

Nether Alderley
Neighbourhood Development Plan
2025 - 3030

Basic Conditions Statement



August 2025

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1.0 Introduction

1.1 [Planning Practice Guidance](#)¹ sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004².

1.2 In order to meet the Basic Conditions, the neighbourhood plan must:

- *Have regard to national policies and advice contained in guidance issued by the Secretary of State;*
- *Contribute to the achievement of sustainable development;*
- *Be in general conformity with the strategic policies of the development plan for the area;*
- *Be compatible with and not breach European Union (EU) obligations; under retained EU law*³; and
- *Meet prescribed conditions and comply with prescribed matters.*

1.3 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.⁴

1.4 This Basic Conditions Statement sets out how the Nether Alderley NDP (NANDP) has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

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

2.2 What is being proposed is a neighbourhood development plan

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

¹ Paragraph: 065 Reference ID: 41-065-20140306

² <https://www.legislation.gov.uk/ukpga/2011/20/schedule/10>

³ The existing body of environmental regulation is retained in UK law.

⁴ This revised Basic Condition came into effect by virtue of the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2025 to 2030 (from the current year and referring to the same period as [Cheshire East Local Plan Local Plan Strategy 2010 – 2030](#) Adopted 27 July 2017).

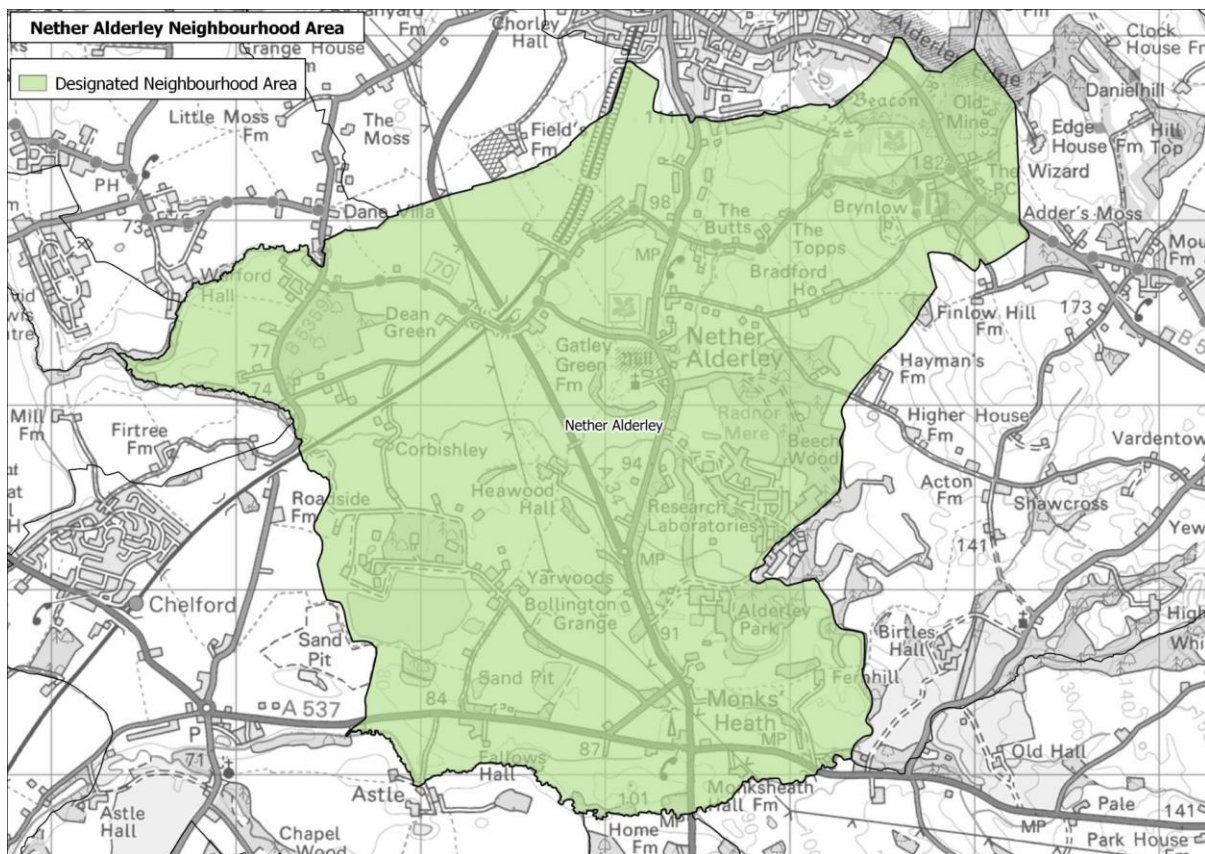
2.4 The policies do not relate to excluded development

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

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

The Neighbourhood Plan proposal relates to the designated Nether Alderley Neighbourhood Plan Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on the Map on p4 of NANDP.

Nether Alderley Designated Neighbourhood Plan Area and Parish



3.0 Basic Conditions

A. Regard to national policies and advice

- 3.1 Nether Alderley Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF), updated 12th December 2024⁵. Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

3.2 Achieving Sustainable Development

Paragraph 1 of the NPPF explains that *'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.'* Paragraph 7 sets out that *'The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.'* The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development.

- 3.3 Table 1 sets out how NANDP delivers the 3 overarching Objectives.

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	SRNP
<i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i>	<p>Nether Alderley is a largely rural area located within the Green Belt in the Cheshire East local authority area. The neighbourhood area includes a strategic allocation, Alderley Park (on previously developed land) and this is being developed into a world class life sciences research and development campus, with other residential, commercial and social development. NANDP recognises the significant economic potential of the site and includes policies to help ensure future development continues to be of a high quality.</p> <p>The Aims of the Plan include:</p>

⁵ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

	<ul style="list-style-type: none"> • To improve and maintain local services and facilities, and enable the provision of new; • To ensure that local infrastructure can be adaptable to technological changes; • To ensure that new development is designed to a high quality reflective of local character, to high environmental standards and performance, can enable home-working, and provides a good standard of private space. <p>The NDP Objectives include:</p> <p>Services and Infrastructure</p> <ul style="list-style-type: none"> • To maintain and improve local services and infrastructure throughout the parish. agreements associated with local developments can make appropriate improvements to services and facilities across the parish; and • To ensure that resources secured through planning. <p>Community Cohesion</p> <ul style="list-style-type: none"> • To ensure Nether Alderley will benefit from having Alderley Park with its employment and the facilities and services it provides. • To help ensure that new development on Alderley Park is sympathetic to the neighbourhood area and promotes connectivity to aid community cohesion with existing communities. <p>Local Economy</p> <ul style="list-style-type: none"> • To sustain and enhance a range of employment opportunities across the parish including Alderley Park and enabling growth by supporting existing businesses and encouraging sustainable new enterprises that help to diversify the local economy, without having unacceptable environmental impacts. <p>Policy CC1: Alderley Park adds local detail to higher level strategic policies by supporting appropriate development which improves local services and facilities.</p> <p>Policy SFP2 Communications Infrastructure recognises the need for improved</p>
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	<p>infrastructure and communications technologies in the area.</p> <p>Other NANDP policies support local economic growth in the wider rural area and are E1: Homeworking and Home-based Business, E2: Rural Business and Diversification and E3: Existing Local Employment Sites.</p> <p>Together these aims, objectives and local planning policies should contribute towards sustainable economic development.</p>
<p>b) a social objective - <i>to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></p>	<p>The neighbourhood plan area has a strong sense of local community and NANDP is built on this firm foundation to take opportunities to secure improvements in local facilities and services. The Plan's Aims include</p> <ul style="list-style-type: none"> • To improve and maintain local services and facilities, and enable the provision of new; • To promote the integration of the new Alderley Park with the wider parish; • To ensure that local infrastructure can be adaptable to technological changes; • To ensure that identified local housing needs can be addressed. <p>The Plan's Objectives include:</p> <p>Services and Infrastructure</p> <ul style="list-style-type: none"> • To maintain and improve local services and infrastructure throughout the parish. agreements associated with local developments can make appropriate improvements to services and facilities across the parish; and • To ensure that resources secured through planning <p>Community Cohesion</p> <ul style="list-style-type: none"> • To ensure Nether Alderley will benefit from having Alderley Park with its employment and the facilities and services it provides • To help ensure that new development on Alderley Park is sympathetic to the neighbourhood area and promotes connectivity to aid community.

	<p>Community Safety</p> <ul style="list-style-type: none"> • To ensure that new developments and local infrastructure works have community safety at the forefront of their implementation and delivery. <p>Housing</p> <ul style="list-style-type: none"> • To accommodate new housing development appropriate to the parish's rural setting, to satisfy strategic growth requirements, address identified local housing needs, and deliver locally needed infrastructure in parallel. <p>To deliver these social aims and objectives NANDP Policies include Policy CC1 Alderley Park which supports improved local services and facilities to benefit residents within and outside the Park area, Policy CC2: Nether Alderley Parish Hall which promotes community cohesion for all, CS1: Local Footpaths and Walkways which should encourage walking and so promote healthier lifestyles and H1: Housing to Address Local Needs which supports rural exception sites to meet local needs.</p> <p>Together these aims, objectives and local planning policies should contribute towards sustainable social development.</p>
<p><i>c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>NANDP has a strong focus on the protection and enhancement of the natural and built environment. The NDP recognises the area's built heritage assets including listed buildings and NdHAs. Natural heritage assets also are noted, plan policies should help to protect and enhance local landscape character and wildlife.</p> <p>The NDP Vision reflects this emphasis on the natural and built environment: <i>Nether Alderley will be a welcoming and distinct semi-rural community that enjoys an attractive countryside setting, but with excellent links to nearby settlements. The character of Nether Alderley will be maintained and enhanced through preserving the parish's historic environment and attracting the best of the new to ensure that it is an attractive place to live, work, and visit</i></p>

	<p>NANDP Aims include:</p> <ul style="list-style-type: none"> • To maintain and enhance the rural character of Nether Alderley and its local heritage and historic environment; • To maintain and enhance Nether Alderley's Green Belt • To ensure that local infrastructure can be adaptable to technological changes; • To ensure that new development is designed to a high quality reflective of local character, to high environmental standards and performance, can enable home-working, and provides a good standard of private space; and <p>Objectives include:</p> <p>Heritage and Design</p> <ul style="list-style-type: none"> • To ensure that heritage assets and their setting are protected and enhanced; • To ensure that all new development is sustainable and is to a high standard of design which is reflective of the local context and character; • To prepare design codes which accompany this Neighbourhood Plan. <p>Local Environment</p> <ul style="list-style-type: none"> • To protect and enhance the natural assets of the parish, preserve valued local environmental assets, and uphold the parish's rural character. <p>Sustainability and Future-Proofing accordance.</p> <ul style="list-style-type: none"> • To ensure developments are delivered in with local sustainable development principles, and deliver and utilise new infrastructure and technologies. <p>To deliver these environmental aims and objectives, NANDP includes the following policies:</p> <p>HD1: Local Design and Character which is underpinned by design codes and guidance and HD2: Local Heritage Assets – these together will help to ensure development is sensitive to local built character, context and heritage.</p> <p>Other policies will protect and enhance the natural environment. LE1: The Natural Environment aims to ensure new development</p>
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	<p>positively responds and is sensitive to adjacent land uses, LE2: The Countryside protects the countryside against inappropriate and intensive development, LE3: Green and Blue Infrastructure identifies opportunities for GI, and SFP1 Sustainable Construction and Energy Capture and Conservation promotes sustainable design. Policy SFP2 Communications Infrastructure recognises the need for improved infrastructure and communications technologies in the area and this should help to reduce travel.</p> <p>CC1: Alderley Park promotes sustainable transport by requiring newly created paths and cycleways connect with the existing local network.</p> <p>Overall, the NDP should help to support more sustainable development which conserves and enhances the built and natural environment and contributes to climate change objectives.</p>
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- 3.4 The presumption in favour of sustainable development is explained in relation to plan making in NPPF paragraph 11: *‘Plans and decisions should apply a presumption in favour of sustainable development.*

For plan-making this means that:

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

- 3.5 SRNP includes a suite of local policies which should together help to ensure development meets the needs of the local area, aligns infrastructure improvements, improves the environment, mitigates climate change and adapts to its effects.
- 3.6 Paragraph 13 explains that *‘The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.’*
- 3.7 NANDP has been prepared to support the delivery of strategic policies set out in Cheshire East Local Plan Strategy 2010-2030.
- 3.8 In **Section 3 Plan Making**, NPPF paragraph 16 sets out 6 principles that plans should address. Table 2 sets out how SRNP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making Plans should:	Nether Alderley NDP
<i>a) be prepared with the objective of contributing to the achievement of sustainable development</i>	<p>The NDP has been prepared to contribute to sustainable development; NDP policies support appropriate housing, social and economic development which respects the natural environment and built character of the neighbourhood area. Table 1 above sets out how the Plan's aims, objectives and policies will together help to achieve economic, social and environmental sustainability.</p>
<i>b) be prepared positively, in a way that is aspirational but deliverable;</i>	<p>The NDP has been prepared positively, with policies that are aspirational and deliverable. Policies promote high quality, sensitive and sustainable designs which apply principles set out in local design guidelines and codes.</p> <p>NANDP Policies have been informed by community engagement, prepared by independent planning consultants and updated taking into account advice and comments from officers at Cheshire east Council (CEC).</p>
<i>c) be shaped by early, proportionate and effective engagement between plan- makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.</i>	<p>The work on the NDP has been led by a steering group of local residents and parish councillors.</p> <p>The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at all stages of the Plan's preparation. Briefly these have included:</p> <ul style="list-style-type: none"> - visioning and policy mapping workshop held with the Parish Council early in 2019 - public consultation on key themes and emerging policies in February 2022 - Regulation 14 public consultation March to May 2023. <p>The NDP pages of the parish council website and newsletters have kept local stakeholders and residents up to date with the plan's progress.</p>
<i>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>	<p>The NDP policies and proposals have been prepared by the steering group, with support from a planning consultant and advice from officers at CEC.</p> <p>Amendments have been made through the process in response to suggestions provided during the public consultation processes. It is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<i>e) be accessible through the use of digital tools to assist public involvement</i>	<p>All relevant documents have been provided on the NDP pages of the parish council website throughout the Plan's preparation. The website has been kept up to date to include all documents</p>

<i>and policy presentation; and</i>	from each stage prior to submission. Consultations have invited responses using an online response form.
<i>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</i>	The NDP has been amended and updated throughout its preparation to reduce duplication with Cheshire East Local Plan (CELP) and national policies, whilst retaining a focus on local priorities identified through the various consultations.

3.9 The Plan Making Framework. Paragraph 18 sets out that *‘Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.’* The NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies.

3.10 Non-strategic policies. Paragraph 30 advises that *‘Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.’* The NDP refers to the relevant CELP policies in the supporting text. It does not promote less development than the Local Plan or undermine strategic policies.

3.11 In Part 5 Delivering a sufficient supply of homes. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs (paragraph 82) and to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83). NANDP does not include any site allocations for new housing but it includes positive planning policies to ensure new housing development is responsive to local housing needs.

3.12 Part 8 Promoting healthy and safe communities. Paragraph 96 advises that planning policies should aim to achieve healthy, inclusive and safe places which promote social interaction with street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods and are safe and accessible with well-designed, clear and legible pedestrian and cycle routes. Developments should enable and support healthy lives, through safe and accessible green infrastructure, and layouts that encourage walking and cycling. NANDP promotes health and wellbeing by noting the importance of local footpaths and cycle routes which link across and through the area, including to the open countryside and requiring new development at Alderley Park to include linkages to existing routes. These policies and proposals also support **NPPF Part 9 Promoting sustainable transport** which sets out that plan making should involve identifying and pursuing opportunities to promote walking, cycling and public transport use (paragraph 109 e)).

3.13 **Part 12 Achieving well-designed places** supports the preparation of local design codes. Paragraph 132 sets out that *‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.’* Nether Alderley Design Codes and Guidance was prepared to support the NDP and is referred to in several design policies. The design principles and codes form Appendix 1 of the NDP.

3.14 **Part 13 Protecting Green Belt Land** sets out that the Government attaches great importance to Green Belts (paragraph 142) and advises that development in the Green Belt is inappropriate unless one of several exceptional circumstances applies (paragraph 154) including g) limited infilling or the partial or complete redevelopment of previously developed land. NANDP area is entirely within the Green Belt, and this is recognised and noted many times in the NDP. Alderley Park is previously developed land and will continue to be the focus for new development in the area.

3.15 NANDP includes policies which support development which meets **the challenge of climate change, flooding and coastal change (Part 14)**. Policy SFP1 promotes sustainable design and Policy LE3: Green and Blue Infrastructure identifies local opportunities for creating new green and blue infrastructure across the parish which should contribute towards better water management.

3.16 **Part 15 Conserving and enhancing the natural environment** paragraph 187 advises that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity importance. Plans should also recognise the intrinsic character and beauty of the countryside. NANDP contains policies which require developments to be sensitive to the countryside setting and to conserve and enhance biodiversity Policies LE1 and LE2).

3.17 NANDP area includes many heritage assets including a Conservation Area and multiple Listed Buildings as well as Non designated Heritage Assets, and these are noted in the plan’s supporting text and form part of the justification for policies HD1 and HD2 which aim to protect heritage assets in the area. This is in line with NPPF **Part 16 Conserving and enhancing the historic environment** which notes that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 202).

B. Regard to the Desirability of Preserving any Listed Building or any Features of Special Architectural or Historic Interest

3.18 NANDP notes the listed buildings in the Parish. [Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

C. Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

3.19 There is a Conservation Area focussed around Nether Alderley's historic core. [Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

D. Contributes to the Achievement of Sustainable Development

3.20 The Submission Neighbourhood Development Plan contributes to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF. It supports appropriate new housing development in line with the policies and proposals in the adopted Local Plan and taking into account environmental constraints and opportunities such as landscape and built character, biodiversity and flooding.

E. General conformity with the strategic policies contained in the development plan

3.21 The Submission Neighbourhood Plan is in general conformity with strategic policies set out in **Cheshire East Local Plan Local Plan Strategy 2010 – 2030 Adopted 27 July 2017**. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan. (NANDP policies and supporting text also refer, where relevant, to the relevant policies in Cheshire East Local Plan Site Allocations and Development Policies Document Adopted December 2022 (SADPD)).

Table 3 General Conformity with Strategic Planning Policies

Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
All NANDP Policies	<p>Policy PG 3 Green Belt Green Belt is a designation for land around large built-up areas, which aims to keep land permanently open or largely undeveloped. This policy sets out the 5 purposes of the Green Belt and advises that planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy. Exceptions are identified and other forms of development which are also not inappropriate.</p> <p>Policy PG 7 Spatial Distribution of Development Spatial Distribution of Development 4. The Other Settlements and Rural Areas are expected to accommodate in the order of 69 hectares of employment land (figure including the 61 hectare Employment Improvement Area at Wardle) and 2,950 new homes (including Alderley Park).</p> <p>Policy SD 1 Sustainable Development in Cheshire East - Sets out 17 considerations in order for proposals to achieve sustainable development.</p>	<p>All NANDP Policies have been prepared to be in general conformity with the key strategic policies in the Local Plan.</p> <p>The neighbourhood area is located in the Green Belt (CELP Policy PG 3) and opportunities for development are limited to those set out as exceptions set out in Parts 3 and 4 of the strategic policy. The NDP notes that Alderley Park is previously developed land within the Green Belt. CELP Policy PG 3 Part 3 sets out that development which is not inappropriate includes vi. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.</p> <p>The NDP provides a local planning framework of policies which support development appropriate to the area's position in the settlement hierarchy as 'Other Settlements and Rural Areas' in CELP Policy PG 7 and recognises the strategic importance of Alderley Park and continued economic, housing and other development in the area.</p> <p>Strategic CELP Policy SD 1 sets out the principles for sustainable development which include such matters as infrastructure, access to jobs and services, sustainable transport, health, good design, social</p>

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Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
		inclusion, reducing carbon emissions and protecting and enhancing the environment. NANDP Policies expand on many of these matters and are in general conformity with them.
HD1: Local Design and Character	<p>Site LPS 61 Alderley Park Opportunity Site The council will support development on this site to create a life science park with a focus on human health science research and development, technologies, and processes, where 5 criteria are met including 2. Development shall be in accordance with the Alderley Park Development Framework.</p> <p>Policy PG 3 Green Belt</p> <p>Policy SD 2 Sustainable Development Principles</p> <p>Policy SE 1 Design sets out that development proposals should make a positive contribution to their surroundings in terms of sense of place, managing design quality, sustainable urban, architectural and landscape design, liveability / workability and designing in safety.</p>	<p>NANDP Policy HD1 requires development to accord with the strategic policy which identifies Alderley Park as an Opportunity Site (CELP Policy LPS 61).</p> <p>The NDP Policy goes on to explain that all new development must be locally inspired, reflect its setting in the Green Belt and demonstrate high quality design by applying various local design principles. These include responding to local character, promoting walking, retaining local landscape features and using appropriate species in new planting and incorporating local materials. The Policy refers to the area's location in the Green Belt (CELP Policy PG 3) and adds local details to strategic policies which promote sustainable development (CELP Policy SD 2) and high-quality design which contributes to a sense of place and responds positively to its context (CELP Policy SE 1).</p> <p>The Policy links to Nether Alderley Design Codes and Guidance and provides more detail about how the principles in the Policy should be applied.</p>
HD2: Designated and Non Designated Heritage Assets	<p>Policy SE 7 The Historic Environment sets out that the character, quality and diversity of the historic environment will be conserved and enhanced. All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, including the setting of assets and where appropriate, the wider historic environment.</p>	<p>NANDP Policy HD2 expects proposals to be supported by a heritage statement. The Policy and supporting text note the various heritage assets in the neighbourhood plan area.</p> <p>This is in general conformity with CELP Policy SE 7 which requires development to avoid harm to heritage assets and make a positive contribution to</p>

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Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
	<p>The Policy goes on to advise that the council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between</p> <p>the conservation of a heritage asset and any aspect of a development proposal through various means as appropriate to designated and non designated heritage assets. In addition for all heritage assets, high quality design should be achieved.</p>	<p>the character including the setting of assets and historic environment.</p>
<p>LE1: The Natural Environment</p> <p>LE2: The Countryside</p>	<p>Policy PG 6 Open Countryside</p> <p>The Open Countryside is defined as the area outside of any settlement with a defined settlement boundary.</p> <p>Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions include limited infilling in villages, re-using or replacing buildings, extensions and development to conserve heritage assets.</p> <p>Policy SE 1 Design sets out that development proposals should make a positive contribution to their surroundings in terms of sense of place, managing design quality, sustainable urban, architectural and landscape design, liveability / workability and designing in safety including appropriate lighting.</p>	<p>These 2 NANDP Policies aim to protect the rural character and countryside of the neighbourhood plan area and its natural environmental assets.</p> <p>NANDP Policy LE1 is in general conformity with CELP Policies related to environmental protection and enhancement. The NDP Policy requires development to enhance the natural environment by providing BNG if possible, on site or at least within the neighbourhood plan area and to provide a sufficient buffer. This supports CELP Policy SE 3 which requires development to conserve and enhance biodiversity and Policy SE 4 which requires development to conserve landscape character and enhance natural landscape features and to protect and or conserve the ecological qualities of an area.</p> <p>NANDP Policy LE2 requires development in the countryside to avoid unacceptable impacts, provide sensitive landscape design and to avoid unnecessary light pollution. This Policy will be applied where development in the Countryside is acceptable – as set</p>

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Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
	<p>Policy SE 3 Biodiversity and Geodiversity – this Policy requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. 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.</p> <p>Policy SE 4 The Landscape sets out that all development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Development will be expected to</p> <ul style="list-style-type: none"> i. Incorporate appropriate landscaping which reflects the character of the area through appropriate design and management; ii. Where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas; iii. Preserve and promote local distinctiveness and diversity; iv. Avoid the loss of habitats of significant landscape importance; 	<p>out in CELP Policy PG 6. Policy LE2 is in general conformity with CELP Policy SE 1 Design which requires proposals to make a positive contribution in terms of sense of place and landscape design including lighting. NANDP Policy LE2 is also in general conformity with CELP Policy SE 3 which sets out that development should contribute to conservation and enhancement of biodiversity and not negatively affect it and Policy SE 4 which requires landscaping to reflect the character of the area, promote local distinctiveness and avoid habitat loss.</p>

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Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
	v. Protect and / or conserve the historical and ecological qualities of an area	
LE3: Green and Blue Infrastructure	<p>Policy SE 6 Green Infrastructure Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, providing for healthy recreation and biodiversity and continuing to provide a range of social, economic and health benefits. This will be done by various means including linking assets, safeguarding GI, working with partners and strengthening the contribution that sport and playing fields, open space and recreation facilities make.</p> <p>Site LPS 61 Alderley Park Opportunity Site Site Specific Principles of Development include a. Contributions to education and health infrastructure and d. The protected trees shall be retained and incorporated into any development</p>	<p>NANDP Policy LE3 aims to protect and enhance GI including Blue Infrastructure in the Parish. The Policy identifies several local opportunities within the neighbourhood plan area where such networks could be improved. These include Alderley Park where there will be opportunities to improve open space and sports facilities as well as footpaths and transport networks. This is in general conformity with CELP Policy SE 6 which advises that the Council aims to deliver a good quality network by linking existing assets and working with partners to secure improvements. Site specific principles for Alderley Park set out in CELP Site LPS 61 include contributions to health and education infrastructure and retaining protected trees.</p>
SFP1: Sustainable Construction and Energy Capture and Conservation	<p>Policy SD 2 Sustainable Development Principles. See above – developments will be expected to use appropriate design, construction, insulation, layout and orientation to create developments that: Viii a. Are resilient to climate change; b. Minimise energy use; c. Use natural resources prudently; d. Promote the use, recovery and recycling of materials; e. Integrate or allow future integration of renewable energy technologies;</p> <p>Policy SE 8 Renewable and Low Carbon Energy. This Policy supports renewable and low carbon energy schemes (including community-led initiatives), in the</p>	<p>NANDP Policy SFP1 promotes sustainable and energy efficient development to contribute towards measures to tackle the climate crisis and links to Nether Alderley Design Codes and Guidance. The Policy also supports community energy initiatives and requires development to respect local context and be in accordance with Green Belt policy.</p> <p>This is in general conformity with CELP Policy SD2 which requires development to minimise energy use and use resources prudently. CELP Policy SE 8 supports support community energy schemes subject to criteria including landscape impact and Policy SE 9 advises that the council will look favourably on development that applies the principles in the Energy Hierarchy.</p>

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Nether Alderley NDP Policies	Cheshire East Local Plan - Local Plan Strategy 2010 – 2030 Adopted 27 July 2017	General Conformity
	<p>context of sustainable development and any impact on the landscape. Weight will be given to the wider environmental, economic and social benefits arising from renewable and low carbon energy schemes, whilst considering adverse impacts on matters such as landscape, habitats and visual intrusion.</p> <p>Policy SE 9 Energy Efficient Development The council will look favourably upon development that follows the principles of the Energy Hierarchy,</p>	
SFP2: Communications Infrastructure	<p>Policy IN 1 Infrastructure The council will require new and improved social and community facilities, utilities infrastructure and other infrastructure to be provided in a timely manner to meet the needs of new development as they arise so as to make a positive contribution towards safeguarding and creating sustainable communities, promote social inclusion and reduce deprivation.</p> <p>Policy CO 3 Digital Connections 1. 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. 2. Developers will be required to work with appropriate providers to deliver the necessary</p>	<p>NANDP Policy SFP2 supports infrastructure development related to improved broadband provision subject to impacts on heritage assets and the environment and Green Belt policy. This is in general conformity with CELP Policies IN 1 Infrastructure which requires new and improved infrastructure to be provided in a timely manner and CO 3 Digital Connections which supports high capacity, leading edge digital communication networks to meet the needs of businesses and communities.</p>

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	physical infrastructure to accommodate information and digital communications (ICT) networks as an integral part of all appropriate new developments	
<p>CC1: Alderley Park</p> <p>CC2: Nether Alderley Parish Hall</p>	<p>Strategy Policy SC 1 Leisure and Recreation advises that to provide appropriate leisure and recreational facilities for communities the council will seek to protect and enhance existing leisure and recreation facilities, unless a needs assessment has clearly proven them to be surplus to requirements to local community needs or unless alternative provision, of equivalent or better quality, is to be made and support and promote the provision of better leisure, community and recreation facilities, where there is a need for such facilities, the proposed facilities are of a type and scale appropriate to the size of the settlement, are accessible and support the objectives of the Local Plan Strategy.</p> <p>Policy SC 3 Health and Well-Being sets out that the council and its partners will create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by, amongst other things, 5. Protecting existing community infrastructure and ensuring the provision of a network of community facilities, providing essential public services together with private and voluntary sector facilities, to meet the needs of the local community.</p> <p>Site LPS 61 Alderley Park Opportunity Site Site Specific Principles of Development a. Contributions to education and health infrastructure.</p>	<p>NANDP Policies CC1 and CC2 aim to improve local community provision both within Alderley Park and in the historic core where the village hall is the focus for local community activity. A particular focus is to promote community cohesion and to encourage new residents (most of whom will be living in Alderley Park) to feel welcome within and part of the existing community.</p> <p>These Policies are in general conformity with CELP Policies SC 1 which advises that the council will protect and enhance existing leisure and recreation facilities and SC 3 which sets out 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 to meet community needs. Alderley Park is expected to contribute to education and health infrastructure in Site LPS 61.</p>

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CS1: Local Footpaths and Walkways	<p>Policy CO 1 Sustainable Travel and Transport sets out various measures that the council will expect from developers to deliver a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking, is supportive of the needs of residents and businesses, and prepares for carbon free modes of transport.</p> <p>Site LPS 61 Alderley Park Opportunity Site Specific Principles of Development</p> <p>a. Contributions to education and health infrastructure</p>	<p>NANDP Policy CS1 encourages and supports walking and cycling by guiding development proposals to link to existing networks and identifying where improvements can be made. This is in general conformity with CELP Policy CO 1 which encourages a modal shift towards cycling and walking.</p> <p>In addition LPS 61 expects Alderley Park to contribute to education and health infrastructure.</p>
H1: Housing to Address Local Needs	<p>Policy PG 6 Open Countryside Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions include affordable housing, in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs'.</p> <p>Policy SC 4 Residential Mix New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.</p> <p>Policy SC 5 Affordable Homes Sets out local thresholds and requirements.</p> <p>Policy SC 6 Rural Exceptions Housing for Local Needs</p>	<p>NANDP Policy H1 supports affordable housing on rural exception sites.</p> <p>This is in general conformity with several CELP policies: the NDP policy recognises Nether Alderley's location in the Green Belt (see above – All NANDP Policies) and Open Countryside (CELP Policy PG 6 and Policy SC 6) and policies to guide the type of residential mix and affordable homes (Policies SC 4 and SC 5). In Alderley park schemes will be required to provide affordable housing in line with CELP Policy SC 5.</p>

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	<p>Rural Exceptions affordable housing will be permitted as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to various criteria being met.</p> <p>Site LPS 61 Alderley Park Opportunity Site Site Specific Principles of Development b. This Local Plan Strategy site is expected to provide affordable housing in line with policy requirements set out in Policy SC 5 'Affordable Homes.</p>	
<p>E1: Homeworking and Home-based Business</p> <p>E2: Rural Business and Diversification</p> <p>E3: Existing Local Employment Sites</p>	<p>Policy EG 2 Rural Economy This Policy sets out that outside the higher level settlements, developments that provide opportunities for local rural employment that supports the vitality of rural settlements and (amongst other things) encourages the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification will be supported subject to criteria including it supports the rural economy, has adequate infrastructure is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity.</p> <p>Policy EG 3 Existing and Allocated Employment Sites Existing employment sites will be protected for employment use unless various conditions apply including the site is no longer suitable or viable for employment use; and there is no potential for</p>	<p>NANDP recognises recent increases in the number of people working from home and the need for new housing and conversions to accommodate these changes in working practices through NDP Policy E1. This is in general conformity with strategic Policy CO 1 which recognises that working from home can help to reduce travel and contributes to a more sustainable pattern of living and working.</p> <p>NANDP Policy E2 is in general conformity with CELP Policy EG3 as it requires satisfactory evidence that the existing use is redundant and can no longer be Sustained and Policy EG3 protects the employment use unless, amongst other things, the site is no longer viable and no other occupiers can be found.</p> <p>NANDP Policy E3 supports appropriate rural diversification where there is not an unacceptable environmental impact and subject to Green Belt policy. This is in general conformity with CELP Policy EG 2 Rural Economy which supports local rural employment that supports the vitality of rural</p>

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	<p>modernisation or alternate employment uses; and no other occupiers can be found.</p> <p>Policy CO 1 Sustainable Travel and Transport sets out that the council will expect development to:</p> <p>1. Reduce the need to travel by: ...</p> <p>iii. Encouraging more flexible working patterns and home working.</p>	<p>settlements provided it is of a suitable scale and does not adversely affect nearby buildings and the surrounding area or residential amenity.</p>

F. Compatible with EU Obligations

The Nether Alderley Neighbourhood Development Plan is fully compatible with EU Obligations.

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

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

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

SEA

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

Cheshire East Council prepared the Nether Alderley Parish Council Neighbourhood Development Plan SEA Screening Report in February 2023. The Report is provided on the NDP page of the Parish Council website. The Conclusion is set out below:

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

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

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

The three Consultation Bodies (Historic England, Natural England and Environment Agency) were consulted and Historic England and Natural England responded to say that they accepted the Screening Conclusion. The responses are provided in Appendix A of the Screening Report.

European Convention on Human Rights

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

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

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

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

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

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

G. Prescribed conditions and matters have been complied with.

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

5.0 Conclusion

- 5.1 This Basic Conditions Statement sets out how the Nether Alderley Neighbourhood Development Plan meets the required Basic Conditions.
- 5.2 The independent Examiner will consider this further in the Examination of the NDP and may make recommendations for further modifications before the Plan should proceed to a local referendum.

Nether Alderley Parish Council

With assistance from

