

MOSTON NEIGHBOURHOOD PLAN BASIC CONDITIONS STATEMENT – JULY 2018

1. INTRODUCTION

1.1 This Statement has been prepared by Moston (“the Parish Council”) to accompany its submission to the local planning authority, Cheshire East Council, of the Moston Neighbourhood Plan (“the Neighbourhood Plan”) under Regulations 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

2. BACKGROUND

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in May 2017 in response to the desire of the local community to have a greater say in future planning decisions. The Parish Council formed a Neighbourhood Plan Steering Committee to undertake the preparation of the Neighbourhood Plan.

2.2 DESIGNATED AREA OF THE MOSTON NEIGHBOURHOOD PLAN

The Neighbourhood Plan has been prepared by Moston Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Moston, as designated by Cheshire East Council on 4th May 2017. The 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.

3. THE PROPOSAL

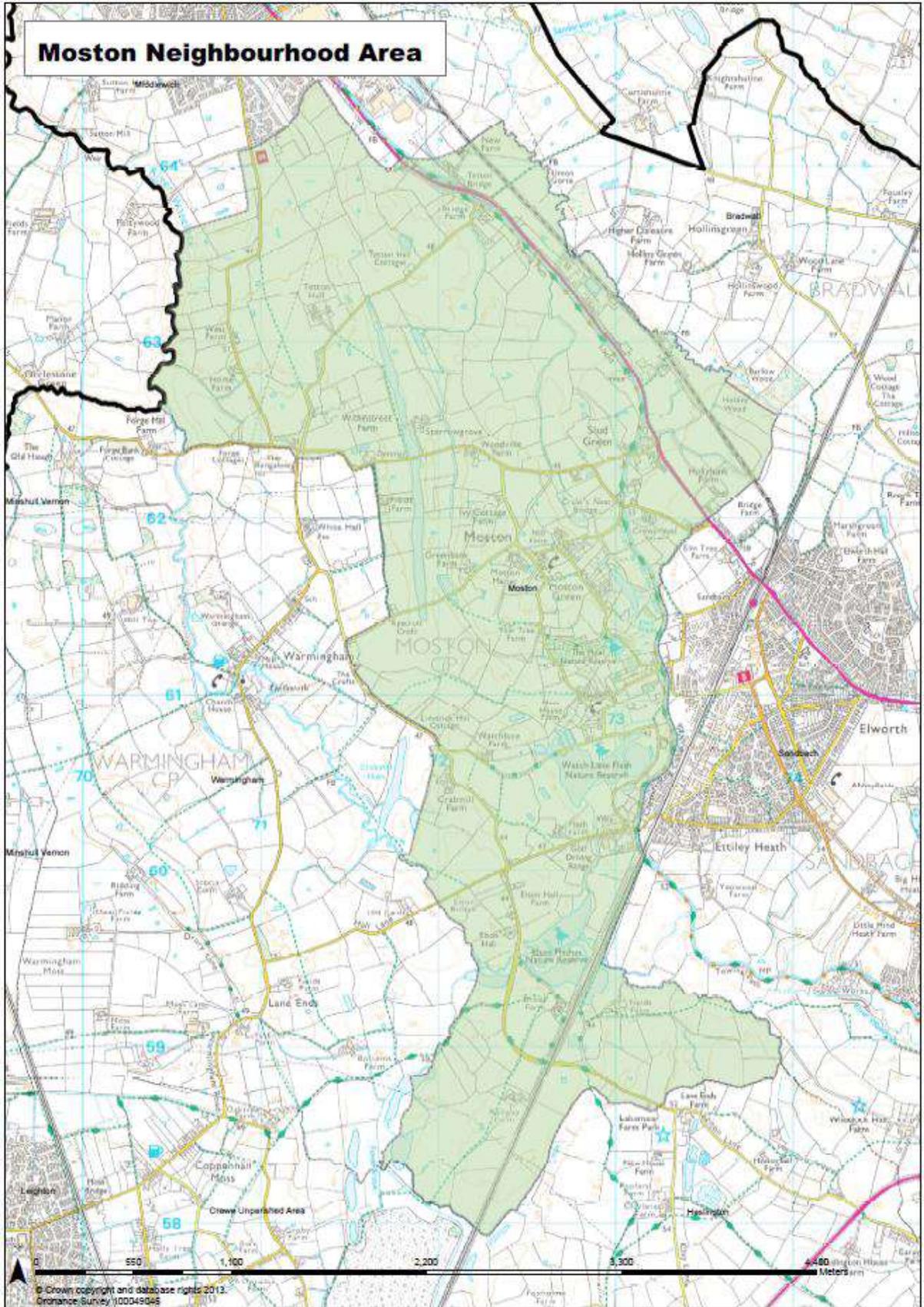
3.1 The policies described in the Neighbourhood Plan relate to planning matters (the development and use of land) in the designated Neighbourhood Area. It has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012

3.2 The Neighbourhood Plan is to have effect up to 2030.

3.3 The Neighbourhood Plan does not:

- contain policies relating to excluded development in accordance with the Regulations;
- 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).

Moston Neighbourhood Area



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4. BASIC CONDITIONS STATEMENT

4.1 This Statement addresses each of the four 'basic conditions' required in the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

4.2 The Regulations state that a Neighbourhood Plan will be considered to have met 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 development plan,
- the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- 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),
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

4.3 BASIC CONDITION 1 – HAVING REGARD TO NATIONAL POLICY

Moston Parish Council believes that this Neighbourhood Plan, as submitted, properly demonstrates due regard to National Policy, specifically that set out in the National Planning Policy Framework (NPPF) 2012. Paragraph 183-185 of the NPPF describe how Neighbourhood Planning can be used to give communities direct power to deliver a shared vision for their neighbourhood, and deliver the sustainable development that they need. Paragraphs 14-16 of the NPPF sets out the presumption in favour of sustainable development that is at the heart of national policy. For planning to deliver sustainable development, the NPPF gives policy guidance in key areas, the following of which, where relevant to the Neighbourhood, the Moston Neighbourhood Plan has had close regard:

- Supporting a prosperous rural economy;
- Delivering a wide choice of high quality homes;
- Requiring good design;
- Promoting healthy communities;
- Supporting high quality communications infrastructure
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

4.4 The conformity between the policies of the Moston Neighbourhood Plan and the guidance given in the National planning Policy Framework is demonstrated in further detail in Table 1 on the following pages.

4.5 BASIC CONDITION 2 – CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

The NPPF highlights that 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. These roles should not be undertaken in isolation as they are mutually dependent.

1. 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.
2. 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.

3. An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.6 The pursuit of sustainable development is at the heart of the Moston Neighbourhood Plan, as is highlighted by the Neighbourhood Plan's vision and aims to deliver and achieve the vision:-

Vision - By 2030 Moston will continue to be a rural idyll with a strong community spirit, attractive to both residents and visitors alike. Moston's valued and special ecology will be preserved, protected and enhanced to include wildlife corridors and buffers. Whilst new housing developments will have been built at the outer edges of the parish, elsewhere any new development will meet local needs and be well designed, appropriately situated and small scale, reflecting Moston's character and location within the open countryside. The Gypsy and Traveller community will continue to be recognised and integrated within the parish without sites dominating the area.

OBJECTIVES

- To protect the natural environment from harm, preserve special habitats and seek opportunities to increase biodiversity.
- To improve access to and enjoyment of the countryside for visitors and residents alike.
- To deliver high quality sustainable homes that meet the needs of the parish.
- To protect those characteristics of the landscape and built environment that are most special to the community and positively contribute to quality of place in Moston.
- To successfully accommodate new development that integrates positively with its landscape setting.
- To support and grow the local economy.
- To deliver improvements to local infrastructure that improve the experience of living in and visiting Moston.

4.7 Policies seek to protect the valued environment; allow for housing to meet local needs; maintain the distinct character of Moston; protect and enhance heritage assets; allow for improved infrastructure; and support the rural economy.

4.8 The role of each Neighbourhood Plan policy to the contribution of delivering sustainable development is demonstrated in further detail on the following pages.

4.9 BASIC CONDITION 3 – BE IN CONFORMITY WITH STRATEGIC LOCAL POLICIES

4.10 The Cheshire East Local Plan Strategy Part One was adopted in July 2017. Work is continuing on the Local Plan Site Allocations and Development Policies Document, which will allocate remaining sites for future development and provide detailed policies to be used when considering planning applications for new development across the Borough.

4.11 Neighbourhood Plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority

is producing its Local Plan. A draft Neighbourhood Plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition.

4.12 The Moston Neighbourhood Plan has, therefore, been produced taking full consideration of the strategic direction and policies in the Cheshire East Local Plan Strategy Part One (2017 and through discussions with Cheshire East Council. Cheshire East Council has been very supportive of the Neighbourhood Plan, and has been greatly involved from the outset. This has ensured general conformity and minimised any potential conflict between policies.

4.13 Additionally the Cheshire East Local Plan Strategy Part One endorses many of the saved policies of Congleton Borough Local Plan First Review (adopted in 2005). The saved policies currently remain as the adopted policies for the Moston area, and as such, although dated, remain valid for the purpose of assessing the general conformity of the Neighbourhood Plan.

4.14 This Basic Conditions Statement demonstrates that the Moston Neighbourhood Plan does not conflict with the saved policies of the Congleton Borough Local Plan First Review or the adopted Cheshire East Local Plan Strategy Part One. The Neighbourhood Plan seeks to refine and add detail to the overall strategic policy of the Cheshire East Local Plan, and be flexible enough to work alongside the Local Plan.

4.15 The general conformity of each Moston Neighbourhood Plan policy to the Cheshire East Local Plan Strategy Part One (2017) and the adopted Congleton Borough Local Plan First Review (2005) saved policies is highlighted in detail in Table 1 below.

4.16 MOSTON NEIGHBOURHOOD PLAN POLICIES

TABLE 1 - General conformity with local Planning Policies, regard to National Policy Guidance and contribution To Sustainable Development

Moston Neighbourhood Plan Policy	POLICY LGG1 – LOCAL GREEN GAPS In order to maintain the established character and identity of Moston, and to prevent coalescence with Sandbach and Middlewich, the local green gaps shown in Figures F and G will be preserved as open countryside and coalescence of the built form avoided.
Cheshire East Local Plan Strategy – Part One (2017)	Policy PG 6 - Open Countryside states that the retention of gaps between settlements is important, in order to maintain the definition and separation of existing communities and the individual characters of such settlements. Policy PG5 – Strategic Green Gaps highlights that maintaining and enhancing the character and separate identities of the borough’s towns and villages is a key priority of the Local Plan Strategy.
Comments	The Neighbourhood Plan is in general conformity with local plan policies, seeking to ensure that the valued areas of open countryside which separate Moston from nearby Middlewich and Sandbach are protected, and that Moston’s character as a distinct place is protected.
National Planning Policy Framework 2012	Neighbourhood plan policy LGG1 seeks to help deliver one of the NPPF’s key planning aims of conserving and enhancing the natural environment. The NPPF stresses that the planning system should protect and enhance valued landscapes.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy LGG1 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment with distinct areas and characteristics, an environmental role, protecting the natural and built environment, and an economic role, ensuring that Moston remains a valued and attractive place to live, work and invest.

<p>Moston Neighbourhood Plan Policy</p>	<p>POLICY HOU1 – LOCATION OF NEW HOMES</p> <p>In order to meet local housing needs, and to remain on a scale appropriate to the existing character of Moston, permission will be granted for small scale residential developments that are well designed, have access to services and meet all other relevant policies within this Plan and:</p> <ul style="list-style-type: none"> a) fill a small, restricted gap in the continuity of existing frontage buildings, and/or b) are located on brownfield land, and/or c) are conversions of existing buildings, and/or d) are replacing an existing building; and/or e) provide for evidenced local affordable housing through rural exception sites; and/or f) do not negatively impact on the natural environment. <p>In the case of conversions or on brownfield sites, where the existing building or site is of an appropriate size and scale, the number of new dwellings created may be greater as long as the character of original buildings and the surrounding area is respected.</p>
<p>Cheshire East Local Plan Strategy – Part One (2017)</p>	<p>Policy PG2 – Settlement Hierarchy states that in smaller settlements and the rural area, in the interests of sustainable development and the maintenance of local services, growth should be confined to proportionate development at a scale commensurate with the function and character of the settlement and confined to locations well related to the built up extent of the settlement. It may be appropriate for local needs to be met within larger settlements, dependent on location.</p> <p>Policy PG6 – Open Countryside highlights that infill, rural exception site, exceptionally designed dwellings, and conversions and replacements will be allowed in the open countryside.</p> <p>Policy SE2 – Efficient Use of Land highlights that the Council will encourage the redevelopment of previously developed land, indicating that development should consider the landscape and townscape character of the surrounding area when determining the character and density of development.</p> <p>Policy SC6 - Rural Exceptions Housing for Local Needs details that affordable housing will be permitted as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to certain criteria being met.</p>
<p>Comments</p>	<p>The Neighbourhood Plan is in general conformity with these Local Plan policies, seeking to ensure that new housing development reflects the scale and character of the parish, ensuring that Moston’s individual sense of place and local distinctiveness is retained. The policy recognises that new development should be of an appropriate scale and location, as befits the function and character of Moston.</p>
<p>National Planning Policy Framework 2012</p>	<p>The NPPF states that Neighbourhood Plans should reflect Local Plan strategic policies and neighbourhoods should plan positively to support them. Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies. Neighbourhood Plan policy HOU1 fully supports the strategic spatial distribution of development by allowing for housing development in appropriate locations. The NPPF</p>

	highlights that development should respond to local character and history, and reflect the identity of local surroundings while not preventing or discouraging appropriate innovation.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy HOU1 contributes to the achievement of sustainable development by performing a social role, providing for housing to meet the needs of present and future generations, and an environmental role, protecting the natural environment.

Moston Neighbourhood Plan Policy	POLICY HOU2 – HOUSING MIX AND TYPE In order to meet the housing needs of Moston, and to redress the imbalance of the existing housing stock, new homes should favour smaller dwellings. A majority of new homes on developments of 3 or more should seek to deliver one-third detached properties, the rest being bungalows, terraced or semi-detached properties, particularly suitable for first time buyers or those wishing to downsize, unless viability or other material considerations show a robust justification for a different mix of house size and type.
Cheshire East Local Plan Strategy – Part One (2017)	Policy SC4 – Residential Mix states that new development should maintain, provide or contribute to a mix of tenures, types and sizes to help the creation of mixed, balanced and inclusive communities.
Comments	The Neighbourhood Plan is in general conformity with the local plan, recognising that there is a need for a mix of dwellings to ensure a sustainable and mixed community.
National Planning Policy Framework 2012	Neighbourhood plan policy HOU2 helps deliver the key NPPF requirement of delivering a wide choice of quality homes. The NPPF states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: <ul style="list-style-type: none"> • plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community • identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy HOU2 contributes to the achievement of sustainable development by performing a social role, widening the choice of high quality homes to support a strong, vibrant, healthy, sustainable community.

<p>Moston Neighbourhood Plan Policy</p>	<p>POLICY LCD1: DESIGN AND LANDSCAPE SETTING</p> <p>To ensure that buildings, characteristic features and materials are representative of the local character of Moston, the design and layout of all new developments, both temporary and permanent, should demonstrate consideration of the Cheshire East Design Guide (2016) or any updated version. New development should take the following into account, where appropriate and viable:</p> <p>A. Traditional materials and detailing should be included in new designs.</p> <p>B. New development should complement its immediate surroundings, in terms of both the natural landscape and the built environment.</p> <p>C. Development adjoining open countryside and at the edge of the Parish should provide a sympathetic transition between the urban landscape and the countryside.</p> <p>D. Development should be bordered by boundary treatments appropriate to its location, with hedgerows and low rise brick walls being preferable. Existing hedgerow boundaries should be protected and maintained as a feature of new development.</p> <p>E. Development should not have a negative impact upon, nor inappropriately urbanise the rural country lanes.</p> <p>F. New housing should be positioned such that it does not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour, or in any other way.</p> <p>G. The orientation of new buildings should be arranged to maintain as far as is possible the views from existing buildings.</p> <p>H. In the case of conversions, where possible, reclaimed brick must be used, in keeping with the brick of surrounding buildings. Roofing must be of materials that complement and are in sympathy with the roofing materials of surrounding buildings, and in the case of barn conversions, be of the same materials as the accompanying farmhouse.</p> <p>I. Hard and soft landscaping must complement and be in keeping with and sympathetic to, the existing neighbouring landscape, using local materials and species, taking into account the rural nature of the parish and the number of SSSI's within the parish boundary.</p> <p>J. Hard and soft landscaping must not disturb or encroach on existing wildlife habitats, both flora and fauna.</p> <p>K. Existing landscape features such as trees, water courses, ditches and ponds should be retained and incorporated into the overall design of the scheme to enhance local biodiversity and preserve the landscape character, and ensure their continued survival.</p> <p>L. New development should incorporate features beneficial to wildlife.</p> <p>M. Current temporary planning consents in open countryside will be returned to their original agricultural/ equestrian use upon expiry.</p>
<p>Cheshire East Local Plan Strategy – Part One (2017)</p>	<p>Policy SD1 – Sustainable Development in Cheshire East highlights that development should be locally distinct, of high quality, be sustainable and well designed and should contribute to protecting and enhancing the natural, built, historic and cultural environment.</p> <p>Policy SD2 – Sustainable Development Principles stresses that all development should contribute positively to an area's character and identity, in terms of height, scale, form and grouping, and in relationship to neighbouring properties,</p>

	<p>street scene and the wider neighbourhood. The policy indicates that development should enhance the landscape character of an area and pay particular attention to significant landmarks and landscape features, creating or reinforcing local distinctiveness.</p> <p>Policy SE2 – Efficient Use of Land states that new development should consider the landscape and townscape character of the surrounding area when determining the character and density of development.</p> <p>Policy SE1 – Design states that development should make a positive contribution to their surroundings in terms of their sense of place, design quality, sustainability, liveability and designing in safety.</p>
Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, by seeking to encourage good design and ensuring that development will respect and enhance the character and environment of Moston.
National Planning Policy Framework 2012	One of the core principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Neighbourhood Plan policy LCD1 helps deliver the key planning aim of requiring good design. The NPPF states that Neighbourhood Plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area, that developments should establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Developments should respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Para 61 states planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
Contribution to the achievement of sustainable development	This Neighbourhood Plan policy contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural, built and historic environment, and an economic role, ensuring that Moston remains a valued and attractive place to live, work and invest.

Moston Neighbourhood Plan Policy	<p>POLICY LCD2 – DARK SKIES</p> <p>Whilst ensuring that new developments are secure in terms of occupier and vehicle safety, dark skies are to be preferred over street lights. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the nighttime skies dark and reducing glare.</p>
Congleton Borough Local Plan First Review (2005)	Policy GR7 stresses that development will not be permitted which would be likely to lead or contribute to significantly increases light pollution to environmentally unacceptable levels.
Cheshire East Local Plan Strategy Part One (2017)	Policy SE12 – Pollution, Land Contamination and Land Instability states that the Council will seek to ensure that development is located and designed so as not to result in a harmful or cumulative impact upon light pollution.
Comments	This Neighbourhood Plan policy is in general conformity with local policies, by seeking to minimise pollution. The policy recognizes the locally distinctiveness

	of Moston, which currently has minimal street lighting which is a feature characteristic of the parish, which it is considered important to maintain.
National Planning Policy Framework 2012	The core planning principles of the NPPF state that development should contribute to reducing pollution. Para 125 highlights that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy LCD2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, and an environmental role, protecting the natural environment and minimising pollution.

Moston Neighbourhood Plan Policy	POLICY INF1 – UTILITIES Where development significantly harms existing services, utilities or infrastructure, mitigation measures must be implemented as a condition of planning permission. If significant harm cannot be mitigated against, permission should not be granted.
Congleton Borough Local Plan First Review (2005)	Policy GR23 – Provision of Services and Facilities states that proposals which are likely to intensify or create shortfalls in the provision of essential services or facilities will not be permitted unless these are provided as part of the development or a developer contribution is made towards meeting any identified shortfall.
Cheshire East Local Plan Strategy – Part One (2017)	Policy SD1 - Sustainable Development in Cheshire East states that in order to achieve sustainable development in Cheshire East, development should wherever possible provide appropriate infrastructure to meet the needs of the local community including: education; health and social care; transport; communication technology; landscaping and open space; sport and leisure; community facilities; water; waste water; and energy. Policy SD2 -Sustainable Development Principles stresses that all development will be expected to provide or contribute towards identified infrastructure, services or facilities. Policy IN1 – Infrastructure indicates that 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 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. Policy IN2 - Developer Contributions highlights that developer contributions will be sought to make sure that the necessary physical, social, public realm, economic and green infrastructure is in place to deliver development.
Comments	The Neighbourhood Plan is in general conformity with these local plan policies, recognising that new development may have an effect on existing infrastructure and services, and may necessitate the need for improvements.

National Planning Policy Framework 2012	One of the core planning principles is that planning should deliver sufficient community and cultural facilities and services to meet local needs.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy INF1 contributes to the achievement of sustainable development by performing a social role, allowing for the protection and provision of infrastructure which contribute to the parish's social and cultural well-being, and an economic role, ensuring that the provision of infrastructure is provided, and that Moston remains a valued and attractive place to live, visit, work and invest.

Moston Neighbourhood Plan Policy	POLICY INF2 – BROADBAND The development of advanced high quality communications infrastructure, including high speed broadband, will be supported, subject to: a) Development being kept to a minimum consistent with the efficient operation of the network. b) Any development being sympathetic to its surroundings and camouflaged where appropriate.
Cheshire East Local Plan Strategy – Part One (2017)	Policy CO 3 - Digital Connections stresses that high capacity, leading edge digital communication networks will be supported in Cheshire East to meet the needs of businesses and communities, subject to the number(s) of radio and telecommunications masts (and sites for such installations) being appropriately located and kept to a minimum and consistent with the efficient operation of the network. Developers will be required to work with appropriate providers to deliver the necessary physical infrastructure to accommodate information and digital communications (ICT) networks as an integral part of all appropriate new developments.
Comments	By seeking to ensure that Moston has access to high quality digital connectivity, Neighbourhood Plan policy INF2 is in general conformity with local plan policies.
National Planning Policy Framework 2012	The NPPF states in paragraph 42 that 'Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.'
Contribution to the achievement of sustainable development	This Neighbourhood Plan policy contributes to the achievement of sustainable development by performing a social role, allowing people access to the internet and reducing social isolation, and an economic role, ensuring that residents and employers have adequate digital connectivity to conduct their business.

Moston Neighbourhood Plan Policy	<p>POLICY INF3 – SURFACE WATER MANAGEMENT</p> <p>New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. The approach to surface water drainage should be considered in liaison with the LLFA, the public sewerage undertaker and where appropriate the Environment Agency”.</p> <p>Surface water should be discharged in the following order of priority:</p> <ul style="list-style-type: none"> • An adequate soakaway or some other form of infiltration system. • An attenuated discharge to watercourse or other water body. • An attenuated discharge to public surface water sewer. • An attenuated discharge to public combined sewer.
Cheshire East Local Plan Strategy – Part One (2017)	Policy SE13 – Flood Risk and Water Management indicates that new development should be designed to manage surface water.
Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, ensuring that new developments do not exacerbate drainage issues.
National Planning Policy Framework 2012	Neighbourhood Plan policy INF3 helps to deliver one of the key aims of the NPPF in meeting the challenge of climate change, flooding and coastal change. Para 99 states that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change
Contribution to the achievement of sustainable development	Neighbourhood Plan policy INF3 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural environment, and an economic role, ensuring that Moston remains a valued and attractive place to live, work and invest, minimising the likelihood of flooding.

Moston Neighbourhood Plan Policy	<p>POLICY LGS1 – LOCAL GREEN SPACE</p> <p>The areas listed below and shown on Figures J, M and P are designated as ‘Local Green Space’ which is protected from new development unless very special circumstances can be demonstrated, or where development supports the role and function of the Local Green Space.</p> <p>a) Moston Green b) Triangle on the corner of Plant and Dragons Lane c) Oakwood Lane Corner</p>
Cheshire East Local Plan Strategy – Part One (2017)	Policy SE 6 Green Infrastructure highlights that Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, and development should contribute to the creation of a good quality, integrated and accessible multi-functional network of green spaces.
Comments	By seeking to ensure the designation, and protection and enhancement of good quality locally distinct green spaces, which are important to the people of Moston, Policy LGS1 is in accordance with local plan policies.
National Planning Policy Framework 2012	Neighbourhood Plan policy LGS1 is in general compliance with Paragraphs 76 and 77 of the National Planning Policy Framework, which consider Local Green Space designations and set out when they might be appropriate. The designation should be used where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its

	beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy LGS1 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment for people to enjoy, use recreationally and benefit from health wise, an environmental role, protecting the natural environment, and an economic role, ensuring that Moston remains a valued and attractive place to live, work, visit and invest.

Moston Neighbourhood Plan Policy	<p>POLICY ENV1 – WILDLIFE HABITATS, WILDLIFE CORRIDORS AND BIODIVERSITY</p> <p>Areas identified on Figure U as supporting high distinctiveness habitat shall be protected by at least a 15m buffer zone and must be protected from new development unless very special circumstances can be demonstrated.</p> <p>Areas identified on Figure U as supporting medium distinctiveness habitat will require a comprehensive ecological evaluation if they are put forward for development.</p> <p>In other areas of open countryside, applications for new development of a scale or type which is likely to impact on habitats should be informed by a Phase 1 habitat survey.</p> <p>The habitats and the wildlife corridor network shown on Figures U and V shall be protected from new development unless very special circumstances can be demonstrated. The wildlife corridor network shall also be protected by a 15m non-developable buffer zone.</p> <p>New developments must not create divisions between existing wildlife corridors (Figure V) and where possible should contribute to the creation of new or improved links.</p> <p>If new areas of high distinctiveness habitat and associated wildlife corridors are identified in the future following a comprehensive habitat survey these should also be protected by a 15m non-developable buffer zone.</p> <p>Development proposals where the primary objective is to conserve or enhance biodiversity shall be permitted.</p> <p>New developments shall demonstrate a net gain in biodiversity using appropriate evaluation methodologies and avoidance/mitigation strategies. Compensatory measures (for example biodiversity offsetting) will be required if a net loss of biodiversity is likely.</p>
Congleton Borough Local Plan First Review (2005)	Policy NR4 states that proposals for development that would result in the loss of or damage to sites of nature conservation or geological importance will only be allowed if there are overriding reasons for allowing the development and there are no suitable alternatives. Where unavoidable loss or damage to a site is likely as a result of a proposed development, measures of mitigation and compensation will

	be required on or adjoining the site to ensure there is no net loss of environmental value.
Cheshire East Local Plan Strategy – Part One (2017)	Policy SE3 – Biodiversity and Geodiversity of the Cheshire East Local Plan Strategy – states that development proposals that are likely to have a significant impact on a non-designated asset or a site valued by the local community identified in a Neighbourhood Plan will only be permitted where suitable mitigation and / or compensation is provided to address the adverse impacts of the proposed development, or where any residual harm following mitigation/compensation, along with any other harm, is clearly outweighed by the benefits of the development.
Comments	The Neighbourhood Plan is in general conformity with these local plan policies, as it seeks to protect and enhance specifically identified areas of nature conservation and wildlife sites valued by the local community, allowing for development in exceptional circumstances should mitigation or compensation be provided.
National Planning Policy Framework 2012	Protecting and enhancing biodiversity and creating ecological networks are central to the National Planning Policy Framework. Indeed, biodiversity is mentioned fifteen times in the NPPF with protection and improvement of the natural environment as core objectives of the planning system. The NPPF states that planning policies should identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy ENV1 contributes to the achievement of sustainable development by performing an environmental role, protecting the natural environment.

Moston Neighbourhood Plan Policy	POLICY ENV2 – TREES, HEDGEROWS AND WATERCOURSES Any development that would result in the loss of, or the deterioration in the quality of an important natural feature, including trees and hedgerows and watercourses will not normally be permitted. In exceptional circumstances where the benefit of development is considered to outweigh the benefit of preserving natural features, developments may be permitted subject to adequate compensatory provision being made. The retention of trees, hedgerows and other natural features in situ will always be preferable. Where the loss of such features is unavoidable, replacement provision must be of a greater amount to that which is lost. Appropriate landscaping schemes to show how the rural feel to the area will be maintained or any negative impacts will be mitigated against will be required.
Cheshire East Local Plan Strategy Part One (2017)	Policy SE 5 - Trees, Hedgerows and Woodland indicates that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, ensuring that values trees and hedgerows are protected where possible.
National Planning Policy Framework 2012	Neighbourhood Plan policy ENV2 helps to deliver one of the key aims of the NPPF of conserving and enhancing the natural environment. Para 118 states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy ENV2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment with access to greenery, and an environmental role, protecting and enhancing the natural environment.

Moston Neighbourhood Plan Policy	<p>POLICY REC1 - FOOTPATHS, BRIDLEWAYS, CYCLEWAYS AND THE CANAL TOWPATH</p> <ul style="list-style-type: none"> • Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way (PROW) network, cycleways and the canal towpath (see Figure X -map of existing PROW), their enhancement where possible, and the safety of users of rural roads and lanes. The construction and appearance of any new tracks, paths or links between existing footpaths must be appropriate and sensitive to the character of the locality and the surrounding area. • Any development that leads to the loss or degradation of any PROW, cycleway or the canal towpath will not be permitted in other than very special circumstances, and then only if a suitable alternative can be provided. Proposals to divert PROWs or cycleways should provide clear and demonstrable benefits for the wider community. • Any new development must provide easy, accessible traffic-free routes for non-motorised users (to include pedestrians, disabled people, people with prams or baby-buggies, cyclists and where appropriate equestrians) to the nearby countryside. The provision of any such additional routes will be supported. • The needs of non-motorised users (as described above) must be taken into account in all traffic planning, but especially in relation to rural lanes and roads. Hazards arising from an increase in vehicle numbers where agricultural buildings are converted to residential or commercial use will need to be taken into consideration. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.
Congleton Borough Local Plan First Review (2005)	Policy GR16 - Footpath, Bridleway and Cycleway Networks states that planning permission will be refused for developments which fail to take account of the existing footpath, bridleway and cycleway network. Where a requirement can be demonstrated, a financial contribution may be sought from developers towards the improvement and extension of the network.
Cheshire East Local Plan Strategy – Part One (2017)	Policy SE 6 Green Infrastructure highlights that Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, and development should contribute to the creation of a good quality, integrated and accessible multi-functional network of green spaces.

	Policy CO 1 - Sustainable Travel and Transport seeks to deliver the council objectives of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking.
Comments	By protecting and establishing footpaths and links, Policy REC1 is in general compliance with Local Plan policies.
National Planning Policy Framework 2012	Neighbourhood plan policy REC1 seeks to help deliver one of the NPPF's key planning aims of conserving and enhancing the natural environment, and also of promoting healthy communities. Para 75 indicates that policies should protect and enhance public rights of way and that opportunities should be sought to provide better facilities for users, for example by adding links to existing public rights of way networks.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy REC1 contributes to the achievement of sustainable development by performing an environmental role, protecting countryside routes and green links, and a social role, by protecting and establishing footpaths for the community to use, which encourages walking and good health.

Moston Neighbourhood Plan Policy	POLICY REC2 – MOTOCROSS Improvements to the motor cycling scrambling track at Warmingham Lane will be supported where they do not have a significantly harmful impact on the amenity of nearby residents or the surrounding landscape, or levels of air and noise pollution.
Congleton Borough Local Plan First Review (2005)	Policy RC3 – Nuisance Sports- lists criteria which must be met for proposals for the development of recreational and sporting activities which by their nature may adversely affect the amenity of nearby residents, other users of the countryside, or built-up areas, or features of nature conservation interest. These include that the proposal is compatible with nature conservation and wildlife interests; that there would be no detriment to the nature of land features of interest as a result of possible erosion or loss of vegetation; that the proposal includes appropriate noise attenuation measures such as screening banks and trees; and that the proposal will cause minimum detriment to nearby residents and other users of the countryside.
Cheshire East Local Plan Strategy Part One (2017)	Policy SE12 - Pollution, Land Contamination and Land Instability highlights that all development should be 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. Policy SC1 - Leisure and Recreation highlights the need to protect and enhance existing leisure and recreation facilities. Policy SC2 – Indoor and Outdoor Sports Facilities stresses that sports facilities should normally be protected.
Comments	By seeking to ensure the continued success of the scrambling track, whilst ensuring that residential amenity is not compromised, this policy is in general conformity with local and national policies.

National Planning Policy Framework 2012	The core planning principles of the NPPF state that development should contribute to reducing pollution. The NPPF highlights that opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy REC2 contributes to the achievement of sustainable development by performing an environmental role, protecting the countryside, a social role, by seeking to ensure that acceptable improvements to a valued leisure facility are permitted, and an economic role, encouraging the sustainable future of a local facility.

Moston Neighbourhood Plan Policy	POLICY REC 3 – LEISURE AND COUNTRYSIDE PURSUITS The enhancement, protection and development of leisure and countryside pursuits in Moston Parish will be supported in appropriate locations where there is no significantly harmful impact on the surrounding landscape. In particular, the enhancement of waterways, flashes, lakes and ponds for angling and bird watching; bridlepaths for equestrian users; and the golf driving range on Hall Lane will be supported, and development which would lead to their loss or degradation will not be supported.
Congleton Borough Local Plan First Review (2005)	Policy RC4 - Countryside Recreational Facilities , states that proposals for countryside recreational facilities will be permitted where specific criteria are satisfied. These include that the proposal would not unacceptably affect the amenities and character of the surrounding area; any permanent buildings and car parking required should blend into the surrounding landscape in respect of siting, design and materials used; and that the proposal will not unacceptably affect, either directly or indirectly, areas of nature conservation, geological or landscape value. Further saved recreation policies in the Congleton Borough Local Plan highlight that support will be given for the appropriate development of golf driving ranges and water based activities.
Cheshire East Local Plan Strategy Part One (2017)	Policy SC1 - Leisure and Recreation highlights the need to protect and enhance existing leisure and recreation facilities. Policy SC2 – Indoor and Outdoor Sports Facilities stresses that sports facilities should normally be protected. Policy SE 4 - The Landscape states that the high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality.
Comments	Policy REC3, in seeking to ensure the enhancement and protection of local landscape features which are enjoyed and valued by many for their beauty and recreational purposes, is in general conformity with local and national policies.
National Planning Policy Framework 2012	The NPPF highlights that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy REC3 contributes to the achievement of sustainable development by performing an environmental role, protecting and enhancing the countryside and landscape, a social role, by ensuring that valued natural resources are able to be used for leisure and recreational pursuits, and an economic role, ensuring that visitors will remain keen to come to Moston to enjoy the beautiful environment.

<p>Moston Neighbourhood Plan Policy</p>	<p>POLICY LE1 - RURAL EMPLOYMENT</p> <p>Subject to respecting Moston’s built and landscape character, and environmental and residential amenity impacts being acceptable, support will be given to the development of small businesses and the expansion of existing businesses which complement and enhance the rural landscape by the nature of their enterprise, for example:</p> <p>Equestrian enterprises; Liveries, Saddleries, Riding School. Horticulture; Plant nurseries, tree nurseries, florists. Agriculture; Farms, small holdings, fruit growers, agricultural related businesses. Green technology enterprises.</p> <p>Support will also be given to businesses that wish to locate / relocate to redundant agricultural premises or are part of a farm diversification scheme.</p> <p>Proposals that promote or provide facilities for home working and business operating from home will be supported.</p> <p>Tourism facilities in the open countryside will be supported if they are linked to a farm diversification scheme, and would not have an unacceptable negative impact on the amenity of nearby residents or the surrounding landscape and ecology.</p>
<p>Cheshire East Local Plan Strategy – Part One (2017)</p>	<p>Policy Policy EG2 – Rural Economy states that outside the towns and service centres, developments that provide for rural employment and encourage the expansion of existing businesses will be supported where the development meets sustainable development objectives.</p> <p>CO1 Sustainable Travel and Transport aims to reduce the need to travel by encouraging more flexible working patterns and home working.</p> <p>Policy EG4 – Tourism encourages the protection of Cheshire East’s tourism assets and promotes the enhancement and expansion of existing, and the provision of new visitor attractions and tourist accommodation in sustainable and appropriate locations, subject to certain criteria.</p>
<p>Comments</p>	<p>The Neighbourhood Plan is in general conformity with these local plan policies, supporting appropriate businesses and employment, and promoting home working to negate the need for commuting.</p>
<p>National Planning Policy Framework 2012</p>	<p>Neighbourhood Plan policy LE1 helps deliver the NPPF’s key planning aim of supporting a prosperous rural economy. Para 28 states that to promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.</p>
<p>Contribution to the achievement of sustainable development</p>	<p>This policy contributes to the achievement of sustainable development by performing an economic role, providing employment opportunities, an environmental role, protecting the natural environment, and a social role, allowing for more employment opportunities which will lead to greater well-being.</p>

Moston Neighbourhood Plan Policy	<p>POLICY LE2 - NON RURAL EMPLOYMENT</p> <p>Within the boundaries identified as Z, aa and bb, B2 (General industrial) uses and other non rural enterprise uses will be supported at the following existing employment areas as highlighted on Figure Y, as long as they do not have an unacceptable adverse impact on the amenity of nearby residents or the surrounding landscape and ecology, or lead to significantly harmful levels of air and noise pollution.</p> <ol style="list-style-type: none"> 1. Hall Lane 2. Booth Lane (a mixed development with residential) 3. Dragons Wharf (small industrial units)
Cheshire East Local Plan Strategy – Part One (2017)	Policy Policy EG2 – Rural Economy states that outside the towns and service centres, developments that provide for rural employment and encourage the expansion of existing businesses will be supported where the development meets sustainable development objectives.
Comments	The Neighbourhood Plan is in general conformity with the local plan, supporting businesses and employment.
National Planning Policy Framework 2012	Neighbourhood Plan policy LE2 helps deliver the NPPF’s key planning aim of supporting a prosperous rural economy. Para 28 states that to promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas.
Contribution to the achievement of sustainable development	This policy contributes to the achievement of sustainable development by performing an economic role, providing employment opportunities, an environmental role, protecting the natural environment, and a social role, allowing for more employment opportunities which will lead to greater well-being.

Moston Neighbourhood Plan Policy	<p>POLICY HER1 – HERITAGE</p> <p>Proposals which conserve and enhance Moston’s historic assets and their setting will be supported, particularly if the proposals would help retain the assets in active use. Proposals for development must take into account the scale of any possible harm or loss and the significance of any heritage assets and will only be supported where it can be demonstrated that substantial benefits will be achieved when weighed against the harm or loss. Measures should be put in place to avoid or minimise impact or mitigate damage.</p> <p>Applications which seek to bring existing heritage assets back into use and/or secure the assets’ long term sustainability through enabling developments, in a manner sensitive to their heritage value, will be looked upon favourably where they meet the requirements of other policies within the Neighbourhood Plan and national and Local Plan policies.</p>
Congleton Borough Local Plan First Review (2005)	The policies of the Local Plan in respect of the built environment and heritage seek to ensure that these assets are preserved, enhanced and utilised. Policies BE1 –BH7 highlight the protection afforded to heritage assets, Listed Buildings, Buildings of Local Interest, and their settings.
Cheshire East Local Plan Strategy Part One (2017)	Policy SE 7 - The Historic Environment states that the character, quality and diversity of Cheshire East's 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, include the setting of assets and where appropriate, the wider historic environment. Policy SD2- Sustainable Development Principles states that development should respect, and where possible enhance, the significance of heritage assets, including their wider settings. Policy SE1 – Design highlights the importance of ensuring sensitivity of design in proximity to designated and local heritage assets and their settings.
Comments	By seeking to conserve and enhance the built and historic environment of Moston, Policy HER1 is in general conformity with the Local Plan policies.
National Planning Policy Framework 2012	One of the core planning principles of the NPPF, detailed in Para 17, is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Neighbourhood Plan policy HER1 aims to help deliver one of the NPPF’s main policy aim of conserving and enhancing the historic environment.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy HER1 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural, built and historic environment, and an economic role, ensuring that Moston remains a valued and attractive place to live, work and invest.

4.17 BASIC CONDITION 4: BE COMPATIBLE WITH EU OBLIGATIONS

A Strategic Environmental Assessment (SEA) screening was undertaken by Cheshire East Council. The screening confirms that a Strategic Environmental Assessment is not required for this Plan (see Moston SEA Screening Assessment, http://www.cheshireeast.gov.uk/planning/neighbourhood_plans/moston-neighbourhood-plan.aspx). The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency). The screening assessment explains why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive.

A Habitat Regulation Assessment (HRA) screening opinion was sought from Cheshire East Council in order to confirm whether an HRA was required to support the Plan. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Neighbourhood Plan (see Moston SEA Screening Assessment) http://www.cheshireeast.gov.uk/planning/neighbourhood_plans/moston-neighbourhood-plan.aspx

As the qualifying body, Moston Parish Council has determined that an SEA and a HRA are not required.

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

4.18 BASIC CONDITION 5: COMPLIANCE WITH PRESCRIBED MATTERS

There are no other prescribed matters.