EATON NEIGHBOURHOOD PLAN

BASIC CONDITIONS STATEMENT - JANUARY 2020

1. INTRODUCTION

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

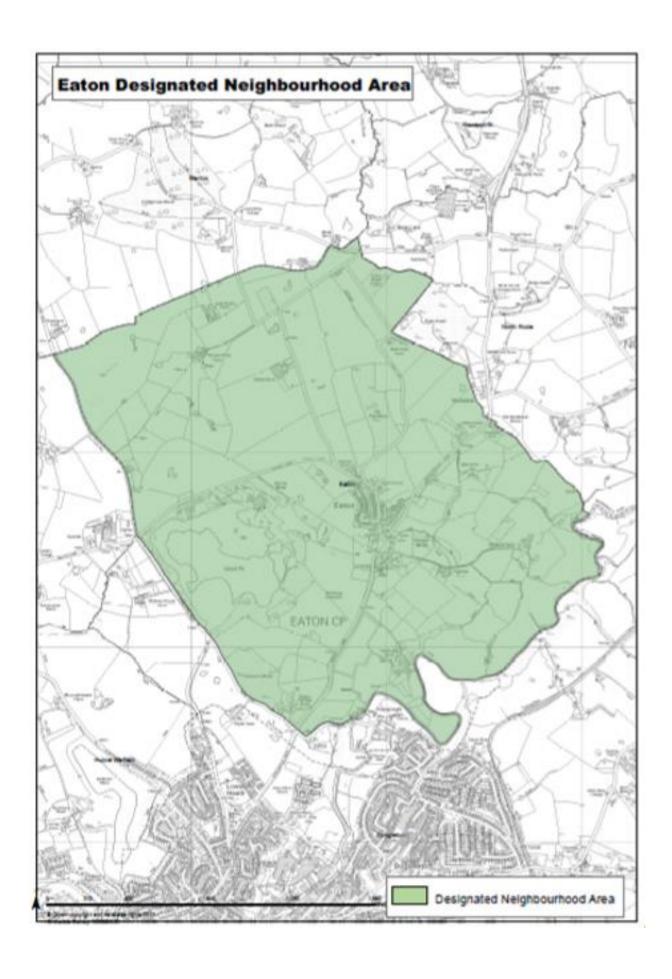
2. BACKGROUND

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in May 2016 in response to the desire of the local community to have a greater say in future planning decisions. The Parish Council was encouraged along this route by positive action from Cheshire East Council who stressed the importance of Neighbourhood Plans and their support of rural parishes who wanted to play a role in determining local planning policy.

The Parish Council formed a Neighbourhood Plan Steering Committee, which has worked closely with officers of Cheshire East Council during the preparation of the Neighbourhood Plan.

2.2 DESIGNATED AREA OF THE EATON NEIGHBOURHOOD PLAN

The Neighbourhood Plan has been prepared by Eaton Parish Council, a qualifying body, for the Neighbourhood Area covering part of the area of Eaton Parish. The original neighbourhood area applied for included the full extent of the parish boundary for Eaton Parish. During consultation the Parish Council made representations suggesting parts of the proposed neighbourhood area be excluded on the basis that those areas are more functionally related to Congleton. The Local Planning Authority agreed with the Parish Council and the designated area, excluding a small part of the parish within the settlements of Havannah and Buglawton, was approved on 28th October 2016. The Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the Neighbourhood Area.



3. THE PROPOSAL

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

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

The Neighbourhood Plan does not:

- contain policies relating to excluded development in accordance with the Regulations;
- deal with County matters (mineral extraction and waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990).

4. BASIC CONDITIONS STATEMENT

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

The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary
 of State, it is appropriate to make the neighbourhood development plan,
- the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

4.1 BASIC CONDITION 1 – HAVING REGARD TO NATIONAL POLICY

Eaton Parish Council believes that this Neighbourhood Plan, as submitted, properly demonstrates due regard to National Policy, specifically that set out in the National Planning Policy Framework (NPPF) 2019. Paragraphs 29-30 of the NPPF describe how Neighbourhood Planning can be used to give communities direct power to deliver a shared vision for their neighbourhood, and deliver the sustainable development that they need. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development that is at the heart of national policy. For planning to deliver sustainable development, the NPPF gives policy guidance in key areas, the following of which, where relevant to the Neighbourhood, the Eaton Neighbourhood Plan has had close regard:

- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Promoting healthy and safe communities;
- Achieving well-designed places;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

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

4.2 BASIC CONDITION 2 – CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

The NPPF highlights that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. These roles should not be undertaken in isolation as they are mutually dependent.

- 1. An economic role 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.
- A social role 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 wellbeing.
- 3. An environmental role to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The pursuit of sustainable development is at the heart of the Eaton Neighbourhood Plan, as is highlighted by the Neighbourhood Plan's vision and aims.

VISION - Eaton is a small, historic and socially thriving community that will retain its quiet, rural identity whilst supporting its local economy and benefitting from a 21st Century infrastructure.

OBJECTIVES

- To protect and enhance the rural setting of Eaton and to establish and maintain a Local Green Gap between the settlement and Congleton.
- To accept small scale housing development on appropriate infill sites and through conversions.
- To ensure that any new development is in keeping with local character
- To ensure that important views and local green spaces are protected
- To protect and enhance heritage assets
- To encourage safe and sustainable transport
- To ensure improvements to infrastructure
- To support and encourage leisure activities and community facilities
- To encourage and support a thriving local economy
- To continue the good relationship with the sand extraction industry and ensure that restoration plans will complement the parish

The Neighbourhood Plan seeks to ensure that development promotes good design, preserves the valued local character and natural and built environment of the parish, contributes to the creation of a

sustainable community and seeks to maintain and build a strong rural economy.

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

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

The Cheshire East Local Plan Part One was adopted in July 2017. Work is now underway on the Local Plan Site Allocations and Development Policies Document (SADPD) which will allocate remaining sites for future development and provide detailed policies to be used when considering planning applications for new development across the Borough. The draft SADPD was out for consultation in Autumn 2018 and again in early Autumn 2019, and it is anticipated that it will be adopted in 2020. Although Neighbourhood Plans need to be in general conformity with adopted policies, it has additionally made sense to consider the direction of the SADPD emerging policies and background evidence when finalising the Neighbourhood Plan policies.

The Eaton Neighbourhood Plan has, therefore, been produced taking full consideration of the strategic direction and policies firstly in the emerging Cheshire East Local Plan Strategy and more recently the adopted Local Plan, and through discussions with Cheshire East Council. Cheshire East Council has been extremely helpful and supportive of the Neighbourhood Plan, and has been involved from the outset. This has ensured general conformity and minimised any potential conflict between policies.

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

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

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

EATON NEIGHBOURHOOD PLAN POLICIES

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

Eaton Neighbourhood Plan Policv

POLICY BNE1 – New Housing

The Infill Boundary for Eaton is defined at figure 5.12 Fig C. Within this boundary limited infilling will be supported. Limited infilling is defined as the development of a relatively small gap between existing buildings. Limited infilling will only be permitted where it is:

- 1. In keeping with the scale, character and appearance of its surroundings and the local area:
- 2. Does not give rise to unacceptable impacts; and
- 3. Does not involve the loss of undeveloped land that makes a positive contribution to the character of the area.

CEC 'Settlement and Infill Boundaries Review (2019)'

Beyond the Eaton infill boundary, but adjoining the settlement, infill development will only be supported where it can be clearly demonstrated that the site is functionally and visually part of the village and that the above criteria can be met.

Where applicable, Backland and Tandem developments will only be supported where they:

- 1. Demonstrate a satisfactory means of access to an existing public highway that has an appropriate relationship with existing residential properties;
- 2. Do not have unacceptable consequences for the amenity of the residents of existing or proposed properties;
- 3. Are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway; and
- 4. Are sympathetic to the character and appearance of the surrounding area through its form, layout, boundary treatments and other characteristics.

Outside the Eaton infill boundary, only new housing development may be permitted that accords with Policy PG6 of the Cheshire East Local Plan (see Appendix 2).

Proposals for agricultural workers dwellings, or residential properties which support a rural business, must be well related to existing buildings and not have a significantly adverse impact on characteristic features of the landscape.

The conversions of farm buildings to residential properties must ensure that any important characteristics and features of the original buildings are retained, that the urbanisation of the development is kept to a minimum, and that the development is kept to the footprint of the original buildings as far as possible.

Cheshire East Local Plan Strategy (2017) and the emerging Part Two Local Plan (SADPD) Policy PG2 – Settlement Hierarchy states that in smaller settlements and the rural area, in the interests of sustainable development and the maintenance of local services, growth should be confined to proportionate development at a scale commensurate with the function and character of the settlement and confined to locations well related to the built up extent of the settlement. It may be appropriate for local needs to be met within larger settlements, dependent on location.

Policy PG6 – Open Countryside highlights that infill, rural exception site, exceptionally designed dwellings, and conversions and replacements will be allowed in the open countryside.

Emerging Policy PG10 has designated Eaton as an 'infill village'. 'Infill villages' do not

	have a settlement boundary, have no allocated sites and are within the 'open
	countryside'. Limited infilling is supported within the village infill boundaries and
	defined as the development of a relatively small gap between existing buildings.
	Infilling must be in keeping with the scale, character and appearance of its
	surroundings and the local area.
	Emerging Policy HOU8 – Backland Development recognises that badly planned
	backland development can create unsatisfactory living environments for existing and
	future residents and provides criteria detailing when such development would be
	supported. Only where the site is large enough to accommodate additional dwellings
	without adversely affecting the amenities enjoyed by existing properties, and where
	an acceptable, separate means of access can be provided, would such a form of
	development be appropriate.
Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, as
	Policy BNE1 seeks to ensure that new housing is delivered in line with the most up to
	date requirements identified by Cheshire East. This policy allows for appropriate
	development within the proposed infill boundary, whilst allowing for development
	which is appropriate in the open countryside and adding local distinctiveness to the
	policies. The proposed new infill boundary for Eaton in the draft SADPD is supported,
	as it will direct built development towards the most suitable and sustainable locations
	in the Parish whilst protecting the open countryside status of the Parish.
National Planning Policy	Para 29 highlights that neighbourhood plans should not promote less development
Framework	than set out in the strategic policies for the area, or undermine those strategic policies.
	Neighbourhood Plan policy BNE1 fully supports the strategic spatial distribution of
	development by supporting the infill boundary for Eaton and allowing development
	which accords with open countryside policies. The policy also seeks to ensure that
	development is appropriate to the local character of the area, enhancing the local
	natural environment.
Contribution to the	Neighbourhood Plan policy BNE1 contributes to the achievement of sustainable
achievement of	development by performing a social role, providing for housing to meet the needs of
sustainable development	present and future generations, and an environmental role, protecting the natural
	environment.

Eaton Neighbourhood Plan Policy	POLICY BNE2 – LOCAL GREEN GAPS
	In order to maintain the established character and identity of Eaton, and to prevent coalescence with Congleton, a local green gap has been identified (Figure D). Within the Green Gap identified at 5.26 Figure D, Policy PG6 'Open Countryside' of the Cheshire East Local Plan will apply. In addition, planning permission will not be granted for the construction of new buildings or the change of use of existing buildings or land that would: 1. Result in the erosion of a physical gap between Eaton and Congleton 2. Adversely affect the visual character of the landscape; or 3. Significantly affect the undeveloped character of the local green gap or lead to coalescence between or Eaton and Congleton.
Cheshire East	Policy PG 6 - Open Countryside states that the retention of gaps between
Local Plan Strategy	settlements is important, in order to maintain the definition and separation of
(2017)	existing communities and the individual characters of such settlements.
	Policy PG5 – Strategic Green Gaps highlights that maintaining and enhancing the
	character and separate identities of the borough's towns and villages is a key
	priority of the Local Plan Strategy.
Comments	The Neighbourhood Plan is in general conformity with local plan policies, seeking

	to ensure that the valued areas of open countryside which separate Eaton from nearby Congleton are protected, and that Eaton's character as a distinct place is protected.
	The proposed Local Green Gap was designated following advice on Local Green Gaps provided by Cheshire East Council's Neighbourhood Plan teams, and taking into consideration the emerging local green gap policy (PG14) in Part Two of the Local Plan which allows for the identification of local green gaps in Neighbourhood Plans to support the distinctiveness of settlements in the borough.
	It is considered that in particular, in line with advice, the policy will provide long term protection against coalescence; protect the setting and identity of the settlement; and retain the existing settlement pattern by maintaining openness of land.
National Planning Policy Framework 2019	Neighbourhood plan policy BNE2 seeks to help deliver one of the NPPF's key themes of conserving and enhancing the natural environment. The NPPF stresses that the planning system should protect and enhance valued landscapes.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy BNE2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment with distinct areas and characteristics, an environmental role, protecting the natural and built environment, and an economic role, ensuring that Eaton remains a valued and attractive place to live, work and invest.

Eaton	Neighbourhood
Plan	Neighbourhood

POLICY BNE3- LOCAL CHARACTER AND DESIGN

To ensure that buildings, characteristic features and materials are representative of the settlement character of Eaton, the design and layout of any new developments should demonstrate consideration of the Cheshire East Design Guide (2016) and the Eaton Landscape and Village Character Assessment (2018) or any updated version. Any new development should take the following into account, where appropriate:

- a) Development adjoining open countryside should provide a sympathetic transition between the rural and village landscape, through appropriate landscaping, design and boundary treatments.
- b) Boundary treatments in new development should be formed of soft landscaping including trees and hedges.
- c) New development should ensure a positive transition between the countryside and built form.
- d) Development should create gaps in frontages to enable views to the countryside.
- e) Views to important local landmarks such as The Cloud and Christ Church should be maintained.
- f) Development should include traditional materials and detailing in new designs, reflective of the high-quality traditional features present in the village.
- g) Development at the gateways to the core village (5.38 Figure E) should be treated sensitively, incorporating a traditional style and vernacular.
- h) Development should not be higher than two storeys.
- i) Development should support features beneficial to wildlife.
- j) The Green Wedges contribute to the rural character of the village. Within the Green Wedges, policy PG6 Open Countryside applies and only development that does not harm the character of the village will be supported.

	k) Development should, where appropriate, incorporate Sustainable Drainage Systems (SUDS) which avoids all non-permeable surfaces, or delivers a water management system which minimises surface water run-off and ensure that all surface water is addressed within the site boundary. Every option should be investigated before discharging surface water into a public sewerage network, in line with the surface water hierarchy.
Cheshire East	Policy SD1 – Sustainable Development in Cheshire East highlights that development
Local Plan Strategy (2017)	should be locally distinct, of high quality, be sustainable and well designed and should contribute to protecting and enhancing the natural, built, historic and cultural environment.
	Policy SD2 – Sustainable Development Principles stresses that all development should contribute positively to an area's character and identity, in terms of height, scale, from and grouping, and in relationship to neighbouring properties, street scene and the wider neighbourhood. The policy indicates that development should enhance the landscape character of an area and pay particular attention to significant landmarks and landscape features, creating or reinforcing local distinctiveness. Policy SE2 – Efficient Use of Land states that new development should consider the landscape and townscape character of the surrounding area when determining the character and density of development. Policy SE1 – Design states that development should make a positive contribution to their surroundings in terms of their sense of place, design quality, sustainability, liveability and designing in safety. Policy SE4 – The Landscape seeks to ensure that all development should conserve the landscape character and quality and should, where possible, enhance and effectively manage the historic, natural and man-made features that contribute to local distinctiveness of rural and urban landscapes. Development should preserve local distinctiveness and avoid the loss of habitats of significant landscape importance. The written justification of SE4 highlights that the impacts of proposed developments upon existing landscape and views of the
Macclesfield Borough	surrounding area should be assessed as part of the planning process. Policy DC2 Extensions and Alterations highlights that proposals to alter and extend
Local Plan (2004)	buildings should respect the existing architectural features of the building.
Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, by seeking to encourage good design and ensuring that development will respect and enhance the character and environment of Eaton.

National Planning Policy
Framework

The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. They should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Contribution to the achievement of sustainable development

This Neighbourhood Plan policy contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural, built and historic environment, and an economic role, ensuring that Eaton remains a valued and attractive place to live, work and invest.

Eaton Neighbourhood Plan Policy

POLICY BNE4 – HERITAGE

A heritage zone is defined and highlighted on 5.38 Figure E. Development of and within close proximity to the heritage zone should be undertaken sensitively with special regard to views, design, setting, materials and street scene.

Acceptable proposals which conserve and enhance Eaton's historic assets and their setting will be supported, particularly if the proposals would help retain the assets in active use. Proposals for development must take into account the scale of any possible harm or loss and the significance of any heritage assets and will only be supported where it can be demonstrated that substantial benefits will be achieved when weighed against the harm or loss. Measures should be put in place to avoid or minimise impact or mitigate damage.

Cheshire East Local Plan Strategy (2017)

Policy SE 7 - The Historic Environment states that the character, quality and diversity of Cheshire East's historic environment will be conserved and enhanced. All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, include the setting of assets and where appropriate, the wider historic environment.

Policy SD2- Sustainable Development Principles states that development should respect, and where possible enhance, the significance of heritage assets, including their wider settings.

Policy SE1 – Design highlights the importance of ensuring sensitivity of design in proximity to designated and local heritage assets and their settings.

Macclesfield Borough Local Plan (2004)

Policy BE2 – Historic Fabric states that the borough council will seek to preserve, enhance and interpret the historic fabric of the environment. Development which would adversely affect the historic fabric will not normally be permitted.

Comments	By seeking to conserve and enhance the built and historic environment of Eaton, and ensuring sensitivity of design, Policy BNE4 is in general conformity with the Local Plan policies.
National Planning Policy Framework	The NPPF states that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Policy BNE4 seeks to ensure that the heritage assets in the Parish are not negatively impacted by any development proposals.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy BNE4 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural, built and historic environment, and an economic role, ensuring that Eaton remains a valued and attractive place to live, work and invest.

Eaton	POLICY BNE5 – IMPORTANT VIEWS AND VISTAS
Neighbourhood Plan	
Policy	New development should respond positively to opportunities to connect to the wider landscape by incorporating layout and design that:
	 Reinforce and/or maintain relevant key views identified on Figure 5.38 Figure E Retain and frame views of the wider countryside, landscape features and distant landforms
	In particular, the visual prominence of Christ Church Tower, and views across the Dane valley to Mow Cop, Bosley Cloud and Bosley Min should not be compromised by any new development.
Cheshire East	Policy SE4 – The Landscape written justification highlights that the impacts of
Local Plan Strategy	proposed developments upon existing landscape and views of the surrounding area
(2017)	should be assessed as part of the planning process.
Comments	The identification of views and vistas is an example of how Neighbourhood Plans can have distinct policies at a real local level. This Neighbourhood Plan policy seeks to protect views that are highly valued and important to the local community and add detail to local plan policies.
National Planning Policy	The NPPF is clear on the importance of conserving and enhancing the natural
Framework	environment. Development should protect and enhance valued landscapes. 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.
Contribution to the	Neighbourhood Plan policy BNE5 contributes to the achievement of sustainable
achievement of	development by performing a social role, creating a high quality environment, an
sustainable development	environmental role, protecting the natural, built and historic environment and an
	economic role, ensuring that Eaton remains a valued and attractive place to live, work and invest.

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Eaton	POLICY BNE6 – LOCAL GREEN SPACES
Neighbourhood Plan Policy	The areas listed below are designated as 'Local Green Spaces' which are protected from new development unless very special circumstances can be demonstrated, or where development supports the role and function of the Local Green Space. Acceptable proposals which enhance the local green spaces and their function will be supported. LGS1 – Millennium Park, Play Area and Sports Pitch LGS2 - Village Green opposite the Plough Inn LGS3 – Parish Hall Green Space LGS4 - Beechwood Drive Green Space
Cheshire East Local Plan Strategy (2017)	Policy SE 6 Green Infrastructure highlights that Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, and development should contribute to the creation of a good quality, integrated and accessible multifunctional network of green spaces.
Comments	By seeking to ensure the designation, and protection and enhancement of good quality locally distinct green spaces, which are important to the people of Eaton, Policy BNE6 is in accordance with local plan policies.
National Planning Policy Framework	Neighbourhood Plan policy BNE6 is in general compliance with Paragraphs 99 and 100 of the National Planning Policy Framework, which consider Local Green Space designations and set out when they might be appropriate. The designation should be used where the green space is a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and c) local in character and is not an extensive tract of land.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy BNE6 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment for people to enjoy, use recreationally and benefit from health wise, an environmental role, protecting the natural environment, and an economic role, ensuring that Eaton remains a valued and attractive place to live, work, visit and invest.

Eaton	POLICY BNE7 - DARK SKIES
Neighbourhood Plan	
Policy	Dark skies are to be preferred over street lights. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the night-time skies dark and reducing glare.
Cheshire East	Policy SE12 – Pollution, Land Contamination and Land Instability states that the
Local Plan Strategy (2017)	Council will seek to ensure that development is located and designed so as not to result in a harmful or culmulative impact upon light pollution.
Comments	This Neighbourhood Plan policy is in general conformity with local policies, by seeking to minimise pollution. The policy recognizes the locally distinctiveness of Eaton, which

	currently has minimal street lighting which is a feature characteristic of the parish, which it is considered important to maintain.
Framework	The NPPF highlights that planning policies and decisions should ensure that developments limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
achievement of	Neighbourhood Plan policy BNE7 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, and an environmental role, protecting the natural environment and minimising pollution.

Eaton	POLICY BNE8 – TREES, HEDGEROWS, WATERCOURSES, LAKES AND PONDS
Neighbourhood Plan	I OLICI BINES TREES, HEDGEROWS, WATERCOOKSES, EARLS AND I ONDS
Policy	Hedgerows, trees, watercourses, lakes and ponds which make a significant contribution to the amenity, biodiversity and landscape character of Eaton must be preserved, and development which would adversely impact upon them will not normally be permitted. In exceptional circumstances, where the benefits of development are considered to outweigh the benefit of preserving trees, hedgerows and watercourses, development will only be permitted subject to appropriate mitigation. The retention of trees, hedgerows and watercourses in situ will always be preferable.
	Any new developments will, where appropriate, be required to include suitable plantings of trees and hedgerows. The planting of hedgerows as boundaries rather than fencing in all properties will be supported.
	Applications on sites where hedgerows follow the historic field plans will be expected to include plans to ensure that these field boundaries are retained and enhanced.
	Significant trees include the mature oak in the Millennium Park; those by the Community and Church Hall entrance drive; trees along School Lane; the Diamond Jubilee oaks behind the Plough Inn and the oak tree behind the old school house. Watercourses, lakes and ponds which make a significant contribution to the Neighbourhood Area include the River Dane, its banks and riverine surroundings, the quarry lakes and Cranberry Moss.
Cheshire East	Policy SE 5 - Trees, Hedgerows and Woodland indicates that development proposals
Local Plan Strategy (2017)	which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.
Macclesfield Borough Local Plan (2004)	Policy DC9 – Tree Protection stresses that development that would result in the loss, threat to wellbeing, or have an unsatisfactory relationship with trees worthy of protection will not be allowed unless they are no longer of amenity value, the removal is in accordance with arboricultural best practice, or mitigation provides a net environmental gain.
Comments	The Neighbourhood Plan is in general conformity with these Local Plan policies, ensuring that valued trees and hedgerows and watercourses are protected where possible.

National Planning Policy	Neighbourhood Plan policy BNE8 helps to deliver one of the key themes of the NPPF of
Framework	conserving and enhancing the natural environment. The NPPF states that planning
	permission should be refused for development resulting in the loss or deterioration of
	irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless
	there are wholly exceptional reasons and a suitable compensation strategy exists.
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Contribution to the	Neighbourhood Plan policy BNE8 contributes to the achievement of sustainable
achievement of	development by performing a social role, creating a high quality environment with
sustainable development	access to greenery, an environmental role, protecting and enhancing the natural
	environment, and an economic role, ensuring that Eaton remains a valued and
	attractive place to live, work and invest.

Eaton Neighbourhood Plan Policy

POLICY TI1 – SUSTAINABLE TRANSPORT

In order to improve sustainable transport and safety and to facilitate cycling and walking, where appropriate, applicants for any new development must demonstrate:

- a. Safe walking and cycling routes in the immediate area of the proposed site, with consideration of access to local facilities;
- b. The provision of safe cycle storage facilities;
- c. How any adverse impacts of traffic from the proposed development will be mitigated;
- d. That the most up to date parking standards required by Cheshire East Council will be met and on-site parking must be provided for any new developments.
- e. That any proposed site is located in an acceptable place in relation to the existing highway network, especially from a safety and aggregate congestion viewpoint;
- f. That the needs of children, horse riders, those with disabilities and the elderly have been positively considered;
- g. That any vehicular access arrangements will not be detrimental to the character of village lanes maintaining verges, trees and hedgerows wherever possible.

Where appropriate, development contributions from S106 and CIL will be used to improve traffic safety.

Cheshire East Local Plan Strategy (2017)

Policy CO1 – Sustainable Travel and Transport seeks to deliver the Council objectives of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking; supportive of the needs of residents and businesses and preparing for carbon free modes of transport. The Council will expect development to reduce the need to travel by guiding development to sustainable and accessible locations or locations that can be made sustainable and accessible.

Policy SD1 - Sustainable Development in Cheshire East states that development should be accessible by public transport, walking and cycling.

Policy CO 4 - Travel Plans and Transport Assessments stresses the importance that for any new development, it is important to encourage sustainable travel options from day one of occupation before car-based travel habits become established.

Policy SD2 -Sustainable Development Principles stresses that all development will be expected to provide or contribute towards identified infrastructure, services or facilities.

Comments	The Neighbourhood Plan is in general conformity with these local plan policies,
	seeking to ensure that transport is well integrated and sustainable.
National Planning Policy	Neighbourhood Plan policy TI1 seeks to help deliver one of the NPPF's aims of
Framework	promoting sustainable transport. Transport issues should be considered from the
	earliest stages of plan-making and development proposals, so that opportunities
	to promote walking, cycling and public transport use are identified and pursued.
Contribution to the	Neighbourhood Plan policy TI1 contributes to the achievement of sustainable
achievement of	development by performing a social role, creating a high quality environment where
sustainable development	people feel safe, an environmental role, encouraging the use of sustainable modes of
	transport, and an economic role, ensuring that Eaton remains an accessible and
	attractive place to live, work, visit and invest.

Eaton	POLICY TI2— FOOTPATHS AND ACCESS TO THE COUNTRYSIDE
Neighbourhood Plan	
Policy	a) Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way network (see 6.14 Figure J - map of existing Public Rights of Way), its enhancement where possible, and the safety of users of rural roads and lanes.
	b) Any development that leads to the loss or degradation of any Public Right of Way will not be permitted in other than very special circumstances, and then only if a suitable alternative can be provided. Proposals to divert Public Rights of Way should provide clear and demonstrable benefits for the wider Eaton community.
	c) Any new development must provide easy, accessible traffic-free routes for non-motorised users (to include pedestrians, disabled people, people with prams or baby-buggies, cyclists and where appropriate equestrians) to open spaces, facilities and nearby countryside. The provision of any such additional routes will be supported.
	d) The needs of non-motorised users (as described above) must be taken into account in all traffic planning, but especially in relation to rural lanes and roads. Hazards arising from an increase in vehicle numbers where agricultural buildings are converted to residential or commercial use will need to be taken into consideration. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.
Cheshire East	Policy SE 6 Green Infrastructure highlights that Cheshire East aims to deliver a good
Local Plan Strategy (2017)	quality, and accessible network of green spaces for people to enjoy, and development should contribute to the creation of a good quality, integrated and accessible multifunctional network of green spaces. Policy CO 1 - Sustainable Travel and Transport seeks to deliver the council objectives
	of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking.
Macclesfield Borough	Policy RT7 – Cycleways, Bridleways and Footpaths highlights the borough council's
Local Plan (2004)	aims to create a network of cycleways, bridleways and footpaths.
	Policy RT8 states that encouragement will be given for the public to gain access for
	wider areas of countryside for informal recreational purposes.
Comments	By protecting and enhancing footpaths and links, Policy TI2 is in general compliance with Local Plan policies.

National Planning Policy	Neighbourhood plan policy TI2 seeks to deliver the NPPF's planning aims of conserving
Framework	and enhancing the natural environment, and also of promoting healthy communities.
	The NPPF highlights that policies should protect and enhance public rights of way and
	that opportunities should be sought to provide better facilities for users, for example by
	adding links to existing public rights of way.
Contribution to the	Neighbourhood Plan policy TI2 contributes to the achievement of sustainable
achievement of	development by performing an environmental role, protecting countryside routes and
sustainable development	green links, and a social role, by protecting and establishing footpaths for the
	community to use, to meet other people and to exercise and help keep fit and healthy.
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Eaton	POLICY TI3— COMMUNICATIONS INFRASTRUCTURE
Neighbourhood Plan	
Policy	The development of advanced high-quality communications infrastructure, including high speed broadband and improved mobile phone network coverage, will be supported, subject to:
	a) Development being kept to a minimum consistent with the efficient operation of the network.
	b) Any development being sympathetic to its surroundings and camouflaged where appropriate.
	Where appropriate, any new housing development should ensure that residential properties have high speed broadband connectivity capability.
Cheshire East	Policy CO 3 - Digital Connections stresses that high capacity, leading edge digital
Local Plan Strategy	communication networks will be supported in Cheshire East to meet the needs of
(2017)	businesses and communities, subject to the number(s) of radio and
	telecommunications masts (and sites for such installations) being appropriately
	located and kept to a minimum and consistent with the efficient operation of the
	network. Developers will be required to work with appropriate providers to deliver
	the necessary physical infrastructure to accommodate information and digital
	communications (ICT) networks as an integral part of all appropriate new
	developments.
Macclesfield Borough	Policy DC 60 - Telecommunication Equipment states that the provision of masts or
Local Plan (2004)	similar structures, antennas or other telecommunications development will normally
	be permitted unless the proposal would adversely affect a listed building or its setting;
	would adversely affect the appearance of a building in a designated conservation area
	or would adversely affect the character of a conservation area; would adversely affect
	an area of special county value for landscape; or would be visually obtrusive and result
	in a significant impact upon visual amenity in either a rural or an urban area.
Comments	By seeking to ensure that Eaton has access to high quality digital connectivity,
	Neighbourhood Plan policy TI3 is in general conformity with local plan policies.
National Planning Policy	The NPPF states 'Advanced, high quality and reliable communications
Framework	infrastructure is essential for economic growth and social well-being. Planning
	policies and decisions should support the expansion of electronic communications
	networks, including next generation mobile technology (such as 5G) and full fibre
	broadband connections.'
Contribution to the	This Neighbourhood Plan policy contributes to the achievement of sustainable
achievement of	development by performing a social role, allowing people access to the internet and
sustainable development	reducing social isolation, an environmental role, seeking to ensure that development
	is sympathetic to its surroundings and an economic role, ensuring that residents and
	po o jpatette to to out out and an economic role, ensuring that residents and

Eaton Neighbourhood Plan	POLICY C1 – LEISURE AND COUNTRYSIDE PURSUITS
Policy	The enhancement, protection and development of leisure and countryside pursuits in Eaton will be supported in appropriate locations where there is no significantly harmful impact on the surrounding landscape. In particular, the enhancement of waterways, lakes and ponds for angling and bird watching and the development of bridlepaths and cycleways will be supported. Development which would lead to their loss or degradation will not be supported.
Cheshire East Local Plan Strategy Part One (2017)	Policy SC1 - Leisure and Recreation highlights the need to protect and enhance existing leisure and recreation facilities. Policy SE 4 - The Landscape states that the high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality.
Macclesfield Borough Local Plan (2004)	Policy RT7 – Cycleways, Bridleways and Footpaths highlights the borough council's aims to create a network of cycleways, bridleways and footpaths. Policy RT8 states that encouragement will be given for the public to gain access for wider areas of countryside for informal recreational purposes. Policy RT10 – Canals and Water Recreation indicates that the borough council will encourage the recreational use of areas of water such as rivers, reservoirs and former mineral extraction sites.
Comments	Policy C1, in seeking to ensure the enhancement and protection of local landscape features which are enjoyed and valued by many for their beauty and recreational purposes, is in general conformity with local and national policies.
National Planning Policy Framework 2012	The NPPF highlights that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
Contribution to the achievement of sustainable development	Neighbourhood Plan policy C1 contributes to the achievement of sustainable development by performing an environmental role, protecting and enhancing the countryside and landscape, a social role, by ensuring that valued natural resources are able to be used for leisure and recreational pursuits, and an economic role, ensuring that visitors will remain keen to come to Eaton to enjoy the beautiful environment.

Eaton Neighbourhood	POLICY C2 – COMMUNITY FACILITIES
Plan Policy	
	Appropriate proposals for the refurbishment and improvement of community facilities will be permitted, subject to other policies within the Neighbourhood Plan. Changes of use of community facilities to non-community facilities which require planning permission will not normally be permitted, unless any replacement use will provide equal or greater benefits to the community, the facility is replaced elsewhere, or it is demonstrated that the facility is no longer required.
	Proposals for appropriate new community and recreational facilities will be supported, subject to other policies within the Neighbourhood Plan.
Cheshire East	Policy SC1 – Leisure and Recreation indicates that the Council will seek to enhance

Local Plan Strategy	and protect existing leisure and recreation facilities unless surplus to requirements or
(2017)	improved alternative provision is made.
	Policy SC 3 - Health and Well-Being highlights that the council and its partners will
	create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by
	protecting existing community infrastructure and ensuring the provision of a network
	of community facilities.
Comments	The Neighbourhood Plan is in general conformity with these local plan policies,
	reflecting the desire to protect and enhance community facilities.
National Planning Policy	The NPPF is clear that in order to promote healthy and safe communities,
Framework 2019	planning policies and decisions should 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; and 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. Planning policies and decisions should
	enable 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.
Contribution to the	Neighbourhood Plan policy C2 contributes to the achievement of sustainable
achievement of	development by performing a social role, seeking the retention and improvement of
sustainable development	important village assets that are important to the community.

Eaton Neighbourhood Plan	POLICY LE1 – RURAL ECONOMY
Policy	Subject to respecting Eaton's built and landscape character, and environmental and residential amenity impacts being acceptable, the following will be supported –
	a) The development of new small businesses and the expansion to an appropriate local scale of existing businesses, particularly on brownfield sites
	b) Proposals that promote or provide facilities for home working and businesses operating from home
	c) The sympathetic conversion of existing buildings for business and enterprise d) The diversification of farms and rural businesses
	e) Agricultural and Horticultural enterprises
Cheshire East	Policy EG2 – Rural Economy states that outside the towns and service centres,
Local Plan Strategy	developments that provide for rural employment and encourage the expansion of
(2017)	existing businesses will be supported where the development meets sustainable development objectives.
	Policy SE 2 - Efficient Use of Land stresses that the Council will encourage the
	redevelopment / re-use of previously developed land and buildings.
	CO1 Sustainable Travel and Transport aims to reduce the need to travel by
	encouraging more flexible working patterns and home working.
Comments	The Neighbourhood Plan is in general conformity with these local plan policies,
	supporting businesses and employment, whilst ensuring that the open countryside is protected from inappropriate development.

National Planning Policy	Neighbourhood Plan policy LE1 helps deliver the NPPF's aim of supporting a
Framework	strong, competitive economy. To support a prosperous, rural economy, planning
	policies and decisions should enable
	a) the sustainable growth and expansion of all types of business in rural areas,
	both through conversion of existing buildings and well-designed new buildings;
	b) the development and diversification of agricultural and other land-based rural
	businesses.
Contribution to the	This policy contributes to the achievement of sustainable development by performing
achievement of	an economic role, providing employment opportunities, an environmental role,
sustainable development	protecting the natural environment, and a social role, allowing for more employment
	opportunities which will lead to greater wellbeing.

Eaton	POLICY LE2 – EXTRACTIVE INDUSTRIES AFTER-USE
Neighbourhood Plan Policy	In accordance with Cheshire East Minerals Local Plan Policy, when extraction works at the quarry cease, restoration plans must be well related to the landscape character and appropriate to the open countryside. High quality restoration proposals which lead to suitable development such as agriculture, forestry, amenity, nature conservation or recreational use will be supported, subject to having no detrimental effect on residential amenity, noise pollution or the local road network. In particular, proposals which lead to the creation of informal footpaths and walkways and provide for countryside leisure pursuits such as bird watching, angling and sailing will be supported.
Cheshire East Local Plan Strategy (2017)	Policy PG6 – Open Countryside states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Policy SE 4 - The Landscape states that the high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality.
Macclesfield Borough Local Plan (2004)	Policy RT8 states that encouragement will be given for the public to gain access for wider areas of countryside for informal recreational purposes. Policy RT10 – Canals and Water Recreation indicates that the borough council will encourage the recreational use of areas of water such as rivers, reservoirs and former mineral extraction sites. The written justification to the policy explains that there are a number of reservoirs and former mineral working sites within the Plan area, which offer opportunities for the development of quiet water based recreational pursuits. Proposals will need to maintain the ecological value of water areas and certain types of recreational use may need to be strictly controlled or even excluded.
Cheshire Replacement Minerals Local Plan (1999)	Policy 41 - Restoration states that an application for the exploration and/or winning and working of minerals or other associated developments will not be permitted unless the reclamation provides for a high standard of conservation and where appropriate enhancement of the site; and the reclamation provides for the highest practicable standards so as to be suitable for an agreed beneficial after use such as agriculture, forestry, amenity, nature conservation, recreational use.
Comments	By seeking to ensure that the after use of the quarry is appropriate to the open countryside and provides for appropriate recreational uses, this policy is in general conformity with the local plan policies. The Cheshire Replacement Mineral Local Plan

	policy, whilst detailing guidance for applications, highlights the importance to be
	placed on the after use and restoration of sites and details appropriate after uses.
National Planning Policy	Paragraph 204 of the NPPF states that planning permissions should ensure that
Framework	worked land is reclaimed at the earliest opportunity and that high quality
	restoration and aftercare of mineral sites takes place. When considering
	proposals, minerals planning authorities should provide for restoration and
	aftercare at the earliest opportunity, to be carried out to high environmental
	standards, through the application of appropriate conditions.
Contribution to the	This policy contributes to the achievement of sustainable development by performing
achievement of	an environmental role, protecting and enhancing the natural environment, and a
sustainable development	social role, allowing for recreational opportunities which will lead to greater wellbeing.

4.4 BASIC CONDITION 4: BE COMPATIBLE WITH EU OBLIGATIONS

A Strategic Environmental Assessment (SEA) screening was undertaken by Cheshire East Council. The screening confirms that a Strategic Environmental Assessment is not required for this Plan (see Eaton SEA Screening Assessment, available at http://www.eatoncheshire.co.uk/wp-content/uploads/2019/09/Eaton-SEA-Screening-Assessment.pdf

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

A Habitat Regulation Assessment (HRA) screening opinion was sought from Cheshire East Council in order to confirm whether an HRA was required to support the Plan. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Neighbourhood Plan (see Eaton SEA Screening Assessment, available at http://www.eatoncheshire.co.uk/wp-content/uploads/2019/09/Eaton-SEA-Screening-Assessment.pdf

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

4.5 BASIC CONDITION 5: COMPLIANCE WITH PRECRIBED MATTERS

There are no other prescribed matters.



Notice of Designation of Eaton Neighbourhood Area

Name of Designated Neighbourhood Area: Eaton Neighbourhood Area

Name of Relevant Body: Eaton Parish Council

Consultation Period: 02.09.16 – 26.10.16

Decision:

Notice is hereby given that Cheshire East Borough Council, pursuant to a decision made on 28.10.16 by the Neighbourhood Planning manager, has refused to designate the proposed Eaton neighbourhood area as applied for but has designated part of the area submitted as, as the Eaton Neighbourhood Area pursuant to section 61G of the Town and Country Planning Act 1990. The boundary of the designated area is shown on the attached map.

Reasons for the decision:

The original neighbourhood area applied for included the full extent of the parish boundary for Eat Parish. During consultation the Parish council mad representations suggesting parts of the proposed neighbourhood area be excluded on the basis that those areas are more functionally related to Congleton. The Local Planning Authority agrees with the Parish Council and considers that:

- The application submitted is valid
- The application submitted is appropriate for the purposes of preparing a Neighbourhood Plan
- The application meets the criteria established in The Town and Country Planning Act 1990, The Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012

Approved By:

Tom Evans, Neighbourhood Planning Manager on: 28.10.16

Designated Neighbourhood Area:

As required under The Neighbourhood Planning (General) Regulations 2012 Part 2 Regulation 7 (2), the decision document and a map of the designated area can be viewed at the following locations:

- Cheshire East Council's neighbourhood planning web pages
- · Eaton Parish Council offices
- Cheshire East Council offices at Westfields, Middlewich Road, Sandbach

For further information please contact the Neighbourhood Planning Team on 01270 685893 or via email at neighbourhoods@cheshireeast.gov.uk