

UPDATED MARTON NEIGHBOURHOOD PLAN 2020 – BASIC CONDITIONS STATEMENT

NOVEMBER 2020

1. INTRODUCTION

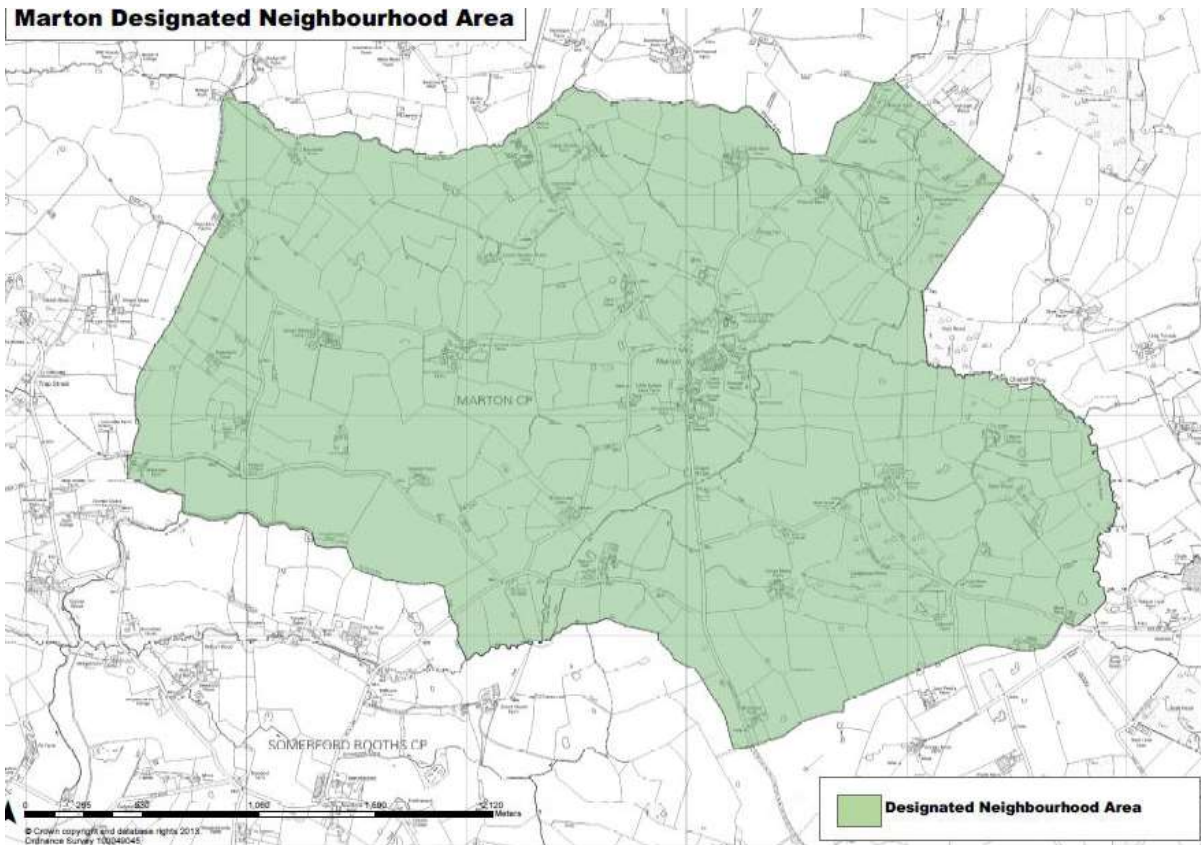
1.1 This Statement has been prepared by Marton Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Cheshire East Council, of the Updated Marton Neighbourhood Plan 2020 (“the Neighbourhood Plan”) under Regulations 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

2. BACKGROUND

2.1 The Parish Council commenced preparation of the original Marton Neighbourhood Plan in summer 2014 in response to the desire of the local community to have a greater say in future planning decisions. The Marton Neighbourhood Plan was made in November 2016, and was one of the first Neighbourhood Plans in Cheshire. The original Neighbourhood Plan had been overwhelmingly supported at referendum, with over 44% of eligible residents voting, and an almost 93% ‘yes’ vote. However, the original Neighbourhood Plan had been made before the official adoption of the Cheshire East Local Plan (2017) and before the National Planning Policy Framework update of 2019. Whilst recognising that the Neighbourhood Plan was a very successful planning document being used to help consider planning applications and appeals, it was considered that to ensure its continued effectiveness, the Neighbourhood Plan should be reviewed and updated to ensure that its policies remained consistent with local and national guidance. This Basic Conditions Statement has been prepared to accompany the Updated Marton Neighbourhood Plan 2020. The Basic Conditions Statement which accompanied the original Marton Neighbourhood Plan of 2016 can be viewed at <http://www.martonparishcouncil.org.uk/martons-neighbourhood-plan/>

2.2 THE UPDATED MARTON NEIGHBOURHOOD PLAN 2020 DESIGNATED AREA

The Updated Marton Neighbourhood Plan 2020 covers the same area as that which was designated by Cheshire East Council on 23rd February 2015 for the original Marton Neighbourhood Plan. The Neighbourhood Area covers the whole of the Parish of Marton. 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

The policies described in the Updated Marton Neighbourhood Plan 2020 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

The Updated Marton Neighbourhood Plan is to have effect from 2020 to 2030.

The Updated Marton 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).

4. BASIC CONDITIONS STATEMENT

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

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.

4.1 BASIC CONDITION 1 – HAVING REGARD TO NATIONAL POLICY

Marton Parish Council believes that the Updated Marton Neighbourhood Plan, as submitted, properly demonstrates due regard to National Policy, specifically that set out in the National Planning Policy Framework (NPPF) 2019. Paragraphs 29-30 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. Paragraph 11 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 Updated Marton Neighbourhood Plan has had close regard:

- Building a strong, competitive economy;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Achieving well-designed places;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

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

4.2 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.

The pursuit of sustainable development remains at the heart of the Updated Marton Neighbourhood Plan, as is highlighted by the Neighbourhood Plan's vision which has not changed from the original Neighbourhood Plan.

IN 2030 MARTON WILL BE A QUIET, SMALL, RURAL AGRICULTURAL COMMUNITY WITH A THRIVING RURAL ECONOMY. MARTON WILL MAINTAIN ITS VARIED, MIXED-AGE POPULATION AND A STRONG SENSE OF VILLAGE COMMUNITY. IT WILL PRESERVE ITS TRADITIONS, ANCIENT BUILDINGS AND RURAL CHARACTER WHILE BENEFITING FROM MODERN TECHNOLOGIES.

The Updated Marton Neighbourhood Plan seeks to ensure that development promotes good design, preserves the valued local character and environment of the village, contributes to the creation of a sustainable community, and seeks to maintain and build a strong local economy.

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

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

The original Marton Neighbourhood Plan was made in 2016, which was before the adoption of the Cheshire East Local Plan Part One, which was adopted in July 2017. This was one of the main reasons that it was considered necessary to update the original Neighbourhood Plan, so as to ensure that it remains in general conformity with the Local Plan and the emerging Part Two of the Local Plan, the Site Allocations and Development Policies Document (SADPD).

The Cheshire East Local Plan Part One was adopted in July 2017. Work is currently underway on the Local Plan Site Allocations and Development Policies Document (SADPD) 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. The draft SADPD was out for consultation in Autumn 2018 and again in early Autumn 2019, and it is anticipated that it will be adopted in 2021. Although Neighbourhood Plans need to be in general conformity with adopted policies, it has additionally made sense to consider the direction of the SADPD emerging policies and background evidence when finalising the Neighbourhood Plan policies.

The Updated Marton Neighbourhood Plan 2020 has, therefore, been produced taking full consideration of the policies firstly in the adopted Cheshire East Local Plan Part One, and with full consideration of the strategic direction and emerging policies of the Local Plan Part Two SADPD. Cheshire East Council has been extremely helpful and supportive of the Updated Marton Neighbourhood Plan, and has been involved from the outset. This has helped to ensure general conformity and minimised any potential conflict between policies.

Additionally, in the adopted Cheshire East Local Plan Strategy consideration has been given to the 'saved' policies in the Local Plans adopted by the former Boroughs / County Council, and a list of previously adopted policies which the council is retaining or deleting are listed. Policies that are retained will continue to be used in the determination of planning applications in the borough until superseded by the Site Allocations and Development Policies Document and the Minerals and Waste DPD. There are a number of saved policies of the Macclesfield Borough Local Plan (adopted in 2004) and the Cheshire Replacement Minerals Local Plan (adopted in 1999) which currently remain as adopted policies for the Marton area, and as such, although dated, remain valid for the purpose of assessing the general conformity of the Updated Neighbourhood Plan.

This Basic Conditions Statement demonstrates that the Updated Marton Neighbourhood Plan 2020 does not conflict with the strategic policies of the Cheshire East Local Plan policies, nor the saved policies of the Macclesfield Borough Local Plan. The Neighbourhood Plan seeks to add detail to the overall strategic policy of the Cheshire East Local Plan, and be flexible enough to work alongside it.

The general conformity of each Updated Marton Neighbourhood Plan 2020 policy to the Cheshire East Local Plan Strategy and, where relevant, the Macclesfield Borough Local Plan (2004) saved policies and the Cheshire Replacement Minerals Local Plan (1999) is highlighted in detail in Table 1 below.

UPDATED MARTON NEIGHBOURHOOD PLAN 2020 POLICIES

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

| | |
|---|--|
| <p>Updated Marton Neighbourhood Plan 2020 Policy</p> | <p>HD1 HOUSING POLICY</p> <p>The whole Parish is designated as open countryside and new housing development may be permitted in line with local and national policies.</p> <p>Proposals for agricultural workers houses, or residential properties which support a rural business, must be well related to existing buildings and not have a harmful effect on the landscape and the features that characterise the landscape.</p> <p>The conversions of farm buildings to residential properties must ensure that any important characteristics and features of the original buildings are retained, and that the development is kept to the footprint of the original buildings as far as possible.</p> <p>Limited infill development will only be supported where it can be clearly demonstrated that the site is functionally and visually part of the village and where it is:</p> <ol style="list-style-type: none"> 1. In keeping with the scale, character and appearance of its surroundings and the local area; 2. Does not give rise to unacceptable impacts; and 3. Does not involve the loss of undeveloped land that makes a positive contribution to the character of the area. |
| <p>Cheshire East Local Plan Strategy (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>Comments</p> | <p>The Updated Neighbourhood Plan is in general conformity with these Local Plan policies, as Policy HD1 seeks to ensure that new housing is delivered in line with the most up to date requirements and suitable locations identified by Cheshire East. The policy allows for development which is appropriate in the open countryside, whilst seeking to protect the valued characteristics of Marton’s landscape.</p> |

| | |
|--|---|
| National Planning Policy Framework (2019) | Para 29 highlights that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Neighbourhood Plan policy HD1 fully supports the strategic spatial distribution of development by supporting development which accords with open countryside policies, as Marton is classed in the Local Plan as 'Open countryside.' The policy also seeks to ensure that development is appropriate to the local character of the area, enhancing the local natural environment. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy HD1 contributes to the achievement of sustainable development by performing a social role, providing for housing in appropriate locations to meet the needs of present and future generations, and an environmental role, protecting the natural environment. |

| | |
|---|---|
| Updated Marton Neighbourhood Plan 2020 Policy | <p>HD2 DESIGN POLICY</p> <p>To ensure that buildings, characteristic features and materials are representative of the settlement character of Marton, the design and layout of any new developments should demonstrate consideration of the Cheshire East Design Guide (2016), the Marton Neighbourhood Plan Design Guidance (appendix 1), and the Marton Landscape and Settlement Character Assessment (appendix 4) or any updated versions. Any new development should take the following into account, where appropriate:</p> <ul style="list-style-type: none"> a) Development on any given plot should be of a scale appropriate to the location, of locally appropriate density, and fit in with the existing rural character and surroundings of the village as detailed in the Landscape and Settlement Character Assessment (LSCA) and Neighbourhood Plan Design Guidance. b) Development should be in keeping with the existing buildings in the village as detailed in the LSCA and reflect the traditional vernacular of the village in terms of layout, density, boundary treatments and appearance. c) Development must not have a negative impact on the local landscape of Marton, and must not negatively impact the natural and historic environment of Marton. d) New homes, extensions and other buildings should be of a high quality and form that enhances the local context and meets the quality and design standards outlined in the Neighbourhood Plan Design Guidance at Appendix 1. e) The height and mass of new or altered buildings should not dominate their surroundings. f) Building materials and architectural detailing should be compatible with other buildings in the vicinity. g) Extensions should relate well to the existing building reflecting its form and materials, ensuring the original integrity is retained, and should not be overly dominant. h) The inclusion of features that increase net-biodiversity will be supported. |
|---|---|

| | |
|---|--|
| | <p>i) Dark skies are to be preferred over street lights. Marton has minimal street lighting at the moment – 4 street lights on Oak View. Any future lighting systems should complement the design of any development which in turn should be in keeping with the village character (see LSCA). In all cases, outdoor lighting sources should be kept to the minimum required for safety and security, and should have a minimum impact on the environment, should minimise light pollution, and should minimise adverse effects on wildlife. All lighting shall comply with BS5489-1:2013 (or its successor). As and when existing lighting systems are maintained and replaced they should be updated to meet modern low environmental impact standards.</p> <p>j) Incorporate SUDS which minimises surface water run-off. These may include features such as ponds, swales and permeable paving designed as part of the development and to reflect the rural character of the area. Every option should be investigated before discharging surface water into a public sewerage network, in line with the surface water hierarchy. 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 surface water body. - An attenuated discharge to public surface water sewer, highway drain or another drainage system. - An attenuated discharge to public combined sewer. <p>No surface water will be expected to discharge to the public sewerage system. Applicants wishing to discharge to public sewer will need to submit clear evidence demonstrating why alternative options are not available as part of the determination of their application.</p> |
| <p>Cheshire East Local Plan Strategy (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, 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> <p>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 culmulative impact upon light pollution.</p> |

| | |
|--|---|
| | Policy SE13 – Flood Risk and Water Management indicates that new development should be designed to manage surface water. |
| Macclesfield Borough Local Plan (2004) | Policy DC2 Extensions and Alterations highlights that proposals to alter and extend buildings should respect the existing architectural features of the building. Policy DC3 – Amenity highlights that development should not injure the amenities of residential property or sensitive uses due to environmental pollution. |
| 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 Marton. |
| National Planning Policy Framework (2019) | The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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 plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. They should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. Additionally, the NPPF highlights the importance of minimizing pollution. Para 180 highlights that 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 | 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 Marton remains a valued and attractive place to live, work and invest. |

| | |
|---|--|
| <p>Updated Marton Neighbourhood Plan 2020 Policy</p> | <p>PE1 LANDSCAPE CHARACTER POLICY</p> <p>Development proposals which would have a significant and harmful visual impact on the countryside surrounding the settlement of Marton will not be permitted, unless appropriate mitigation measures are put in place.</p> <p>Development must not have an adverse visual impact on the landscape setting of the World Heritage Site at Jodrell Bank.</p> <p>The Landscape and Settlement Character Assessment (appendix 4) and the Viewpoints Location Map (section 4E) have identified key views within the village as well as views out to the surrounding countryside. Development must demonstrate that the views are retained and integrated within the proposals. New development should not harm the views to the World Heritage Site at Jodrell Bank.</p> |
| <p>Cheshire East Local Plan Strategy (2017) and emerging Strategic Allocations and Development Policies Document.</p> | <p>Policy SE4 – The Landscape seeks to ensure that all development should conserve the landscape character and quality and should, where possible, enhance and effectively manage the historic, natural and man-made features that contribute to local distinctiveness of rural and urban landscapes. Development should preserve local distinctiveness.</p> <p>The written justification highlights that the impacts of proposed developments upon existing landscape and views of the surrounding area should be assessed as part of the planning process.</p> <p>SE14 – Jodrell Bank highlights that within the Jodrell Bank Radio Telescope Consultation Zone development will not be permitted if it impairs the efficiency of the telescopes; or has an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Radio Telescope. Conditions will be imposed to mitigate identified impacts, and proposals should consider their impact on those elements that contribute to the potential outstanding universal value of Jodrell Bank.</p> <p>Emerging Policy HER9 – World heritage site states that proposals that conserve or enhance the outstanding universal value of the world heritage site at Jodrell Bank will be supported. Development proposals within the world heritage site at Jodrell Bank (or within its buffer zone) that would cause harm to the significance of the heritage asset (including elements that contribute to its outstanding universal value) will not be supported unless there is a clear and convincing justification; and an appropriate heritage impact assessment has evaluated the likely impact of the proposals upon the significance of the asset and the attributes that contribute to its outstanding universal value. Where development has a demonstrable public benefit, and harm to the outstanding universal value is unavoidable and has been minimised, this benefit will be weighed against the level of harm to the outstanding universal value of the world heritage site. The justification of the emerging policy states that there is a strong presumption against development that would result in harm to the outstanding universal value of a world heritage site, its authenticity or integrity. This presumption applies equally to development in the buffer zone of a world heritage site, where key views should also be protected.</p> |

| | |
|--|--|
| Comments | The Neighbourhood Plan is in general conformity with these Local Plan policies, by seeking to ensure that development will not have a negative impact on Marton's landscape, nor on the setting of or views towards Jodrell Bank. The identification of key views is an example of how Neighbourhood Plans can have distinct policies at a real local level. This Neighbourhood Plan policy seeks to protect views that are highly valued and important to the local community, along with the setting of Jodrell Bank. |
| National Planning Policy Framework (2019) | The NPPF highlights that neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. Planning policies should ensure that developments are visually attractive as a result of appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF highlights that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy PE1 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 Marton remains a valued and attractive place to live, work and invest. |

| | |
|--|---|
| Updated Marton Neighbourhood Plan 2020 Policy | <p>PE2 TREES AND HEDGEROWS POLICY</p> <p>Development proposals must not harm the Marton Oak or its setting. Development must demonstrate how the oak and its setting remain unaffected as a result of the proposals.</p> <p>Any proposals to maintain and enhance the woodlands of Cocks Moss, Black Wood, and Marton Heath Wood and to create wildlife corridors in farmland to enable wildlife to move between these woodlands will be supported.</p> <p>Ancient hedgerows should be preserved, and development which would adversely impact upon them will not normally be permitted. In exceptional circumstances, where the benefits of development are considered to outweigh the benefit of preserving trees and hedgerows, development will be permitted subject to appropriate mitigation. The retention of trees and hedgerows in situ will always be preferable.</p> |
| Cheshire East Local Plan Strategy (2017) | <p>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.</p> <p>SE3 –Biodiversity and Geodiversity highlights that development proposals which are likely to have a significant adverse impact on a Site of Biological Importance (SBI) or Local Wildlife Sites will not be permitted except where the reasons for or benefits of the proposed development outweigh the impact of the development.</p> |

| | |
|--|--|
| Macclesfield Borough Local Plan (2004) | Policy DC9 – Tree Protection stresses that development that would result in the loss, threat to wellbeing, or have an unsatisfactory relationship with trees worthy of protection will not be allowed unless they are no longer of amenity value, the removal is in accordance with arboricultural best practice, or mitigation provides a net environmental gain. |
| Comments | The Neighbourhood Plan is in general conformity with these Local Plan policies, ensuring that valued trees, woodlands and hedgerows are protected where possible. Particular emphasis is placed on the Marton Oak, which is listed among the 50 most important trees in the country. It is estimated to be at least 1200 years old. This is an important feature of Marton which warrants special protection. Additionally, Cocks Moss and Marton Heath Wood are designated as Sites of Biological Interest. |
| National Planning Policy Framework (2019) | Neighbourhood Plan policy PE2 helps to deliver one of the key themes of the NPPF of conserving and enhancing the natural environment. The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons and a suitable compensation strategy exists. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy PE2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting and enhancing the natural environment, and an economic role, ensuring that Marton remains a valued and attractive place to live, work and invest. |

| | |
|--|--|
| Updated Marton Neighbourhood Plan 2020 Policy | PE3 GREEN SPACE POLICY Proposals which enhance the green space between School Lane and Oak Lane/Oak View at the centre of the village and at the spinney will be supported. The paddock and spinney in the heart of the village should be retained as open green space. |
| Macclesfield Borough Local Plan (2004) | Policy RT2 – Incidental Open Spaces/ Amenity Areas highlights that open spaces in residential areas should be protected from development and enhanced as appropriate. |
| Cheshire East Local Plan Strategy (2107) | Policy SD1 – Sustainable Development in Cheshire East stresses that development should contribute to protecting and enhancing the natural environment. Policy SD2 – Sustainable Development Principles stresses that all new development should respect and, where possible, enhance the landscape character of the area. Policy SE6 – Green Infrastructure requires all development to protect and enhance existing open spaces and sport and recreation facilities. |
| Comments | The Neighbourhood Plan is in general conformity with these Local Plan policies, while being locally distinct, seeking to protect and enhance the open spaces considered as important to Marton. |
| National Planning Policy Framework (2019) | The NPPF highlights that planning policies and decisions should contribute to enhancing the natural and local environment, and states that access to a network of high quality open spaces is important for the health and well-being of communities. |

| | |
|--|---|
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy PE3 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment with accessible green spaces, and an environmental role, protecting the natural environment. |
|--|---|

| | |
|---|---|
| Updated Marton Neighbourhood Plan 2020 Policy | <p>TRA1 SUSTAINABLE TRANSPORT</p> <p>New development should provide safe access to the carriageway. Where new vehicular accesses to the roads and lanes in the Parish of Marton are made, the character and appearance of rural lanes should be retained. Existing verges, trees and hedgerows along rural lanes should be retained wherever possible, having regard for road safety.</p> <p>Any appropriate proposals to maintain and enhance the network of public footpaths, bridleways and cycleways will be supported. Additionally, links and improvements to the existing network of public footpaths, bridleways and cycleways will be sought in connection with new developments to improve access to the countryside, where this would be reasonable and viable.</p> <p>The impact of vehicular traffic on the street scene should be minimised wherever possible. Appropriate new development will be supported where proposals provide off-street parking, do not clutter the public realm, and do not reduce safety for pedestrians and cyclists.</p> <p>Development should be refused on transport grounds where the residual cumulative impacts of development are shown to be severe. Where appropriate in terms of viability and deliverability, new development should contribute towards traffic improvement.</p> <p>Proposals to improve the parking provision within the curtilage of the school will be supported as this would improve the safety of the children and of parents bringing their children to school, and of local residents.</p> |
| Cheshire East Local Plan Strategy (2017) | <p>Policy CO1 – 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.</p> <p>Policy SD1 - Sustainable Development in Cheshire East states that development should be accessible by public transport, walking and cycling, and states that development should provide safe access and sufficient car parking in accordance with adopted highway standards.</p> <p>Policy SD2 -Sustainable Development Principles stresses that all development will be expected to provide or contribute towards identified infrastructure, services or facilities.</p> <p>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.</p> |
| Macclesfield Borough Local Plan (2004) | Policy RT7 – Cycleways, Bridleways and Footpaths highlights the borough council's aims to create a network of cycleways, bridleways and footpaths. |

| | |
|--|--|
| | Policy RT8 states that encouragement will be given for the public to gain access for wider areas of countryside for informal recreational purposes. |
| Comments | The Neighbourhood Plan is in general conformity with these local plan policies, seeking to ensure that transport is safe and sustainable and by protecting and enhancing footpaths and links. |
| National Planning Policy Framework (2019) | Neighbourhood Plan policy TRA1 seeks to help deliver the NPPF's aims of promoting sustainable transport, promoting healthy communities and conserving and enhancing the natural environment. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued. The NPPF highlights 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. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy TRA1 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment where people feel safe and by protecting and establishing footpaths for the community to use, to meet other people and to exercise and help keep fit and healthy; an environmental role, encouraging the use of sustainable modes of transport and protecting countryside routes and green links, and an economic role, ensuring that Marton remains an accessible and attractive place to live, work, visit and invest. |

| | |
|--|--|
| Updated Marton Neighbourhood Plan 2020 Policy | <p>PCA1 HERITAGE</p> <p>Proposals which make a positive contribution to the Parish's historic assets and their setting, including the Marton Oak and the Parish's Listed Buildings (section 4c) will be supported. The Marton Landscape and Character Assessment identifies locations where the setting of a heritage asset is particularly sensitive to development. 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>When considering the impact of a proposed development on the significance of Marton's heritage assets, great weight should be given to the assets conservation.</p> <p>Marton lies within the Jodrell Bank World Heritage Site Buffer Zone. Development proposals that would cause harm to the significance of the World Heritage Site will not be supported unless there is a clear and convincing justification and an appropriate heritage impact assessment has evaluated the likely impact of the proposals upon the significance of the asset and attributes that contribute to its outstanding universal value. Where development has a demonstrable public benefit, and harm to the outstanding universal value is unavoidable and has been minimised, this benefit will be weighed against the level of harm to the outstanding universal value of the world heritage site.</p> |
| Cheshire East | Policy SE 7 - The Historic Environment states that the character, quality and |

| | |
|---|--|
| <p>Local Plan Strategy (2017) and emerging Strategic Allocations and Development Policies Document.</p> | <p>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.</p> <p>Policy SE1 – Design highlights the importance of ensuring sensitivity of design in proximity to designated and local heritage assets and their settings.</p> <p>SE14 – Jodrell Bank highlights that within the Jodrell Bank Radio Telescope Consultation Zone development will not be permitted if it impairs the efficiency of the telescopes; or has an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Radio Telescope. Conditions will be imposed to mitigate identified impacts, and proposals should consider their impact on those elements that contribute to the potential outstanding universal value of Jodrell Bank.</p> <p>Emerging Policy HER9 – World heritage site states that proposals that conserve or enhance the outstanding universal value of the world heritage site at Jodrell Bank will be supported. Development proposals within the world heritage site at Jodrell Bank (or within its buffer zone) that would cause harm to the significance of the heritage asset (including elements that contribute to its outstanding universal value) will not be supported unless there is a clear and convincing justification; and an appropriate heritage impact assessment has evaluated the likely impact of the proposals upon the significance of the asset and the attributes that contribute to its outstanding universal value. Where development has a demonstrable public benefit, and harm to the outstanding universal value is unavoidable and has been minimised, this benefit will be weighed against the level of harm to the outstanding universal value of the world heritage site. The justification of the emerging policy states that there is a strong presumption against development that would result in harm to the outstanding universal value of a world heritage site, its authenticity or integrity. This presumption applies equally to development in the buffer zone of a world heritage site, where key views should also be protected.</p> |
| <p>Macclesfield Borough Local Plan (2004)</p> | <p>Policy BE2 – Historic Fabric states that the borough council will seek to preserve, enhance and interpret the historic fabric of the environment. Development which would adversely affect the historic fabric will not normally be permitted.</p> <p>Policy GC14 – Jodrell Bank states that within the Jodrell Bank radio telescopes consultation zone, as defined on the proposals map, no development will be permitted which would impair the efficiency of the radio telescopes</p> |
| <p>Comments</p> | <p>By seeking to conserve and enhance the built and historic environment of Marton, ensuring sensitivity of design, and recognising the importance of the World Heritage Site, Policy PCA1 is in general conformity with the Local Plan policies.</p> |
| <p>National Planning Policy Framework (2019)</p> | <p>The NPPF states that heritage assets 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. The NPPF recognises that World Heritage Sites are internationally recognised to be of Outstanding Universal Value and are an irreplaceable resource. Policy PCA1 seeks to ensure that the heritage assets in the Parish, and the nearby World Heritage Site, for which Marton lies within the buffer zone, are not negatively impacted by any development proposals.</p> |

| | |
|--|--|
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy PCA1 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 Marton remains a valued and attractive place to live, work and invest. |
|--|--|

| | |
|--|--|
| Updated Marton Neighbourhood Plan 2020 Policy | <p>PCA2 VILLAGE CENTRE</p> <p>The village centre is shown on Map 8.</p> <p>A mix of commercial, community and residential use should be retained in the village centre. Commercial proposals in the village centre will be supported where they support the vitality of the village centre and are in keeping with the character of the village.</p> |
| Cheshire East Local Plan Strategy (2017) | <p>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. Developments that support the retention and delivery of community services such as shops and public houses, and village halls will be supported.</p> <p>Policy SC 3 - Health and Well-Being highlights that the council and its partners will create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by protecting existing community infrastructure and ensuring the provision of a network of community facilities.</p> |
| Comments | The Neighbourhood Plan is in general conformity with these local plan policies, reflecting the desire to protect and enhance community facilities, and supporting businesses and employment. |
| National Planning Policy Framework (2019) | The NPPF is clear that in order to promote healthy and safe communities, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, and plan positively for the retention, development, provision and use of accessible community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Policy PCA2 also helps deliver the NPPF’s aim of supporting a strong, competitive economy. |
| Contribution to the achievement of sustainable development | This policy contributes to the achievement of sustainable development by performing an economic role, providing employment opportunities, and a social role, allowing for more employment opportunities which will lead to greater wellbeing and seeking the retention of important village assets that are important to the community. |

| | |
|---|---|
| <p>Updated Marton Neighbourhood Plan 2020 Policy</p> | <p>SBS1 SMALL BUSINESS SUPPORT POLICY</p> <p>Subject to respecting Marton’s built and landscape character, and environmental and residential amenity impacts being acceptable, the following will be supported –</p> <ul style="list-style-type: none"> a) The development of new small businesses and the expansion to an appropriate local scale of existing businesses, particularly on brownfield sites b) Proposals that promote or provide facilities for home working and businesses operating from home c) The sympathetic conversion of existing buildings for business and enterprise d) The appropriate diversification of farms and rural businesses e) Agricultural and Horticultural enterprises |
| <p>Cheshire East Local Plan Strategy (2017)</p> | <p>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>Policy SE 2 - Efficient Use of Land stresses that the Council will encourage the redevelopment / re-use of previously developed land and buildings.</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>Comments</p> | <p>The Neighbourhood Plan is in general conformity with these local plan policies, supporting businesses and employment, whilst ensuring that the open countryside is protected from inappropriate development.</p> |
| <p>National Planning Policy Framework (2019)</p> | <p>Neighbourhood Plan policy SBS1 helps deliver the NPPF’s aim of supporting a strong, competitive economy. To support a prosperous, rural economy, planning policies and decisions should enable</p> <ul style="list-style-type: none"> a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed 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. <p>The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.</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 wellbeing.</p> |

4.4 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 the Updated Neighbourhood Plan - see Marton SEA Screening Assessment, available at <http://www.martonparishcouncil.org.uk/martons-neighbourhood-plan/>

The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency).

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 Updated Neighbourhood Plan - see Marton SEA Screening Assessment, available at <http://www.martonparishcouncil.org.uk/martons-neighbourhood-plan/>

The Updated Marton Neighbourhood Plan 2020 is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and local level strategic planning policies, which are both compatible with the Convention. In accordance with established process, the Plan has been produced in full consultation with the local community and it is subject to independent examination. 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 local levels.

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 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 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 Neighbourhood Plan Steering Group and 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.

4.5 BASIC CONDITION 5: COMPLIANCE WITH PRECIBED MATTERS

There are no other prescribed matters.