

**Betley, Balterley and Wrinehill
Neighbourhood Development Plan
2021 - 2037
Basic Conditions Statement**

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)



Betley, Balterley and Wrinehill Parish Council
February 2021

Contents

1.0	Introduction.....	3
2.0	Legal Requirements.....	4
3.0	Basic Conditions.....	5

Prepared by the Neighbourhood Plan Steering Group on behalf of the Parish Council

With the assistance of:



1.0 Introduction

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—
- *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan*
 - *the making of the plan contributes to the achievement of sustainable development*
 - *the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area*
 - *the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.*
- 1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:
- *the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and*
 - *having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).*
- 1.3 A further Basic Condition was added by legislation on 28 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 Betley, Balterley and Wrinehill 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.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Betley, Balterley and Wrinehill Parish Council.

2.2 What is being proposed is a neighbourhood development plan

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2021 to 2037 (from the current year and referring to the same period as the emerging new Newcastle-under-Lyme 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 designated Betley, Balterley and Wrinehill Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

3.0 Basic Conditions

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

The Betley, Balterley and Wrinehill Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)².

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

2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

The NDP includes an overarching policy, Policy BBW1 which promotes sustainable development. Table 1 sets out how the Betley, Balterley and Wrinehill NDP delivers the 3 overarching Objectives:

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	Betley, Balterley and Wrinehill NDP Policies and Proposals
<p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p>	<p>Betley, Balterley and Wrinehill NDP recognises the area's location within rural Staffordshire, where the main settlement of Betley has an identified Village Envelope and the wider parish is inset within the Green Belt. Betley and Wrinehill are recommended to be a Joint Rural Centre in the settlement hierarchy of the new emerging Local Plan. These settlements provide a significant role in service provision to the local</p>

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

	<p>population and must contain a number of essential services and facilities in order to meet the day to day needs of residents.</p> <p>The NDP has supports appropriate businesses and services, recognising the role of the two main settlements in providing employment and services for the wider local community.</p> <p>NDP Objective 6 is to maintain services and economic activity in the Parish including; the school, doctor's, village shop, pubs, restaurants and other small businesses and broadband etc.</p> <p>This should be achieved through the following NDP Policies: BBW7: Supporting Conversions of Existing Buildings for Small Scale Business Development (Class E), BBW8: Supporting Homeworking, BBW9: Community Facilities and BBW10: Recreation and Open Space Facilities (and also various identified Parish Council Actions).</p>
<p><i>b) a social objective –to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></p>	<p>The NDP has a strong focus on social sustainability and supporting the local community. The NDP has been prepared over several years with a high level of community engagement to ensure local people's concerns and ideas are incorporated at every step.</p> <p>New housing development is likely to be limited over the plan period, taking into account Betley's identification as a Village inset within the Green Belt in the adopted Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy, where no further growth is planned, and the fact that the remainder of the Parish (including Balterley and Wrinehill) is washed over by the Green Belt. The two main settlements of Betley and Wrinehill are identified as a Joint Rural Centre in the new emerging new Local Plan, taking into account the range of local services and facilities.</p>

	<p>The NDP therefore takes a positive approach to appropriate new housing, supporting and guiding development within the village envelope and promoting an appropriate mix. A possible housing opportunity site is identified for affordable housing at the former disused garage site, East Lawns, Betley.</p> <p>Objective 4 is to support the provision of appropriate new housing in the Parish. This should be achieved through NDP Policies: BBW2: New Housing, BBW3: Housing Mix and supporting text noting a proposed housing opportunity site. There is also a PC action to progress a project to provide housing for local people.</p> <p>The NDP promotes a well designed and safe environment in detailed design policies including BBW4 and BBW5 and BBW1 which promotes highway safety and improved accessibility for all by walking, cycling and public transport.</p> <p>The strong sense of community and existing range of local facilities are highly valued by residents and this has been demonstrated through various NDP consultations. The NDP therefore identifies local community facilities and recreation areas for protection.</p> <p>Objective 6 is to maintain services and economic activity in the Parish including; the school, doctor's, village shop, pubs, restaurants and other small businesses and broadband etc. This should be achieved through the following NDP Policies: BBW7: Supporting Conversions of Existing Buildings for Small Scale Business Development (Class E), BBW8: Supporting Homeworking, BBW9: Community Facilities, and BBW10: Recreation and Open Space Facilities as well as identified Parish Council Actions.</p>
<p><i>c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity,</i></p>	<p>Betley, Balterley and Wrinehill NDP has a strong emphasis on protecting and enhancing the built and natural environment, and this runs through the NDP as a whole. The NDP notes the</p>

<p><i>using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>special qualities of the conservation area and describes local character and built form in some detail. Important areas of biodiversity within and on the edge of the Parish are noted, including 2 SSSIs and an SBI and the local landscape character and characteristic landscape features are explained.</p> <p>Objective 2 is to conserve and enhance the quality and appearance of the built environment and its unique and valuable historic and architectural buildings. This should be achieved through the following NDP Policies: BBW4: Detailed Design in the Parish and BBW5: Conserving and Enhancing Betley Conservation Area.</p> <p>Objective 3 it to protect and enhance the intrinsic rural and landscape character of the Parish. This should be achieved through NDP Policy: BBW6: Recognising the Intrinsic Character of the Countryside and Protecting and Enhancing Valued Landscapes.</p>
---	--

The presumption in favour of sustainable development is explained in relation to plan making in paragraph 11:

11. Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:

- a) *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The Betley, Balterley and Wrinehill NDP takes a positive and balanced approach to development, recognising that some limited development within the identified Village Envelope of Betley would be acceptable, subject to addressing the criteria to protect and enhance the local environment as set out in the NDP planning policies.

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

3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Betley, Balterley and Wrinehill NDP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making	Betley NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The NDP has been prepared to contribute to sustainable development; NDP Policy BBW1 is to promote sustainable development and Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively. The Parish Council has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development.</p> <p>The environmental policies in the NDP set out locally appropriate criteria which reflect the designated area's location in a rural area of Staffordshire with Betley Village Envelope inset within the Green Belt and other areas washed over by the Green Belt.</p> <p>The policies have been prepared over a long period of time and through several stages of informal consultation and engagement. The work on the NDP has been led by parish councillors with residents and the support of officers from Newcastle-under-Lyme Borough Council and independent planning consultants.</p>

<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>	<p>Local residents have helped to shape the policies, many of whom have a detailed knowledge of the area and its intrinsic character and special qualities and are passionate about protecting them.</p> <p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since 2017 at all stages of the Plan's preparation.</p> <p>All the policies have been prepared through an extensive and thorough approach to community engagement, including a household questionnaire and informal consultation with local businesses and community facilities as well as informal consultation on the emerging draft plan's policies.</p> <p>Consultations were promoted using local newsletters, the Parish Council's website and hand delivery of questionnaires and leaflets to all households in the Parish by members of the Steering Group. Drop In events were held at key early stages.</p> <p>During the Covid-19 Pandemic the Steering Group made every effort to engage with and consult with local residents using leaflets and publicity, offering hard copies of the Draft Plan on request, giving telephone contact details and providing 2 online webinars / Q&A sessions. The process was planned to be as safe and accessible as possible, in line with National Planning Practice Guidance.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.</p>
---	--

<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by the Parish Council, with support from a planning consultant and planning officers at Newcastle-under-Lyme Borough Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p>	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation.</p> <p>Responses by email were invited at informal and formal consultation stages. Two online webinars / Q&A sessions were held during the Regulation 14 public consultation.</p>
<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>	<p>The NDP has been amended and updated to reduce duplication with Newcastle-under-Lyme policies and duplication with national policies.</p>

The Plan Making Framework

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

The Betley, Balterley and Wrinehill NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009, and the Saved Policies of the Newcastle under Lyme Local Plan, Adopted 2003. A list of the strategic policies of the adopted development plan for the purposes of neighbourhood planning is provided in Appendix II of the NDP. The supporting text for the NDP policies refers to the relevant strategic policies.

In addition, Planning Practice Guidance sets out that *'although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the*

question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.' Paragraph: 009 Reference ID: 41-009-20190509
Revision date: 09 05 2019.

While work was progressing on the NDP the Borough Council were preparing the new Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan 2013-33. The NDP was prepared taking account of the reasoning and evidence informing the new Local Plan process in line with Planning Practice Guidance. A Preferred Options document was published for consultation in February 2018 and this presented a preferred growth scenario, options for employment and housing development (including preferred sites) and strategic options for retail and leisure. The Rural Hierarchy of Centres Topic Paper published by the Borough Council in January 2020 recommends that Betley and Wrinehill should be a *Joint Rural Centre* in the proposed settlement hierarchy. Further work will be undertaken to ascertain the appropriateness of development in any Rural Centre which is dependent on a number of factors including but not limited to environmental, historical and policy (Green Belt) designations, physical constraints, infrastructure, and the suitability, availability and deliverability of any submitted sites for development. In January 2021 the Borough Council made the decision to progress a Local Plan for Newcastle under Lyme and withdrew from the Joint Local Plan process.

The NDP covers the period up to 2037 (the same as the new Local Plan) and will provide local detail to the strategic planning policies for the Borough as set out in the Local Plan.

Non-strategic policies

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.

Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

The adopted Core Spatial Strategy identifies Betley as a Village and sets out that no further growth is planned in these settlements, and efforts will be made to ensure existing services and activities within these villages are protected. Saved Local Plan Policy H1 sets out that permission for residential development may be permitted where the site is within one of the 'village envelopes' as defined on the Proposals Map. The NDP includes policies for limited new development within the Village Envelope.

Betley and Wrinehill are recommended to be a Joint Rural Centre in the settlement hierarchy of the new emerging Local Plan. These settlements provide a significant role in service provision to the local population and must contain a number of essential services and

facilities in order to meet the day to day needs of residents. They are defined as a joint centre because collectively they meet the level of services and facilities to be defined as a Rural Centre and are within 15 minute walking distance of each other (the main services). The methodology and justification is set out in the Rural Hierarchy of Centres Topic Paper (Jan 2020) produced by the Borough Council.

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

5. Delivering a sufficient supply of homes

Paragraph 65 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. The NDP has been prepared in the context of the adopted Core Spatial Strategy and new emerging Local Plan and reflects the area's location within the Green Belt and identification of the settlements as areas where growth will be limited. A housing growth target has not been set for the NDP area at the time of submission.

The designated area is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to the Betley Village Envelope.

6. Building a strong, competitive economy

Paragraph 83 advises that in rural areas planning policies 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.

The NDP addresses these matters through policies which support suitable and appropriate business growth and investment and which seek to protect and enhance local community facilities.

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP promotes walking and cycling and improved accessibility to local facilities.

8. Promoting healthy and safe communities

Paragraph 91 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. Paragraph 92 goes on to say that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; and c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

NDP Policy BBW9 identifies important local community facilities and supports investment in new facilities.

Open Space and Recreation

Paragraph 97 states that e Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

NDP Policy BBW10 identifies important local recreation and open spaces and supports investment in improvements.

9. Promoting sustainable transport

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The NDP includes a policy (BBW1) which supports increased walking and cycling and use of public transport and encourages developments to incorporate linkages and safe and secure cycle storage.

11. Making effective use of land

Paragraph 118 advises that planning policies 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; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.

NDP Policy BBW6 sets out that landscaping schemes should protect and enhance locally valued landscapes.

12. Achieving well-designed places

Paragraph 124 explains that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 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 plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

Betley, Balterley and Wrinehill NDP describes the local character of the settlements and wider countryside of the parish in some detail and includes policies which aim to protect heritage and local character and which also consider landscape character. Sustainable design runs through the NDP and is referred to directly in Policy BBW1.

13. Protecting Green Belt land

Paragraph 133 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 146 advises that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include d) the re-use of buildings provided that the buildings are of permanent and substantial construction. The NDP includes a policy (BBW7) which supports conversions of existing buildings for new small-scale employment and service related business facilities subject to local criteria.

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

Paragraph 148 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. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.

Policy BBW1 sets out that developments should promote improved accessibility for all by walking, cycling and public transport, through provision of linkages to existing routes and services, and incorporating safe and secure cycle storage facilities and incorporate electric vehicle (EV) charging points. Policy BBW4 advises that sustainable designs which maximise resource and energy efficiency will be

supported, provided that they are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Planning and flood risk

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). The submission version of the NDP includes revisions to Policy BBW1 to take account of flood risk in the Parish following advice from Environment Agency (and Staffordshire County Council) at Regulation 14.

15. Conserving and enhancing the natural environment

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. NDP Policy BBW6 sets out that development proposals should recognise the intrinsic character of the countryside of Betley neighbourhood area and demonstrate that they do not damage or diminish the rural character. Landscaping schemes should protect and enhance locally valued landscapes. Key local landscape features are identified so that they may be protected and enhanced in proposals.

Ground conditions and pollution

Paragraph 180 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. NDP Policy BBW1 requires development to minimise light and noise pollution.

16. Conserving and enhancing the historic environment

Paragraph 184 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 184 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Policy BBW5 sets out how designs should conserve and enhance Betley Conservation Area.

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

The NDP notes the listed buildings in the Parish.

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

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

The Plan area includes Betley Conservation Area and the NDP includes a detailed design policy to protect and enhance the area's character.

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

3.4 d. Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes 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 Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009, and the Saved Policies of the Newcastle under Lyme Local Plan, Adopted 2003 which form part of the Development Plan for the borough.

Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan. Whilst the Regulation 14 Draft Plan was being prepared, Newcastle under Lyme Borough Council were in the process of preparing a new joint Local Plan with Stoke on Trent Council. However just prior to submission the Borough Council made the decision to withdraw from this process and prepare a new Local Plan for Newcastle under Lyme Borough. The new plan period is up to 2037 and the NDP has been amended to reflect this and to refer to the Local Plan in the supporting text.

Table 3 General Conformity with Strategic Planning Policies

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Policy BBW1: Promoting Sustainable Development</p> <p>The sustainable development of land and buildings, and sustainable use of water, energy and transport, will be supported in order to maintain and improve the quality of life for people living and working in the Parish, and to conserve and enhance its intrinsic rural and built environment now and in the future.</p> <p>1. Built Environment</p> <p>To be supported development proposals should, where appropriate:</p> <p>A. Incorporate high quality sustainable design which promotes energy, water and resource efficiency and protects against any increased flood risk in line with the Government’s policy for national technical standards;</p>	<p>CSP1 – Design Quality New development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent’s unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres.</p> <p>CSP2 – Historic Environment Both Councils will seek to preserve and enhance the character and appearance of the historic heritage of the City and the Borough including buildings, monuments, sites and areas of special archaeological, architectural or historic interest.</p> <p>CSP3 – Sustainability and Climate Change Development which positively addresses the impacts of climate change and delivers a</p>	<p>N/A</p>	<p>NDP Policy BBW1 sets out the overarching approach towards sustainable development in the neighbourhood area. The Policy promotes resource efficiency to support a better quality of life for local people, and seeks to protect and enhance built and natural and environmental assets. The Policy also promotes sustainable alternatives to the car by promoting walking, cycling and use of public transport wherever possible. Other NDP policies provide more detail to the broad framework approach in this Policy.</p> <p>This NDP Policy is in general conformity with, and adds local detail to, Core Spatial Strategy Policy CSP3 – Sustainability and Climate Change which promotes positive measures to reduce carbon emissions, resource efficiency and habitats which are resilient to climate change. In addition the Policy provides relevant local detail to Policy</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>B. Seek to conserve and enhance the intrinsic and distinctive local character of buildings and architectural features in the wider Neighbourhood Area and be sympathetic to the context in terms of scale, massing, height, materials and detailed design; and</p> <p>C. Demonstrate where heritage assets are likely to be affected by development proposals, how historic buildings and structures (including both designated heritage assets and non-designated heritage assets), and archaeological sites (whether inside or outside the Conservation Area) are conserved and enhanced - see Appendix III Listed Buildings in Betley, Balterley and Wrinehill Neighbourhood Area and Appendix IV Register of Locally Important Buildings and Structures in Betley, Balterley and Wrinehill Neighbourhood Area.</p>	<p>sustainable approach will be encouraged. The highest standards of energy and natural resource efficiency will be achieved by: -</p> <ol style="list-style-type: none"> 1. Requiring that all new development, as a minimum, complies with on-site or near-site renewable or low carbon energy targets set out in current or future national guidance and the Regional Spatial Strategy and takes positive measures to reduce carbon emissions to the levels set out in the Regional Spatial Strategy. 2. Ensuring the use of construction methods which minimise the use of non-renewable resources and which maximise the use of recycled and locally sourced materials. 3. Requiring all new developments to incorporate the use of Sustainable Urban Drainage Schemes (SUDS). 4. Developing habitat systems which are resilient to climate change in accordance with latest best practice. 		<p>CSP1 Design Quality which requires development to respect the character of the built heritage, and its historic environment, and Policy CSP2 Historic Environment which sets out that the Council will seek to preserve and enhance the character and appearance of the historic heritage.</p> <p>Policy CSP4 – Natural Assets sets out the quality and quantity of the plan area’s natural assets will be protected, maintained and enhanced.</p> <p>NDP Policy BBW1 also addresses traffic impacts and sustainable transport, in line with Spatial Strategy Policy SP3 – Spatial Principles of Movement and Access which aims to maximise the accessibility of new development and addresses the environmental impacts of travel including congestion, air quality and noise.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>2. Natural Environment</p> <p>To be supported development proposals should ensure, where applicable, that:</p> <p>A. Siting and design recognises the intrinsic character of the countryside and protects and enhances local landscape character and valued landscapes;</p> <p>B. They minimise flood risk, light and noise pollution and incorporate measures to avoid disturbance of local wildlife;</p> <p>C. They contribute to biodiversity net gain; and</p> <p>D. They retain and enhance river habitats and take opportunities to improve connectivity through blue and green infrastructure, whilst also ensuring flood risk is not increased and where possible, reduced. Where possible opportunities should be taken to</p>	<p>5. Supporting local initiatives to address climate change such as the North Staffordshire Warm Zone and other initiatives that may emerge.</p> <p>6. Requiring best practice standards where supported by future local or regional evidence.</p> <p>7. All new development shall be located in locations at lowest possible flood risk as identified in the SFRA and all suitable flood mitigation measures shall be investigated and where possible incorporated into the development. Opportunities will be sought to open up culverted watercourses to alleviate flood risk, create and improve habitats and develop green corridors. Where these requirements are impractical and/or unviable, the onus will be on the developer to demonstrate that this is the case.</p> <p>SP3 – Spatial Principles of Movement and Access</p> <p>2. Maximising the accessibility of new residential, employment, retail, development, health and</p>		

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>open up any existing culverts to reduce the associated flood risk and danger of collapse as well as enhancing biodiversity and green infrastructure.</p> <p>3. Transport</p> <p>To be supported development proposals should:</p> <p>A. Not have an unacceptable impact on local roads and the wider highway network, and demonstrate that any unacceptable significant impacts on congestion, highway safety and air and noise pollution can be cost effectively mitigated (air and noise pollution will be assessed by Environmental Health);</p> <p>B. Promote improved accessibility for all by walking, cycling and public transport, through provision of linkages to existing routes and services, and incorporating safe and secure weatherproof cycle storage facilities; and</p>	<p>education centres, green open space, leisure and sport facilities as well as strategic transport interchanges, such as railway stations, by walking, cycling and public transport.</p> <p>8. Addressing the environmental impacts of travel including congestion, air quality and noise pollution.</p>		

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>C. Incorporate electric vehicle (EV) charging points (Environmental Health Condition).</p> <p>4. Reducing Flood Risk</p> <p>To protect and enhance the river corridors located in the NDP area and minimise flood risk, development proposals should:</p> <p>A. Be located in in Flood Zone 1. Only if there is no viable/available land in Flood Zone 1 should other areas be considered using the Sequential Test approach. Any watercourse which does not have any flood extents associated with them, will require further work or modelling as part of detailed planning applications to ensure the development will be safe and not increase flood risk;</p> <p>B. Create space for water by restoring floodplains and contributing towards Blue and Green Infrastructure;</p>			

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>C. Take opportunities to reduce flood risk elsewhere by allocating flood storage areas;</p> <p>D. Set back development 8m from any watercourses to allow access for maintenance and restoring the natural floodplain. This includes existing culverted watercourses and flood defences;</p> <p>E. Ensure all SuDS features are located outside of the 1 in 100 year plus climate change flood extent; and</p> <p>F. Open up culverted watercourses and remove unnecessary obstructions. All developments should seek to control and discharge all surface water runoff generated on site during the 1 in 100 year plus climate change rainfall event. For Greenfield development sites, the surface water runoff generated as a result of the development should not exceed the Greenfield runoff rate. For</p>			

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Brownfield development sites, developers are expected to deliver a substantial reduction in the existing runoff rate, and where possible, reduce the runoff to the equivalent Greenfield rate. Surface water discharge should not exceed the Greenfield runoff rate (as described above) and this does not usually require detailed hydraulic modelling to be carried out to determine the effects of this.</p>			
<p>Policy BBW2: New Housing in Betley Village Envelope</p> <p>Proposals for new housing development will be supported provided that they are within the Village Envelope and satisfy all other Neighbourhood Plan policies, particularly BBW4: Detailed Design in the Parish and BBW5: Conserving and Enhancing Betley Conservation Area.</p> <p>In addition, any proposals for housing development in the Village Envelope will be supported where:</p>	<p>ASP6 – Rural Area Spatial Policy</p> <p>6. All new development will need to reflect the following policies: Design Quality, Built Heritage, and Natural Assets.</p>	<p>H1 – Residential Development: Sustainable Location and Protection of the Countryside</p> <p>Permission for residential development will only be given where one of the following requirements are satisfied:</p> <ul style="list-style-type: none"> i) The site is within the urban area of Newcastle or Kidsgrove*. ii) The site is within one of the 'village envelopes' as defined on the Proposals Map. iii) It is essential for the proper functioning of a viable enterprise of agriculture or forestry that residential accommodation for a person or persons engaged in 	<p>NDP Policy BBW2 has been prepared to guide development within the Village Envelope.</p> <p>The policy addresses detailed matters related to design quality, built heritage and gardens in line with ASP6 – Rural Area Spatial Policy of the Core Spatial Strategy.</p> <p>The Village Envelope is referred to in saved Policy H1 of the Local Plan.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>1. Development is located on a previously developed site which adjoins existing built form;</p> <p>2. Proposals for replacement dwellings and re-development of existing buildings are of a suitable massing and density taking into account the character of the surrounding area. Replacement buildings should allow for the provision of suitable garden areas, vehicle access, parking and service access and maintain the floor area of the original building wherever possible;</p> <p>3. Development is accessible, adaptable and well orientated ensuring adequate outdoor space for play and recreation.</p>		<p>that enterprise is available in the precise location proposed and there is no alternative.</p> <p>iv) The development consists of affordable housing permissible under the terms of Policy H12.</p> <p>v) The development consists of the conversion of a rural building in accordance with Policy H9.</p> <p>Where permission is given under clauses (iii) or (iv), any new buildings should be sited within an existing group of dwellings or farm buildings and designed to fit in with them.</p>	
<p>Policy BBW3: Housing Mix</p> <p>Proposals should provide a suitable mix of housing in line with the most up to date housing market assessment.</p>	N/A	N/A	<p>NDP Policy BBW3 has been prepared to promote a suitable mix of house types and sizes in the NDP area, taking into account the responses to NDP consultations which suggested</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Schemes should demonstrate how they help to maintain a mix of tenure, type and size of dwelling in the Parish and demonstrate how they respond to local needs for smaller housing (1 to 3 bedrooms) including housing suitable for first time buyers, young families and downsizing households. Lifetime homes will be encouraged.</p> <p>Housing for local people and those with a local connection</p> <p>Proposals for new housing specifically for local people already living in the Parish and people with a local connection to the Parish (see Appendix VI) will be supported provided that the residential units so provided are retained in perpetuity for this purpose and provided that the proposals satisfy all other Neighbourhood Plan policies. This housing should be provided by a rural housing trust (or other appropriate body), to be available for both the young and elderly</p>			<p>local people would prefer to see housing with 1-3 bedrooms suitable for smaller households.</p> <p>Relevant Core Spatial Strategy and Local Plan policies are out of date but the Strategic Housing Market Assessment Update (June 2017) advises that 'the updated analysis also highlights the continued demand for housing of all sizes, but suggests that growth in the number of households typically occupying housing with two or three bedrooms is likely to generate increased demand for housing of this size over the period to 2039. There also, however, remains a need for smaller properties with only one bedroom, and larger homes with at least four bedrooms.' (Executive Summary, para 13.)</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>people wishing to remain living in the Village and to enable the latter to “downsize”.</p> <p>If, following a minimum period of 12 months' active marketing, the housing is not occupied by local people or people with a local connection to the Parish, it may be offered as affordable housing to people with a local connection to Newcastle-under-Lyme Borough.</p>			
<p>Policy BBW4: Detailed Design in the Parish</p> <p>Where planning permission is required, or where the developer must apply to the local planning authority for a determination as to whether prior approval is required, the siting, design and external appearance of new development and extensions should be sympathetic to local rural character and history, including the built environment and landscape setting of the Parish as described in Sections 6.3 and 6.4 of the NDP.</p>	<p>CSP1 – Design Quality</p> <p>New development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent’s unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres.</p> <p>New development should also:</p> <ol style="list-style-type: none"> 1. Promote the image and distinctive identity of Newcastle and Stoke-on-Trent through the enhancement of strategic and 	<p>N/A</p>	<p>NDP Policy BBW4 sets out a detailed design policy for new development in the NDP area. It builds on detailed descriptions of existing built character and provides advice on such matters as materials, contemporary and sustainable design, extensions, density and boundaries, gardens and driveways.</p> <p>This Policy is in general conformity with Core Spatial Strategy Policy CSP1 Design Quality which requires development to respect Newcastle’s built heritage, rural setting and settlement pattern.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>To ensure new development is sympathetic to the surrounding buildings in terms of scale, height, massing, materials, fenestration, roofline and details, buildings should reflect the traditional roof forms, pitches, materials and details of existing nearby historic properties.</p> <p>1. Materials</p> <p>A. Materials should be chosen to complement the design of a development and add to the quality of the surrounding environment. They should reflect the local character as described in section 6.3 of the NDP.</p> <p>B. Other building forms, for example timber frame structures, will be supported provided they enhance the rural character and quality of the built environment in the Parish.</p> <p>2. Contemporary Designs</p> <p>A. New development proposals need not imitate earlier</p>	<p>local gateway locations and key transport corridors.</p> <p>2. Be based on an understanding and respect for Newcastle’s and Stoke-on-Trent’s built, natural and social heritage.</p> <p>3. Protect important and longer distance views of historic landmarks and rural vistas.</p> <p>4. Contribute positively to an areas identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access.</p> <p>5. Be easy to get to and to move through and around, providing recognisable routes and interchanges and landmarks that are well connected to public transport, community facilities, the services of individual communities and neighbourhoods across the whole plan area.</p> <p>6. Have public and private spaces that are safe, attractive, easily</p>		<p>The policy sets out that development should be based on an understanding and respect for built, natural and social heritage and should contribute positively to identity and heritage through appropriate use of materials and surfaces.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>architectural periods or styles and could be the stimulus for innovative designs which promote high levels of sustainability or raise the standard of local design provided they fit in with the overall form and layout of their surroundings.</p> <p>B. Sustainable designs which maximise resource and energy efficiency will be supported, provided that they are sympathetic to local character and history, including the surrounding built environment and landscape setting.</p> <p>3. Extensions</p> <p>Proposals to extend residential properties should be designed to enhance the property, through use of suitable, locally appropriate materials, and should be of a proportionate scale which is subordinate to the main dwelling.</p> <p>4. Plot Density</p>	<p>distinguished, accessible, complement the built form and foster civic pride.</p> <p>7. Ensure a balanced mix of uses that work together and encourage sustainable living in the use of water, energy and re-use of materials and minimises the impact on climatic change.</p> <p>8. Provide active ground floor frontages where located in the City Centre, Newcastle Town centre, local or district centres.</p> <p>10. Be accessible to all users.</p> <p>11. Be safe, uncluttered, varied, and attractive.</p> <p>12. Contribute positively to healthy lifestyles.</p> <p>13. Support and foster innovative management and service delivery.</p>		

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>A. New development on previously developed sites should retain the previous volume of built development and plot density.</p> <p>B. Where a higher volume and density is proposed, then a clear justification will be required to demonstrate the need for higher density development and setting out how full and effective integration into the surrounding built form, village scape and landscape will be achieved.</p> <p>5. Boundary Treatments, Gardens and Driveways</p> <p>A. Where front gardens are provided, schemes should consider local character and context. Where appropriate, front garden areas should be enclosed by hedges using appropriate local species in planting, traditional low brick walls or railings and should provide safe and adequate access including visibility splays and parking to properties.</p>			

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Garages are recommended to be a minimum dimension of 6m x 3m to allow for the parking of a vehicle and storage.</p> <p>B. Wherever possible, adequate off road parking should be provided to minimise adverse impacts of cars on the street scene. Where provisions can be made to minimise disturbance to neighbouring properties and quiet garden areas, parking areas, garage courts and service areas should be located at the rear of the site. Surfacing materials, including surface water drainage to prevent surface water flowing out onto the public highway should be sensitive to the local context.</p>			
<p>Policy BBW5: Conserving and Enhancing Betley Conservation Area</p> <p>New development and conversions must preserve and enhance the special historical and architectural character of the Conservation Area.</p>	<p>CSP2 – Historic Environment Both Councils will seek to preserve and enhance the character and appearance of the historic heritage of the City and the Borough including buildings, monuments, sites and areas of special archaeological, architectural or historic interest.</p>	<p>B10 - The requirement to preserve or enhance the character or appearance of a Conservation Area</p> <p>Permission will be granted to construct, alter the external appearance or change the</p>	<p>NDP Policy BBW5 sets out design guidelines for development in the Betley Conservation Area. It carries forward into planning policy many of the principles set out in the Betley Conservation Area Character Appraisal and Betley Conservation Area Management Proposals published by the</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>New development and conversions in Betley Conservation Area should demonstrate how the following design guidelines have been addressed:</p> <ol style="list-style-type: none"> 1. Designs should seek to conserve and enhance the unique and special character of the Conservation Area and opportunities should be taken to improve the historic character and sense of place within the public realm; 2. Traditional walls, fencing, hedges, hard and soft surfaces must be retained; 3. Development should not result in loss of private gardens or rear burgage plots (as shown on Map 8), which make a significant contribution to local historic character; 4. The scale and general form of new development should respond to the special character of the character area as identified 		<p>use of any building only if its proposed appearance or use will preserve or enhance the character or appearance of a Conservation Area. This will be achieved by the following criteria being met:</p> <ol style="list-style-type: none"> i) The form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing respect the characteristics of the buildings in the area. ii) The plot coverage characteristics respect those of the area. iii) Historically significant boundaries contributing to the established pattern of development in the area are retained. iv) Open spaces important to the character or historic value of the area are protected. v) Important views within, into and out of the area are protected. vi) Trees and other landscape features contributing to the character or appearance of the area are protected. 	<p>Borough Council in December 2008 and refers to the Betley Historic Character Assessment undertaken by Staffordshire County Council and English Heritage in 2011.</p> <p>This Policy provides locally relevant detail to Core Spatial Strategy Policy CSP2 – Historic Environment which advises that the Councils will seek to preserve and enhance the character and appearance of the historic heritage in the area.</p> <p>In addition NDP Policy BBW5 adds value and detail to Local Plan Policy B10 - The requirement to preserve or enhance the character or appearance of a Conservation Area which provides broad advice for development in conservation areas across the Borough.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>in the Betley Conservation Area Appraisal, with particular reference to materials and detailing, building lines, building height, plot sizes, plot ratios, roof pitch and form, and vehicular and pedestrian access;</p> <p>5. New development involving the replacement of existing buildings should have regard to the former plot density and not have an unacceptable adverse impact on the character of the surrounding area through increased scale and massing;</p> <p>6. New development should be carefully designed to reduce its impact on existing important views within, into, and from the Conservation Area, as identified in the Betley Conservation Area Appraisal (see Map 5 Betley Conservation Area Townscape Appraisal Map); and</p> <p>7. Development proposals should demonstrate that they will not harm the special character and appearance of the identified</p>			

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>"Buffer Zones" (see Map 7 Management Proposals Map from the Conservation Area Management Plan). These zones are: -</p> <ul style="list-style-type: none"> i. The field to the north of Betley Old Hall; ii. The fields to the south of the Model Farm, including the large meadows which allow good views from the west into the village; and iii. Land to the south and west of Betley Court, which once formed parts of its parkland. <p>8. New development must take full account of known surface and sub-surface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development after consultation with the Staffordshire Historic Environment Record (HER). Lack of current evidence of sub-surface archaeology must not be taken as proof of absence.</p>			

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Policy BBW6: Recognising the Intrinsic Character of the Countryside and Protecting and Enhancing Valued Landscapes</p> <p>Landscape Character</p> <p>Development proposals should recognise the intrinsic character of the countryside or distinctive historic built form of the Betley, Balterley and Wrinehill neighbourhood area. Landscaping schemes should protect and enhance locally valued landscapes. Development will be supported where:</p> <ol style="list-style-type: none"> 1. Development proposals demonstrate how siting and design have taken into consideration local landscape character by using locally appropriate materials (see Policy BBW4), designing suitable landscaping schemes and providing locally appropriate boundary treatments including hedges, brick walls and railings. Modern suburban hard and soft 	<p>CSP4 – Natural Assets</p> <p>The quality and quantity of the plan area’s natural assets will be protected, maintained and enhanced through the following measures –</p> <ol style="list-style-type: none"> 1. Working with relevant partners to enhance the plan area’s natural habitats and biodiversity to achieve the outcomes and targets set out UK Biodiversity Action Plan, the Staffordshire Biodiversity Action Plan and the Staffordshire Geodiversity Action Plan; 2. Working with relevant partners to achieve significant improvements to the condition of the plan area’s internationally designated Ramsar sites, nationally designated Sites of Special Scientific Interest (SSSI), locally designated Sites of Biological Importance (SBI) and Local Wildlife Sites, Regionally Important Geological/Geomorphological Sites (RIGS) and Local Nature Reserves; 3. Ensuring that the location, scale and nature of all 	<p>N3 – Development and Nature Conservation – Protection and Enhancement Measures</p> <p>The consideration of applications for planning permission will take into account the potential effects of development proposals upon wildlife and geological features. In all cases where development or land use change is permitted, development proposals will be expected to avoid or minimise any adverse effects and, where appropriate, to seek to enhance the natural heritage of the Borough by the following measures:</p> <p>Habitats/features of nature conservation or geological value will be retained in situ and protected from adverse impact. Where permitted by relevant legislation and/or regulations, flora and fauna of high nature conservation importance will be translocated or relocated to a suitable location(s) in cases where such species cannot be adequately safeguarded in situ.</p>	<p>NDP Policy BBW6 provides a framework for protecting and enhancing the character of the local countryside and landscape character of the Parish. It draws from Staffordshire County Council's Planning for Landscape Change SPG 2010, and includes local descriptions of key features of the parish such as woodland and hedgerows described by members of the NDP steering group and using local knowledge.</p> <p>This Policy is in general conformity with Core Spatial Strategy Policy CSP4 – Natural Assets which advises that the quality and quantity of the plan area’s natural assets will be protected, maintained and enhanced by ensuring that the location, scale and nature of all development avoids and mitigates adverse impacts, and wherever possible enhances, the plan area’s distinctive natural assets, landscape character, priority species and habitats.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>landscaping elements and excessive external lighting should be avoided and SUDS principles should be incorporated in the design of driveways and access routes;</p> <p>2. Landscaping schemes use locally appropriate native species in tree, woodland and hedgerow planting which provide opportunities for biodiversity net gain, or where off site compensation is provided, habitats are improved or created nearby (see paragraph 6.4.14);</p> <p>3. Development is located to take account of or respond to existing landscape elements such as dips in the landform, and woodland and thick hedges to provide screening;</p> <p>4. Additional screening fits with the scale and character of existing landscape elements and, where possible, boundary treatments include replacing lost field boundary hedges and field corners.</p>	<p>development planned and delivered through this Core Spatial Strategy avoids and mitigates adverse impacts, and wherever possible enhances, the plan area’s distinctive natural assets, landscape character, waterways, network of urban green corridors and priority species and habitats identified in the UK Biodiversity Action Plan and the Staffordshire Biodiversity Action Plan;</p> <p>4. Ensuring that the value of previously developed land as a source of biodiversity is recognised and appropriate measures are taken to reduce the negative impact of development upon this resource and wherever possible to achieve an enhancement.</p> <p>5. Development that is likely to contribute additional nutrients to Black Firs and Cranberry Bog will not be permitted.</p>	<p>(Where this takes place, the developer must ensure that the translocation of the flora and fauna is based on qualified advice and undertaken prior to the commencement of development, and that provisions are made for the satisfactory establishment and maintenance of the translocated species at the new site).</p> <p>Replacement habitats/features will be provided on at least an equivalent scale where the Council agrees that the loss of wildlife habitats or geological features is unavoidable.</p> <p>N14 – Protection of Landscape Features of Major Importance To Flora and Fauna</p> <p>Development that may harm, directly or indirectly, the landscape features listed below which are of major importance for wild fauna and flora will not be permitted unless it can be demonstrated that there are</p>	<p>In addition the NDP policy adds local detail to Local Plan Policy N3 – Development and Nature Conservation – Protection and Enhancement Measures which requires development proposals to avoid or minimise any adverse effects and, where appropriate, to seek to enhance the natural heritage of the Borough.</p> <p>Local Plan Policy N14 – Protection of Landscape Features of Major Importance To Flora and Fauna identifies important and key landscape features of the borough including hedgerows and boundary features, ponds and woodlands which development which is approved should minimise its impact on, restore or compensate for any loss or harm.</p> <p>Local Plan Policy N17 – Landscape Character – protects local landscape character at a strategic level, setting out that development should be sympathetic to landscape</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>5. Key views into and out from the villages of Betley and Wrinehill are protected from inappropriate development (see Policy BBW5);</p> <p>6. Key existing local landscape features which contribute to the intrinsic character and beauty of the countryside including boundary walls, hedgerows and trees, low mounds, erratics, marl pits and ponds and meres and areas of Ridge and Furrow landscape are conserved; and</p> <p>7. The existing linear settlement pattern of Betley Village is protected including the historic arrangement of intact Burgage plots. Backlands and their unique built form should be conserved.</p> <p>8. The visual and physical separation of Wrinehill and Betley along the A531 is maintained, and the villages'</p>		<p>reasons for the development which clearly outweigh the need to retain the feature. Where development affecting such features is approved, appropriate measures will be required to minimise, restore and/or compensate for any loss of, or deterioration in, the nature conservation value of the feature.</p> <p>Features covered by this policy:</p> <ul style="list-style-type: none"> • Hedgerows, drystone walls and similar established boundary features • River and stream corridors (incorporating the river, its banks and associated wetland habitats) • Canals • Ponds, lakes and other permanent standing water features • Woodlands • Disused railways and mineral lines • Green lanes 	<p>character and quality through various means.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>distinctive identities and landscape context are protected.</p> <p>Landscape and visual impact assessment</p> <p>Proposals for major development should be accompanied by a landscape and visual impact assessment which demonstrates that proposals recognise the intrinsic character of the countryside and protect and enhance valued landscapes.</p> <p>Agricultural Buildings</p> <p>New, large scale agricultural buildings in the rural parts of the Parish should be designed to integrate into the landscape, for example through the use of timber cladding, dark coloured roofing materials and including an associated landscape scheme and screening.</p>		<p>N17 – Landscape Character – General Considerations Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. Proposals with landscape and visual implications will be assessed having regard to the extent to which they would:</p> <ul style="list-style-type: none"> i) Cause unacceptable visual harm ii) Introduce (or conversely remove) incongruous landscape elements iii) Cause the disturbance or loss of (or conversely help to maintain): <ul style="list-style-type: none"> a) landscape elements that contribute to local distinctiveness b) historic elements which contribute significantly to landscape character and quality, such as field, settlement or road patterns 	

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
		c) semi-natural vegetation which is characteristic of that landscape type d) the visual condition of landscape elements e) tranquillity	
<p>Policy BBW7: Supporting Conversions of Existing Buildings for Small Scale Business Development (Class E)</p> <p>Where planning permission is required, conversions of existing buildings for new small-scale employment and service related business facilities will be supported provided:</p> <ol style="list-style-type: none"> 1. Safe access is provided to and from the public highway for all vehicles including the provision of servicing and turning areas; 2. Conversion does not lead to the introduction of significant additional traffic into environmentally sensitive areas or the creation or aggravation of 	<p>ASP6 – Rural Area Spatial Policy</p> <p>2. The Council will take a positive approach towards rural enterprise relating to the availability of the local workforce. In particular opportunities will be sought to encourage:</p> <ul style="list-style-type: none"> • The sensitive and sustainable diversification of traditional rural economies • A positive contribution towards enhancing local landscape and biodiversity • Appropriate re-use, conversion, or replacement of existing buildings in sustainable locations • Provision of essential rural services 	<p>S3 - Development in the Green Belt</p> <p>Within the Green Belt, as shown on the Proposals Map, there will be a presumption against any form of development, subject to the following policies:</p> <ul style="list-style-type: none"> v) The re-use of an existing building, whether for residential or other uses, may be acceptable providing it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it. 	<p>NDP Policy BBW7 sets out locally appropriate criteria for conversions of existing buildings for small scale business use. The criteria have been prepared to reflect a broad approach of support towards appropriate local economic development, provided that local issues such as access, traffic, parking, amenity and design are properly considered.</p> <p>The Policy is in general conformity with Core Spatial Strategy Policy ASP6 – Rural Area Spatial Policy Which sets out that the Council will take a positive approach towards rural enterprise and will encourage the sensitive and sustainable diversification of traditional rural</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>traffic problems. Any significant adverse impacts from traffic will be required to be mitigated through suitable traffic management measures;</p> <p>3. There is suitable provision of parking including cycle parking for employees and visitors, where possible provided on site, taking account of the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels, and adequate provision of spaces for charging plug-in and other ultra-low emission vehicles;</p> <p>4. Local residential amenity is protected, and suitable measures are put in place to mitigate and reduce to a minimum any noise or air pollution or other disturbance which impacts on human health and quality of life; and</p> <p>5. The proposed conversion conserves or enhances intrinsic</p>			<p>economies and appropriate re-use, conversion, or replacement of existing buildings in sustainable locations.</p> <p>It is likely that the Policy will also be applied to development proposals in the Green Belt. Local Plan Policy S3 - Development in the Green Belt reflects national policy and sets out that there will be a presumption against any form of development subject to certain exceptions including the re-use of an existing building providing it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>local character and distinctiveness and maintains the historic character and setting of traditional rural buildings through landscaping and design.</p>			
<p>Policy BBW8: Supporting Homeworking</p> <p>Proposals for the provision of accommodation for home based working will be supported providing they do not compromise internal space standards, residential amenity or highway safety.</p> <p>New residential development should incorporate suitable provision for new communications technologies including infrastructure and connections to high speed broadband wherever possible.</p>	<p>N/A</p>	<p>N/A</p>	<p>Policy BBW8 supports proposals for homeworking where schemes require planning consent, subject to local criteria. The policy has been included in response to local consultations which indicated that an increasing number of local people work from home at least part of the time. This is a relatively recent phenomenon and is not addressed in the Core Spatial Strategy or Local Plan policies.</p>
<p>Policy BBW9: Community Facilities</p> <p>Community facilities in the Parish are identified on Maps 11A, 11B and 11C. These are:</p> <ul style="list-style-type: none"> • Village Hall, Betley 	<p>ASP6 – Rural Area Spatial Policy</p> <p>2. The Council will take a positive approach towards rural enterprise relating to the availability of the local workforce.</p>	<p>IM1 – Provision of Essential Supporting Infrastructure and Community Facilities</p> <p>Where a development proposal would require improvements to infrastructure or essential facilities to make it acceptable</p>	<p>NDP Policy BBW9 identifies important local community facilities and resists their loss. Provision of new community facilities is supported subject to other NDP policies.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<ul style="list-style-type: none"> • St Margaret’s Church, Betley • Reading Room. Betley • Methodist Chapel, Betley • St Margaret’s Church of England Primary School, Betley • The Broughton Arms Public House, Balterley • The Crown Public House, Wrinehill • The Hand & Trumpet Public House, Wrinehill • The Swan Public House, Betley • The Village Shop & Post Office, Betley • Betley Tea Room, Betley • The Doctors Surgery, Wrinehill <p>The loss of these facilities through change of use or redevelopment or development will not be supported, unless it can be demonstrated that the facility is unlikely to be needed in the foreseeable future, in order to maintain the community’s ability to meet its day-to-day needs.</p>	<p>In particular opportunities will be sought to encourage:</p> <ul style="list-style-type: none"> - Provision of essential rural services <p>Policy CSP10 - Planning Obligations</p> <p>Developers are expected to have regard to the consequences that may arise from development. Development proposals should, therefore, include provision for necessary on site and off site infrastructure, community facilities and/or mitigation measures where this is necessary to ensure comprehensive planning and to avoid placing an additional burden on the existing community and area. These may include:</p> <ol style="list-style-type: none"> 1. Transport measures, facilities or improvements; 2. Utility services and/or improvements; 3. Affordable housing; 4. Education and community facilities; 	<p>then the developer will be required to carry out or contribute to the funding of appropriate works.</p>	<p>This Policy is in general conformity with Core Spatial Strategy Policy ASP6 which sets out that opportunities will be sought to encourage rural services. Policy CSP10 - Planning Obligations requires development to include provision for community facilities to ensure comprehensive planning and to avoid placing an additional burden on the existing community and area.</p> <p>Local Plan Policy IM1 – Provision of Essential Supporting Infrastructure and Community Facilities also requires developers to fund works and facilities where they are required to make a development acceptable.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>Provision of new recreational, community and educational facilities and enhancement of existing facilities will be supported, provided the proposal satisfies other policies in the Plan.</p>	<p>5. Open spaces, sports and recreation facilities; 6. Environmental improvements and/or mitigation measures 7. Or such other requirements which may be considered reasonable having regard to all material considerations Where appropriate, the local authority will consider entering into joint development schemes, assisting with site assembly, using powers of compulsory purchase or using other means available under its planning and associated powers, including planning conditions or planning obligations, in order to implement policies and proposals in this Strategy, or to obtain mitigation measures where necessary.</p>		
<p>Policy BBW10: Recreation and Open Space Facilities</p> <p>Recreation and Open Space facilities in the Parish are identified on Map 11A. These are:</p>	<p>CSP5 – Open Space/Sport/Recreation</p> <p>The plan area’s open space, sports and leisure assets will be enhanced, maintained and protected through the following measures -</p>	<p>N/A</p>	<p>NDP Policy BBW10 identifies important local recreation and open space facilities in the neighbourhood area and protects against their loss except where specific circumstances can be demonstrated.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<ul style="list-style-type: none"> • Betley Cricket Club • Betley Football Club • Sandy Croft • Play area to the rear of the Village Hall • Tennis Courts • Bowling Green • Playing Fields • Memorial Garden • Incidental Open Spaces. <p>Development resulting in loss of existing facilities</p> <p>The change of use or redevelopment or development of existing facilities to other uses will only be supported where the following can be demonstrated:</p> <ol style="list-style-type: none"> 1. An assessment has been undertaken which shows that the facility is surplus to requirements or there is evidence that the facility is no longer viable; or 2. The loss would be replaced by alternative provision, on a site within the Parish, of equivalent or enhanced facilities, which are accessible by walking and cycling and which have 	<ol style="list-style-type: none"> 1. Close partnership working to deliver the key elements of the Urban North Staffordshire Green Space Strategy 2. Close partnership working to deliver improved quality and accessibility, and additional sports and leisure facilities will be developed to meet local needs identified in Newcastle’s Leisure Needs and Playing Pitch Strategy and Stoke’s Sport and Physical Activity Strategy and any approved revisions or replacement strategies 3. Ensuring that all new residential development will be linked to existing and new open spaces and sport and recreation facilities through a series of well defined safe routes/streets, incorporating pedestrian friendly routes and cycle ways 4. Ensuring that the plan area’s network of open spaces, sports and leisure assets are interlinked and accessible to all, secure, and provide quality leisure and amenity facilities 		<p>This is in general conformity with Core Spatial Strategy Policy CSP5 – Open Space/Sport/Recreation which advises that the plan area’s open space, sports and leisure assets will be enhanced, maintained and protected.</p>

Betley, Balterley and Wrinehill NDP Policy	Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026, adopted October 2009	Saved Policies of the Newcastle-under-Lyme Local Plan, Adopted 2003.	General Conformity
<p>adequate car and cycle parking; or</p> <p>3. Alternative sports and recreational provision will be provided, the benefits of which clearly outweigh the loss of the current or former use.</p> <p>Provision of new and enhancement of existing facilities</p> <p>Development which contributes towards the improvement of existing, or provision of new recreational, community and educational facilities will be actively encouraged.</p>	<p>5. Developer contributions will be sought to provide a key funding source to meet the needs of new residents and for the delivery of Newcastle’s Leisure Needs and Playing Pitch Strategy, Stoke’s Sport and Physical Activity Strategy and the Urban North Staffordshire Green Space Strategy and any approved revisions or replacement strategies.</p>		

3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

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).

Newcastle-under-Lyme published a Screening Statement Determination of the need for a Strategic Environmental Assessment (SEA) Betley, Balterley and Wrinehill Neighbourhood Development Plan 2020-2033 Regulation 14 Draft Plan v2 29 November 2019 in December 2019, when the Draft Plan was at an advanced stage of preparation.

Part 6 sets out the Screening Outcome:

Newcastle-under-Lyme Borough Council has concluded that the emerging Betley, Balterley and Wrinehill Neighbourhood Development Plan is not likely to have any significant environmental effects, and accordingly will not require a Strategic Environmental Assessment (SEA). The main reasons for this conclusion are:

- *The Draft BBW NDP seeks to align with the adopted Development Plan (Joint Core Strategy 2006-2026 and ‘saved’ Local Plan 2011 Policies. Additionally the draft BBW NDP is subjected to a Habitats Regulations screening opinion;*
- *The Draft BBW NDP does not provide any site allocations for future development. As a result, it is difficult to foresee any specific environmental effects.*
- *The Draft BBW NDP seeks to avoid or minimise the environmental effects of future developments.*
- *It features development management themed policies to conserve, protect and enhance environmental, historical, cultural and heritage assets for determining development proposals;*
- *The Draft BBW NDP is unlikely to have significant affects to any designated sites, or lead to other environmental effects;*
- *The spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA;*

The statutory consultees, Environment Agency, Historic England and Natural England are to be consulted on the draft Screening Opinion. Copies of their responses will be included as Appendix C.

The three bodies concurred with the view that a full SEA or HRA would not be required. The Screening Determination will be reconsidered on submission of the NDP.

European Convention on Human Rights

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

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

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

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

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

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

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

The prescribed conditions have therefore 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.

Betley, Balterley and Wrinehill Parish Council, February 2021

With assistance from

