Public consultation comments received relating to the application to designate Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes as a single neighbourhood plan area.

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| 1 | Sport England Zoe Hughes (Senior Planning Administrator) | Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important. It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England – Planning Policy Statement'. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/ Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/ Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure< | 27/07/2015 | Email | Note Sport England's comments and take them in to account when preparing the Neighbourhood Plan |

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| | | Levy, are utilised to support the delivery of those recommendations. <u>http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</u> | | | |
| | | If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes. <u>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</u> | | | |
| | | If you need any further advice please do not hesitate to contact Sport England using the contact details below | | | |
| | | maggie.taylor@sportengland.org | | | |
| 2 | Marine Management Organisation Susan | Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments to submit in relation to this consultation as it is not within our remit. | 27/07/2015 | Email | Note the Marine Management Organisation's comments. |
| | Davidson (Communicatio ns Assistant) | If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.gov.uk/mmo | | | |
| | The Coal | Thank you for the notification of the 24 July 2015 consulting The Coal Authority on the above NDP.The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the | | | Note the Coal Authority's comments and |
| 3 | Authority Rachel Bust (Chief Planner/ Principal Manager)planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.As you will be aware the Neighbourhood Plan area lies within the current define coalfield. However as this consultation only relates to the proposed designation | 28/07/2015 | Email | consider the implications of the High Risk Area Plans as work on the | |
| | | As you will be aware the Neighbourhood Plan area lies within the current defined coalfield. However as this consultation only relates to the proposed designation of the neighbourhood plan area, The Coal Authority has no specific comments to make at this stage. | | | Neighbourhood Plan progresses |

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| | | Whilst this is acknowledged this consultation only relates to the proposed area for a Neighbourhood Plan, it is the first opportunity to draw attention to the following facts, which we will reiterate at future consultation stages as necessary. | | | |
| | | According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity in the form of thick coal outcrops and potential unrecorded shallow coal workings in the area to the east of Butterton Grange Farm adjacent to Junction 15 of the M6. | | | |
| | | If the Neighbourhood Plan allocates sites for future development in this area then consideration as to the development will need to respond to these risks to surface stability in accordance with the National Planning Policy Framework and the Newcastle under Lyme Development Plan. In addition any allocations on the surface coal resource will need to consider the impacts of mineral sterilisation. | | | |
| | | In accordance with the Neighbourhood Planning (General) Regulations 2012 please continue to consult The Coal Authority on planning matters using the specific email address of planningconsultation@coal.gov.uk | | | |
| | | The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan. | | | |
| 4 | The Connecting Tracks Project John Huff (Lead Community Organiser) | I support the two applications. I hope that both communities will use the insights promoted by the late Dr Tony Gibson in his ground breaking work under the general title of "Planning for Real". Anything I can do to assist in this approach would be good. The Combined community application, I hope will be robust in its dealing with the | 29/07/2015 | Email | Note the Connecting Tracks Project's comments. Consider whether or not a 'Planning for Real' approach would be |
| | Organiser) | projected HS2 railway line. And request noise contour maps for their part of the line. | | | appropriate. Consider the extent to which |

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| | | | | | the projected HS2 route can be considered within the Neighbourhood Plan. |
| 5 | UK Civil Aviation Authority Peter Gardiner (Executive Assistant to the Chair and Chief Executive) | We have no regulatory role in this matter. | 29/07/2015 | Email | No action required |
| 6 | Natural England Sharon Jenkins (Support Advisor – Technical Services) | Thank you for notifying Natural England of your Neighbourhood Planning Area dated 27/07/2015. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements. The following is offered as general advice which may be of use in the | 03/08/2015 | Email | Note Natural England's comments and consider how to address them when preparing the Neighbourhood Plan. |

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| | | preparation of your plan. Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: http://www.nbn-nfbr.org.uk/nfbr.php Protected landscapes If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership. National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. http://www.naturalengland.org.uk/publications/nca/default.aspx Protected species You should consider whether your plan or proposal has any impacts on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species s | | | |

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| | | Local Wildlife Sites You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site. Best Most Versatile Agricultural Land Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that: 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'. General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; http://www.landis.org.uk/index.cfm Opportunities for enhancing the natural environment Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the | | | |
| | | local community, for example through green space provision and access to and contact with nature. | | | |

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| | | Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal. | | | |
| | | Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at <u>consultations@naturalengland.org.uk</u> | | | |
| | | Thank you for giving notice that the above areas have applied for designation as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012. | | | |
| 7 | Historic England Peter Boland (Historic Places Adviser) | Historic England has no objection to this proposal. The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including designated conservation areas at Maer and Whitmore; Maer Hall designated Park and Garden (GII) and Berth Hill Hillfort which is a scheduled ancient monument. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan proposals. Consideration should also be given to the protection of undesignated heritage assets including farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Staffordshire County Council Historic Environment Record (HER). | 19/08/2015 | Email | Note Historic England's comments and consider how to address them when preparing the Neighbourhood Plan. |
| | | The area also contains two designated heritage assets that are on the National Heritage At Risk Register, namely Butterton Conservation Area and "Gatehouse, wall and piers to Maer Hall". It may be appropriate for the Neighbourhood Plan to consider adopting a policy that seeks to, for example, "Promote opportunities to achieve the removal of heritage assets from the At Risk Register" | | | |
| | | Having a sound evidence base for the Plan is important so as to form a properly | | | |

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| | | supportive context for plan policies. The National Planning Policy Framework (paragraph 58) requires Neighbourhood Plans to develop robust and comprehensive policies setting out the quality of development that will be expected in an area based upon an understanding and evaluation of its' defining characteristics. The aim is to ensure that developments (inter alia) "respond to local character and history, and reflect the identity of local surroundings and materials" | | | |
| | | Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment. Historic England is expecting that as Parish Council's come to you (and perhaps particularly to your specialist conservation staff) to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource. | | | |
| | | Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans as for example the Historic Landscape Characterisation and the Extensive Urban Surveys completed by Staffordshire County Council. Comprehensive data on Heritage Assets including archaeological remains in your area will be available from the Staffordshire Historic Environment Record held by the County Council and local environmental and amenity groups often also hold useful information. | | | |
| | | Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies. Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Parish Council to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders. | | | |

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| | | Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity. | | | |
| | | Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/ | | | |
| | | It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning. | | | |
| | | Historic England also publishes a wide range of relevant guidance. Links to this can be found in appendix 1 to this letter. Appendix II contains links to a number of Neighbourhood Plans that Historic England consider to be exemplary in their treatment of the historic environment. | | | |
| | | Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me. | | | |
| 8 | Newcastle- under-Lyme Civic Society Dr A. Drakakis- Smith (Secretary) | The Civic Society would like to thank you for contacting them and bringing to their attention the notice to apply for Neighbourhood Development Plan Status by the Chapel Hill Chorlton, Maer and Aston and Whitmore Parish Councils. After a discussion of the matter, the Civic Society would like me to inform you that they would be happy to support this application and wish them well in this endeavour. | 20/08/2015 | Email | Note Newcastle- under-Lyme Civic Society's comments. |

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| 9 | United Utilities Rebecca Pemberton (Planning Analyst) | Thank you for your email notifying us of the intention to designate the above as a Neighbourhood Area. United Utilities does not wish to submit any formal comments at this stage, however wish to be kept informed and consulted with further should this designation be approved. It is important that United Utilities are kept aware of any future development plans and supporting policies to ensure we can facilitate the delivery of the necessary sustainable infrastructure at an appropriate time. Therefore we encourage further consultation with us once a draft Neighbourhood Plan is commenced as we may submit detailed comments at the Draft Plan public consultation stage. If you wish to discuss this in further detail please feel free to contact me. | 24/08/2015 | Email | Note United Utilities' comments and continue to engage with them at key stages in preparing the neighbourhood plan |
| 10 | Gladman Developments John Fleming (Graduate Planner) | Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladmans' representations on the application made by Chapel & Hill Chorlton, Maer & Aston and Whitmore Parish Councils for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan. At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the Joint Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard. Neighbourhood Plans - Guidance and Legislation The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be | 24/08/2015 | Email | Note Gladman Development's comments and consider how to address them when preparing the Neighbourhood Plan. |

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| | | applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans. | | | |
| | | Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that: <i>"The application of the Presumption (In Favour of Sustainable Development,</i> set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should: Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan" | | | |
| | | Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council's Local Plan is included in paragraph 184 of the Framework: <i>"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans or undermine its strategic policies".</i> | | | |
| | | Before a Neighbourhood Plan can proceed to referendum in must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of | | | |

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| | | Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are: a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order d) The making of the neighbourhood plan contributes to the achievement of sustainable development e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination. Relationship with Local Plans To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is or generation of plans is yet to be found sound at Examination, there will be lack of certainty over what scale of | | | |

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| | | development a community must accommodate or the direction the policies in the Neighbourhood Plan should take. The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy was adopted in 2009. The Council resolved on 11th December 2013, to withdraw the Site Allocations and Policies Local Plan and instead proceed with the preparation of a new joint full Local Plan. It is anticipated that the draft Local Plan will be published for consultation in 2017 and submitted for examination in 2018. Gladman question the Parish Councils ability to proceed on a Neighbourhood Plan at this time when there is no up-to-date adopted development plan in place to which the Neighbourhood Plan can be based or tested against. Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date. Neighbourhood Plan Policies and Proposals In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan splicies should align with the requirements and supports | | | |
| | | proposals that would prevent development from going ahead. They are required | | | |

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| | | to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions. Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals. Sustainability Appraisal/Strategic Environmental Assessment | | | |
| | | The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations. In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions. | | | |

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| | | Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA in unlikely to require significant additional input. The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances. | | | |
| 11 | Mr & Mrs Chadwick (local residents) | Reference the attached notice that has been displayed by Newcastle Borough Council, we consider that this proposed neighbourhood plan for the three parishes of Chapel and Hill Chorlton, Maer and Aston, and Whitmore appropriate. | 24/08/2015 | Email | Note Mr & Mrs Chadwick's support |