

## THE INCE NEIGHBOURHOOD PLAN

### BASIC CONDITIONS STATEMENT

JANUARY 2023

## 1. INTRODUCTION

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

## 2. BACKGROUND

2.1 The Ince Neighbourhood Development Plan has been developed during the period 2019-2023 by a Steering Group of Parish Councillors and volunteers who are residents of the Neighbourhood. The Plan is based on community feedback throughout the whole development of the Plan, as described in the Neighbourhood Development Plan Consultation Statement. Preparation of the Neighbourhood Plan

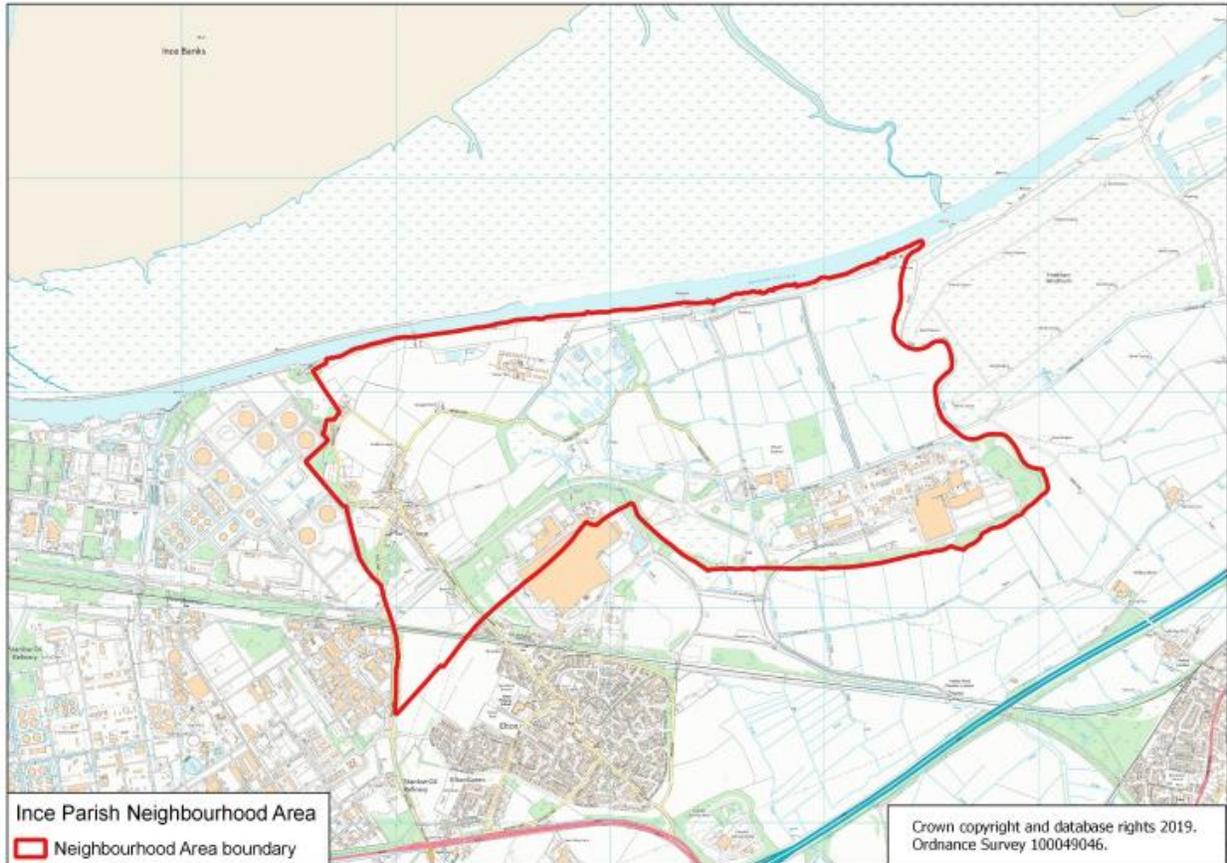
commenced in 2019 in response to the desire of the local community to have a greater say in future planning decisions. The Parish Council was encouraged along this route by positive action from Cheshire West and Chester Council who stressed the importance of Neighbourhood Plans and their support of communities who wanted to play a role in determining local planning policy. The steering group has worked closely with officers of Cheshire West and Chester Council during the preparation of the Neighbourhood Plan.

## **2.2 DESIGNATED AREA OF THE INCE NEIGHBOURHOOD PLAN**

Ince Parish Council submitted the application to designate the Neighbourhood Area on 14<sup>th</sup> November 2019. Cheshire West and Chester Borough Council designated the whole of the area within the boundary of Ince Parish Council as a Neighbourhood Area for the purposes of a Neighbourhood Development Plan on 28<sup>th</sup> November 2019.

Ince Parish Council confirms that the Ince Neighbourhood Development Plan relates only to the area within the boundary of Ince Parish Council and to no other Neighbourhood Area. The Ince Neighbourhood Development Plan is the only Neighbourhood Development Plan in the designated area. No other Neighbourhood Development Plan exists nor is in development for any part of the Neighbourhood Area.

The boundary of the Neighbourhood Area is shown below.



### 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 2023 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

Ince 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) 2021. 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 Neighbourhood Plan has had close regard:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Achieving well designed places;
- Promoting healthy and safe communities;

- Meeting the challenge of climate change;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment;

The conformity between the policies of the Ince Neighbourhood Development 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 objectives should not be undertaken in isolation as they are mutually dependent.

1. 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.
2. A social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' the health, social and cultural well-being.
3. An environmental objective - to protect and enhance our natural, built and historic environment; including making efficient use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and updating to climate change including moving to a low carbon economy.

The pursuit of sustainable development is at the heart of the Ince Neighbourhood Development Plan, as is highlighted by the Neighbourhood Plan's vision and objectives to deliver and achieve the vision:-

**Vision** - The traditional character of our small, rural parish, within the green belt and countryside, will be retained and enhanced. Future development will reflect our community's needs and aspirations, and enhance the quality of life whilst respecting and preserving local landscape, historic features and natural assets. Ince will be an excellent place to live, work, visit and enjoy walking, cycling and horse riding. The environment will enhance the health and wellbeing of our village which will be a tranquil setting with a strong sense of community.

## **OBJECTIVES**

- To protect and enhance the Conservation Area and heritage assets for the enjoyment of the community and visitors whilst maintaining the character and distinctiveness of our historic environment.
- To enhance and protect green and open spaces to ensure that they remain to the benefit of the community for future acceptable use.
- To identify, protect and enhance the biodiversity and various habitats whilst improving the connectivity of green infrastructure.
- To enhance and protect our historic landscape including hedgerows, trees, woodland and agricultural land and views.
- To support renewable energy sources which benefit our local community impacting favourably on health and wellbeing with emphasis on improving the quality of air and reduction in noise pollution.
- To improve access to our countryside through enhancement of footpaths, cycle paths and bridleways which support the health and wellbeing of our community whilst also benefiting flora and fauna by enhancing and protecting green corridors between habitats.
- To actively support our rural economy that enables and encourages small scale employment opportunities and agricultural development and to ensure that appropriate industrial development is directed to the strategic employment sites.

Policies seek to conserve and enhance heritage assets; conserve local character and distinctiveness; support the local economy; encourage good design; protect the natural environment; encourage sustainable transport, walking and cycling and protect local green spaces. 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 West and Chester Local Plan Part One Strategic Policies was adopted in January 2015, and Local Plan Part Two Land Allocations and Detailed Policies was adopted in July 2019. The Ince Neighbourhood Development Plan has, therefore, been produced taking full consideration of the strategic direction and policies firstly in the Cheshire West and Chester Local Plan Strategic Policies and more recently the adopted Part Two. Cheshire West and Chester Council has been extremely helpful and supportive of the Neighbourhood Plan. This has ensured general conformity and minimised any potential conflict between policies.

This Basic Conditions Statement demonstrates that the Neighbourhood Plan does not conflict with the strategic policies of the Cheshire West and Chester Local Plan Parts One and Two. The Neighbourhood Plan seeks to add detail to the overall strategic policy of the Cheshire West and Chester Local Plan, and be flexible enough to work alongside it.

The general conformity of each Ince Neighbourhood Development Plan policy to the strategic policies of the Cheshire West and Chester Local Plan Parts One and Two is highlighted in detail in Table 1 below. Cheshire West and Chester Council have helpfully provided guidance as to which Local Plan policies should be considered strategic. The list can be viewed at [http://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/np/toolkit](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/toolkit)

**INCE NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES**

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

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| <p><b>Ince Neighbourhood Plan Policy</b></p> | <p><b>Policy HER1 - Heritage</b></p> <p>Proposals will be supported if they preserve or enhance Ince's designated and non-designated heritage assets. Proposals will be supported which preserve or enhance the character or appearance of Ince's Conservation Area, taking account of significant heritage assets. Proposals will be supported which preserve or enhance Ince's listed buildings, structures or any curtilages, and which conserve the significance of a listed building and its setting, securing its optimum use. Reference should be made to the most recent designated Conservation Area Appraisal or any updated versions.</p> <p>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 benefits will be achieved when weighed against the harm or loss. Measures should be put in place to avoid or minimise impact or mitigate damage.</p> <p>The historic integrity of the landscape and component heritage features and assets should be preserved, and the interpretation of these features will be promoted and supported where this would not be at odds with the conservation of these assets.</p> <p>In relation to any buildings or structures which may be included on a local list of heritage assets, development proposals will be encouraged or supported where they are designed to preserve or enhance the significance of these non-designated assets. Reference should be made to the most recent Audit if Non-</p> |
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|   | Designated Heritage Assets in the Parish of Ince, Cheshire, or any updated versions.   |
| Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) | <b>ENV 5 - Historic Environment</b> states that designated and non designated heritage assets and their settings will be protected. Developments should safeguard and enhance heritage assets, and avoid loss or harm to their significance.   |
| Comments  | By seeking to conserve and enhance the historic environment of Ince, Policy HER1 is in general conformity with the Local Plan, whilst adding locally distinct detail.  |
| National Planning Policy Framework  | This policy relates to the NPPF core aim of conserving and enhancing the historic environment. 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. |
| Contribution to the achievement of sustainable development                | Neighbourhood Plan policy HER1 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, and an environmental role, protecting the natural, built and historic environment.  |

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| <p><b>Ince Neighbourhood Plan Policy</b></p> | <p><b>Policy HER2 - Ince Conservation Area</b></p> <p>Development proposals in the most recently designated Ince Conservation Area (Figure E) must demonstrate how they have considered the Ince Conservation Area Character Appraisal 2021, or any updated version, and must preserve or enhance the character or appearance of the area, taking account of the following:</p> <ul style="list-style-type: none"> <li>• the layers of historical development expressed in the buildings and structures of Ince, and the variety of housing, illustrating the settlement's development over time;</li> <li>• the well preserved vernacular architecture, the prevalence and widespread use of local sandstone, and the well -designed buildings of architectural and historic interest;</li> <li>• the historic character and landscape setting of Ince, combining the Mersey estuary and surrounding fields and marshland;</li> <li>• the importance of farming to the architecture, landscape and character of the area. Development should ensure that the footprint of new buildings and their scale fits into the agricultural nature of the settlement;</li> <li>• the public open spaces and green spaces both at the heart of the Conservation area, and at its fringe, which contribute to the setting of the buildings and frame views into and out of the Conservation Area;</li> <li>• the network of public footpaths; and the significant trees which add to the character and setting of the Conservation Area;</li> <li>• the boundary treatments of stone walls which close to The Square are more formal, and elsewhere are more rural with stone walls of low and medium height sometimes incorporating bedrock, in various styles. Fence boarding and concrete posts should be avoided;</li> <li>• the setting of the three landmark buildings of St. James Church, Ince Manor/Grange and 1-3 The Square.</li> </ul> |
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| Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) | <b>ENV 5 - Historic Environment</b> states that designated and non designated heritage assets and their settings will be protected. Developments should safeguard and enhance heritage assets, and avoid loss or harm to their significance. Development will be required to respond positively to designated heritage assets and their settings, avoiding loss or harm to their significance. |
| Comments  | By seeking to conserve and enhance the historic environment of Ince, Policy HER2 is in general conformity with the Local Plan, whilst adding locally distinct detail.  |
| National Planning Policy Framework  | This policy relates to the NPPF core aim of conserving and enhancing the historic environment. 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.   |
| Contribution to the achievement of sustainable development                | Neighbourhood Plan policy HER2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, and an environmental role, protecting the natural, built and historic environment.  |

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| <b>Ince Neighbourhood Plan Policy</b> | <p><b>Policy HER3 - Views and Setting of Ince Conservation Area</b></p> <p>Development proposals in the most recently designated Ince Conservation Area (Figure E) must demonstrate how they have considered the Ince Conservation Area Character Appraisal 2021, or any updated version, and should preserve or enhance the following:</p> <ul style="list-style-type: none"> <li>• the important views into the Conservation Area - north along Station Road towards The Square and the church; north from the bottom of Parish Field, towards the church and churchyard; south from Kinsey's Lane towards the village centre; and south up Marsh Lane towards Ince Manor (and from further i.e. from Fens Wood);</li> <li>• the important views out of the Conservation Area - north from The Square and Marsh Lane towards the estuary and Runcorn</li> </ul> |
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|   | <p>Bridge; north from Kinsey's Lane across the North Hills, adjoining fields and the estuary; northeast from rear of Smithy Farm across fields towards the estuary; and west and South from the churchyard inland towards Helsby Hill; and the important views within the Conservation Area - northeast along Pool Lane towards The Square and 1-3 The Square, view entering the village from Pool Lane ,view from Kinsey's Lane towards Pool Lane ,view across Wood Farm Field towards Hall Farm</p> <p>Views and setting are not heritage assets, nor a heritage designation, although land comprising a setting may itself be designated.</p> <p>Significant views can be seen on Figure K</p> |
| Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) | <p><b>ENV 5 - Historic Environment</b> states that designated and non designated heritage assets and their settings will be protected. Developments should safeguard and enhance heritage assets, and avoid loss or harm to their significance. Development will be required to respond positively to designated heritage assets and their settings, avoiding loss or harm to their significance.</p> <p><b>ENV 2- Landscape</b> stresses that development should take full account of the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site.</p>  |
| Comments  | By seeking to conserve and enhance the historic environment of Ince, Policy HER3 is in general conformity with the Local Plan, whilst adding locally distinct detail.   |
| National Planning Policy Framework  | This policy relates to the NPPF core aim of conserving and enhancing the historic environment. 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.  |
| Contribution to the achievement of sustainable development                | Neighbourhood Plan policy HER3 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, and an environmental role, protecting the natural, built and historic environment.   |

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| <p><b>Ince Neighbourhood Plan Policy</b></p> | <p><b>Policy LGS1 - Local Green Spaces</b></p> <p>The following sites are designated as Local Green Spaces, in line with NPPF paragraphs 101 and 102, and Local Green Space guidance in PPG:-</p> <p>LGS1 - St. James' Churchyard</p> <p>LGS2 - Cricket Field</p> <p>LGS3 - Kings-Croft Field</p> <p>LGS4 - Fens Wood</p> <p>LGS 5- Goldfinch Meadows</p> <p>LGS6 - Ince Reservoir</p> <p>LGS7 - The North Hills</p> <p>LGS8 - Park Field Pool Lane</p> <p>LGS9 - The Meadows Kinsey's Lane</p> <p>LGS10 -Wood Farm Field</p> <p>LGS11- Big Wood</p> <p>LGS12- Decoy Wood</p> <p>LGS13 - The Parish Field</p> <p>LGS14- Lower Marsh Lane Field</p> <p>LGS15- Pool Lane Pasture</p> |
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| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p> | <p><b>SOC 5 - Health and Well-being</b> highlights that proposals will be supported that support opportunities to widen and strengthen the borough's cultural, sport, recreation and leisure offer and promote high quality greenspace, and access to this across the borough, particularly in areas of recognised need.</p> <p><b>SOC 6 - Open space, sport and recreation</b> states that the Council will seek to protect, manage and enhance existing open spaces, sport and recreation facilities to provide a network of diverse, multi-functional open spaces.</p> <p><b>ENV 2 - Landscape</b> supports the designation of Local Green Spaces, and the justification to the policy highlights that the designation of Local Green Spaces provides communities with the</p>   |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with these local plan policies, seeking to protect and enhance the important local green spaces in Ince. By seeking to ensure the designation, and protection and enhancement of good quality locally distinct green spaces, which are important to the community, Policy LGS1 is in accordance with local plan policies.</p>  |
| <p>National Planning Policy Framework</p>  | <p>This policy relates to the NPPF core aims of conserving and enhancing the natural environment and promoting healthy and safe communities. Neighbourhood Plan policy LGS1 is in general conformity with Paragraphs 101 and 102 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. Additionally, 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 community facilities including open spaces. Policy LGS1 seeks to help deliver the NPPF aim of promoting healthy and safe communities. Access to a network of high quality open spaces and</p> |

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|  | opportunities for sport and physical activity is important for the health and well-being of communities.   |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy LGS1 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 Ince remains a valued and attractive place to live, work, visit and invest. |

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| <p><b>Ince Neighbourhood Plan Policy</b></p> | <p><b>Policy NAT1 - Wildlife Sites, Indicative Wildlife Corridors and Biodiversity</b></p> <p>Development must have regard to Cheshire West and Chester Local Plan policies ENV4 and DM44. The local wildlife sites (Figure G), the areas of high distinctiveness (Figure H) and the indicative wildlife corridor network shown on Figure I shall be protected from inappropriate development unless it can be demonstrated that the benefits of development clearly outweigh the impact it is likely to have on the site and the wider network of sites. The enhancement of these sites will be supported. The indicative wildlife corridors, buffer zones and areas of high distinctiveness apply outside of the strategic allocations (see Figure B) and extant planning permissions.</p> <p>Areas identified on Figure H as supporting high distinctiveness habitat, which are not covered by strategic land allocations in the Cheshire West and Chester Local Plan (policies ENV8/ STRAT4/ ECON1/ EP6 and EP2) shall be protected by at least a 15m buffer zone. Development likely to have an impact on protected sites (statutory and non-statutory), protected/priority species, priority habitats or geological sites must be accompanied by an Ecological Assessment to meet the requirements of Cheshire West and Chester Local Plan policy DM44 and industry standards. This may include bird surveys to determine the potential for any likely significant effects on the designated features of the Mersey Estuary SPA/Ramsar.</p> <p>The indicative wildlife corridor network which lies out of the strategic land allocations in the Cheshire West and Chester Local Plan (policies ENV8/ STRAT4/ ECON1/ EP6 and EP2) shall be protected by a 15m buffer zone. New developments must, where possible, not create divisions between existing indicative wildlife corridors (Figure I) and where possible should contribute to the creation of new or improved links.</p> |
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|  | <p>Development proposals where the primary objective is to conserve or enhance biodiversity shall be permitted.</p> <p>New developments shall demonstrate a net gain in biodiversity using a biodiversity metric calculation and avoidance/ mitigation strategies. Compensatory measures (for example biodiversity offsetting) will be required if a net loss of biodiversity is required.</p>   |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p>                     | <p><b>STRAT 1 - Sustainable Development</b> highlights that development should protect, enhance and improve the natural environment, seeking improvements for habitat creation.</p> <p><b>ENV 4 - Biodiversity and Geodiversity</b> indicates that sites and features of international, national and local importance should be safeguarded and enhanced. Development should not result in any net loss of natural assets, and should seek to provide net gains. Where there is unavoidable loss or damage to habitats, sites or features, mitigation and compensation will be required to ensure there is no net loss of environmental value.</p> <p><b>ENV 3 - Green Infrastructure</b> highlights that the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure will be supported, with increased planting of trees and woodlands.</p> |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019)</p> | <p><b>DM 44 - Protecting and Enhancing the Natural Environment</b> highlights that development will be supported where there is no net loss of natural assets, and, wherever possible, it delivers net gains within the borough. Development that makes a positive contribution towards the borough's ecological network will be supported, and proposals should increase the size, quality or quantity of priority habitat within core areas, corridors or stepping stones, improving the connectivity of habitats for the movement of mobile species.</p>  |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with these local plan policies, as it seeks to protect identified areas of wildlife habitats and corridors valued by the local community, allowing for development should mitigation or compensation be provided.</p>   |
| <p>National Planning</p>   | <p>Providing 'net gain' for biodiversity is embedded in the guidance in</p>  |

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| Policy Framework   | the NPPF. The NPPF states that planning policies should identify, map and safeguard components of the local wildlife rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat management, enhancement, restoration or creation. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy NAT1 contributes to the achievement of sustainable development by performing an environmental role, protecting the natural environment.   |

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| <b>Ince Neighbourhood Plan Policy</b> | <p><b>Policy NAT2 - Landscape Character</b></p> <p>In order to protect the identity of Ince Parish, new development in the greenbelt and open countryside must, where appropriate, respect and enhance the landscape character of the area, as defined in the CWAC Landscape Strategy (March 2016) - Part 1 and Part 2 Cheshire West and Chester Council - Local Plan (Part Two) evidence documents or any updated versions. Development will not be supported if it causes significant harm to the character or setting of the parish.</p> <p>Development should, where possible -</p> <p>a) Maintain the low density, scattered settlement pattern and the rural setting of the village, conserve the green spaces and hedgerows within the village, and in areas of green belt and open countryside, conserve the remaining open, undeveloped areas of the marshes.</p> <p>b) Respect the open, expansive and visually sensitive landscape of the estuary.</p> |
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|  | <p>c) Ensure that new boundary treatments and surfacing, wherever possible, recognise, respond to and reflect the traditional vernacular of existing landscape elements that define the landscape character, in order to prevent encroaching sub-urbanisation.</p> <p>In particular, the wide, expansive views across the green belt towards the marshes, estuary and the SSSI should be protected. New development should seek to maintain or reinforce these views. Significant views are detailed in the 'Significant Views within the Parish of Ince <a href="http://www.inceparishcouncil.co.uk">www.inceparishcouncil.co.uk</a> Where development is likely to impact any significant views as detailed in the document, a Landscape Visual Impact Assessment or similar study should be undertaken to evaluate any impacts the proposal would have upon the landscape.</p> |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p>                     | <p><b>ENV 2 - Landscape</b> highlights that landscape character and local distinctiveness will be protected and, wherever possible, enhanced. Development should take full account of the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site. Development should recognise, retain and incorporate features of landscape quality into the design.</p> <p><b>ENV 6 - High Quality Design and Sustainable Construction</b> stresses that development should respect local character and be sympathetic to heritage, environmental and landscape assets and making the best use of high quality materials.</p>   |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019)</p> | <p><b>GBC 2 - Protection of Landscape</b> indicates that where development requires a countryside location it must protect and wherever possible enhance landscape and distinctiveness; integrate into the landscape character of the area; and be designed to take account of guidance in the Landscape Strategy.</p>  |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with these Local Plan policies, by seeking to encourage appropriate and well-designed development appropriate to the character of the parish.</p>  |

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| National Planning Policy Framework                         | The NPPF highlights that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. Planning policies should ensure that developments are visually attractive as a result of effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy NAT2 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment, an environmental role, protecting the natural environment, and an economic role, ensuring that Ince remains a valued and attractive place to live, work and invest.  |

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| Ince Neighbourhood Plan Policy | <p><b>Policy NAT3 - Design and Wildlife</b></p> <p>In order to protect and enhance the local wildlife, all development should, where possible -</p> <ul style="list-style-type: none"> <li>a) Incorporate measures to improve wetland bird habitat into any scheme that could impact the wetland bird population within the parish.</li> <li>b) Embed out of bounds areas and dark corridors along watercourses, woodland edges and hedgerows into the environmental design of a scheme.</li> <li>c) Incorporate directional, low spillage (bat sensitive) lighting on the outside of buildings or in car-parks and along pathways and watercourses.</li> <li>d) Install hedgehog-friendly fencing as standard, purposely designed to allow the passage of hedgehogs from one area to another.</li> </ul> |
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|  | <p>e) Create south facing banks or bunds for reptiles, butterflies and other invertebrates and incorporate bee bricks and bat/bird boxes into the design of buildings, ideally made of highly durable material such as woodcrete.</p> <p>f) Direct surface drainage water from developed areas away from sensitive locations such as coastal and floodplain grazing marshes.</p> <p>g) Incorporate Sustainable Drainage Schemes (SuDS) which are useful in providing additional wildlife habitat and preventing flooding. As they may still hold polluted water they should not drain directly into existing wildlife habitat unless the filtration system is extensive.</p>   |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p> | <p><b>ENV 1 - Flood Risk and Water Management</b> states that the drainage of new development should be designed to reduce surface water run off rates to include the implementation of sustainable urban drainage systems unless it can be demonstrated that it is not technically feasible or viable.</p> <p><b>ENV 6 - High Quality Design and Sustainable Construction</b> stresses that development should respect local character and achieve a sense of place through appropriate layout and design, being sympathetic to heritage, environmental and landscape assets and making the best use of high quality materials.</p> <p><b>ENV 3 - Green Infrastructure</b> highlights that the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure will be supported.</p> <p><b>SOC 5 - Health and Well-being</b> states that development that gives rise to significant adverse impacts on health and quality of life (e.g., noise, water, air or light pollution) including residential amenity, will not be allowed.</p> |
| <p>Comments</p>  | <p>By seeking to ensure that new development is well designed and protects local wildlife and the natural environment, Neighbourhood Plan policy NAT3 is in general conformity with</p>  |

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|  | local planning policies.   |
| National Planning Policy Framework                         | Neighbourhood Plan policy NAT3 helps to deliver the key aims of the NPPF of conserving and enhancing the natural environment, and achieving well designed spaces. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. |
| 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, and an environmental role, protecting the natural and built environment.  |

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| <p><b>Ince Neighbourhood Plan Policy</b></p>                                     | <p><b>Policy NAT4 - Residential Design</b></p> <p>In order to respect the natural and built character of Ince, new residential extensions and development should, where appropriate and viable-</p> <ul style="list-style-type: none"> <li>a) Be of high quality design and in keeping with local materials and styles.</li> <li>b) Resist suburban style fencing, garden boundaries, kerbs and lighting unless there are overriding reasons of highway safety.</li> <li>c) Soften built edges by introducing small scale planting schemes using native broadleaved species, seeking to integrate garden boundaries with the rural landscape through the use of native hedgerows rather than close-board fencing.</li> <li>d) Ensure conversion of farm buildings is sensitive vernacular style, maintaining the existing structure of simple form and sandstone/ red brick finish and ensuring that features which accompany the conversion such as driveways and gardens do not 'suburbanise' the landscape.</li> <li>e) Ensure that the principles of CPTED (Crime Prevention Through Environmental Design) and SBD (Secured By Design) are considered and crime preventative measures implemented.</li> </ul> |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p> | <p><b>ENV 6 - High Quality Design and Sustainable Construction</b> stresses that development should respect local character and achieve a sense of place through appropriate layout and design, being sympathetic to heritage, environmental and landscape assets and making the best use of high quality materials.</p>  |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with the local plan, by seeking to encourage good design and ensuring that development will respect and enhance the character and environment of Ince.</p>   |

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| National Planning Policy Framework                         | The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. 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. |
| 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 and built environment, and an economic role, ensuring that Ince remains a valued and attractive place to live and work.  |

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| <b>Ince Neighbourhood Plan Policy</b> | <p><b>Policy NAT5 - Trees and Hedgerows</b></p> <p>Any development that would result in the loss of, or the deterioration in the quality or setting of trees and hedgerows which contribute to the setting and character of Ince will not normally be permitted. Proposals must be designed in line with the mitigation hierarchy detailed in Cheshire West and Chester Local Plan Policy DM44, with compensatory measures only considered as a last resort. The retention of trees and hedgerows in situ will always be preferable. Where the loss of such features is unavoidable, replacement provision must be at a ratio of at least</p> |
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|  | <p>two new trees for each tree which is lost, with hedgerows requiring a 3:1 replacement ratio.</p> <p>New tree planting will be supported within new developments, and throughout the Parish in line with The Mersey Forest Plan.</p>  |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p>                     | <p><b>STRAT 1 - Sustainable Development</b> highlights that development should protect, enhance and improve the natural environment, seeking improvements for habitat creation.</p> <p><b>ENV 3- Green Infrastructure</b> stresses that the Local Plan will support the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure. This will be achieved by development incorporating new and/or enhanced Green Infrastructure of an appropriate type, standard and size or contributing to alternative provision elsewhere, and increased planting of trees and woodlands, particularly in urban areas and the urban fringe.</p> <p><b>ENV 4 - Biodiversity and Geodiversity</b> indicates that development should not result in any net loss of natural assets, and should seek to provide net gains. Where there is unavoidable loss or damage to habitats, sites or features, mitigation and compensation will be required to ensure there is no net loss of environmental value.</p> |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019)</p> | <p><b>DM 44 - Protecting and Enhancing the Natural Environment</b> highlights that development that makes a positive contribution towards the borough's ecological network will be supported where there is no loss of natural assets and, wherever possible, it delivers net gains within the borough.</p>   |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with these Local Plan policies, ensuring that valued trees and hedgerows and watercourses are protected where possible, and new planting is supported.</p>   |
| <p>National Planning Policy Framework</p>  | <p>Neighbourhood Plan policy NAT5 helps to deliver one of the key themes of the NPPF of conserving and enhancing the natural environment. The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of</p>  |

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|  | irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons and a suitable compensation strategy exists.   |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy NAT5 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment with access to greenery, an environmental role, protecting and enhancing the natural environment. |

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| <b>Ince Neighbourhood Plan Policy</b>                                     | <p><b>Policy CC1 - Renewable Energy</b></p> <p>Developments should be designed to minimise energy consumption, through the use of sustainable materials, high energy efficiency levels, the incorporation of renewable energy initiatives and the efficient design of the building.</p> <p>Proposals for renewable energy facilities will be supported that are in accordance with local plan policies ENV7, DM51, DM52 and DM53. Regard will be given to the wider benefits to the community of providing energy from renewable sources, as well as the potential impacts on residential amenity, the natural environment and the open and visually sensitive local landscape character, particularly on views across the estuary. Any negative visual impact must be mitigated through siting, layout, design, landscaping and planting</p> |
| Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) | <p><b>STRAT 1 - Sustainable Development</b> highlights that development should mitigate and adapt to the effects of climate change, ensuring that development makes the best use of opportunities for renewable energy use and generation.</p> <p><b>ENV 7 - Alternative Energy Supplies</b> states that renewable and low carbon energy proposals will be supported where there are no unacceptable impacts on landscape, visual or residential amenity; noise, air, water, highways or health; biodiversity, the natural or historic environment; radar, telecommunications or the safety of aircraft operations.</p>   |

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| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019)</p> | <p><b>DM 53 - Energy Generation, Storage and District Heat Networks</b> highlights that proposals will be supported which make maximum use of renewable energy sources and which support the use of intermittent renewable energy sources such as wind and solar. The policy gives criteria which must be met, including that the cumulative impacts of developments on the landscape, natural environment and surrounding users will be acceptable.</p> <p>The non-strategic policies <b>DM 51 - Wind Energy</b> and <b>DM 52 - Solar Energy</b> give criteria which should be met for proposals to be supported. Proposals must have regard to the Landscape Sensitivity Study and will not be supported in areas of high landscape sensitivity.</p> |
| <p>Comments</p>  | <p>The Neighbourhood Plan is in general conformity with these local plan policies, seeking to ensure that renewable energy initiatives are supported in new developments, and that installations are supported in appropriate locations.</p>   |
| <p>National Planning Policy Framework</p>  | <p>The NPPF states that the planning system should support the transition to a low carbon future in a changing climate. It should support renewable and low carbon energy and associated infrastructure, and ensure that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impact).</p>  |
| <p>Contribution to the achievement of sustainable development</p>                                    | <p>Neighbourhood Plan policy <i>CC1</i> contributes to the achievement of sustainable development by performing an environmental role, protecting the natural and built environment and adapting to climate change.</p>  |

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| <p><b>Ince Neighbourhood Plan Policy</b></p>   | <p><b>Policy CC2 - Air Quality</b></p> <p>Development proposals should be in accordance with Local Plan policies SOC5 and DM31 air quality. Proposals for major development (as defined in the Town and Country Planning (Management Procedures) (England) Order 2010) must be accompanied by an appropriate air quality assessment that demonstrates that the proposed development would not lead to deterioration of the air quality in any part of Ince such that the air quality of such part ceases to meet the legal requirements for air quality. Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of onsite measures or, where appropriate, a financial contribution to off-site measures.</p> |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p>                     | <p><b>SOC 5 - Health and Well-being</b> states that development that gives rise to significant adverse impacts on health and quality of life (e.g., noise, water, air or light pollution) including residential amenity, will not be allowed.</p>  |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019)</p> | <p><b>DM 31 - Air Quality</b> is not a strategic policy, but asserts that in line with Local Plan (Part One) policy SOC 5, development must not give rise to significant adverse impacts on health and quality of life, from air pollution. An air quality assessment will be required for development proposals that have the potential for significant air quality impacts. Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures.</p>   |
| <p>Comments</p>  | <p>By seeking to ensure that development does not cause air quality in Ince to deteriorate, the Neighbourhood Plan is in general conformity with Local Plan policies.</p>  |
| <p>National Planning Policy Framework</p>  | <p>The NPPF states that to help conserve and enhance the natural environment, planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise</p>  |

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|  | <p>pollution. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.</p> |
| Contribution to the achievement of sustainable development | <p>This Neighbourhood Plan policy contributes to the achievement of sustainable development by performing an environmental role, protecting the natural environment from air pollution.</p>   |

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| <p><b>Ince Neighbourhood Plan Policy</b></p>                              | <p><b>Policy CC3 - Sustainable Transport</b></p> <p>Development must not create any unacceptable impacts on the local road network, including impacts on pedestrians, cyclists, horse riders, road safety, parking and congestion. Developments that reduce car usage, and extensions or improvements to pedestrian, equestrian and cycle routes and facilities along with any improvements to public transport services will be supported.</p> <p>In order to improve the sustainability of travel, transport and road safety, all developments that are likely to generate significant amounts of movement shall be accompanied by a Transport Assessment. This should include an assessment of the impact that any increase in traffic would have on the roads in the Neighbourhood Plan area. The assessment should incorporate steps to mitigate any harmful effects and the timetable to deliver that mitigation and, where appropriate, a Travel Plan consistent with the provisions of STRAT 10 of the Cheshire West and Chester Local Plan.</p> <p>The provision of charging points for electric vehicles will be supported.</p> |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies</p> | <p><b>STRAT 10 - Transport and Accessibility</b> highlights that new developments must demonstrate that additional traffic can be accommodated safely and satisfactorily within the existing or proposed highway network. Opportunities will be sought to</p>   |

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| (2015)  | <p>extend and improve access to local footpath and cycle networks. Adequate levels of car and cycle parking should be provided. Developments should provide and develop reliable and efficient transport networks that support sustainable economic growth in the borough and the surrounding area, and reduce carbon emissions from transport adapting transport networks to the effects of climate change. Developments that would generate significant amounts of movement should be accompanied by a Transport Assessment and Travel Plan. Measures should be incorporated to improve physical accessibility and remove barriers to mobility, especially for disabled and older people. Developments should seek to maximise use of sustainable (low carbon) modes of transport, by incorporating high quality facilities for pedestrians, cyclists and public transport and where appropriate charging points for electric vehicles.</p> |
| Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019) | <p><b>T 5 – Parking and Access</b> highlights that development proposals must not create any unacceptable impacts on amenity or road safety that cannot be satisfactorily mitigated by routeing controls or other highway improvements. Developments should be designed to incorporate measures to assist access to and around the site by pedestrians, cyclists and people with disabilities, and sufficient parking facilities should be provided. T5 highlights that development proposals should provide appropriate charging infrastructure for electric vehicles in new developments.</p>   |
| Comments  | <p>The Neighbourhood Plan is in general conformity with the local plan, seeking to ensure that development does not lead to unacceptable impacts on the road network and road safety, and that sustainable transport initiatives are supported.</p>   |
| National Planning Policy Framework  | <p>Neighbourhood Plan policy CC3 seeks to help deliver the NPPF's aims of promoting sustainable transport, promoting healthy and safe communities and addressing climate change. 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.</p>  |

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| Contribution to the achievement of sustainable development | Neighbourhood Plan policy CC3 contributes to the achievement of sustainable development by performing a social role, creating a high quality environment where people feel safe, an environmental role, encouraging the use of sustainable modes of transport, and an economic role, ensuring that Ince remains an accessible and attractive place to live, work, and visit. |
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| <b>Ince Neighbourhood Plan Policy</b> | <p><b>Policy FBC1 - Footpaths, Bridleways and Cycleways</b></p> <p>Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way (PROW) network and cycleways (Figure L), their enhancement where possible, and the safety of users of rural roads and lanes. The construction and appearance of any new tracks, paths or links between existing footpaths must be appropriate and sensitive to the character of the locality and the surrounding area.</p> <p>Any development that leads to the loss or degradation of any PROW or cycleway will not be permitted in other than very special circumstances, and then only if a suitable alternative can be provided. Proposals to divert PROWs or cycleways should provide clear and demonstrable benefits for the wider community.</p> <p>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 the nearby countryside. The provision of any such additional routes will be supported.</p> <p>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. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.</p> |
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|  | <p>Any proposals to create new links or routes including the following lost footpaths and bridleways in the parish will be supported (Figure M)</p> <ol style="list-style-type: none"> <li>1. The path from Marsh Lane through Holme Farm (on map but not required)</li> <li>2. The path/bridlepath from Middle Lane towards the Protos factory on Lordship Lane</li> <li>3. The path from the restricted byway towards Elton Lane</li> <li>4. Path across field to Lordship Lane</li> <li>5. Path across Kemira road bordering the ENCIRC factory</li> </ol> |
| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p> | <p><b>STRAT 10 -Transport and Accessibility</b> highlights that opportunities will be sought to extend and improve access to local footpath and cycle networks, including greenways, canal towpaths and the Public Rights of Way networks.</p> <p><b>SOC 5 - Health and Well-being</b> states that proposals will be supported that promote safe and accessible environments and developments with good access by walking, cycling and public transport.</p>  |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocations and</p>      | <p><b>T 5 - Parking and Access</b> highlights that development proposals should be designed to incorporate measures to assist access to and around the site by pedestrians, cyclists and to meet the needs of people with disabilities.</p>   |
| <p>Comments</p>  | <p>By protecting and enhancing public rights of way, safer routes, and access to the countryside, and by supporting the restoration of previous footpaths and bridleways, Policy FBC1 is in general compliance with Local Plan policies. The Neighbourhood Plan provides locally distinct information regarding lost footpaths and bridleways in the parish.</p>  |

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| National Planning Policy Framework                         | Neighbourhood plan policy FBC1 seeks to deliver the NPPF's planning aims of conserving 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 access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks. |
| Contribution to the achievement of sustainable development | Neighbourhood Plan policy FBC1 contributes to the achievement of sustainable development by performing an environmental role, protecting countryside routes and green links, and a social role, by protecting and establishing pedestrian routes for the community to use, to meet other people and to exercise and help keep fit and healthy.  |

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| <b>Ince Neighbourhood Plan Policy</b>                                     | <p><b>Policy ECDEV1 - Rural Economy</b></p> <p>Outside of the existing and designated employment areas, and subject to respecting Ince's built and landscape character, the Green Belt and countryside, along with environmental, traffic, and residential amenity impacts being acceptable, the following will be supported -</p> <p>A) Development proposals which support the rural economy and agriculture</p> <p>B) Proposals that promote or provide facilities for home working, and businesses operating from home;</p> <p>C) The sympathetic conversion of existing buildings for business and enterprise;</p> <p>D) The diversification of farms and rural businesses which are of an appropriate scale and reflect the rural character.</p> |
| Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015) | <b>Policy STRAT 9 - Green Belt and Countryside</b> permits development in the countryside including development that has an operational need to be in the countryside, replacement buildings, small scale and low impact farm diversification schemes, the reuse of rural buildings particularly for economic purposes and the expansion of existing buildings to facilitate the growth of   |

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|  | established businesses.  |
| Comments   | The Neighbourhood Plan is in general conformity with the Local Plan which permits appropriate employment development of an appropriate use, scale and design in the countryside.   |
| National Planning Policy Framework                         | Neighbourhood Plan policy ECDEV1 helps deliver the NPPF's aim of supporting a strong, competitive economy. To support a prosperous, rural economy, planning policies and decisions should enable <ul style="list-style-type: none"> <li>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;</li> <li>b) the development and diversification of agricultural and other land-based rural businesses;</li> <li>c) sustainable rural tourism and leisure developments which respect the character of the countryside.</li> </ul> The use of previously developed land, and sites that are physically well- related to existing settlements, should be encouraged where suitable opportunities exist. |
| Contribution to the achievement of sustainable development | This policy contributes to the achievement of sustainable development by performing an economic role, providing employment opportunities, an environmental role, protecting the natural environment, and a social role, allowing for more employment opportunities which will lead to greater wellbeing.   |

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| <b>Ince Neighbourhood Plan Policy</b> | <p><b>Policy ECDEV2 - Industrial Development</b></p> <p>Industrial or large- scale employment uses in the Parish will be directed to the existing and designated employment areas as detailed in Cheshire West and Chester Local Plan policies STRAT4 (Ellesmere Port); ECON1 (Economic growth, employment and enterprise); and EP2 (Employment land provision in Ellesmere Port).</p> <p>Employment development must be appropriately sited, designed and constructed to limit its influence on the rural setting and with extensive mitigation planting as necessary, and where appropriate indicative wildlife corridors within employment developments should be protected and enhanced.</p> |
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| <p>Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015)</p>                    | <p><b>STRAT 4 - Ellesmere Port</b> highlights that development in Ellesmere Port has the potential to deliver substantial economic growth through the availability of significant sites for industrial, manufacturing and distribution purposes. One key site with considerable potential to achieve future economic growth is Ince Park. The land is safeguarded as a multi-modal resource recovery park and energy from waste facility for use in connection with the recycling, recovery and reprocessing of waste materials in line with Policy 'ENV 8 Managing waste'.</p> <p><b>ECON 1 - Economic Growth, Employment and Enterprise</b> states that Ince park is identified and safeguarded as an employment location essential to meeting the future economic growth of the area. The refurbishment and enhancement of existing sites and premises for continued employment use will be supported.</p> <p><b>ENV 8 - Managing Waste</b> states that Ince Park will be safeguarded for waste uses against alternative development.</p> <p><b>ENV 6 - High Quality Design and Sustainable Construction</b> stresses that development should respect local character and achieve a sense of place through appropriate layout and design, being sympathetic to heritage, environmental and landscape assets.</p> <p><b>ENV4 - Biodiversity and Geodiversity</b> states that where development leads to unavoidable loss or damage to habitats, sites or features, mitigation and compensation will be required to ensure there is no net loss of environmental value.</p> |
| <p>Cheshire West and Chester Local Plan (Part Two) Land Allocation and Detailed Policies (2019)</p> | <p><b>EP 2 - Employment Land Provision in Ellesmere Port</b> provides details of specific allocations which includes those in the designated neighbourhood area, along with details about their proposed developments.</p> <p><b>EP 6 - Ince Park</b> provides details of what development would be supported at Ince Park. It highlights that development must minimise and mitigate any adverse impacts on the local environment, health and local residential amenity, particularly on residents of Ince and Elton (including noise, air, land or water pollution and visual impact); minimise and mitigate adverse impacts on nature conservation within and adjoining the site; and that the ecological mitigation areas are retained, or there is no</p>   |

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|  | <p>net loss in the area and type of ecological mitigation provided within the borough; and that the landscape mitigation areas that form part of the consented resource recovery park are retained either in the consented form or through alternative equivalent provision and there is appropriate landscaping that respects the landscape character of the site and its surroundings; and that development makes provision for public access on the site (including public transport), where this would not be prejudicial to the industrial operations, rail or other commercial movements on the site and/or to public safety, or would not result in recreational pressure or disturbance on sites of ecological importance.</p> |
| Comments   | <p>The Neighbourhood Plan is in general conformity with these local plan policies, seeking to ensure that industrial development is directed to the allocated employment sites in Ince, is appropriately sited and designed, and adverse ecological impacts are mitigated.</p>   |
| National Planning Policy Framework                         | <p>Neighbourhood Plan policy ECDEV2 seeks to help deliver the NPPF's aims of supporting a strong, competitive economy, and also conserving and enhancing the natural environment and achieving well designed spaces. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.</p>   |
| Contribution to the achievement of sustainable development | <p>Neighbourhood Plan policy ECDEV2 contributes to the achievement of sustainable development by performing an environmental role, ensuring that the natural environment is protected, and an economic role, ensuring that Ince remains an attractive place to work and invest and has a strong, competitive economy.</p>  |

#### **4.4 BASIC CONDITION 4: BE COMPATIBLE WITH EU OBLIGATIONS**

A Strategic Environmental Assessment (SEA) screening was undertaken by Cheshire West and Chester Council. The screening confirms that a Strategic Environmental Assessment is not required for this Plan (see Ince screening assessment) [https://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/np/](https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/) The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency). The screening assessment explains why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive.

A Habitat Regulation Assessment (HRA) screening opinion was sought from Cheshire West and Chester Council in order to confirm whether an HRA was required to support the Plan. The screening exercise concluded that no European sites would be significantly affected by the proposals within the Neighbourhood Plan (see Ince screening assessment)

[https://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/np/](https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/)

As the qualifying body, Ince Parish Council has determined that an SEA and a HRA are not required.

The Ince Neighbourhood Development Plan is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and local level strategic planning policies, which are both compatible with the Convention. In accordance with established process, the Plan has been produced in full consultation with the local community and it is subject to independent examination. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and local levels.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual. Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely: Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article,

allowing for consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

The Neighbourhood Plan Steering Group and Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

#### **4.5 BASIC CONDITION 5: COMPLIANCE WITH PRESCRIBED MATTERS**

There are no other prescribed matters.

## **APPENDIX 1 - NOTICE OF DESIGNATION**

### **Cheshire West and Chester Council**

**Delegated report**

**Date:28<sup>th</sup> November 2019**

**Neighbourhood application area:**

**Ince Parish Council**

**Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012**

**Area name:**

**Ince Parish**

**Applicant name:**

**Ince Parish  
Council**

**Ward:**

**Gowy Rural**

**Ward Members:**

**Councillor Graham Heatley  
Councillor Margaret Parker**

**Recommendation:**

**Approval**

#### **1 Introduction**

An application for designation of the Ince Parish Neighbourhood Area has been made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations). The application complies with the requirements of the Regulations as it includes:

- a map identifying the area to which the area application relates
- a statement explaining why the area is considered appropriate to be designated as a Neighbourhood Plan Area and
- a statement that the organisation making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended).

#### **2 Area Description**

The proposed Ince Parish Neighbourhood Area is the area covered by Ince Parish Council and follows the same boundary. The Neighbourhood Area is located within the Gowy Rural ward. A map of the proposed Ince Parish Neighbourhood Area is attached to this report

#### **3 Publicity**

In accordance with regulation 5A of the Regulations and Development Management Procedure (Amendment) Regulations 2016, a consultation period

on the Ince Parish Neighbourhood Area application is not required. This is because the application meets the following criteria:

- The applicant is a parish council
- The application is for the whole of the parish to be designated as the Neighbourhood Area
- None of the proposed area includes an existing Neighbourhood Area.

#### **4 Issues and assessment**

The issues in determining this application are:

- Whether an application for a Neighbourhood Area has already been made covering all or part of this area (as there can only be one Neighbourhood Area in each location and they cannot overlap).
- Confirmation that the applicant is a 'relevant body' to undertake neighbourhood planning in that area in accordance with section 61G of the 1990 Act (i.e. a parish council or Neighbourhood Forum).
- Assessment of whether the extent of the Neighbourhood Area is appropriate.

Having assessed the application it is confirmed that:

- No other application has previously been made covering all or part of this area.
- Ince Parish Council is a relevant body to undertake neighbourhood planning in that area in accordance with section 61G of the 1990 Act.
- The Neighbourhood Area is appropriate as it follows the boundary of the area covered by Ince Parish Council.
- The proposed Neighbourhood Area shares a boundary with two other neighbourhood areas within Cheshire West and Chester (Frodsham and Helsby). Neither of these areas overlap with the proposed neighbourhood area.

It is therefore an appropriate area for which to prepare a Neighbourhood Plan.

#### **5 Conclusion & Decision**

The application for the Ince Parish Neighbourhood Area complies with the requirements of the Regulations.

The decision is made that the Ince Parish Neighbourhood Area is approved and is formally designated for the following reasons:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Ince Parish Council is a relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Ince Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

The Head of Planning hereby exercises their delegated authority to agree the area application

A copy of this note will be sent to Ince Parish Council and relevant local Councillors.

In accordance with Regulation 7 of the Regulations, as soon as possible after the date of the decision the Council will publish the following on its website:

- a) Name of the Neighbourhood Area
- b) Map which identifies the area
- c) Name of the relevant body who applied for the designation

**6 Attachments**

Copy of application form and map of Ince Parish Neighbourhood Area.

Signed .....

Head of Planning  
Date 28 November 2019