

**Over Alderley Neighbourhood Development Plan  
Basic Conditions Statement  
February 2024**



Over Alderley Parish Council  
With assistance from



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## 1. Introduction

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
  - the making of the plan contributes to the achievement of sustainable development
  - the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.
- 1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:
- the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and
  - having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).
- 1.3 A further Basic Condition was added by legislation on 28<sup>th</sup> December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:
- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4 This Basic Conditions Statement sets out how the Over Alderley NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## 2. Legal Requirements

### 2.1 The Submission Plan is being submitted by a qualifying body

The Submission Plan is being submitted by a qualifying body, namely Over Alderley Parish Council.

### 2.2 What is being proposed is a neighbourhood development plan

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### 2.3 The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2024 to 2030 (from the current year and referring to the same period as the adopted Cheshire East Local Plan Strategy 2010 – 2030 Adopted 27 July 2017<sup>2</sup>).

### 2.4 The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### 2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the designated Over Alderley Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

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<sup>2</sup> [https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire\\_east\\_local\\_plan/local-plan-strategy/local\\_plan\\_strategy.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire_east_local_plan/local-plan-strategy/local_plan_strategy.aspx)

### 3. Basic Conditions

3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.

The Over Alderley Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, updated 19<sup>th</sup> December 2023)<sup>3</sup>.

Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

#### Achieving Sustainable Development

Paragraph 1 of the NPPF explains that *'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.'* Paragraph 7 sets out that *'The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.'*

The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development.

Table 1 sets out how the Over Alderley NDP delivers the 3 overarching Objectives.

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	Over Alderley NDP
<p>a) <b><i>an economic objective – 'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;'</i></b></p>	<p>The neighbourhood plan area is in the Green Belt where opportunities for development are limited, apart from a small area within the science park of Alderley Park. However, the NDP takes a positive approach by recognising the area's role in providing recreational opportunities for visitors and residents and sets out how enhancing walking, cycling and horse-riding linkages to nearby Alderley Edge (a National Trust attraction) and across the area can support the local visitor economy. The NDP also contains policies to protect</p>

<sup>3</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>



	<p>the special characteristics of the area so that it can continue to be an area which attracts walkers and cyclists for recreation.</p> <p>The NDP includes the following objectives and policies which will help to support a strong local economy:</p> <p>1. Community: To support and encourage a strong sense of community and place, through active use and improvement of community assets and to value and promote the network of country lanes, footpaths and bridleways as healthy opportunities for informal recreation. (Through NDP Policies OA1, OA2 and OA3)</p> <p>2. Infrastructure: To secure continuing improvements to local infrastructure and identify opportunities to improve safety in shared spaces for pedestrians, cyclists, horse riders and motorists and to improve/implement infrastructure for non-motorised users. (Through NDP Policies OA3 and OA4 Parish Council Actions)</p> <p>6. Economy: To encourage a thriving and prosperous business community that delivers a high quality of life for all its residents and visitors. (Through NDP Policies OA3, OA11 and OA12 and Parish Council actions to promote heritage and encourage visitors).</p>
<p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</i></p>	<p>The NDP has a strong focus on social objectives and has been prepared through a process of community consultation and engagement.</p> <p>The Plan recognises the important role of local community facilities and open spaces and seeks to protect them, and the concerns of residents about infrastructure are also noted.</p> <p>The NDP includes the following objectives and policies which will help to support a vibrant and healthy community:</p> <p>1. Community: To support and encourage a strong sense of community and place, through active use and improvement of community assets and to value and promote the network of country lanes,</p>

	<p>footpaths and bridleways as healthy opportunities for informal recreation. (Through NDP Policies OA1, OA2 and OA3)</p> <p>2. Infrastructure: To secure continuing improvements to local infrastructure and identify opportunities to improve safety in shared spaces for pedestrians, cyclists, horse riders and motorists and to improve/implement infrastructure for non-motorised users. (Through NDP Policies OA3 and OA4 Parish Council Actions)</p> <p>The NDP also supports well designed, beautiful and safe places through the application of bespoke local Design Codes and NDP policies linked to these.</p>
<p><i>c) <b>an environmental objective</b> – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>Over Alderley is set within a beautiful landscape setting with many built heritage assets. These environmental assets are highly important to local people and therefore the NDP has been prepared with a strong emphasis on sensitive and high-quality design. Design codes were commissioned to provide a strong evidence base of character assessment and detailed design principles taking into account local context and character so that change can be accommodated more successfully in the future.</p> <p>The NDP includes the following objectives and policies which will help to protect and enhance the high-quality local environment:</p> <p>3.Heritage: To support the preservation and enhancement of heritage assets and their settings in order to protect the distinctive local built character of the area. (Through NDP Policy OA5 and Parish Council Actions).</p> <p>4.Landscape and wildlife: To promote the conservation and enhancement of the distinctive rural landscape character and wildlife in the woodlands, pasture, hedgerows and meres. (Through NDP Policies OA8, OA9, OA10, OA11 and OA12).</p>

	<p>5. Development and Design: To promote sensitive and appropriate high- quality development which enhances the existing character of the built form and landscape setting and is sustainable and resource efficient. (Through NDP Policies OA4, OA5, OA6, OA7, OA8, OA9, OA10).</p>
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The presumption in favour of sustainable development is explained in relation to plan making in NPPF paragraph 11:

*'11 Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

*a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

*b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>6</sup>, unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>7</sup>; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'*

The Over Alderley NDP takes a positive and balanced approach to development, recognising the area's location in the Green Belt and that there are no identified site allocations for new housing or significant housing growth proposed in the parish. Instead, the Plan sets out a positive framework to guide smaller, incremental changes such as conversions, alterations and replacement dwellings.

Paragraph 13 explains that *'The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.'*

### **3. Plan Making**

In Section 3 Plan Making, the NPPF paragraph 16 sets out 6 principles that plans should address.

Table 2 sets out how the Over Alderley NDP addresses each of these in turn.



**Table 2 Plan Making**

<b>NPPF Plan Making Plans should:</b>	<b>Over Alderley NDP</b>
<i>a) be prepared with the objective of contributing to the achievement of sustainable development</i>	<p>The NDP has been prepared to contribute to sustainable development; NDP policies support appropriate rural development and there is a strong emphasis on sustainable and high-quality design.</p> <p>Design related policies all provide detailed advice and reference detailed design guidance in the Over Alderley Design Codes document to help achieve sustainable development in the area.</p> <p>Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>
<i>b) be prepared positively, in a way that is aspirational but deliverable;</i>	<p>The NDP has been prepared positively, with policies that are aspirational and deliverable. Policies promote high quality, sensitive design and support small scale, incremental changes which are appropriate and sensitive to local character.</p> <p>Policies have been built up through community engagement and informed by advice and comments from officers at Cheshire East Council and independent planning consultants who were engaged by the Parish Council.</p>
<i>c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</i>	<p>The work on the NDP has been led by a steering group of local residents and parish councillors.</p> <p>The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at all stages of the Plan's preparation. Briefly these have included:</p> <ul style="list-style-type: none"> <li>- Informal consultation on Vision and Aims in early 2022.</li> <li>- Liaison with officers from CEC in late 2022 focussing on policy wording and supporting text.</li> <li>- Informal consultation on proposed Non designated Heritage Assets in early 2023.</li> </ul>

	<ul style="list-style-type: none"> <li>- Informal consultation on Draft Design Codes document in early 2023.</li> <li>- Regulation 14 public consultation in Spring / Summer 2023.</li> <li>-</li> </ul>
<i>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</i>	<p>The NDP policies and proposals have been prepared by the steering group, with support from a planning consultant and advice from officers at Cheshire East Council.</p> <p>Amendments have been made through the process in response to suggestions provided during the public consultation processes. It is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<i>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</i>	<p>All relevant documents have been provided on the NDP pages of the parish council website at various stages and the website has been updated to include all documents from each stage prior to submission.</p> <p>Responses by email and using an online response form were invited at informal and formal consultation stages.</p>
<i>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</i>	<p>The NDP has been amended and updated throughout its preparation to reduce duplication with Cheshire East Council policies and national policies, whilst retaining a focus on local priorities identified through the various consultations.</p>

### **The Plan Making Framework**

Paragraph 18 sets out that '*Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.*'

The NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies.

### **Non-strategic policies**

Paragraph 29 advises that '*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*'

The NDP refers to the relevant Cheshire East Council policies in the supporting text.

Paragraph 30 goes on to say that *'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'*

## **6. Building a strong, competitive economy**

### **Supporting a prosperous rural economy**

Paragraph 88 advises that *'Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'*

The NDP recognises the Parish's location in the Green Belt and its rural economy of farming and several small businesses with self-employed people. The area contributes to a local visitor economy and provides a network of walking, cycling and horse-riding routes which offer recreational and visitor opportunities linked to Alderley Edge and the Cheshire countryside. The Plan aims to ensure any economic development is sensitive to the beautiful landscape setting, dark skies and wildlife so that the area can continue to be attractive to visitors.

The Plan also identifies local community facilities in the Parish for protection.

## **8. Promoting healthy and safe communities**

Paragraph 96 sets out that *'Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: ... c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling'* Paragraph 102 goes on to say *'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'*

The NDP supports healthy lifestyles by protecting 2 Local Green Spaces, identifying the 2 community facilities of the village hall (Reading Room) and Church (St Catherine's) and supporting improved pedestrian, cycle and horse-riding linkages and routes across the area. Complementary parish council actions encourage safer accessibility for all and aim to reduce adverse impacts of traffic on rural roads.

## **9. Promoting sustainable transport**

Paragraph 108 c) advises that *'opportunities to promote walking, cycling and public transport use should be identified and pursued'*.

The NDP supports proposals which encourage walking and cycling. **Policy OA3** promotes sustainable and active travel.

### **11. Making effective use of land**

Paragraph 1239 advises that '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'. Paragraph 124 goes on to say, '*Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.*'

The Plan has a strong emphasis on encouraging access to the countryside for all and NDP **Policy OA10** sets out how local wildlife enhancements should be undertaken to provide BNG.

### **12. Achieving well-designed and beautiful places**

Paragraph 131 explains that '*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*' Paragraph 132 goes on to say that '*Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.*'

Over Alderley NDP has a strong focus in design with policies flowing from Design Codes which were commissioned through the Locality Technical Support Programme.

The Policies include detailed design criteria for different character areas with careful consideration of landscape character and built heritage.

### **13. Protecting Green Belt Land**

Over Alderley is washed over by the Green Belt and the policies in the Neighbourhood Plan have been prepared to avoid undermining or contradicting national and CEC Green Belt policies.

### **14. Meeting the challenge of climate change, flooding and coastal change**

Paragraph 157 advises that '*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*'

Paragraph 159 advises that '*New development should be planned for in ways that: b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.*'

NDP **Policy OA7** encourages development to be energy efficient by incorporating principles of sustainable design and to carefully manage water consumption and reduce flood risk.

## 15. Conserving and enhancing the natural environment

Paragraph 180 advises that *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'*

The NDP notes the areas of wildlife importance in the neighbourhood area and describes the characteristics that contribute to the area's special landscape character. NDP policies should help to ensure the natural environment is conserved and enhanced by protecting important features, using appropriate planting in landscaping schemes and protecting the area's dark skies and peace and tranquility (**Policies OA8, OA9, OA10 and OA12**).

Assessment of landscape character and local wildlife habitats was commissioned as part of the supporting evidence for the NDP.

### Ground conditions and pollution

Paragraph 191 sets out that *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'* This includes considering such matters as noise and light pollution.

NDP **Policies OA9 and OA12** aim to protect the area's dark skies and peace and tranquility.

## 16. Conserving and enhancing the historic environment

Paragraph 195 advises that heritage assets are *'an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'* Paragraph 196 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

The NDP notes the many listed buildings and identifies a list of Non designated Heritage Assets (Local List) which includes both buildings and structures and features of local landscape significance in parks and gardens.

### 3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The NDP notes the listed buildings in the Parish.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

### 3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area does not include any Conservation Areas.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

### 3.4 d. Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

### 3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic policies set out in the Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27<sup>th</sup> July 2017.

Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan. The OANDP policies and supporting text also refer to the relevant policies in the Cheshire East Local Plan - Site Allocations and Development Policies Document (SADPD) 2022.



**Table 3 General Conformity with Strategic Planning Policies**

<b>Over Alderley NDP Policy</b>	<b>Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017</b>	<b>General Conformity</b>
<p><b>Policy OA1 Community Facilities</b></p> <p>Policy REC 5 of the Site Allocations and Development Policies Document (2022) will apply to development proposals that affect the following designated community facilities identified on Figure 2 Over Alderley Community Facilities:</p> <ul style="list-style-type: none"> <li>• CF 1: The Reading Room and car park; and</li> <li>• CF 2: St Catherine’s Church.</li> </ul>	<p><b>Strategy Policy SC 1 Leisure and Recreation</b> advises that ‘In order to provide appropriate leisure and recreational facilities for the communities of Cheshire East, the council will: 1. Seek to protect and enhance existing leisure and recreation facilities, unless a needs assessment has clearly proven them to be surplus to requirements to local community needs or unless alternative provision, of equivalent or better quality, is to be made. 2. Support and promote the provision of better leisure, community and recreation facilities, where there is a need for such facilities, the proposed facilities are of a type and scale appropriate to the size of the settlement, are accessible and support the objectives of the Local Plan Strategy.’</p> <p><b>Policy SC 3 Health and Well-Being</b> sets out that ‘the council and its partners will create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by, amongst other things, 5. Protecting existing community infrastructure and ensuring the provision of a network of community facilities, providing essential public services together with private and voluntary sector facilities, to meet the needs of the local community.’</p>	<p>OANDP Policy OA1 refers to the relevant policy in the SADPD and it is in general conformity with Local Plan Strategy Policies SC 1 and SC 3.</p> <p>The identified local community facilities provide community, recreation and religious services for the local community and therefore contribute to health and wellbeing. Policy SC 1 seeks to protect and enhance existing facilities and community infrastructure is safeguarded in Policy SC 3.</p>

<b>Over Alderley NDP Policy</b>	<b>Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017</b>	<b>General Conformity</b>
<p><b>Policy OA2 Local Green Spaces</b></p> <p>The whole parish is designated Green Belt, which aims to keep land around built-up areas undeveloped and protect it from inappropriate development. The following areas are designated as Local Green Spaces (Figure 3):</p> <ul style="list-style-type: none"> <li>• LGS 1: The Playing Field and Children’s Play Area off Ashbrook Road; and</li> <li>• LGS 2: Allotments off Ashbrook Road.</li> </ul> <p>Other than proposals that support the role and function of the designated Local Green Spaces, development will not be permitted unless very special circumstances can be demonstrated.</p> <p>Inappropriate development and the exceptions to this are defined in Policy PG3: Green Belt but is reiterated in the neighbourhood plan to reinforce the importance of this designation.</p>	<p><b>Policy PG 3 Green Belt</b> advises:</p> <p>2. Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.</p> <p>3. The construction of new buildings is inappropriate in Green Belt. Exceptions to this are listed in the Policy.</p> <p>4. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are listed in the Policy.</p>	<p>The 2 areas of Local Green Space will be given protection consistent with land in the Green Belt. OANDP Policy OA2 refers to the strategic policy and is general conformity with it as development will not be permitted unless very special circumstances can be demonstrated.</p>
<p><b>Policy OA3 Activity and Accessibility</b></p> <p>Where possible, development proposals should be designed to include easily accessible linkages to existing footpaths and contribute towards improvements to the</p>	<p><b>Policy CO 1 Sustainable Travel and Transport</b> sets out various measures that the council will expect from developers to deliver a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public</p>	<p>The OANDP Policy encourages and supports walking and cycling by guiding development proposals to link to existing networks and identifying where improvements can be made. This is in general conformity with</p>

<b>Over Alderley NDP Policy</b>	<b>Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017</b>	<b>General Conformity</b>
<p>existing public rights of way network within the Parish particularly through the enhancement of the routes set out in Figure 4.</p> <p>Any development that leads to the loss or degradation of any PROW will not be permitted in other than exceptional circumstances, and then only if a suitable alternative can be provided. Development proposals that involve the diversion of footpaths or bridleways will only be permitted where the diversion is no less convenient than the existing route.</p>	<p>transport, cycling and walking, is supportive of the needs of residents and businesses, and prepares for carbon free modes of transport.</p>	<p>Policy CO 1 which encourages a modal shift towards cycling and walking.</p>
<p><b>Policy OA4 Infrastructure</b></p> <p>Proposals for water and wastewater infrastructure investment will be supported where they facilitate the delivery of wider sustainable development and meet the environmental objectives of water and sewerage undertakers. This includes development proposals for water and wastewater infrastructure in protected areas such as the Green Belt, open countryside or in existing green spaces, where the investment is needed to respond to future growth and environmental needs.</p>	<p><b>Policy IN 1 Infrastructure</b></p> <p>1. Infrastructure delivery will take place in a phased co-ordinated manner guided by the Infrastructure Delivery Plan and any additional site-specific requirements to support the Local Plan Strategy proposals. These will include mechanisms for the funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration. The Infrastructure Delivery Plan will be kept under review and if necessary revised as and when required. Cheshire East Council is working in partnership with infrastructure providers and other delivery agencies to provide essential</p>	<p>OANDP Policy OA4 was added to the NDP following a representation by UU which has assets in the area that may require upgrades and expansion.</p> <p>The Policy is in general conformity with strategic Policy IN 1 which requires new and improved utilities infrastructure to be provided in a timely manner to meet development and community needs.</p>

<b>Over Alderley NDP Policy</b>	<b>Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017</b>	<b>General Conformity</b>
	<p>infrastructure to deliver the Local Plan.                      2. The council will also require new and improved social and community facilities, utilities infrastructure and other infrastructure to be provided in a timely manner to meet the needs of new development as they arise so as to make a positive contribution towards safeguarding and creating sustainable communities, promote social inclusion and reduce deprivation.</p>	
<p><b>Policy OA5 Locally Listed Heritage Assets</b></p> <p>A candidate list of Locally Listed Non designated Heritage Assets has been prepared for Over Alderley Parish by Over Alderley Parish Council. These are identified on Figure 5, alongside the designated heritage assets and are listed in Appendix 2.</p> <p>Policy HER 7 of the Site Allocations and Development Policies Document (2022) will apply to development proposals that affect the locally listed heritage assets in Over Alderley once they have been designated.</p> <p>Planning applications will be required to demonstrate how development proposals impact on the significance of a heritage asset (whether scheduled or considered locally significant) and their setting. Proposals for new development must take into account the scale of any possible harm or loss. Measures</p>	<p><b>Policy SE 7 The Historic Environment</b> sets out that ‘the character, quality and diversity of the historic environment will be conserved and enhanced. All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East’s historic and built environment, including the setting of assets and where appropriate, the wider historic environment.’</p> <p>The Policy goes on to say:                      ‘3. The council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by:</p> <p>‘b. Non-Designated Assets:</p>	<p>OANDP Policy OA5 refers to the relevant policy in the SADPD and it is in general conformity with strategic policy SE 7. This Policy refers to NDHAs and sets out that the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities. The list of NdHAs was prepared by the NDP steering group with advice from CEC and includes a number of locally important assets that are valued by local residents. The OANDP Policy is in general conformity with Local Plan Policy SE 7.</p>

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<p>should be put in place to avoid or minimise the harm or loss to such assets.</p> <p>New development should take account of the locally important landscape features. In particular, new development should not cause any unacceptable loss or reduction of the attractiveness and aspect of the distinctive key views in the neighbourhood area as identified on Figure 5, as supported by the Over Alderley Design Code.</p> <p>Any proposal that threatens the heritage landscape of Over Alderley will not be supported.</p>	<p>i. Requiring that the impact of a proposal on the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities. There should be a balanced consideration, weighing the direct and indirect impacts upon the asset and its setting, having regard to the scale of any harm or loss. The presumption should be that heritage assets should be retained and re-used wherever practicable and proposals that cannot demonstrate that the harm will be outweighed by the benefits of the development shall not be supported. Where loss or harm is outweighed by the benefits of development, appropriate mitigation and compensation measures will be required to ensure that there is no net loss of heritage value. ‘</p>	
<p><b>Policy OA6 Design</b></p> <p>All development proposals will be expected to be of a high quality and sensitive design which responds positively to Over Alderley’s beautiful rural character and its many built and natural heritage assets.</p> <p>1. Roads and Movement</p> <p>A. Highways schemes should respect the street hierarchy in accordance with the Over Alderley Design Codes set out in 4.12</p>	<p><b>Policy SE 1 Design</b> sets out that ‘development proposals should make a positive contribution to their surroundings’ in terms of sense of place, managing design quality, sustainable urban, architectural and landscape design, liveability / workability and designing in safety.</p> <p><b>Policy SE 7 The Historic Environment</b> sets out that ‘the character, quality and diversity of the historic environment will be conserved and enhanced. All new development should seek to avoid harm to</p>	<p>OANDP Policy OA6 provides additional local detail and context to the strategic policies in the Local Plan. The NDP Policy helps to promote a sense of place and protects heritage assets, and the policy encourages designs to give a higher priority to walkers and cyclists – all principles which are in line with the Local Plan policies.</p>

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<p>General Principles: Respecting the street hierarchy (see Appendix 4).</p> <p>B. Pedestrians, cyclists and horse riders should be prioritised on secondary and tertiary routes.</p> <p>C. Green infrastructure alternatives should be, where feasible, designed in to allow for the separation between motorists and Pedestrians, cyclists and horse riders.</p> <p>D. Hedgerows and green verges should be conserved, and proposals which reduce the impacts of roadside parking on rural lanes will be supported.</p> <p>2. Protecting Heritage Assets</p> <p>A. Development should enhance the character and appearance of heritage assets in accordance with the following guidance in the Over Alderley Design Codes (see Appendix 4):</p> <ul style="list-style-type: none"> <li>• 4.9 General Principles: Relationship to heritage assets.</li> <li>• 4.10 Design detail: Understanding and interpreting typical design features for heritage assets; and</li> <li>• 4.11 Design detail: Typical materials for consideration.</li> </ul>	<p>heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, including the setting of assets and where appropriate, the wider historic environment.'</p> <p><b>Policy CO 1 Sustainable Travel and Transport</b> sets out various measures that the council will expect from developers to deliver a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking, is supportive of the needs of residents and businesses, and prepares for carbon free modes of transport</p>	



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<p>B. Designs should take their cues from and be in harmony with nearby buildings and structures.</p> <p>C. New buildings and extensions including those that are ancillary to heritage assets should not harm the significance of the asset itself, its setting nor the wider character of the area.</p> <p>D. Alterations to openings should retain the character and design of the existing profile. Where the original property has a symmetrical form, the size and shape of new windows and openings may vary in shape but should remain symmetrical and retain elements of the existing property. Exceptions may be made where fully justified and where high-quality contemporary designs are delivered which respect the context.</p> <p>3. Local Character</p> <p>A. Development proposals should ensure that the sparsely settled and rural character of Over Alderley is preserved.</p> <p>B. All development proposals should demonstrate how they have complied with the following guidance set out in the Over Alderley Design Codes where they apply to</p>		

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<p>the development concerned (see Appendix 4):</p> <ul style="list-style-type: none"> <li>• 4.6 Design detail: Development in an open setting;</li> <li>• 4.7 General Principles: Respecting the enclosed setting;</li> <li>• 4.8 Design detail: Development enclosed by the landscape including Parkland settings;</li> <li>• 4.11 Design detail: Typical materials for consideration; and</li> <li>• 4.12 General Principles: Respecting the street hierarchy.</li> </ul> <p>C. Development proposals must not significantly impact or harm, individually or cumulatively, the characteristic features of the local landscape.</p>		
<p><b>Policy OA7 Sustainable Design</b></p> <p>Development proposals should demonstrate how they have complied with the Over Alderley Design Code 4.13 General Principles: Respecting the environment: climate resilience.</p> <p>In addition, developments should:</p> <ol style="list-style-type: none"> <li>1. Maximise water efficiency through storage and re-use of grey water;</li> <li>2. Apply the surface water hierarchy and incorporate sustainable drainage which is</li> </ol>	<p><b>Policy SD 1 Sustainable Development in Cheshire East</b></p> <p>In order to achieve sustainable development in Cheshire East, the following considerations to development will apply. Development should wherever possible:</p> <ol style="list-style-type: none"> <li>11. Use appropriate technologies to reduce carbon emissions and create a low carbon economy;</li> <li>12. Incorporate sustainable design and construction methods</li> </ol>	<p>OANDP Policy OA7 refers to the design codes which set out up to date advice about sustainable design, water management, energy and resource efficiency etc. The Policy also adds local detail by referring to landscaping and garden provision and promoting innovative design solutions. This is in general conformity with the Local Plan Policies which sets out higher level principles.</p>

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<p>multi-functional, in preference to underground piped and tanked storage systems unless, there is clear evidence why such techniques are not possible;</p> <p>3. Ensure landscaping proposals are integrated with the strategy for sustainable water management and use appropriate climate resilient planting in landscaping schemes following a review by the Department for Environment, Food and Rural (DEFRA): the Government has stated that Sustainable Drainage Systems (SuDS) will be made mandatory for new developments from 2024.</p> <p>4. Are energy efficient and consider reducing the carbon footprint through all stages of the development; and</p> <p>5. Provide sufficient garden areas to provide space for food growing and wildlife.</p> <p>Development proposals should seek to incorporate innovative design solutions related to eco-housing principles, which would seek to exceed Part L of the building regulations and/or result in appropriate certification, such as Passivhaus.</p> <p>Developments that do not comply with the guidance will not be supported.</p>	<p><b>Policy SD 2 Sustainable Development Principles</b></p> <p>1. All development will be expected to:</p> <ul style="list-style-type: none"> <li>i. Provide or contribute towards identified infrastructure, services or facilities. Such infrastructure should precede the delivery of other forms of development, wherever possible;</li> <li>ii. Contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:                             <ul style="list-style-type: none"> <li>a. Height, scale, form and grouping;</li> <li>b. Choice of materials;</li> <li>c. External design features;</li> <li>d. Massing of development - the balance between built form and green/public spaces;</li> <li>e. Green infrastructure; and</li> <li>f. Relationship to neighbouring properties, street scene and the wider neighbourhood;</li> </ul> </li> <li>iii. Respect and, where possible, enhance the landscape character of the area. Particular attention will be paid toward significant landmarks and landscape features;</li> <li>iv. Respect, and where possible enhance, the significance of heritage assets, including their wider settings;</li> <li>v. Avoid the permanent loss of areas of agricultural land quality of 1, 2 or 3a, unless the strategic need overrides these issues;</li> </ul>	

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	<p>vi. Be socially inclusive and, where suitable, integrate into the local community;</p> <p>vii. Avoid high risk flood areas, or where necessary provide appropriate mitigation measures;</p> <p>viii. Use appropriate design, construction, insulation, layout and orientation to create developments that:</p> <ul style="list-style-type: none"> <li>a. Are resilient to climate change;</li> <li>b. Minimise energy use;</li> <li>c. Use natural resources prudently;</li> <li>d. Promote the use, recovery and recycling of materials;</li> <li>e. Integrate or allow future integration of renewable energy technologies;</li> <li>f. Discourage crime and anti-social behaviour;</li> <li>g. Minimise trip generation;</li> <li>h. Minimise waste and pollution; and</li> <li>i. Are water efficient.</li> </ul> <p><b>Policy SE 1 Design</b> sets out that 'development proposals should make a positive contribution to their surroundings' in terms of sense of place, managing design quality, sustainable urban, architectural and landscape design, liveability / workability and designing in safety.'</p>	

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	<p><b>Policy SE 9 Energy Efficient Development</b></p> <p>1. The council will look favourably upon development that follows the principles of the Energy Hierarchy, and seeks to achieve a high rating under schemes such as BREEAM (for non-residential development), CEEQUAL (for public-realm development) and Building for Life. For non-residential development, this will be especially so where the standard attained exceeds that required by the current Building Regulations (or as updated).</p> <p>7. In those areas that are not connected to the gas network, new development will be encouraged to deliver its residual energy from low and zero carbon sources</p>	
<p><b>Policy OA8 Landscape Character</b></p> <p>Development should ensure that the specific landscape qualities of Over Alderley are maintained and enhanced in accordance with the following guidance set out in the Over Alderley Design Codes where it applies to the development concerned (see Appendix 4 Over Alderley Design Codes):</p> <ul style="list-style-type: none"> <li>• 4.4 General Principles: Preserving the landscape character and</li> </ul>	<p><b>Policy SE 1 Design</b> sets out that 'development proposals should make a positive contribution to their surroundings' in terms of sense of place, managing design quality, sustainable urban, architectural and landscape design, liveability / workability and designing in safety.'</p> <p><b>Policy SE 4 The Landscape</b> sets out that 'All development should conserve the</p>	<p>OANDP Policy OA8 adds local detail and value to the higher-level strategic policies SE1 and SE4. The neighbourhood plan policy notes those local features which are characteristic to the neighbourhood plan area which should be protected and enhanced and which could be used effectively in landscaping schemes. The landscape character of the Parish is one of the key attributes of the area and it is highly valued by visitors and residents alike. The Policy is</p>

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<ul style="list-style-type: none"> <li>• 4.5 General Principles: Respecting the open landscape setting.</li> </ul> <p>Landscape Features</p> <p>Development proposals must not significantly harm, individually or cumulatively, characteristic features or important landscape receptors, within the local landscape which are described in the Cheshire East Landscape Character Assessment May 2018 and referenced in the Over Alderley Design Codes document.</p> <p>The characteristic features within the Over Alderley landscape include, but are not limited to the following:</p> <ol style="list-style-type: none"> <li>1. Traditional hedgerows Traditional hedgerows are commonly used in field boundaries, enclose many public rights of way and line rural lanes. Landscaping schemes should restore hedgerows where these are fragmented and incorporate planting of new hedgerows using locally appropriate native species and linking them to existing nearby hedgerows and other wildlife corridors.</li> <li>2. Mature Trees Individual trees and lines of mature trees commonly provide connections between</li> </ol>	<p>landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.'</p>	<p>in general conformity with the Local Plan which recognises the importance of protecting local landscape character in Cheshire East.</p>



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<p>areas of woodland and often run along banks, forming significant visual and landscape features. Mature trees should be protected, and opportunities taken to use them in landscape designs. Planting of new trees is encouraged, taking into account the characteristics of the site, nearby buildings and future management.</p> <p>3. Woodlands Both small groups of trees and wider woodland areas are distinctive historic parkland landscape features and locally can include specimens of pine, beech, oak, birch, ash, alder and sycamore. Where appropriate opportunities taken to improve management.</p> <p>4. Water courses and ponds, including sunken brooks and meres These water features are very characteristic of the neighbourhood area. Opportunities should be taken to restore and re-naturalise water features and incorporate suitable planting schemes to enhance wetland habitats. Measures should be taken to protect and enhance surface and ground water quality to comply with the Water Framework Directive.</p> <p>5. Historic field boundaries, plot patterns and boundary treatment</p>		

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<p>Development should respect historic boundaries and plots and avoid encroachment of residential gardens and hardstanding areas into the landscape. Boundary treatments and entrances should reflect local character and context and give careful consideration to materials and heights for gates, gateposts, walls and fencing.</p> <p>6.       Narrow country lanes The rural character of the narrow country lanes should be retained. Existing widths should be maintained, and roadside hedgerows and verges protected.</p> <p>7.       Landmarks and Key Views. These are identified and described in Figure 10: Landmarks and key views in Over Alderley in the Over Alderley Design Codes document. Siting should make use of the undulating topography to settle buildings into the landscape and minimise any adverse on these sensitive receptors. Boundary edges should be blurred through planting and soft landscaping schemes to provide a sensitive transition into open countryside. Development should be avoided on steep slopes or in visually prominent locations where built form would be intrusive in the landscape.</p>		

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<p><b>Policy OA9 Dark Skies and Lighting</b></p> <p>The design and use of external lighting schemes should be sensitive to Over Alderley’s dark skies to protect wildlife and biodiversity.</p> <p>Where development proposals include external lighting or by virtue of design would result in internal lighting to be projected externally, the proposed lighting should be the minimum required, and appropriate to its purpose, use and location.</p> <p>All external lighting schemes should:</p> <ol style="list-style-type: none"> <li>1. Minimise energy consumption by using low energy bulbs;</li> <li>2. Minimise light spillage into adjoining areas and the sky by directing lighting downwards, keeping lighting low to the ground and fitting hoods or shields to minimise the spillage that causes light pollution;</li> <li>3. Utilise motion sensors to avoid permanently lit outside lights and design security lighting to be appropriate to the setting, unobtrusive and to have consideration for neighbouring amenity.</li> </ol> <p>The use of street lighting is not supported unless it is deemed necessary for reasons of</p>	<p><b>Policy SE 1 Design</b> sets out that development proposals should make a positive contribution to their surroundings in terms of the following:</p> <ol style="list-style-type: none"> <li>1. Sense of place             <ol style="list-style-type: none"> <li>i. Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements;</li> <li>ii. Ensuring sensitivity of design in proximity to designated and local heritage assets and their settings.</li> </ol> </li> </ol> <p><b>Policy SE 3 Biodiversity and Geodiversity</b> sets out that ‘areas of high biodiversity and geodiversity value will be protected and enhanced.’ The Policy notes the significance of various designations and advises that ‘all development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.’</p> <p><b>Policy SE 4 The Landscape</b> sets out that ‘All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.’</p>	<p>OANDP Policy OA9 recognises the area’s relatively dark skies and has been prepared in response to local concerns about increasing light pollution. This is in general conformity with strategic policies which protect sense of place, protect biodiversity and seek to conserve landscape character. Light pollution is specifically addressed in Policy SE12 but the OANDP Policy sets out how minimising light pollution in Over Alderley might be achieved.</p>

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<p>public safety, in which case it should be focused and only provided on routes frequently used by pedestrians, cyclists and horse riders and / or in areas close to local community facilities.</p> <p>All schemes will be expected to comply with the requirements for street lighting set out in The Cheshire East Borough Design Guide A Supplementary Planning Document Adopted 2nd May 2017 Volume 2: Residential Guidance - Creating Quality and be' sympathetic in design and luminosity to the surrounding area and local wildlife, in particular bats.</p>	<p><b>Policy SE 12 Pollution, Land Contamination and Land Instability</b></p> <p>1. The council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise, and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be permitted.</p> <p>2. Development for new housing or other environmentally sensitive development will not normally be permitted where existing air pollution, soil contamination, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.</p>	

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<p><b>Policy OA10 Wildlife</b></p> <p>Development proposals should conserve and enhance biodiversity in the Neighbourhood Area and avoid the fragmentation and isolation of or disturbance to wildlife, habitats and species.</p> <p>All developments should avoid any impacts from the loss of countryside, wildlife and the natural environment and where avoidance is not possible mitigate or compensate for any impacts. As part of mitigation measures, designs should give consideration to the need to minimise disturbance to wildlife from noise and light pollution. Opportunities taken to incorporate biodiversity improvements including the creation and re-enforcement of buffer zones, green corridors and ecological networks.</p> <p>As a principle, there should be a measurable net gain enhancement of biodiversity assets, with a biodiversity net gain of 10% as a minimum requirement and increased to attain maximum possible biodiversity outcome. Biodiversity net gain should be provided on site, unless evidence is presented to demonstrate that an off-site proposal would be a more beneficial solution for the Parish in which case off-site contributions will be sought within the Over Alderley</p>	<p><b>Policy SE 3 Biodiversity and Geodiversity</b> sets out that ‘areas of high biodiversity and geodiversity value will be protected and enhanced.’ The Policy notes the significance of various designations and advises that ‘all development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.’</p>	<p>OANDP Policy OA10 provides more local detail to Strategic Policy SE3 by identifying areas and networks of wildlife importance in the parish and setting out how developers might achieve biodiversity net gain preferably on sit, or where this is not possible, within the parish. This is in general conformity with the local policy which sets out that biodiversity will be protected and enhanced.</p>

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<p>neighbourhood area and parish. The developer will be responsible for maintaining and ensuring the net gain over 30 years. These requirements will be secured through a S106 planning obligation, biodiversity gain plan or other mechanism required by legislation or regulation.</p> <p>A biodiversity net gain will be expected from all development by:</p> <ol style="list-style-type: none"> <li>1. Managing any habitats retained within the development site to improve quality. This could be done, through for example:                     <ol style="list-style-type: none"> <li>A. Retaining mature trees and using traditional local species of trees and hedgerow bushes in landscaping schemes and gardens;</li> <li>B. Improving existing hedgerows where they are retained as boundary treatments, and where wooden fences or stone or brick walls are used on boundaries, incorporating gaps so hedgehogs can pass through;</li> <li>C. Using green roofs and / or living walls;</li> <li>D. Re-naturalising water courses and retaining and improving any ponds and meres; and</li> <li>E. Incorporating swift bricks and bat boxes in buildings.</li> </ol> </li> </ol>		

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<p>2. Where this is not possible, securing local off-site habitat management to provide an overall benefit with the neighbourhood area and parish. In particular, contributions will be sought for the following:</p> <ul style="list-style-type: none"> <li>A. Supporting biodiversity enhancement in Alderley Edge SSSI;</li> <li>B. Contributing to sustainable habitat restoration and water quality improvement schemes on local farms and estates;</li> <li>C. Planting wildflower meadows on verges;</li> <li>D. Tree planting and woodland restoration; and</li> <li>E. Enhancing local wildlife corridors such as water courses, hedgerows and tree lines and creating new linkages between corridors.</li> </ul> <p>3. A combination of the above.</p> <p>In order to protect local assets, biodiversity mitigation / enhancement should not be located directly over existing water and wastewater assets or where excavation onto the asset would require removal of the biodiversity.</p> <p>Development which would have an unacceptable impact on the areas of high value habitat which is either nationally or</p>		



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<p>locally significant or on established or potential corridor links between two habitats will not be supported.</p> <p>Applications for development affecting areas of Medium and High Value within the Wildlife Corridor Network as shown on Figure 9 must be informed by an appropriate habitat assessment and may not be supported.</p> <p>The enhancement of biodiversity across the neighbourhood will be supported.</p>		
<p><b>Policy OA11 Agricultural and Equestrian Development and Conversions</b></p> <p>Proposals for new agricultural or equestrian buildings including barns, stables, shelters or other accommodation to provide storage or to house animals in the open countryside will be expected to:</p> <ol style="list-style-type: none"> <li>1. Be clearly designed and suitable for the agricultural or equestrian purposes proposed. Features generally associated with residential uses such as windows, front door openings, rooflights and substantial loft space will not be acceptable.</li> <li>2. Use appropriate and temporary materials such as timber mounted on low brick plinths, and avoid extensive use of</li> </ol>	<p><b>Policy PG 3 Green Belt</b> sets out that planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.</p> <p><b>Policy EG 2 Rural Economy</b> sets out the types of development that will be supported in areas outside the settlements. This includes developments that support the vitality of rural settlements, create or extend rural based tourist attractions, visitor facilities and recreational uses, involve conversion of existing buildings and farm diversification, encourage the creation and expansion of sustainable farming and food production, and development that supports the retention and delivery of community services. Criteria are set out in the second part of the Policy.</p>	<p>OANDP Policy OA11 has been prepared to help address a local issue with the development of agricultural buildings, sheds, etc in the Green Belt which are then converted to housing. The Policy sets out principles to help ensure such development is suitable for the purpose for which it is built rather than suitable for conversion to residential use. The Policy recognises Over Alderley’s location in the Green Belt and supports conversion of existing buildings and farm diversification in line with Policy EG 2, provided such schemes are appropriate in terms of design and landscaping.</p>

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<p>more permanent materials such as brick or stone.</p> <p>3. Use siting and design which is sensitive to the landscape setting and does not disrupt the openness of the countryside. Built form should be blended into the landscape or, on sloping sites, set into the slope to reduce visual impact. Siting of buildings adjacent to existing woods, walls or hedgerows also may help to assimilate them into the landscape. Locally appropriate species should be used in screening.</p> <p>Any characteristic features of traditional agricultural buildings in conversions should be retained and integrated within the design of the development and previous footprints should be maintained.</p> <p>Conversions for employment or entertainment or proposals for industrial or commercial use which may be considered to have a negative impact will not be supported.</p>		
<p><b>Policy OA12 Protecting Over Alderley’s Peace and Tranquility</b></p> <p>Development proposals for business related use should firstly avoid the creation of unnecessary audible and visual harm. Where this is not possible, suitable acoustic and visual screening and soft landscaping should</p>	<p><b>Policy PG 3 Green Belt</b> sets out that planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.</p> <p><b>Policy EG 2 Rural Economy</b> sets out the types of development that will be supported</p>	<p>Over Alderley location in the Green Belt means that opportunities for development are limited, however proposals for rural employment related activities including buildings for agriculture, reuse of buildings and replacement buildings may be considered not inappropriate. The NDP policy recognises that business related</p>

<b>Over Alderley NDP Policy</b>	<b>Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017</b>	<b>General Conformity</b>
<p>be integrated into design proposals to minimise noise impact and for the purpose of promoting and protecting tranquility.</p> <p>Development proposals will only be supported where they conserve and enhance peace and tranquility, this includes protecting the experience for PRow users and local residents.</p>	<p>in areas outside the settlements. This includes developments that support the vitality of rural settlements, create or extend rural based tourist attractions, visitor facilities and recreational uses, involve conversion of existing buildings and farm diversification, encourage the creation and expansion of sustainable farming and food production, and development that supports the retention and delivery of community services. Criteria are set out in the second part of the Policy.</p>	<p>development may come forward and it will be supported where schemes do not harm the tranquility and special rural character of the local area.</p>

### 3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

#### **SEA**

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

Cheshire East Council prepared the [Over Alderley Neighbourhood Development Plan Strategic Environmental Assessment Screening Report in January 2023](#). The Report is provided on the NDP page of the Parish Council website. The Conclusion is set out below:

#### **‘Screening Assessment Conclusion**

*4.1. The OANDP includes policies that support small scale development at a scale in conformity with the approach taken by the CELPS. It introduces criteria-based policies (that are yet to be finalised) that address local issues, but which do alter the status of land to a degree which would have a significant effect on the environment.*

*4.2. There are no designated sites of European significance within the NA but there are Special Protection Areas and Special Areas of Conservation within a 15km proximity, however, due to the nature of the policies, and that the NDP does not allocate sites for development, the effect of the plan on these sites is not considered to be significant. The OANDP also seeks to ensure that any new development is addressed sensitively in the context of evidence prepared in relation to natural, heritage and landscape assets thus incorporating environmental protection in general and at specific designated locations.*

*4.3. The assessment therefore concludes that the OANDP is unlikely to have a significant effect on the environment or on designated sites and therefore an HRA and SEA are not required. ‘*

Historic England and Natural England responded to the consultation and the bodies confirmed that they agreed with the conclusion that the OANDP policies and proposals would not have significant environmental effects on the historic environment or sensitive sites or protected species (as far as they were aware) and that therefore an SEA would not be required.

#### **European Convention on Human Rights**

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ('The Convention'). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that 'The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.' The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

'The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017'.

Regulation 106(1) of Chapter 8 states that: 'a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required'.

The prescribed conditions have been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

**Over Alderley Parish Council  
February 2024**