

Norley

Neighbourhood Plan

BASIC CONDITIONS STATEMENT

March 2015

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1. INTRODUCTION

Introduction

This Basic Conditions Statement has been produced to explain how the proposed Norley Neighbourhood Development Plan (hereafter known as the “Norley Neighbourhood Plan” or “the Neighbourhood Plan”) has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the ‘basic conditions’ of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.

The Neighbourhood Plan has been produced by a Neighbourhood Planning Steering Group including Norley Parish Council members, and other community volunteers. Planning consultant Andrew Thomson of the Thomson Planning Partnership have 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 Neighbourhood Plan will belong to the people of Norley.

The Neighbourhood Plan 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 Plan. All of these documents have been submitted alongside the Neighbourhood Plan.

2. BASIC CONDITIONS

Basic conditions to be met

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

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 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 Norley Neighbourhood Plan 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.

2.2 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) Norley Parish council is a qualifying body and entitled to submit a Neighbourhood Development Plan (NDP) for its own Parish. A Neighbourhood Plan Steering Group, which includes representatives from Norley parish, has been formed to produce a Norley Neighbourhood Plan. The Neighbourhood Plan area, which covers the parish of Norley, was approved by CWaC on 7th March 2013.

(2) The Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area. Other 'aspirations' are also described in the Neighbourhood Plan but these are clearly distinguished from the policies and are non-statutory.

(1a) The period of the Neighbourhood Plan has been specified as 2014 to 2030. This deliberately follows the period of the CWaC Local Plan. It is intended that the Neighbourhood Plan is to be reviewed and updated regularly during this process (potentially every 5 years).

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

(1c) The Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Norley as designated by Cheshire West and Chester Council on 7th March 2013.

(2) There are no other Neighbourhood Development Plans (NDPs) in place for the approved Norley neighbourhood area.

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

(4) Regulations made by the Secretary of State relating to NDPs in the Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the Neighbourhood Plan.

These regulations set out:

Processes by which neighbourhood plans are to be made and set out the consultation bodies for NDP's.

NDP's that are likely to have a significant effect on European Sites (habitats) must be subject to an appropriate assessment. 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 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).

(5) Refers to the publication of NDP's 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 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.

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 local and neighbourhood plans setting out a positive vision for the future of the area;
2. Be a **creative exercise** in finding ways to enhance and improve the places in which people live their lives; **proactively drive and support sustainable economic development** to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and **respond positively to wider opportunities for growth**. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
3. Always seek to secure **high quality design** and a good standard of amenity for all existing and future occupants of land and buildings;
4. **Take account of the different roles and character of different areas ...**, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
5. Support the **transition to a low carbon future in a changing climate**, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resource;
6. Contribute to **conserving and enhancing the natural environment** and reducing pollution;
7. **Encourage the effective use of land** by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
8. **Promote mixed use developments**, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation,
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 Norley Neighbourhood Plan, which has had regard to the following key policy sections of the NPPF, as evidenced below.

Building a strong, competitive economy

3.4 The NPPF Para 21 states that local planning authorities (LPA's) should plan positively for local inward investment to match and meet anticipated needs over the plan period. Support should be given to existing business whilst identifying priority areas for infrastructure provision and environmental enhancement. The NPPF encourages flexible working practices such as the integration of residential and commercial units within the same unit.

3.5 **Aim 4** of the Neighbourhood Plan is to *“strengthen and support economic activity in Norley”*

3.6 **Aim 2** 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 Neighbourhood Plan positively responds to this in the following ways:

- Policy HOU1 supports new small scale housing development within the settlement boundary
- Policy CI1 promotes the continuing vitality of the village
- Policy CI2 seeks to ensure that the required community infrastructure is in place to support a growing and local economy
- Policy ECON1 promotes the development of new businesses in the countryside
- Policy ECON2 supports new businesses within settlements
- Policy ECON4 supports the use of rural buildings for farm diversification, small businesses, recreation and tourism.

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

Ensuring the vitality of town centres

3.9 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 **Aim3** of the Neighbourhood Plan is to *“Sustain and improve local services and community facilities to meet the needs of Norley over the plan period.”*

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

- Policy CI1 promotes the continuing vitality of Norley by ensuring it remains the place where retail and community facilities are clustered
- Policy CI2 seeks to ensure that the required community infrastructure is in place to support a growing and local economy

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

Supporting a prosperous rural economy

3.13 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 2** of the Neighbourhood Plan is to *“Encourage limited small scale development, which protects and enhances the existing rural character, built form and landscape setting of Norley.”*

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

- Policy ECON 1 promotes the development of new businesses in the countryside
- Policy ECON 2 supports new businesses within settlements.
- Policy ECON 4 supports the reuse , conversion and adaption of rural buildings for small businesses

3.16 There is nothing within the Neighbourhood Plan 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 Neighbourhood Plan is to *“secure on going improvements to transport, infrastructure and digital connectivity for the Parish”*

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

- PolicyTRANS 1 seeks to improve pedestrian and cycle routes in the Parish. This will serve to promote walking and cycling further.
- Policy ENV 5 seeks to improve existing public footpath networks and the construction of new tracks and links to create circular routes

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

Supporting high quality communications infrastructure

3.20 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.

3.21 Aim 5 of the Neighbourhood Plan is to *“secure on going improvements to transport, infrastructure and digital connectivity for the Parish”*

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

- Policy TRANS 2 seeks to promote connectivity with the local fibre optic network

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

Delivering a wide choice of high quality homes

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

3.25 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.

3.26 **Aim 1** of the Neighbourhood Plan is to *“Provide sufficient homes to meet the local housing need of Norley for the period of the plan up to 2030.”*

3.27 **Aim 2** of the Neighbourhood Plan is to *“encourage small scale sensitive development which protects and enhances the existing rural character, built form and landscape setting of Norley.”*

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

- Policy HOU1 supports new housing development within the settlement boundary
- Policy HOU2 provides for affordable housing that meets an objectively assessed need.

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

Requiring good design

3.30 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.

3.31 **Aim 2** of the Neighbourhood Plan is to *“encourage small scale sensitive development which protects and enhances the existing rural character, built form and landscape setting of the village.”*

3.32 **Aim 6** of the Neighbourhood Plan is to *“prioritise local distinctiveness in every element of growth and change.”*

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

- Policy HOU 3 is supportive of new housing that provides a mix of house types including low cost market housing that are in small groups sympathetic in scale, form and character with Norley.
- Policy LC1 requires housing development to respect and enhance the local landscape ensuring important local views, vistas and rural skylines are maintained and where possible enhanced.
- Policy LC4 seeks to ensure that proposed alterations and extensions should reflect the size and scale of the existing and adjacent dwellings
- Policy ECON4 supports the re-use of rural buildings where the conversion or adaption work respects local character
- Policy ECON5 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, provides an appropriate level of landscaping and on site car parking to meet the needs of the prospective occupiers.

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

Promoting healthy communities

3.35 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.

3.36 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.

3.37 The NPPF encourages NDPs to identify special protection for green spaces which have significant importance to the community.

3.38 **Aim 7** of the Neighbourhood Plan is to *“Protect existing open spaces and the landscape setting of Norley and to enhance local nature conservation.”*

3.39 **Aim 9** is to *“Protect and enhance the natural environment and wildlife habitats in the area”*

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

- Policy ENV1 protects open space within the Parish that has sport, recreation or amenity value from new development.
- Policy ENV2 protects local green spaces that are special and have local significance
- Policy ENV5 seeks to improve the existing footpath network in the Parish to promote walking and cycling
- Policy CI1 seeks to retain, refurbish and improve community facilities as well as securing new facilities provided they do not harm the amenities of neighbouring properties
- Policies CL2 requires all new developments to address the impacts and benefits arising from the development and how any impacts can be mitigated by contributions to community infrastructure.
- Policy TRANS1 seeks to improve pedestrian and cycle routes in the Parish. This will serve to promote walking and cycling further.

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

Protecting Green Belt Land

3.42 The settlement of Norley is washed over by Green Belt which covers all the Neighbourhood Plan area. The Neighbourhood Plan 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 Neighbourhood Plan area that impact upon the Green Belt

Meeting the challenge of climate change, flooding and coastal change

3.43 Local Authorities are encouraged to adopt proactive strategies to mitigate and adapt to climate change, taking into full account of flood risk.

3.44 Para 95 of the NPPF states that in order to support the move to a low carbon future, LPA's should plan for new development in locations and ways which reduce greenhouse gas emissions. The NPPF actively supports energy efficiency improvements to existing buildings and set local requirements for sustainable buildings that is consistent with the Governments zero carbon policy and adopt nationally described standards.

3.45 **Aim 9** is to “Protect and enhance the natural environment and wildlife habitats in the area.

3.46 The Neighbourhood Plan responds positively to the challenges of climate change and is in conformity with the flooding policies of the NPPF. It largely leaves these matters to existing national and local policy and regulation. There are no significant watercourses within the Neighbourhood Plan area and flood risk is not a particular local issue.

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

Conserving and enhancing the natural environment

3.50 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.

3.51 Para 76 of the NPPF allows for Neighbourhood Development Plans 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.

3.52 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.

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

- Policy LC2 requires all new developments to respect and enhance the local landscape quality ensuring that important local views, vistas and rural skylines are maintained and where possible enhanced.
- Policy ENV1 protects open space within the Parish that has sport, recreation or amenity value from new development.
- Policy ENV2 protects local green spaces that are special and have local significance
- Policy BIO1 seeks to ensure that new development does not result in the loss of or negatively impacts upon Core Sites, wildlife corridors and habitats/species of principle importance.
- Policy BIO2 requires all developments to contribute to halting the overall decline in biodiversity
- Policy BIO3 requires all new developments to provide net gains in biodiversity and to ideally facilitate the enhancement, restoration and long term management of core sites.

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

Conserving and enhancing the historic environment

3.55 NPPF para 126 states that LPA's 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 Neighbourhood Plan 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 Neighbourhood Plan area.

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

4. Contributing to sustainable development

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

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

3.62 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 adapt to climate change including moving to a low carbon economy.

3.63 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”.

3.64 The Norley Neighbourhood Plan 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 Neighbourhood Plan integrate with the emerging Local Plan and concludes that there will be no significant adverse environmental impacts.

3.65 The Neighbourhood Plan has considered all aspects of economic, social and environmental sustainability in its production and its policies will contribute to the promotion of sustainable development. This is summarised in the Table 4.1 on the following page (which is informed by the aforementioned screening assessment).

3.66 The contribution of the Plan to sustainable development can also be understood by the consideration in Section 3 of how the Plan responds to the guidance set out in the NPPF, which itself seeks to promote sustainable development.

Table 4.1: Contribution of the Neighbourhood Plan to Sustainable Development

Neighbourhood Plan Policy	Summary of Policy	Contribution to sustainable development
1. Homes for All		
HOU1. Scale of New Housing	Supports new housing development on sustainable and appropriate sites (Refer to NP and Evidence based document) Preferred location for new housing development. Support for brownfield redevelopment. Development within the Parish and Greenfield within the settlement boundary Quantum of new development in line with emerging Local Plan figures for Norley.	<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. <p>Increasing the catchment population of the village centre furthers economic sustainability of shops and services.</p>
HOU1 (B) Housing Development within the Parish	Encourages the re-use of empty properties, rebuilding and replacement of existing dwellings and extensions to existing dwellings where they are small in scale	<p>Protects Green Belt by allowing only necessary / exceptional development</p> <p>Supports the rural economy, promoting economic sustainability</p> <p>Promotes innovative sustainability features in design</p>
HOU2. Affordable Housing	Conformity of policies on housing type/mix with the emerging Local Plan. Provision of affordable housing that specifically meets evidenced needs of Norley	Supports social sustainability by widening housing choice in response to local needs and supporting a balanced, mixed community.
HOU3. Design and layout	New housing to reflect organic growth of Norley Developments providing a mix of housing including low cost market housing	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..
HOU4. Phasing	Ensure housing deliveries match Housing Requirements through the plan period. 5 yearly review of deliveries and requirements by Parish Council and CWaC	Allows housing to come forward through the Plan Period in line with forecast needs and accompanied by the provision of local infrastructure including, where appropriate, contributions to sustainable transport measures, green infrastructure, local services and community facilities.
2. Local Character		
LC1. Built Environment	Sets out consideration for the layout and scale of new development	<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
LC2. Landscape Quality	Sets out how new buildings should be distinctive to the	<ul style="list-style-type: none"> • Supports retention of the distinctive local character and raises design

	existing character of Norley	<p>quality of new development, which will ensure the area becomes an attractive place to live in and visit.</p> <ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape.
LC3. Woodland, Trees, Hedgerows and Fencing	Sets out how new development should seek to protect woodlands, trees, hedgerows and fencing that contribute to the distinctive character of Norley from loss or damage	<ul style="list-style-type: none"> • Supports retention of the distinctive local character and raises quality of new development. • Protection and enhancement of the existing landscape.
LC4. 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 Norley.	<ul style="list-style-type: none"> • Supports retention of the distinctive local character and raises new design quality, which will ensure the area becomes an attractive place to live . • Protection and enhancement of existing cultural heritage and landscape
LC5. Infill and Replacement Dwellings	Sets out requirements for how and where infill development can take place.	<ul style="list-style-type: none"> • Supports retention of the distinctive local character.
LC6 Backland Development	Policy seeks to prevent backland development	Protect and enhance existing residential amenity

3. Landscape and the Environment

ENV1. Open Space within the Parish	Sets out requirements for protecting open space within the parish	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. • Continued open space provision for the local population
ENV2. Green Space Policy	Policy seeks protection and enhancement of locally valued Green Spaces.	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. • Continued open space provision for local population • Protection and enhancement of biodiversity • Protection and enhancement of existing cultural heritage and landscape.
ENV3. New Development in the Open Countryside	Sets out requirements for new development in the open countryside	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape • Protection and enhancement of any key views
ENV4. Agricultural Buildings	Sets out policy for new agricultural buildings in the open countryside	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape.
ENV5. Footpaths	Sets out the requirements for the protection and enhancement of the public footpath network.	<ul style="list-style-type: none"> • Promotion of sustainable travel

4. Biodiversity

BIO1. Core Sites, Wildlife Corridors and Habitats/Species	Sets out the requirements for no loss or impact from	<ul style="list-style-type: none"> • Protection and enhancement of existing assets.
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of principle importance	development	<ul style="list-style-type: none"> Protection and enhancement of existing cultural heritage and landscape.
BIO2. Achieving no net loss of biodiversity	Enhancement of biodiversity by new development	<ul style="list-style-type: none"> Protection and enhancement of existing assets. Protection and enhancement of existing cultural heritage and landscape.
BIO3. Achieving a net gain in Biodiversity	Enhancement of biodiversity by new development	<ul style="list-style-type: none"> Protection and enhancement of existing assets. Protection and enhancement of existing cultural heritage and landscape k.
5. Supporting the Local Economy		
Econ 1. New Businesses in the Countryside	Promotes new small scale sustainable development in the open countryside.	<ul style="list-style-type: none"> New economic development and employment opportunities. Improves economic sustainability of new and expanding local businesses.
ECON 2. New Businesses within Settlements	Sets out criteria for the promotion of new small scale employment and tourism development in settlements	<ul style="list-style-type: none"> Economic sustainability support to the local rural economy. Promotes tourism which will have economic sustainability benefits to tourism.
ECON 3. Loss of Employment	Sets out criteria regarding the loss of local employment	<ul style="list-style-type: none"> Economic sustainability support to the local rural economy
ECON 4. 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.
ECON 5. Scale, Design and Amenity	Sets out criteria for new employment development	<ul style="list-style-type: none"> Supports and promotes the rural economy
6. Transport and Communications		
TRANS1. Public Rights of Way	Promotes new, safe and direct sustainable travel routes.	Promotion of sustainable travel.
TRANS2. Fibre Optics to Premises	Sets out the requirement for expanding fibre optic connectivity in the Parish	<ul style="list-style-type: none"> Promotion of connectivity Supports the rural economy
TRANS3. Traffic	Sets out the requirement for traffic mitigation statements and contributions to cycling, equestrian and pedestrian facilities in the Parish	Promotion of highway safety and sustainable travel.

5. CONFORMITY WITH THE STRATEGIC POLICIES 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 Neighbourhood plans must demonstrate that they are in general conformity with the strategic policies of the adopted development plan for the local area. Section 38 of the Planning and compulsory Purchase Act 2004 defines "development plan" as the development plan documents (DPDs) adopted for the area and Schedule 8 extends this to include saved local plans.

5.2 The current adopted Local Plan for the area is the Cheshire West and Chester Local Plan (adopted 2015). Cheshire West and Chester was formed following the Local Government Reorganisation in 2009. This consisted of Chester City, Vale Royal, Ellesmere Port and Neston and Cheshire County Council all becoming Chester West and Chester Council. Work has subsequently commenced on a new Cheshire West and Chester Local Plan. The the Norley Neighbourhood Plan has been produced in parallel with the emerging Cheshire West and Chester Local Plan. 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 Neighbourhood Plan includes information and analysis used to inform the production of the emerging Local Plan, alongside new evidence base analysis collated specifically for the Neighbourhood Plan.
- 3 The vision for Norley 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 Local Plan Norley 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 Norley Neighbourhood Plan 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 emerging Local Plan will provide strategic planning policy for the Cheshire West and Chester Area. Some of the existing Saved Polices will be retained for the purposes of development control to supplement the strategic policies of the Local Plan.
- 6 This Basic Condition Statement endeavours to demonstrate that the Neighbourhood Plan will not conflict with the saved polices of the Vale Royal Local Plan First Review 2006

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

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

The Neighbourhood Plan is in conformity with the strategic policies of both the adopted CWaC Local Plan Part One and with the saved policies of the Vale Royal Local Plan First Review 2006. Please refer to Table 5.1 which cross-references this conformity.

Table 5.1 Compliance of the Neighbourhood Plan with the Development Plan

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
Objectives			
1. Provide sufficient homes to meet the Parish Housing Needs of Norley for the Plan period up to 2030		Supports Strategic Objective SO6	
2. To encourage limited small scale sensitive development which protects and enhances the existing rural character, built form and landscape setting of Norley		Supports Strategic Objective SO6	
3. To sustain and improve local services and community facilities to meet the changing needs of Norley over the Plan period		Supports Strategic Objectives SO1, SO2 and SO5	
4. To strengthen and support economic activity in Norley		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	
6. To prioritise local distinctiveness in every element of change and growth		Supports Strategic Objective SO12	
7. To protect existing open spaces and the landscape setting of Norley and to enhance local nature conservation		Supports Strategic Objectives SO10, SO11, SO12 and SO13	

Neighbourhood Plan Policy and Objectives		Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
8.	To protect existing open spaces and the landscape setting of Norley and its position above the Cheshire Plain.		Supports Strategic Objectives SO10,SO11 and SO12	
9.	To protect and enhance the natural environment and wildlife habitats in the area.		Supports Strategic Objectives SO10 and SO13	
10.	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. Housing				
HOU1. Scale of Housing Development	Support for brownfield redevelopment within the Parish.. Greenfield development within the settlement boundary	This policy reiterates policies STRAT 2 and START 9		
Hou2. Affordable Housing	Conformity of policies on housing type/mix with the emerging Local Plan. Provision of affordable housing that specifically meets evidenced Local Housing Needs of Norley	Policy HOU2 is in line with STRAT 8 and STRAT 9 and SOC 6 and SOC 1		
HOU3. Housing design and layout	New housing to reflect the scale and local character of Norley.	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.	See retained policies H8, H9 and H10.	

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
HOU4. Phasing	Policy for the delivery of housing across the Plan period	This policy reflects STRAT 2, STRAT 8 and STRAT 9 in the Local Plan.	

2. Local Character

LC1. Built Environment	Sets out how the design of new buildings should maintain, enhance and respect the existing character of Norley	This policy supports ENV 6 in relation to high quality design adding a local dimension to the distinctive character of Norley	See BE1
LC2. Landscape Quality	Sets out the requirements for protecting the landscape quality of the area	This policy supports policy ENV 2 providing the local detail.	See NE7 and NE8
LC3. Woodlands, Trees, Hedgerows and Fencing	Sets out the requirements for the protection of existing woodlands, trees, hedgerows and fencing in the plan area	This policy supports policy ENV 3 providing further local detail.	See NE9
LC4. Extensions and Alterations to existing Buildings and Structures	Sets out how the design of alterations and extensions to existing buildings should maintain, respect and enhance the	This policy reflects ENV 6 and the requirement to respond to existing local character in ENV 5	See GS6

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
	existing character of Norley		
LC5. Infill and Replacement Dwellings	Sets out how infill and replacement dwellings can be accommodated within the plan area.	This policy reflects STRAT 8, STRAT 9 and ENV 6	
LC6 Backland Development		This policy reflects ENV 6	
3. Landscape and Environment			
ENV1. Open space within the Parish	Seeks to protect open space of value in the Parish	This policy reiterates and supports policies ENV 3 and ENV 4. This policy furthers the aims of respecting local character and achieving a sense of place in ENV 6.	See RT2 and RT3
ENV2. Green Space Policy	Seeks to protect and enhance locally valued green spaces	This policy reiterates and supports policies ENV3 and ENV4. It also furthers the aims of ENV6 to be sympathetic to heritage, environmental and landscape assets.	See NE6
ENV3. New Development in the Open Countryside	Sets out requirements for protecting the countryside	This policy reiterates and supports STRAT 9 and ENV 6.	
ENV4. Agricultural Buildings	Sets out requirements for protecting the countryside	This policy reiterates and supports STRAT 9 and ENV 6.	See GS5, GS6 and RE3
ENV5. Footpaths	Sets out the requirements for new safe, direct and attractive footpaths in the Parish	The policy reiterates and supports STRAT 10 and provides additional local detail.	

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
4. Biodiversity			
BIO1. Core sites, wildlife corridors and habitats/species of principal importance	Protection and enhancement of core sites and wildlife corridors	This policy re-iterates and supports policies in the ENV 3 and ENV 4 and provides further local detail.	See NE1, NE2 and NE6
BIO2. Achieving no net loss of Biodiversity	All new development should halt the overall decline in biodiversity	The policy reiterates and supports ENV3 and ENV4 and provides further local detail.	See NE1 and NE2
BIO3. Achieving a net gain in Biodiversity	Requires new development to provide net gains in biodiversity including the enhancement, restoration and long term management of core sites	This policy reiterates ENV3 and ENV4 providing further local detail.	. See NE1 and NE2
CI 1. Community Infrastructure	Promotes retail and community services in Norley.	5 Community Infrastructure This policy supports and reiterates ECON 1 and ECON 3 and provides further local detail.	See RT6

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
CI 2 Contributions to Community Infrastructure	Sets out mechanism for provision of new community infrastructure through new development.	This policy reiterates and supports STRAT 11	
5. Local Economy			
ECON1. New businesses in the open countryside	Promotes new small scale sustainable employment opportunities in the open countryside	This policy supports ECON 1, ECON 3 and STRAT 9	See E10
ECON 2. New businesses within settlements	Promotes new small scale businesses within settlements.	This policy supports ECON1, ECON 3 and STRAT 9	See E10
ECON 3. Loss of Employment	Policy seeks to resist the loss of local employment opportunities	This policy supports ECON 1 and STRAT 9	
ECON 4. Use of rural buildings	Policy supports farm diversification and the re-use of rural buildings	This policy supports ECON 1 and STRAT 9	See RE12 and GS6

Neighbourhood Plan Policy and Objectives	Summary	Conformity with the Cheshire West and Chester Adopted Local Plan (Part one) January 2015	Conformity with the Vale Royal Local Plan First Review 2006 (Retained Policies)
ECON 5. Scale, Design and Amenity	New employment development to respect the character of Norley	This policy supports ECON 1, ENV6 and STRAT 9	See GS6
6. Transport and Communications			
TRANS1. Public Rights of Way	Policy supports improvements to the public rights of way network in the Parish	This policy supports STRAT 10 and STRAT 11	
TRANS 2. Fibre optics 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.	
TRANS 3. 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	See T13 and T 14

6. COMPATIBILITY WITH EU REGULATIONS

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*

The Strategic Environmental Assessment (SEA) is a requirement of the EU Directive on the assessment of the effects of certain plans and programmes on the environment. The requirements of the SEA Directive have been fully considered during the screening assessment for Norley Neighbourhood Plan assessment. An Environmental Screening and Habitats Regulation Assessment Statement was not required for the Plan following consultation by CWaC.

The screening assessment has been undertaken in accordance with the published government guidance "Sustainability Appraisal of Regional Spatial Strategies and Local Development plan Documents" (2005).

The screening assessment 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).

The Norley Neighbourhood Plan is considered to have met the following Human Rights Articles:

- Article 1 – Protection of property
- Article 8 – Right to respect for private and family life
- Article 14 – Prohibition of discrimination
- Protocol 12 – Article 1 – General prohibition of discrimination.

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

In conclusion it is considered that the Norley Neighbourhood Plan is compliant with EU obligations.

7. 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

7.1 There are no other prescribed matters

8. CONCLUSION

8.1 It is considered that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 have been met by the Norley Neighbourhood Plan.

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

8.3 The information within this document demonstrates general conformity with Paragraph 8(1) (a) of the Town and Country Planning Act (1990); therefore it is recommended that the Development Plan should proceed to Referendum.