

Ollerton with Marthall
Neighbourhood Development Plan
2023 - 2030
Basic Conditions Statement

(July 2025)

Ollerton with Marthall Parish Council

Supported by



Contents

1.0 Introduction3

2.0 Legal Requirements4

3.0 Basic Conditions5

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan5

3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest12

3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area13

3.4 d. Contributes to the Achievement of Sustainable Development13

3.5 e. In General Conformity with Strategic Planning Policy13

3.6 f. Be Compatible with EU Obligations51

3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).52

1.0 Introduction

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

¹ <https://www.legislation.gov.uk/ukpga/2004/5/section/38A>

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 Ollerton with Marthall Parish Council.

2.2 What is being proposed is a neighbourhood development plan

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

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

The 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 the Cheshire East Council Local Plan).

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 Ollerton with Marthall neighbourhood plan designated 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 and is shown on Figure A in the NDP.

3.0 Basic Conditions

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

- 3.1 The Ollerton with Marthall Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the National Planning Policy Framework (NPPF) updated December 2024 with subsequent amendment February 2025)².

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

2. Achieving Sustainable Development

- 3.2 Paragraph 1 of the NPPF (the Framework) 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. 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.'
- 3.3 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 and the application of policies in the Framework (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development. Table 1 sets out how the Ollerton with Marthall NDP delivers the 3 overarching Objectives.

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	Ollerton with Marthall NDP Policies
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	<p>The parish of Ollerton with Marthall is rural in character. It is located in the Cheshire East Council area and is washed over by Green Belt. A significant proportion of the working population work from home at least part of the time but there is also a number of small rural businesses and farms which continue to diversify.</p> <p>One of the NDP Objectives is to support the local economy.</p> <p>The NDP includes Policy ECON1 which supports appropriate rural diversification, including development associated with the rural economy, facilities for homeworking and</p>

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

	conversions.
<p>b) a social objective – – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p>The NDP has been prepared with a strong focus on providing a sustainable and healthy future for local residents. NDP policies protect highly valued local community facilities and promote suitable housing designs which respond to local character and heritage and which meet local needs.</p> <p>Objectives include to protect and enhance heritage and conservation assets, enhance access to the countryside, ensure developments are in keeping with the character of the villages and to improve / develop the parish centre.</p> <p>Relevant Policies include HER1 and 2 which protect built heritage, HOU1 which supports proposals where they meet Geen Belt criteria, HOU2 which promotes a suitable mix of house types and sizes and HOU3 which requires a high quality of design.</p> <p>Policy ENV5 protects PROW, COM1 identifies important local community facilities which provide for social activities and support health and wellbeing and TRAN1 which encourages walking and cycling and hence active lifestyles.</p>
<p>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.</p>	<p>Delivering multiple environmental benefits is at the heart of Ollerton with Marthall NDP. The Plan has a strong emphasis on protecting and enhancing the environment and responding to climate change. The Parish has significant natural and built heritage assets. The NDP is underpinned by an extensive evidence base including a wildlife and habitats survey, a character assessment and heritage audit and design guidance, and a conservation area appraisal. Policies have been strengthened in relation to water management in response to comments from United Utilities. Two Local Green Spaces are designated.</p> <p>Objectives include to protect the natural environment, to protect and enhance heritage and conservation assets and enhance access to the countryside, to ensure all developments are in keeping with the character of the villages and to improve and maintain road safety. These will be delivered by all the policies in the NDP.</p>

Plan Making

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

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

Table 2 Plan Making

NPPF Plan Making	Ollerton with Marthall NDP
a) be prepared with the objective of contributing to the achievement of sustainable development	<p>The NDP has been prepared to contribute to sustainable development; NDP policies support appropriately designed housing development with a strong emphasis on sustainable and high quality design.</p> <p>Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively. The Steering Group has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development.</p> <p>Built and natural heritage studies were commissioned by the Parish Council as part of the NDP process and have been used to inform policies on design heritage.</p>
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	<p>The work on the NDP has been led by a Steering Group of local residents and parish councillors.</p> <p>The NDP's preparation has been supported by officers from Cheshire East Council and independent heritage consultants.</p> <p>The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at various stages of the Plan's preparation. Briefly these have included:</p> <ul style="list-style-type: none"> - A survey delivered to every household in early 2018 - A drop in event in January 2019 - A flyer detailing NDP objectives in March 2019 - Regulation 14 formal consultation. In summer 2022 including 2 drop in events in May 2022. - <p>The NDP has been amended at various stages in response to comments submitted during the various public consultation stages.</p>
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	<p>The NDP policies and proposals have been prepared by the steering group, with support from a heritage consultant and advice from</p>

	<p>Cheshire East Council.</p> <p>Amendments have been made through the process in response to suggestions provided through public consultation. It is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	<p>All relevant documents have been provided on the NDP website at various stages and the website has been updated to include all documents from each stage prior to submission.</p> <p>Responses by email and using an online response form were invited at informal and formal consultation stages.</p> <p>Copies of presentation material including maps and plans were published on the website for those unable to attend drop in events in person.</p>
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	<p>The NDP has been amended and updated throughout its preparation to avoid duplication with Cheshire East Council and national planning policies.</p> <p>The NDP recognises the rural character of the Parish and sets out a locally relevant planning policy framework for the area.</p> <p>Development is constrained by the Green Belt but the NDP provides a positive planning framework to guide appropriate and limited new development and conversions in the area.</p>

The Plan Making Framework

- 3.5 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.'
- 3.6 Ollerton with Marthall NDP contains non-strategic planning policies and proposals that add local detail and value to adopted strategic policies.

Non-strategic policies

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

- **Cheshire East Local Plan Local Plan Strategy 2010 – 2030 Adopted 27 July 2017.** The Local Plan Strategy sets out strategic priorities for the development of the area, along with planning policies and proposals to make sure that new development addresses the economic, environmental and social needs of the area. It was adopted on 27 July 2017.
- **Cheshire East Local Plan Site Allocations and Development Policies Document Adopted December 2022.** The SADPD is the second part of the Cheshire East Local Plan and provides detailed planning policies and land allocations in line with the overall approach set out in the Local Plan Strategy. It was adopted on 22 December 2022.

(In addition the following documents form part of the Local Plan but are not relevant to the NDP: Saved policies from the Cheshire Waste Local Plan; Saved policies from the Cheshire Minerals Local Plan; and made neighbourhood development plans.)

- 3.9 Ollerton with Marthall NDP has been prepared to be in general conformity with adopted strategic planning policies .
- 3.10 There are no other housing allocations in the neighbourhood plan area but, as has happened historically, there is likely to be continued small scale development over the Plan period where it is not inappropriate in the Green Belt.
- 3.11 Paragraph 31 goes on to say that 'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'

Delivering a sufficient supply of homes

Rural housing

- 3.12 Paragraph 69 sets out that 'strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.'
- 3.13 The Parish is in the Green Belt and does not have a minimum housing target set out in the Local Plan. NDP policies support appropriately designed housing which responds to local needs for smaller homes including homes for first time buyers and older people.

Building a strong, competitive economy

Supporting a prosperous rural economy

- 3.14 Paragraph 88 advises that 'Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'

- 3.15 The NDP recognises the need to support appropriate rural diversification and identifies the various local community facilities in the Parish which are highly valued by local people.

Promoting healthy and safe communities

- 3.16 Paragraph 96 sets out that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: ... c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'
- 3.17 Paragraph 103 goes on to say, 'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'
- 3.18 The NDP supports walking and cycling and one of the objectives is to enhance access to the countryside. PROW are identified and protected, and development should avoid the loss or degradation of PROW and any diversions should provide community benefits (Policy ENV5). The PC also supports measures to improve road safety on rural roads.

Promoting sustainable transport

- 3.19 Paragraph 109 e) advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The NDP promotes walking and cycling.

Making effective use of land

- 3.20 Paragraph 124 advises that 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'
- 3.21 Paragraph 125 goes on to say, 'Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.'
- 3.22 The NDP includes detailed policies to protect and enhance local wildlife and habitats to support biodiversity net gain.

Achieving well-designed places

- 3.23 Paragraph 131 explains that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is

essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

- 3.24 Paragraph 132 goes on to say that 'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'
- 3.25 The NDP is underpinned by a character assessment and built heritage audit and a conservation area appraisal and these documents have informed design related policies in the NDP.

Protecting Green Belt land.

- 3.26 Ollerton with Marthall Parish is protected by the Green Belt and this is noted in the NDP.
- 3.27 Paragraph 153 sets out that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'
- 3.28 The NDP also identifies two Local Green Spaces in accordance with paragraphs 106 - 108.

Meeting the challenge of climate change, flooding and coastal change

- 3.29 Paragraph 161 advises that 'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'
- 3.30 Paragraph 162 advises that 'New development should be planned in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'
- 3.31 NDP policies concerning wildlife, landscape character and drainage were strengthened following representations made during the Regulation 14 consultation to bring them up to date in relation to the climate emergency.

Conserving and enhancing the natural environment

- 3.32 Paragraph 187 advises that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

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

- 3.33 This forms a large part of the NDP. The plan describes the distinctive local landscape character and landscape character of the Parish, identifies areas of wildlife importance and sets out how proposals should protect and enhance landscape character and contribute to biodiversity net gain.

Ground conditions and pollution

- 3.34 Paragraph 198 sets out that ‘Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: ... c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.’
- 3.35 Policy ENV4 protects the area’s dark skies from light pollution.
- 3.36 Paragraph 199 sets out ‘Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage.’
- 3.37 The NDP supports walking and cycling and changes in transport to more sustainable alternatives should contribute towards managing improvements in air quality and reduced CO₂ emissions.

Conserving and enhancing the historic environment

- 3.38 Paragraph 202 advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.
- 3.39 The NDP notes the many built heritage assets in the Parish and includes policies which aim to protect local heritage assets including the Conservation Area and Designated and Non-designated Heritage Assets.

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

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

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

- 3.41 The Plan area includes School Lane, Ollerton Conservation Area. [Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.4 d. Contributes to the Achievement of Sustainable Development

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

3.5 e. In General Conformity with Strategic Planning Policy

- 3.43 The Submission Neighbourhood Plan is in general conformity with policies set out in the adopted Cheshire East Local Plan.
- 3.44 Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the CELPS. Relevant non-strategic policies in the SADPD are also noted.

Table 3: General Conformity with Adopted Strategic Local Planning Policies

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>POLICY ENV1 – WILDLIFE SITES, WILDLIFE CORRIDORS AND BIODIVERSITY</p> <p>The local wildlife sites (Figure B), the areas of high distinctiveness habitat (Figure C) and the wildlife corridor network (Figure D) shall be protected from significant harm except where that harm can be adequately mitigated, or, as a last resort, compensated for. The enhancement of these sites will be supported.</p> <p><u>1. High Distinctiveness Habitat</u> Areas identified on Figure C as supporting high distinctiveness habitat will be protected from development proposals by at least a 15m buffer zone.</p> <p><u>2. Medium Distinctiveness</u></p>	<p>Policy SE 3 Biodiversity and Geodiversity</p> <p>1. Areas of high biodiversity and geodiversity value will be protected and enhanced. Enhancement measures will include increasing the total area of valuable habitat in the Borough, and linking up existing areas of high value habitat to create 'ecological stepping stone sites', 'wildlife corridors' and 'Nature Improvements Areas'. Ecological networks and connectivity are vitally important in sustaining sites and addressing the impacts of climate change.</p> <p>....</p> <p>4. Development proposals which are likely to have a significant adverse impact on a site with one or more of the following local or regional designations, habitats or species will not be permitted except where the reasons for or benefits of the proposed development outweigh the impact of the development:</p> <p>i. Local Nature Reserves</p>	<p>Policy ENV 1 Ecological network</p> <p>1. The ecological network consists of core areas; corridors and stepping stones; restoration areas; sustainable land use areas; and the Meres and Mosses catchments (buffer zones).</p> <p>2. Core areas; corridors and stepping stones; restoration areas; and the Meres and Mosses catchments (buffer zones) are shown on the adopted policies map.</p> <p>3. Sustainable land use areas consist of all land outside of the core areas; corridors and stepping stones; and restoration areas.</p> <p>4. Within the components of the ecological network, as identified on the policies map, development proposals should:</p> <p>i. increase the size, quality or quantity of priority habitat within core areas, corridors or stepping stones;</p> <p>ii. within corridors and stepping stones, improve the connectivity of habitats for the movement of mobile species;</p> <p>iii. in restoration areas, improve the</p>	<p>NDP Policy ENV1 identifies significant local wildlife sites and habitats and wildlife corridors within the neighbourhood plan area and sets out how these areas should be protected and how biodiversity should be enhanced.</p> <p>This is in general conformity with CELPS Policy SE 3 which sets out that areas of high biodiversity value will be protected and enhanced. The strategic policy refers to Local Wildlife Sites and Designated Wildlife Corridors and notes that development proposals that are likely to have a significant impact on a site valued by the local community identified in a Neighbourhood Plan will only be permitted where suitable mitigation and / or compensation is provided or where any residual harm is clearly outweighed by the benefits of the development.</p> <p>SADPD Policy ENV 1 identifies assets which form the ecological network and this includes corridors, stepping stones and meres and mosses catchments, such as those</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p><u>Habitat</u> Areas identified on Figure C as supporting medium distinctiveness habitat are considered to be biodiversity opportunity areas. A comprehensive ecological evaluation will be required if they are put forward for development and this will identify replacement within the parish to achieve a net gain in biodiversity.</p> <p><u>3. Wildlife Corridors</u> A. The wildlife corridor network identified in Figure D will also be protected by a 15m non-developable buffer zone. B. New developments must not obstruct or lead to a disconnection between existing wildlife corridors and where possible should contribute to the creation of new or improved links. Development proposals where the primary objective is to conserve or enhance biodiversity will be supported.</p>	<p>ii. Sites of Biological Importance (SBI) or Local Wildlife Sites iii. Regionally Important Geological and Geomorphological Sites (RIGGS) iv. Designated Wildlife Corridors v. Habitats and species within the Cheshire Biodiversity Action Plan vi. National priority species and habitats (commonly known as 'UK BAP priority habitats and species') published for England under the requirements of Section 41 of the Natural Environment and Rural Communities Act 2006' vii. Legally protected species viii. Areas of Ancient and Semi-Natural Woodland ix. Nature Improvement Areas</p> <p>5. All development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. When appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and</p>	<p>structural connectivity, resilience and function of the network; iv. in buffer zones within core areas and around protected meres and mosses, minimise adverse impacts from pollution and disturbance. 5. Areas of ecological value may be designated within neighbourhood plans and where relevant, policies for them within neighbourhood plans will also be applied when considering planning applications that might affect them.</p>	<p>identified in the NDP area. Schemes should improve connectivity. Neighbourhood plans can be used to designate areas of ecological value.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
New developments will be required to deliver biodiversity net gain (BNG) using appropriate evaluation methodologies and avoidance/mitigation strategies. Where possible, BNG should be delivered on site, or where this is not feasible, within the Ollerton with Marthall Neighbourhood Plan Area.	<p>offsetting is effective.</p> <p>6. 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 or the Site Allocations and Development Policies documents 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>		
POLICY ENV2 – TREES, HEDGEROWS AND WATERCOURSES Trees, hedgerows, watercourses and other natural features which make a significant contribution to Ollerton with Marthall's local landscape character will be protected and where	Policy SE 5 Trees, Hedgerows and Woodland 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	Policy ENV 6 Trees, hedgerows and woodland implementation 1. Development proposals should seek to retain and protect trees, woodlands and hedgerows. 2. The layout of the development proposals must be informed and supported by an arboricultural impact assessment and/or hedgerow survey. Trees, woodlands and hedgerows considered worthy of	NDP Policy ENV 2 is in general conformity with CELPS Policy SE 5. The NDP Policy notes the importance of trees, hedgerows and watercourses in the area as important contributors to landscape character. Key important trees in the parish are identified and this adds local detail to the strategic policy. Retention in situ is preferred to offsite replacement.

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>opportunities allow enhanced. Development affecting these natural features will be assessed using the development management policies in the Local Plan.</p> <p><u>Trees</u></p> <p>Trees in Ollerton and Marthall of significant note and which should be protected include:-</p> <p>i. Ollerton Lodge, trees along the boundary with School Lane</p> <p>ii. The Old Shippon, trees along the east side of the field to the south of the converted barn</p> <p>iii. The Old School House, single tree in the north east corner of the garden and group of trees along the west rear boundary</p> <p>iv. Land south of Old School House, five individual trees and a group of trees to the south, including an Oak Tree planted in 1980 to mark the Queen Mother's 80th</p>	<p>surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives.</p> <p>Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting. The council will seek to ensure:</p> <p>1. The sustainable management of trees, woodland and hedgerows including provision of new planting within the infrastructure of new development proposals to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity;</p> <p>2. The planting and sustainable growth of large trees within new development as part of a structured landscape scheme in order to retain and improve tree canopy cover within the borough as a whole.</p>	<p>retention should be sustainably integrated and protected in the design of the development to ensure their long-term survival.</p> <p>3. Where the loss of significant trees is unavoidable, replacement tree planting should be provided, of a commensurate amenity value to the trees that are lost and to secure environmental net gain.</p> <p>4. Replacement trees, woodlands and/or hedgerows must be integrated in development schemes as part of a comprehensive landscape scheme. Where it can be demonstrated that this is not practicable, contributions to off-site provision should be made, prioritised in the locality of the development.</p> <p>5. New streets should be tree-lined unless there are clear, justified and compelling reasons why this would be inappropriate.</p> <p>6. Development proposals should put in place appropriate measures to secure the long-term maintenance of newly planted trees.</p> <p>Ancient woodland and veteran trees</p> <p>7. Appropriate buffers must be provided adjacent to/around ancient woodland to avoid any harm to the</p>	<p>The Policy also suggests how landscaping schemes should be used to mitigate and adapt to climate change, following comments submitted in response to the Reg 14 consultation.</p> <p>SADPD Policy ENV 6 sets out more detail to advise how development proposals should protect trees or replace them.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>birthday v. Queen Victoria Jubilee Lime Tree, in the grass triangle at the junction of School Lane and Moss Lane vi. Black Walnut planted to the south of the junction on east side of School Lane in 1977 to mark the Silver Jubilee of Queen Elizabeth II.</p> <p><u>Landscaping</u></p> <p>New development that impacts on the area's landscape should include landscaping that complements and maintains the rural character of the surrounding area. Opportunities should be taken to plan positively for climate change in all landscaping schemes. Soft and hard landscaping should be designed to maximise resource and water efficiency and be climate resilient. Planting schemes should include species that can withstand prolonged</p>		<p>woodland arising from new development. Development proposals on any site adjacent to ancient woodland must be supported by evidence to justify the extent of the undeveloped buffer proposed. 8. Ancient or veteran trees must be retained in development schemes and, wherever possible, located in public open space. Retained veteran trees must be protected through a management plan in accordance with Natural England guidelines (Veteran Trees: A Guide to Good Management).</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>periods of drought and other extreme weather events. Opportunities should be taken to utilise existing vegetation and to plant new trees and shrubs to provide shade and shelter.</p> <p>Proposed landscaping will be required to evaluate and identify opportunities for such landscaping to be integrated with sustainable surface water management including water re-use opportunities. In designing proposals applicants will be expected to consider the following:</p> <ul style="list-style-type: none"> - green roofs; - permeable surfacing; - soakaways and filter drainage; - swales, including retrofitted swales; - bioretention tree pits/rain gardens; - basins and ponds; and - reedbeds and wetlands. - grey water recycling systems and water butts. 			

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>POLICY ENV3 – SURFACE WATER MANAGEMENT AND SEWERAGE</p> <p>New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. The approach to surface water drainage should be considered in liaison with the Local Lead Flood Authority (LLFA), the public sewerage undertaker and where appropriate the Environment Agency.</p> <p>All applications will be required to be supported by a foul and surface water management strategy. This will be required to be a comprehensive strategy to ensure a fragmented approach to drainage is avoided on different phases of development. The hierarchy for the management of surface water</p>	<p>Policy SE 13 Flood Risk and Water Management</p> <p>Developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance, by ensuring that:</p> <ol style="list-style-type: none"> 1. All development follows the sequential approach to determining the suitability of land for development, direct new development to areas at lowest risk of flooding and where necessary apply the exception test; this should take into account all sources of flooding identified in the Cheshire East SFRA. 2. All planning applications for development at risk of flooding are supported by an appropriate Flood Risk Assessment (FRA) to demonstrate that development proposals will not increase flood risk on site or elsewhere and opportunities to reduce the risk of flooding are sought, taking into account the impacts of Climate 	<p>Policy ENV 16 Surface water management and flood risk</p> <p>In order to manage surface water drainage effectively and reduce the risk of flooding elsewhere, in accordance with LPS Policy SE 13 'Flood risk and water management', development proposals should satisfy the following criteria:</p> <ol style="list-style-type: none"> 1. It should be demonstrated how surface water runoff can be appropriately managed. Surface water runoff should be managed to achieve: <ol style="list-style-type: none"> i. on greenfield sites, at least no increase in runoff rates, and a reduction in rates where possible; and ii. on previously developed sites, a reduction in existing runoff rates in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015) or any subsequent replacement standards. 2. Development proposals should manage and discharge surface water through a sustainable drainage system (SuDS). The preference will be for new development to incorporate surface 	<p>NDP Policy ENV3 supports CELPS Policy SE 13 by providing additional detail following comments submitted by United Utilities in response to the Reg 14 consultation. Although there may be some overlap the NDP Policy is a more up to date policy and includes important points relating to local issues and the need to address climate change more effectively through water management – efficient use and suitable drainage. The NDP Policy also provides additional and specific details to SADPD Policy ENV 16.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>should be followed and surface water will only be allowed to discharge to the public sewer as a last resort. Applicants will be required to incorporate sustainable drainage which is multi-functional and at the surface level in preference to conventional underground piped and tanked storage systems, unless, in exceptional cases, there are clear, justifiable and compelling reasons why this would be inappropriate.</p> <p>Surface water should be discharged in the following order of priority:</p> <ul style="list-style-type: none"> i. Re-use ii. An adequate soakaway or some other form of infiltration system. iii. An attenuated discharge to watercourse or other water body. iv. An attenuated discharge to public surface 	<p>Change in line with the Cheshire East SFRA. New development will be required to include or contribute to flood mitigation, compensation and / or protection measures, where necessary, to manage flood risk associated with or caused by the development.</p> <p>3. New development is designed to be safe, taking into account the lifetime of the development, and the need to adapt to climate change.</p> <p>4. All developments, including changes to existing buildings, seeks improvements to the current surface water drainage network and be designed to manage surface water. This should include appropriate sustainable drainage systems (SuDS) and green infrastructure to store, convey and treat surface water prior to discharge with the aim of achieving a reduction in the existing runoff rate, but must not result in an increase in runoff. It is not sustainable to dispose of surface water via the public sewer systems; applicants seeking to drain to the public sewers must demonstrate there are no other more sustainable viable options. Where appropriate, opportunities to open</p>	<p>level SuDS with multi-functional benefits, as opposed to underground tanked storage systems, for the management of surface water. If it is demonstrated that such a system cannot feasibly be achieved, then the following options may be implemented, in the priority listed:</p> <ul style="list-style-type: none"> i. an attenuated discharge to watercourse; or ii. where (i) is demonstrated not to be feasible, an attenuated discharge to a highway drain(10) or public surface water sewer; or iii. where (ii) is demonstrated not to be feasible, an attenuated discharge to a public combined sewer. <p>3. Approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage schemes.</p> <p>4. Development in a critical drainage area must address and mitigate known risks in that area, where relevant and appropriate.</p> <p>5. Development proposals should not result in the loss of open watercourse, and culverts should be opened wherever possible. The culverting of existing</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>water sewer or highway drain. v. An attenuated discharge to public combined sewer.</p> <p>Applicants should consider site topography, any naturally occurring flow paths, any exceedance flood paths from existing drainage systems, and any low lying areas where water will naturally accumulate. Resultant layouts should take account of such existing circumstances to ensure the most sustainable and flood resilient solution is achieved. Applications for the detail of development will be required to provide details, such as, ground and finished floor levels alongside details of the drainage strategy, to ensure the proposal is flood resilient.</p> <p>Drainage will be required to be considered early in the design process and linked to any strategy for landscaping,</p>	<p>existing culverts should be identified.</p> <p>5. Where water infrastructure capacity is an issue, all major development must demonstrate that there is adequate infrastructure in place to serve the development.</p> <p>6. New development enhances and protects surface and ground water quality and complies with the Water Framework Directive in ensuring that development does not cause a deterioration in the status of inland waters, unless suitable mitigation measures are in place; and</p> <p>7. New development incorporates water efficiency measures.</p>	<p>open watercourses will not be permitted unless it is adequately demonstrated that there is an overriding need to do so.</p> <p>6. Watercourses and riverside habitats must be conserved and enhanced, where necessary, through management and mitigation measures.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>biodiversity and public realm improvements. Any approach to landscaping will be required to be evaluated to identify opportunities for landscaping to be integrated with sustainable surface water management. The evaluation of surface water management opportunities should be undertaken early in the design process and identify SuDS opportunities such as:</p> <ul style="list-style-type: none"> - green roofs; - permeable surfacing; - soakaways and filter drainage; - swales, including retrofitted swales; - bioretention tree pits/rain gardens; - basins and ponds; and - reedbeds and wetlands. <p>Where Sustainable Urban Drainage Systems (SuDS) which drain to watercourses are included as part of new developments, applicants will</p>			

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>be expected to maximise opportunities for filtration of any surface water prior to discharge. In addition, the system should be designed in accordance with the latest industry guidance (including sewerage sector guidance where the discharge is proposed for adoption) to ensure that the impact on the receiving watercourse is appropriately controlled. SuDs should not drain directly into existing wildlife habitats or watercourses unless the filtration system is extensive.</p> <p>All new dwellings shall be connected to a mains sewer as long as there is capacity for the additional load and the cost of connection to a mains sewer would not render the development unviable. In these cases where mains sewer connection is not an option, the best available technology should be used to manage drainage and protect the</p>			

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>surrounding environment, ideally using a package treatment plant which discharges to a soakaway.</p> <p>Where an existing sewer passes through a development site, early dialogue with United Utilities will be required prior to the submission of a planning application to understand how the sewer can be accommodated in the design and whether there is any existing flood risk which should be avoided. The infrastructure could be material to the design of the site / principle of development and could limit the quantum of development that that can be achieved.</p> <p>Applications for new development must be accompanied by a management and maintenance regime for any drainage system. This should include a management and maintenance</p>			

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
regime for any watercourse within the application site or an immediately adjacent watercourse where the application site is afforded riparian rights.			
<p>POLICY ENV4 - DARK SKIES</p> <p>Whilst ensuring that new developments are secure in terms of occupier and vehicle safety, dark skies are to be preferred over street lights. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife subject to highway safety, the needs of individuals or groups, and security. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the night-time skies dark and reducing glare.</p>	<p>Policy SE 12 Pollution, Land Contamination and Land Instability</p> <p>1. The council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise, and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be</p>	<p>Policy ENV 14 Light pollution</p> <p>Lighting schemes will be permitted provided the following criteria are met:</p> <ol style="list-style-type: none"> 1. the amount of lighting is the minimum required for security, safety and/or operational purposes; 2. light spillage and glare will be minimised to an acceptable level; 3. the lighting is as energy efficient as possible; and 4. there will be no significant adverse effect individually or cumulatively on: residential amenity; pedestrians, cyclists and other road users; the character of the area; nature conservation; heritage assets; specialist facilities; and individuals and groups. 	<p>NDP Policy ENV 4 has been prepared to help ensure the area's dark skies remain protected as an important local feature.</p> <p>This is in general conformity with CELPS Policy SE 12 which requires development to not result in a harmful or cumulative impact upon light pollution. SADPD Policy ENV 14 provides criteria for instances where lightings schemes would be permitted but NDP Policy ENV 4 is more restrictive to keep the nighttime skies dark and reduce glare.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	permitted.		
<p>POLICY ENV5 – FOOTPATHS AND BRIDLEWAYS</p> <p>Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way (PROW) network (see Figure F - map of existing PROW), its enhancement where possible, and improvements to the safety of users of rural roads and lanes.</p> <p>Any development that leads to the loss or degradation of any PROW, or any cycleway, will not be permitted in other than very special circumstances, and then only if a suitable alternative can be provided. Proposals to divert PROWs or cycleways should provide clear and demonstrable benefits for the wider community. Where relevant and feasible new development must provide easy, accessible</p>		<p>Policy INF 1 Cycleways, bridleways and footpaths</p> <ol style="list-style-type: none"> 1. Development proposals that would lead to the loss or degradation of a public right of way (such as a footpath, cycleway or bridleway) or a permissive path (such as a canal towpath) will not be permitted. 2. Development proposals that involve the diversion of cycleways, footpaths or bridleways will only be permitted where the diversion is no less convenient than the existing route. 3. Development proposals should seek to contribute positively to: <ol style="list-style-type: none"> i. the Cheshire East Cycling Strategy; ii. the Cheshire East Rights of Way Improvement Plan Strategy and Implementation Plans; and iii. the walking, cycling and public transport objectives of the Cheshire East Local Transport Plan. 4. Development proposals should seek, where feasible, to provide links to national cycle routes, long-distance footpaths, canal towpaths and rights of way networks. 5. Design and access statements must be accompanied by maps 	<p>NDP Policy ENV 5 notes the existing network of PROW and seeks to ensure development does not have an adverse impact upon them. Additional routes will be supported.</p> <p>The Policy adds local detail to SADPD Policy INF 1 by supporting increased accessibility for a range of users in new developments.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
traffic-free routes for non-motorised users (to include pedestrians, disabled people, people with prams or baby-buggies, cyclists and where appropriate equestrians) to local facilities and the nearby countryside.		showing links to community facilities and existing public rights of way as per the Active Design guide principle in the Cheshire East Borough Design Guide supplementary planning document.	
<p>POLICY HER1 – HERITAGE</p> <p>Proposals will be supported if they conserve and enhance Ollerton with Marthall's designated and non-designated heritage assets (Figures G, H and I) and their settings, maintaining local distinctiveness, character and sense of place.</p> <p>New buildings ancillary to heritage assets should not harm the significance of the asset itself, its setting, or the wider character of the area. Where appropriate, applicants should demonstrate how their proposal takes into account and responds to the Ollerton</p>	<p>Policy SE 7 The Historic Environment</p> <p>1. Cheshire East has an extensive and varied built heritage and historic environment, described in the justification text to this policy. 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>2. Proposals for development shall be assessed and the historic built environment actively managed in order to contribute to the significance of heritage assets and local distinctiveness.</p>	<p>Policy HER 1 Heritage assets</p> <p>1. All proposals affecting heritage assets and their settings must be accompanied by proportionate information that assesses and describes their impact on the asset's significance. This must demonstrate a thorough understanding of the significance of the heritage asset and its setting, including (but not limited to) its historic form, fabric, character, archaeology and any other aspects that contribute to its significance. This should have regard to and reference, where relevant:</p> <ul style="list-style-type: none"> i. the Cheshire Historic Environment Record; ii. relevant conservation area appraisals; iii. the Cheshire Historic Landscape Assessment; 	<p>NDP Policy HER1 has been prepared to provide more local detail to strategic policies which protect and enhance built heritage.</p> <p>Policy HER1 requires development to refer to the Ollerton with Marthall Character Assessment and Heritage Audit and Design Guide which describes the unique local character and heritage of the Parish's buildings and structures. In addition to identifying designated heritage assets the report describes a number of non designated heritage assets and their significance. The Policy makes reference to these and the local list can be found on the NDP website / in Appendix X. Therefore the Policy is in general conformity with and adds local detail to the higher level heritage policies.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p><i>with Marthall Character Assessment and Heritage Audit and Design Guide 2020 (link)</i></p> <p>Development affecting the following non-designated heritage assets will be assessed against Policy HER7 Non-designated heritage assets of the <i>Cheshire East Local Plan Site Allocations and Development Management Policies Document</i> (link).</p> <ul style="list-style-type: none"> • The Dun Cow • Yew Tree Cottages • Toll Bar Cottages • Pear Tree Farm and Barns • Beechcroft • Hill Cottage • Brook House Farm • Spinney Cottage • Sycamore Farm and Sycamore Farm Barn • Ollerton Well and Ollerton Cottage • Beeches Farmhouse and adjacent Barn 	<p>Where a development proposal is likely to affect a designated heritage asset (including its setting) the significance of the heritage asset, including any contribution made by its setting, must be described and reported as part of the application.</p> <p>3. The council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by:</p> <p>a. Designated Heritage Assets:</p> <p>i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.</p> <p>ii. Considering the level of harm in relation to the public benefits that may be gained by the proposal.</p> <p>iii. The use of appropriate legal agreements or planning obligations to secure the benefits arising from a development proposal where the</p>	<p>iv. the Cheshire Historic Towns Survey;</p> <p>v. national sources; and</p> <p>vi. original survey and field evaluation.</p> <p>2. Where works of structural alteration to a heritage asset are proposed, the application must be accompanied by an adequate structural engineer's report and method statement of the impact of the works and how it will be carried out.</p> <p>Policy HER 7 Non-designated heritage assets</p> <p>When considering the direct or indirect effects of a development proposal on a non-designated heritage asset (including locally listed buildings), a balanced judgement will be required, having regard to the significance of the heritage asset and the scale of any loss or harm.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<ul style="list-style-type: none"> • Beech Cottage • Ivy Cottage • Fern Cottage, Stud Cottage, Old Stables and The Old Shippon • Old School House • Foxford • Moss Farm • Wood Cottage • Lower Mosswood House • Sycamore Cottage • Cragg House Farm • Sandhole Farm • Holly Cottage • All Saints Church • The Old Vicarage • Glover's Cottage • The Egerton Arms • Fallows Cross Cottage • Kell Green Hall Farm 	<p>loss, in whole or in part, of a heritage asset is accepted.</p> <p>b. Non-Designated Assets: i. Requiring that the impact of a proposal on the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities. There should be a balanced consideration, weighing the direct and indirect impacts upon the asset and its setting, having regard to the scale of any harm or loss. The presumption should be that heritage assets should be retained and re-used wherever practicable and proposals that cannot demonstrate that the harm will be outweighed by the benefits of the development shall not be supported. Where loss or harm is outweighed by the benefits of development, appropriate mitigation and compensation measures will be required to ensure that there is no net loss of heritage value</p> <p>4. For all heritage assets, high quality design should be achieved. It should aim to avoid poorly executed pastiche design solutions and should foster innovation and</p>		

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	<p>creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.</p> <p>5. Cheshire East Council will seek to positively manage the historic built environment through engagement with landowners/asset owners and other organisations and by working with communities to ensure that heritage assets are protected, have appropriate viable uses, are maintained to a high standard and are secured and have a sustainable future for the benefit of future generations. Proposals that conserve and enhance assets on the Heritage at Risk register will be encouraged.</p>		
<p>POLICY HER2 – SCHOOL LANE, OLLERTON CONSERVATION AREA</p> <p>Development proposals in the School Lane, Ollerton Conservation Area (Figure H) must demonstrate how they have considered and responded to the School Lane, Ollerton Conservation Area</p>	<p>Policy SE 7 The Historic Environment</p> <p>See above.</p>	<p>Policy HER 3 Conservation areas</p> <p>1. Development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Proposals should take account of the established townscape and landscape character of the area and its wider setting,</p>	<p>Policy HER2 refers to the School Lane, Ollerton Conservation Area and local design criteria are drawn from the Conservation Area Appraisal which was commissioned by the Parish Council as part of the NDP process.</p> <p>The Policy is in general conformity with CELP SE 7 which sets out that for all heritage assets, high quality design should be achieved.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>Character Appraisal 2020 (link), or any updated version, and should take account of the following:</p> <ul style="list-style-type: none"> i. the historic rural, agricultural, spatial setting and qualities of a dispersed settlement; ii. the largely unchanged development pattern, dating from the post-medieval period, with a variety of vernacular brick buildings; iii. the public open spaces associated with road junctions at the junction of School Lane and Hall Lane, and at the junction of School Lane with Moss Lane; iv. the wide green verges, hedgerows and overhanging trees; v. the rural boundary treatments of hedges and picket fences, with higher brick walls for the few substantial houses; vi. the setting of the two landmark buildings of Ollerton 		<p>including (but not limited to):</p> <ul style="list-style-type: none"> i. local topography, landscape setting and natural features; ii. existing townscape, local landmarks, views and skylines; iii. the quality and nature of material, both traditional and modern; iv. the established layout and spatial character of building plots, the existing alignments and widths of historic routes and street hierarchy (where physically and historically evident); v. the contribution that open areas make to the special character and appearance of the conservation area; vi. the scale, height, bulk and massing; vii. architectural historical and archaeological features and their settings; viii. the need to retain historic boundary and surface treatments; ix. the local dominant building materials; x. the building typology that best reflects the special character and appearance of the area, features and detailing; xi. minimising and mitigating the loss of trees, hedgerows and other landscape features; 	<p>Development should seek to avoid harm to heritage assets and make a positive contribution to the character. SADPD Policy HER 3 requires proposals to take account of the established townscape and landscape character of the area and its wider setting.</p> <p>NDP Policy HER2 provides advice to developers about how the special character of the conservation area should be considered in proposals and is in general conformity with these higher level policies.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
Hall and The Old School; vii. the important views north along Moss Lane towards Jubilee Tree and the pond at the junction with School Lane; south from School lane across the pond towards Old School and Jubilee Tree; across of Ollerton Hall from School Lane across the junction with Potts Lane; and the view south along School Lane from the junction with Potts Lane, including Ollerton Lodge.		and xii. any positive improvements in the quality of the historic environment as a result of the development. 2. Proposals for the demolition of a building or group of buildings that positively contribute to the character or appearance of a conservation area will not be supported unless the harm or loss is outweighed by the public benefits of an approved replacement scheme.	
POLICY HOU1 – HOUSING The neighbourhood area/Parish lies wholly within the Green Belt, and new development will be supported that accords with the relevant paragraphs of the NPPF and Green Belt Policy PG3 of the Cheshire East Local Plan (included as Appendix 1 of this document) . The conversion of farm	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. 1. The purposes of the Green Belt are to: i. check the unrestricted sprawl of large built up areas; ii. prevent neighbouring towns from merging into one another; iii. safeguard the countryside from encroachment; iv. preserve the setting and special	Policy RUR 14 Re-use of rural buildings for residential use 1. The residential re-use of existing rural buildings will be permitted where the building is: i. of permanent and substantial construction so as not to require extensive alteration or rebuilding; and ii. of a size that is able to accommodate a satisfactory living environment in the new dwelling and any extension required	NDP Policy HOU1 has been prepared to be in general conformity with higher level Green Belt and rural area policies. Opportunities for development in the area are limited and the Policy refers to Policy PG3 and adds local detail. Conversions should retain local character and avoid urbanisation, and development of previously developed land should not have a greater impact on openness than previous buildings and uses.

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
buildings to residential properties must ensure that any important characteristics and features of the original buildings are retained. Proposals must ensure that the urbanisation of the development is kept to a minimum, that the rural and open character of the area is not adversely affected, and that the development is kept to the footprint of the original buildings as far as possible.	<p>character of historic towns; and v. assist urban regeneration by encouraging the recycling of derelict and other urban land.</p> <p>2. Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.</p> <p>3. The construction of new buildings is inappropriate in Green Belt. Exceptions to this are</p> <ul style="list-style-type: none"> i. buildings for agriculture and forestry; ii. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it; iii. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; iv. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; v. limited infilling in villages, and limited affordable housing for local 	<p>must be in accordance with the requirements of Policy RUR 11 'Extensions and alterations to buildings outside of settlement boundaries'.</p> <p>2. The curtilage of the new dwelling must be limited to the original curtilage of the building unless an extension can be justified under Policy RUR 12 'Residential curtilages outside of settlement boundaries' and must not have a harmful effect on the character of the surrounding countryside.</p> <p>3. The proposals must be sympathetic to the building's architectural character and/or historic interest, as well as the character of its rural surroundings. Particular attention will be given to the impact of domestication and urbanisation of the proposals on the surrounding rural area including through:</p> <ul style="list-style-type: none"> i. the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use; ii. the provision of safe vehicular access; iii. the provision of adequate amenity space and parking; iv. the introduction of a domestic 	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	<p>community needs under policies set out in the Local Plan; or</p> <p>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>4. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:</p> <ul style="list-style-type: none"> i. mineral extraction; ii. engineering operations; iii. local transport infrastructure that can demonstrate a requirement for a Green Belt location; iv. the re-use of buildings provided that the buildings are of permanent and substantial construction; and v. development brought forward under a Community Right to Build Order. <p>...</p>	<p>curtilage;</p> <p>v. the alteration of agricultural land and field walls; and</p> <p>vi. any other engineering operation associated with the development.</p> <p>4. In the Green Belt, LPS Policy PG 3 'Green Belt' will also apply and the relevant paragraphs of the NPPF will be a material consideration.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	7. Green Belt boundaries will be identified on the Adopted Policies Map of the Local Plan.		
<p>POLICY HOU2 – HOUSING MIX AND TYPE</p> <p>Proposals for new housing development in Ollerton with Marthall acceptable under Green Belt policy should seek to redress the imbalance of the existing housing stock by providing smaller dwellings. Unless viability or other material considerations demonstrate a robust justification for a different mix the development should provide a maximum of one-third detached properties, the rest should be a mix of 1 or 2 bedroomed bungalows, terraced and semi-detached properties suitable for first time buyers or those wishing to downsize.</p>	<p>Policy SC 4 Residential Mix</p> <p>1. 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. This could include Key Worker Housing and people wishing to build or commission their own home.</p> <p>2. To meet the needs arising from the increasing longevity of the borough's older residents, the council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. This would include the provision of a variety of dwelling types and other measures to support Health and Wellbeing and independent living through new developments that recognise the needs of older people, those with dementia and other vulnerable people; this will include developing dementia-friendly communities.</p>	<p>Policy HOU 1 Housing mix</p> <p>1. In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demands. Taking account of the most up to date housing needs and demand information, national policies and where relevant, neighbourhood plan policies, a housing mix statement should be provided at detailed planning/reserved matters stage for all major housing schemes on how the proposed housing mix and type on the site responds to:</p> <p>i. assessments of housing need including house types, tenures and sizes using Table 8.1 'Indicative house type tenures and sizes' as a starting point for analysis;</p> <p>ii. assessment of the local housing market and its characteristics;</p>	<p>CELPS SC 4 sets out that 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. SADPD Policy HOU 1 advises that developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demands.</p> <p>NDP Policy HOU2 supports housing proposals which would be permitted under Green Belt policy where they provide suitable house types and sizes. The Policy sets out that unless otherwise justified development should provide a mix of detached, bungalows terraced and semi detached properties suitable for first time buyers and older people as these sizes and types of houses are in short supply in the area. The Policy seeks to redress the imbalance of existing housing stock and provide more smaller dwellings.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	<p>3. Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.</p>	<p>iii. character and design of the site and local area reflecting on the scheme's ability to accommodate a mix and range of housing; and iv. the requirements of Policy HOU 3 'Self and custom build dwellings'.</p> <p>2. The housing mix statement should demonstrate how the proposal would address the needs of particular groups in the borough including first time buyers, those wishing to self build, families, the requirements of an ageing population and those also wishing to downsize.</p> <p>3. The housing mix statement should also address how the proposal will be capable of meeting, and adapting to, the long term needs of the borough's older residents including supporting independent living.</p> <p>4. Housing developments that do not demonstrate an appropriate mix on the site will not be permitted. Where a housing mix statement is required, the council will consider the extent to which it addresses the factors outlined above in determining whether a scheme provides</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
		for an appropriate housing mix on site.	
<p>POLICY HOU3 – DESIGN</p> <p>To ensure that buildings, characteristic features and materials are representative of the local character of Ollerton with Marthall, the design and layout of all new developments should demonstrate consideration of and respond to the <i>Ollerton with Marthall Character Assessment, Heritage Audit and Design Statement (2020)</i> and the <i>Cheshire East Design Guide (2017)</i> or any updated versions of these documents. New development should take the following into account, where relevant:</p> <p>i. Development should respect the local vernacular, of two-storey farmhouses, barns and small cottages of brick, with slate roofs. Traditional materials and detailing should be included in new designs. The predominant building</p>	<p>CELPS Policy SE 1 Design</p> <p>Development proposals should make a positive contribution to their surroundings in terms of the following:</p> <ol style="list-style-type: none"> 1. Sense of place <ol style="list-style-type: none"> i. Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements; ii. Ensuring sensitivity of design in proximity to designated and local heritage assets and their settings; iii. Ensuring that places are designed around the needs and comfort of people and not vehicles, so that layout, street design and parking is in accordance with the principles set out in Policy CO 1 and Manual for Streets; iv. Ensuring that proposals are underpinned by character and design assessment commensurate with the scale and complexity of the development; v. Encouraging innovative and creative design solutions that are appropriate to the local 	<p>GEN 1 Design Principles</p> <p>In line with LPS policies SD 2 'Sustainable Development Principles' and SE 1 'Design', development proposals should:</p> <p>Sense of place</p> <ol style="list-style-type: none"> 1. create high quality, beautiful and sustainable buildings and places, avoiding the imposition of standardised and/or generic design solutions where they do not establish and/or maintain a strong sense of quality and place; 2. create a sense of identity and legibility by using landmarks and incorporating key views into, within and out of new development; 3. reflect the local character and design preferences set out in the Cheshire East Borough Design Guide supplementary planning document unless otherwise justified by appropriate innovative design or change that fits in with the overall form and layout of their surroundings; <p>Managing design quality</p> <ol style="list-style-type: none"> 4. ensure that design codes prepared for major development 	<p>NDP Policy HOU3 is in general conformity with and adds local detail to higher level policies on design.</p> <p>The NDP Policy particularly addresses 'sense of place' in CELPS Policy SE 1 and SADPD Policy GEN 1 by requiring consideration of the Ollerton with Marthall Character Assessment, Heritage Audit and Design Statement and Cheshire East Design Guide. The NDP Policy notes local detailing, materials and landscape which contribute to local character and which should be taken into account.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>material is brick, often lime-washed, with red brick and plum coloured brick being common.</p> <p>ii. Roofs are largely slate, and original roof pitches should be retained. Leadwork, fascias, eaves and bargeboards should be retained or repaired with like for like. For loft conversions, conservation highlights flush with the roof should be used and located on the rear slope of the roof.</p> <p>iii. Original chimney stack and pots should be retained.</p> <p>iv. Timber is generally used for window frames and doors. The use of PVC doors and window frames should be avoided.</p> <p>v. Extensions should ideally be at the rear of the property so that the street view remains largely unchanged, and their size and scale should be proportionate to the original building.</p> <p>vi. New development</p>	<p>context; and</p> <p>vi. Ensuring a high quality public realm that enhances conditions for pedestrians and cyclists and creates opportunities for social interaction.</p> <p>2. Managing design quality</p> <p>i. Ensuring for larger scale and more complex developments that design proposals have positively responded to the Design Review process(62);</p> <p>ii. Ensuring for major developments that Masterplanning and Design Coding forms an integral part of the design process;</p> <p>iii. Ensuring that housing developments achieve Building for Life 12 (or as updated) standard; and</p> <p>iv. Encouraging sustainable construction practices including the use of appropriate recycled and sustainable materials of high quality.</p> <p>3. Sustainable urban, architectural and landscape design</p> <p>i. Encouraging the introduction of passive environmental design principles and climate change adaptation features in the orientation of buildings and spaces and detailed design;</p>	<p>schemes are based on effective engagement, reflect local design aspirations and take into account the Cheshire East Borough Design Guide supplementary planning document for residential schemes, relevant design policies in neighbourhood plans and the Design Guide and National Model Design Code;</p> <p>5. provide evidence for all major development schemes of how design assessment frameworks, including Building for a Healthy Life, have influenced the proposed design. This should include an appropriate level of engagement with the council and local communities;</p> <p>6. ensure any changes made to development proposals between permission and completion do not materially diminish the quality of development;</p> <p>Sustainable urban, architectural and landscape design</p> <p>7. create buildings and spaces that function well, are fit for purpose and yet are innovative, adaptable and flexible to respond to changing social, environmental, technological and</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>should complement its immediate surroundings, in terms of both the natural landscape and the built environment.</p> <p>vii. Development adjoining open countryside should provide a sympathetic transition between the built environment and the countryside.</p> <p>viii. Development should be bordered by boundary treatments appropriate to its location, with hedgerows and low rise picket fences being preferable. Existing hedgerow boundaries should be protected wherever possible and maintained as a feature of new development. Over dominant or industrial style fencing not in keeping with the character of Ollerton and Marthall and will not be supported.</p> <p>ix. Development should not have a significant negative impact upon, nor inappropriately urbanise the</p>	<p>ii. Encouraging sustainable modes of travel through appropriate design;</p> <p>iii. Reducing energy and water usage through appropriate design;</p> <p>iv. Encouraging the use of renewable/low carbon energy technology, as appropriate; and</p> <p>v. Encouraging the use of green infrastructure.</p> <p>4. Liveability / workability</p> <p>i. Ensuring appropriate level of privacy for new and existing residential properties;</p> <p>ii. Ensuring appropriate external storage;</p> <p>iii. Ensuring a high quality internal and external working environment commensurate with the type and nature of business, particularly for new build development or conversions to office space;</p> <p>iv. Ensuring appropriate provision for waste storage allowing for its sustainable management; and</p> <p>v. Ensuring appropriate access for the mobility impaired or partially sighted.</p> <p>5. Designing in safety</p> <p>i. Ensuring high levels of passive</p>	<p>economic conditions over the lifetime of the development</p> <p>8. wherever possible, retain and creatively re-use existing buildings as part of new development;</p> <p>Safety, inclusivity and accessibility</p> <p>9. be accessible and inclusive – ensuring that developments and spaces can be used safely, easily and with dignity by all, regardless of disability, age, gender, ethnicity or economic circumstances;</p> <p>10. ensure that car parking and electric vehicle charging infrastructure are carefully sited and designed.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>rural country lanes.</p> <p>x. New development should be positioned such that it does not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour, or in any other way.</p> <p>xi. The orientation of new buildings should be arranged to maintain as far as is possible the views from existing buildings.</p> <p>xii. Existing landscape features such as trees, water courses, ditches and ponds should be retained and incorporated into the overall design of the scheme to enhance local biodiversity and preserve the landscape character.</p> <p>xiii. Designs should also incorporate principles of sustainable design and incorporate resource and energy efficiency measures,</p>	<p>surveillance of streets, spaces and parking including appropriate lighting;</p> <p>ii. Incorporating Secured by Design principles, provided that these are adequately balanced against other design considerations and do not undermine the quality of the development; and</p> <p>iii. Ensuring that site layout and design minimises the opportunity for crime.</p>		

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
including efficient use of water. Residential development must achieve as a minimum the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day. Non-domestic buildings will be expected to achieve a BREEAM rating of 'Excellent'			
<p>POLICY COM1 – COMMUNITY FACILITIES</p> <p>Local community facilities in Ollerton with Marthall Neighbourhood Plan Area include the following:</p> <ol style="list-style-type: none"> All Saints' Church, The Village Hall, The Egerton Arms Public House The Dun Cow Public House. <p>These are shown on Map J Proposals for new community</p>	<p>Policy SC 3 Health and Well-Being</p> <p>The council and its partners will create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by:</p> <p>...</p> <p>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>Policy REC 5 Community facilities</p> <p>1. Development proposals should seek to retain, enhance and maintain community facilities that make a positive contribution to the social or cultural life of a community. The particular benefits of any proposal that secures the long-term retention of a community facility will be given positive weight in determining planning applications.</p> <p>2. Any community facility that makes a positive contribution to the social or cultural life of a community should be retained unless suitable alternative provision is made.</p>	<p>CELPS Policy SC 3 safeguards opportunities for healthy and active lifestyles by protecting and ensuring provision of community facilities. DADPD Policy REC 5 requires proposals to enhance and maintain community facilities.</p> <p>NPDP Policy COM1 is in general conformity with these higher level policies as it identifies important local community facilities in the neighbourhood plan area and supports proposals for their refurbishment and improvement. The policy also protects against their loss to non-community uses unless there are demonstrable benefits or the facility is replaced or it is no</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>facilities or the refurbishment and improvement of existing facilities will be supported, subject to other policies within the Neighbourhood Plan.</p> <p>Changes of use of community buildings currently providing a community facility to non-community buildings which require planning permission will not normally be permitted, unless any replacement use will provide equal or greater benefits to the community, the facility is replaced elsewhere, or it is demonstrated that the facility is no longer required.</p>		<p>3. Proposals for new community facilities will be supported where they are in accordance with policies in the development plan.</p>	<p>longer required.</p>
<p>POLICY COM2 – LOCAL GREEN SPACES The areas listed below and shown on Map K are designated as ‘Local Green Spaces’ where only development consistent with national Green Belt policy will be supported.</p> <p>LGS1 – Triangle, junction of</p>		<p>Policy REC 1 Open space protection</p> <p>1. Development proposals that involve the loss of open space, as defined in Criterion 2 below, will not be permitted unless:</p> <ul style="list-style-type: none"> i. an assessment has been undertaken that has clearly shown the open space is surplus to requirements; or ii. it would be replaced by equivalent 	<p>The NDP identifies 2 Local Green Spaces in the Plan area.</p> <p>SADPD Policy REC 1 seeks to protect various types of open space including ‘play areas’ and ‘other incidental open spaces, which are too small to be shown on the adopted policies map, but which are of public value for informal recreation or visual amenity.’</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
School Lane and Moss Lane LGS2 – Oaklands Road Play Area, off Marthall Lane		<p>or better open space in terms of quantity and quality and it is in a suitable location; or</p> <p>iii. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss.</p> <p>2. The types of open space to which this policy applies includes: existing areas of open space shown on the adopted policies map, such as formal town parks, playing fields, pitches and courts, play areas, allotments and amenity open space; other incidental open spaces, which are too small to be shown on the adopted policies map, but which are of public value for informal recreation or visual amenity; and open spaces provided through new development yet to be shown on the adopted policies map.</p>	The 2 Local Green Spaces are in general conformity with this approach.
POLICY TRAN1 – SUSTAINABLE TRANSPORT In order to improve transport and safety and to facilitate	CELPS Policy CO 1 Sustainable Travel and Transport To deliver the council objectives of delivering a safe, sustainable, high quality, integrated transport	Policy INF 3 Highway safety and access 1. Development proposals should: i. comply with the relevant Highway Authority's and other highway design	NDP Policy TRAN1 seeks to improve transport and safety and facilitate cycling and walking by various local measures. This is in general conformity with CELPS Policy CO 1 which requires

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>cycling and walking, applicants for new development or for conversions of agricultural buildings which lead to an increase in vehicle numbers must, where relevant, demonstrate:</p> <p>A. Safe walking and cycling routes in the immediate area of the proposed site, with consideration of access to services and facilities; B. The provision of safe cycle storage facilities; C. How the proposal links to public transport; D. How any adverse impacts of traffic from the proposed development will be mitigated; E. That the most up to date car parking standards required by Cheshire East Council will be met; F. That the proposed site is located in an acceptable location in relation to the existing highway network, especially from a safety and</p>	<p>system that encourages a modal shift away from car travel to public transport, cycling and walking; supportive of the needs of residents and businesses and preparing for carbon free modes of transport, the council will expect development to:</p> <p>1. Reduce the need to travel by:</p> <ul style="list-style-type: none"> i. Guiding development to sustainable and accessible locations or locations that can be made sustainable and accessible; ii. Ensuring development gives priority to walking, cycling and public transport within its design; iii. Encouraging more flexible working patterns and home working; iv. Supporting improvements to communication technology for business, education, shopping and leisure purposes and; v. Supporting measures that reduce the level of trips made by single occupancy vehicles. <p>2. Improve pedestrian facilities so that walking is attractive for shorter journeys(82) including:</p> <ul style="list-style-type: none"> i. Supporting the priority of pedestrians at the top of the road user hierarchy and making sure that in settlements, town centres and residential areas, the 	<p>guidance;</p> <ul style="list-style-type: none"> ii. provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles; iii. make sure that development traffic can be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, or result in severe residual cumulative impacts on the road network; iv. incorporate measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities; and v. not generate movements of heavy goods vehicles on unsuitable roads, or on roads without suitable access to the classified highway network. <p>2. In accordance with the council's local validation requirements and LPS Policy CO 4 'Travel plans and transport assessments', all development proposals that</p>	<p>development to give priority to walking and cycling.</p> <p>SADPD Policy INF 3 sets out how highway schemes should ensure safe movement and access and the NDP Policy supports these principles and provides more local detail relevant to the Parish.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>aggregate congestion viewpoint;</p> <p>G. That any vehicular access arrangements will not be detrimental to the character of village lanes maintaining verges, trees and hedgerows wherever possible.</p> <p>H. That the needs of children, horse riders, those with disabilities and the elderly have been positively considered; especially in relation to rural lanes and roads. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.</p>	<p>public realm environment reflects this priority;</p> <p>ii. Supporting safe and secure access for mobility and visually impaired persons including mobility scooter users and parents with pushchairs;</p> <p>iii. Creating safe and secure footways and paths linking with public transport and other services;</p> <p>iv. Ensuring new developments are convenient, safe and pleasant to access on foot;</p> <p>v. Supporting work to improve canal towpaths and public rights of way where they can provide key linkages from developments to local facilities;</p> <p>vi. Supporting measures that introduce safe routes to schools; and</p> <p>vii. Ensuring a selective and ongoing review of speed limits, as appropriate.</p> <p>3. Improve cyclist facilities so that cycling is attractive for shorter journeys(83) including:</p> <p>i. Creating safe and pleasant links for cyclists travelling around the borough;</p> <p>ii. Providing secure cycle parking facilities at new developments, at public transport hubs,</p>	<p>generate a significant amount of movement should be supported by a travel plan and either a transport statement or transport assessment, both of which should be submitted alongside the planning application.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	<p>town centres and at community facilities;</p> <p>iii. Improving route signing;</p> <p>iv. Working with community groups to develop local cycling initiatives and seek external funding to assist with the development of the local network; and</p> <p>v. Supporting the priority for cyclists over single occupancy vehicles by making sure that in settlements, town centres and residential areas, the public realm environment reflects this priority.</p> <p>4. Improve public transport integration, facilities, capacity, service levels, access for all users and reliability(84) including:</p> <p>...</p> <p>iii. Improving public transport service levels, which may involve developers temporarily subsidising new bus services or the extension of an existing service to provide additional journeys, or supporting community transport initiatives to enable sustainable access to new development;</p> <p>iv. Engaging in proposals for improving rail connectivity through the Northern Hub capacity</p>		

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	improvement scheme; v. Considering options to enhance Bus Priority at junctions and the provision of dedicated bus lanes; and vi. Considering opportunities to improve cross border connectivity with neighbouring areas.		
<p>POLICY ECON1 - RURAL ECONOMY</p> <p>Subject to respecting Ollerton with Marthall's built and landscape character, the Green Belt, and environmental, traffic, and residential amenity impacts being acceptable, the following will be supported:</p> <p>A) Development proposals which support the rural economy and agriculture where they contribute positively to the environment, comply with Green Belt policies, and do not cause unacceptable visual or landscape harm;</p> <p>B) The sensitive development of new small businesses on</p>	<p>Policy EG 2 Rural Economy</p> <p>Outside the Principal Towns, Key Service Centres and Local Service Centres, developments that:</p> <ol style="list-style-type: none"> 1. Provide opportunities for local rural employment development that supports the vitality of rural settlements; 2. Create or extend rural based tourist attractions, visitor facilities and recreational uses; 3. Encourage the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification; 4. Encourage the creation and expansion of sustainable farming and food production businesses and allow for the adaption of modern agricultural practises; 5. Are considered essential to the 	<p>Policy RUR 2 Farm diversification</p> <ol style="list-style-type: none"> 1. Proposals for the diversification of agricultural businesses in the open countryside will be supported where they accord with other policies in the development plan and: <ol style="list-style-type: none"> i. the development proposals are ancillary and related to the primary agricultural business; ii. the development is necessary to support the continued viability of the existing agricultural business; iii. the proposals make best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access; iv. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the planned operation of the diversified business; are well-related to each other and existing buildings and do 	<p>NDP Policy ECON1 supports appropriate rural diversification providing certain impacts are acceptable.</p> <p>This is in general conformity with strategic Policy EG 2 which supports appropriate rural employment diversification including conversions of existing buildings and farm diversification. Further detail about the instances when farm diversification is acceptable is provided in SADPD Policy RUR 2. The NDP policy adds local detail to these policies.</p>

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
<p>previously developed land; C) Proposals that promote or provide facilities for home working, and businesses operating from home; D) The sympathetic conversion of existing buildings for business and enterprise; E) The diversification of farms and rural businesses which are of an appropriate scale and reflect the rural character.</p>	<p>wider strategic interest of the economic development of Cheshire East, as determined by the council; or</p> <p>6. Support the retention and delivery of community services such as shops and public houses, and village halls</p> <p>Will be supported where the development:</p> <ul style="list-style-type: none"> i. Meets sustainable development objectives as set out in policies MP 1, SD 1 and SD 2 of the Local Plan Strategy; ii. Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold(42); iii. Would not undermine the delivery of strategic employment allocations; iv. Is supported by adequate infrastructure; v. Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity; vi. Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and 	<p>not form isolated or scattered development;</p> <p>v. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance), either on its own or cumulatively with other developments; and</p> <p>vi. provide appropriate landscaping and screening.</p> <p>2. In addition to the above, any proposals for retail sales must be limited in scale. Proposals for new or extensions to existing farm shops will only be permitted where the range of goods sold is restricted to those in connection with the land-based business and the majority of goods sold should be produced on site.</p> <p>3. Where appropriate, the council may impose conditions to control the future expansion or nature of the business when granting planning permission.</p>	

Ollerton with Marthall NDP Policy	Cheshire East Local Plan Strategy (CELPS) 2010-2030, Adopted 27 July 2017.	Cheshire East Site Allocations and Development Policies Document (SADPD), Adopted December 2022	General Conformity
	built form; and vii. Does not conflict with Policies PG 3, PG 4, PG 6, PG 7, SE 3, SE 4, SE 5, SE 6 and SE 7 of the Local Plan Strategy.		

3.6 f. Be Compatible with EU Obligations

- 3.44 The Submission Neighbourhood Plan is fully compatible with EU Obligations.
- 3.45 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).
- 3.46 In January 2021 CEC conducted Strategic Environmental Assessment Screening on the Draft NDP. This was consulted on with the statutory bodies and concluded that:

'The Ollerton and Marthall Neighbourhood Plan introduces criteria-based policies (which are yet to be finalised) that address local issues, but which do not alter the status of land to a degree which would have a significant effect on the environment.

There are no designated sites of European significance within the neighbourhood area and six within 15km proximity of the plan. The O&MNDP 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.

Given the above, this assessment therefore concludes that the O&MNDP is unlikely to have a significant effect on the environment or on designated sites and therefore HRA and SEA are not required.'

European Convention on Human Rights

- 3.47 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.
- 3.48 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.
- 3.49 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:
- 3.50 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.

- 3.51 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.
- 3.52 Article 14 provides that 'The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.' The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

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

- 3.53 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'.
- 3.54 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'.
- 3.55 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.

Ollerton with Marthall Parish Council

Supported by

