CWaC Council. The screening confirms that a SEA is not required for this NP. The screening was submitted to the statutory environmental bodies (Historic England, Natural England and the Environment Agency). Due to the proximity to Wales, Natural Resources Wales and CADW were also consulted).

A Habitat Regulation Assessment (HRA) screening opinion was sought from CWaC Council in order to confirm whether an HRA was required to support the NMH&D NP. The screening exercise concluded that there were no European sites that would be affected by the proposals within the NP.

An explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive (the Screening Determination) has been submitted with the NMH&D NP.

The NP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, and complies with the Human Rights Act 1998.

7. COMPLIANCE WITH PRESCRIBED MATTERS

There are no other prescribed matters.