

Tarporley NDP Review 2021

Review of Made Tarporley NDP Planning Policies

Table 1 National Planning Policy Framework (NPPF)

V1 Feb 2021

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	General: 3. Plan-making Non-strategic policies 29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (16). (FN 16 - Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.)	Add this to the supporting text of the NDP. A new introductory section should set out how the NDP is required to have regard to national planning policies and be in general conformity with CWAC strategic policies. This section should include the relevant extracts from the NPPF.	Agreed

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	30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.		
Economy	2. Achieving sustainable development 8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.	Add this to the introductory section of the Economy chapter.	Agreed
Policy TE1 - Additional Business Premises and Employment Opportunities The development of new businesses and the expansion of existing businesses in Tarporley will be supported, subject to development respecting local	6. Building a strong, competitive economy 80. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and	Generally the Policy could be strengthened to give a stronger emphasis on appropriate investment and economic growth, in line with the NPPF's support for economic growth and productivity and Tarporley's	We agree with your suggestions to strengthen the policy, in particular for development on the edge or adjacent to the settlement boundary and for

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character and residential amenity, and the residual cumulative impacts on highway safety and the local transport network not being severe. The regeneration and small scale expansion of existing business sites, or the sympathetic conversion of existing buildings, for business and enterprise, will be supported.	address the challenges of the future. 81. Planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances. 82. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. Supporting a prosperous rural economy 83. Planning policies and decisions should enable:	role as a key service centre in the settlement hierarchy. The Policy reflects the NPPF in that it requires business development to respect local character, residential amenity and highway safety (see NPPF para 84, although this relates to sites outside settlements). These criteria should be retained as they are important to the context of Tarpoley. The wording could be linked more closely to the NPPF, for instance referring to well designed new buildings, and supporting sites on the edge of the settlement or in areas of poor public transport where they are sensitive to the character of the local area, do not have an unacceptable impact on local roads and offer opportunities for access on foot, by cycling or by public transport.	mixed use premises and to reflect different working arrangements post-covid. Can you suggest text?

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	a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.	The Group could consider stronger support for mixed use developments ie business / residential as part of a more flexible approach to accommodate changing needs and economic circumstances. Consideration should be given to economic recovery in the wake of the Covid-19 pandemic and changes to living / working patterns and possible opportunities for say small offices / meeting spaces if commuting to large / regional centres remains at a lower level. An update is needed on Rode Street Chemical Works - could this be a potential site allocation for a mixed use development of business and residential units? Consider undertaking some informal consultation with local businesses / employees / homeworkers to understand their changing needs and	

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		requirements and how the NDP Review might support them.	
Policy TE2 - Protecting Existing Employment Premises – Business and Industrial Developments Falling Within Use Classes B1, B2, B8 or Sui Generis The re-development or change of use of existing employment premises will only be permitted when: A. The employment premises have been empty for a year and during that time actively marketed for employment use at the current market rate without securing a viable alternative employment use; or B. Equivalent, or better, provision is made, elsewhere within the settlement boundary, to replace the proposed loss of local employment space.	As above.	This Policy could be deleted? Refer to Local Plan Part One Strategic Policies Policy ECON 1 Economic growth, employment and enterprise which supersedes this. This says: 'Redevelopment to non-employment uses will be permitted where the proposed use is compatible with existing retained employment uses in the locality and where: - the proposal would not limit the range, choice and quality of employment sites available to meet future employment needs; or - it can be demonstrated that the continued use of the premises for employment use is no longer	Prefer to retain and modify part B to include development adjacent to or beyond settlement boundary – as stated in the NPPF Can you suggest the text?

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C. Where works or premises are subject to specific restrictions (such as COMAH) in relation to their current activities, should they become unviable for commercial or other reasons, support will be given for re-development for other employment use, consistent with other policies in this Plan.		commercially viable or environmentally acceptable. NDP criterion A is additional to the local plan policy as it gives a marketing period. Criterion B is additional in that it requires replacement provision within the settlement boundary. Criterion C supports redevelopment of other employment use, but possibly a more flexible approach is appropriate - see note for Policy TE1 above.	
Policy TE3 - Supporting A Range of Goods and Services in the Village Centre Shopping Area Proposals for new retail and service facilities which enhance the vitality and viability of the existing village centre will be supported. Changes of use of local retail premises to mixed offices and residential accommodation are considered acceptable, but loss	Supporting a prosperous rural economy 83. Planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. 7. Ensuring the vitality of town centres 85. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:	The first paragraph of the NDP Policy is broadly appropriate but it could be strengthened and more detail added to reflect a more creative and supportive response to recent pressures on the high street. NPPF Para 85 a) sets out that policies should promote long term vitality and viability by allowing centres to grow and diversify in a way that can respond to rapid changes in	Expand the first paragraph by including: Hospitality, Leisure & Entertainment, Sports & Recreation, meeting spaces, visitor centres & attractions. Or words to that effect.

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of retail premises to wholly residential use will be resisted. At any one time, the majority of ground floor units in Tarporley's defined shopping area should be within Class A1 retail, or community facility/service use. New commercial / retailing development will be required to demonstrate that its range of goods and services are complementary to the existing offer. Development should be located within the defined shopping area and proposals should be of a scale and design which are sympathetic to the distinctive character of the historic core.	a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters; b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre; c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones; d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary; e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and f) recognise that residential development often plays an important role in ensuring	the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters. Consider adding more detail to the policy to refer to possible suitable uses, including short term uses of vacant premises such as community and educational uses, business meeting space etc. There have been significant changes to permitted development / use classes order and these are likely to continue to change, so perhaps delete the middle paragraph or equivalent to avoid it becoming quickly out of date. The NPPF mentions housing as part of a suitable mix of uses in centres and says policies should recognise that residential development often plays an important role in ensuring the vitality of centres. The middle paragraph of the policy may	We would prefer to retain the second paragraph because (and it may be worth stating) that our High St. is a linear shopping centre with housing along both sides. We agree with your suggestions for the third paragraph. Can you suggest text?

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	the vitality of centres and encourage residential development on appropriate sites. Changes to latest Use Classes Order - village shops / protection from PD rights for conversion to Residential Use <u>Most town / village centre businesses and community uses are now amalgamated into in a new Part A Class E:</u> STATUTORY INSTRUMENTS 2020 No. 757 TOWN AND COUNTRY PLANNING, ENGLAND The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 PART A Commercial, Business and Service Class E. Commercial, Business and Service Use, or part use, for all or any of the following purposes— (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public, (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises, (c) for the provision of the following kinds of services principally to visiting members of the public— (i) financial services, (ii) professional services (other than health or medical services), or (iii) any other services which it is appropriate to provide in a commercial, business or service locality, (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,	conflict with this, so if retained, the wording relating to housing should change to show a more flexible approach / recognition of some housing being appropriate as part of the mix. The third paragraph could be strengthened by supporting development that promotes a suitable mix of uses in the defined shopping area and allows Tarporley to diversify and respond to recent and future changes in the market. This could be combined with the changes to the first paragraph. The last sentence should be retained.	

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	(e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner, (f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public, (g) for— (i) an office to carry out any operational or administrative functions, (ii) the research and development of products or processes, or (iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. <u>However, some are in Part B Class F2:</u> PART B Local Community and Learning Class F.2 Local community Use as— (a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where— (i) the shop’s premises cover an area not more than 280 metres square, and (ii) there is no other such facility within 1000 metre radius of the shop’s location, (b) a hall or meeting place for the principal use of the local community, (c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms,		

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	(d) an indoor or outdoor swimming pool or skating rink. The PD rights for Class M allow conversion from E to residential use, subject to various criteria. This is set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 Statutory Instruments 2015 No. 596 SCHEDULE 2 Latest Version https://www.legislation.gov.uk/uksi/2015/596/schedule/2 M.1 sets out that Development is not permitted by Class M if: (g) the building is— (i) on article 2(3) land. <u>Article 2(3) land includes conservation areas. Therefore, even if the shops were in E, if they are in a conservation area a change of use to residential would require planning permission.</u>		
Policy TE4 - Car Parking Proposals for new public car parking facilities within or adjoining Tarpoley village centre will be supported in their entirety or as part of new developments on suitable sites where: A. There is appropriate vehicular and pedestrian accessibility; and	9. Promoting sustainable transport 106. In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.	Consider whether this Policy is still needed or whether developments and measures since 2016 have addressed this sufficiently. The Policy is broadly in line with NPPF paragraph 106. However, there is a stronger emphasis in the NPPF on promoting more sustainable transport alternatives. Therefore it may be worth	Yes, it is still needed. Retain this policy but add requirement for inclusion of cycle parking spaces and electric charging points.

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B. Appropriate hard and soft landscaping is provided to ensure the designs are sensitive to the setting of the conservation area and nearby historic buildings. Where new developments are located near to the centre of the village, developers will be encouraged to include public car parking provision which is available to non residents during working hours, as well as parking for residents and visitors.		changing the emphasis of the Policy so it supports both cycle storage and car parking, and includes electric charging points. Parking should form just one part of an overall approach to improving accessibility for all (link to TIFC4 and combine?). Also perhaps think about tree planting to provide shade and shelter as part of climate resilience measures and landscaping to promote social interaction eg provide seating areas.	Add point c: New long stay car parks adjacent to or beyond the settlement boundary that serve the visitor economy and Tarpoley as a key service centre will be supported either in isolation or in support of facilities as set out in TE3
Policy TE5 – Promoting and Supporting Tourism in Tarpoley The expansion of existing, and development of new, tourism and related facilities will be supported where it is proportionate to its location in scale and type.	Supporting a prosperous rural economy 83. Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops,	This Policy says very little and does not really add local detail or context to national policies. Consider if anything has changed since 2016. Has there been growth and investment in visitor facilities in village centre? Consider the rural area / diversification - is there a growth in B&Bs, holiday cottages, other accommodation in the Parish?	This policy needs to be retained but modified. It needs to enable development that supports sustainable rural tourism with Tarpoley as the Heart Of The Sandstone Ridge and as a Rural Service Centre within the Sandstone Ridge.

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	meeting places, sports venues, open space, cultural buildings, public houses and places of worship.	If a tourism policy is retained then it should reflect Tarporley's current and future context as a visitor destination. Otherwise the Policy could be deleted.	For example, facilities to encourage people to use Tarporley as their base – to stay, eat and drink while visiting the Sandstone Ridge and other attractions in the area. Facilities within, adjacent to or beyond the settlement boundary. Link to TE3 and TE4 Can you suggest text?
Environment and Heritage	8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising	Add this to the supporting / introductory text to the Environment and Heritage section. Overall there are gaps in the NDP which you may wish to consider addressing in the review eg in relation to ensuring biodiversity net gain, promoting resource efficiency / sustainable design and incorporating climate	Agreed Sustainable design and climate resilience of new buildings can be dealt with in the Design Code. In terms of biodiversity net gain,

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	waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.	resilience into new buildings as part of responding to the climate emergency.	can you recommend a suitable policy?
Policy TEH1 – Rural Character The design and layout of new developments should respect local character and demonstrate, where appropriate, consideration of the Village Design Statement. Development adjoining open countryside should provide a sympathetic transition and where appropriate, landscaping should integrate with wildlife corridors. The provision of features beneficial to wildlife within developments will be supported. New development should take the following into account, where appropriate: 1. The location and setting of tree planting should be designed to conserve and enhance local	12. Achieving well-designed places 125. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. 127. Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials	The Policy is generally about landscape character and setting and is broadly in line with the NPPF which sets out that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting. In terms of the natural environment, policies should recognise the intrinsic character and beauty of the countryside (paragraph 170 b). It could be strengthened and updated by commissioning design codes through the Locality Technical Support route (building on the VDS). This would allow a fresh look at the 'special qualities' of Tarpoley and allow a more tailored approach in one or more detailed design policies.	Much of Policy TEH1 will probably be superseded by the Design Code so we suggest leaving this Policy as it is until the Design Code is complete and then review it.

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character and native tree species should be used. 2. Existing mature trees should be retained and protected on development sites. In the case of a tree which is deemed diseased or unsafe by a tree specialist, a suitable replacement native tree must be planted. 3. Development proposals should respect the “green roadways/corridors” or shelter belts of trees and bushes within the village. These are shown on Map 4 and are listed in Appendix I Table (i). 4. Existing hedgerows must be retained, especially those on the side of roads within the Parish. Sections of hedgerows should only be removed for public road and footpath access to development sites. Any damaged hedgerows must be replanted with native hedgerow species.	to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. 131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. 15. Conserving and enhancing the natural Environment 170. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner	The 'green roadways and corridors' should be reviewed. The Policy wording could probably go further and it could require development to 'protect and enhance' them rather than ask development to just 'respect' them. They could be enhanced by encouraging replacement of old or diseased trees by new trees of appropriate local species where they are included within or close to development sites. Traditional hedgerows are protected by other legislation but as they are characteristic of the parish this could be retained and again existing hedgerows could be enhanced in development schemes. There should probably be one single policy for development in the conservation area (a new policy). This should include part 7 and detailed design criteria for managing	

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5. New hedgerows are encouraged as boundary treatments around and within new developments. 6. Existing sandstone walls, including those which are part of hedgerows, must be retained and kept in good order. 7. Within the Conservation Area, general boundary features should be in keeping with the existing character of the immediate area and should include conservation of existing or inclusion of new red sandstone walling and black and white railings (“Cheshire railings”). Suburban style garden boundaries will be resisted. 8. Existing water courses and wetland features such as ponds should be retained to enhance local biodiversity.	commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing 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 pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Habitats and biodiversity 174. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider	change in the conservation area - see design codes as above. Consideration could be also be given to a (new) policy which requires biodiversity net gain and sets out how this may be achieved at a local level. This would require detailed discussions with CWAC and local wildlife groups eg the Cheshire Wildlife Trust.	

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	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 national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. 16. Conserving and enhancing the historic Environment 200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.		
Policy TEH2 – Views Development must respect important views into and out of the village. These views are identified on Map 5 “key	Achieving well designed places 127. Planning policies and decisions should ensure that developments: c) are sympathetic to local character and history, including the surrounding built environment and landscape setting,	The NPPF does not address views specifically but says that developments should be sympathetic to landscape setting and policies should	We agree to your suggested wording change.

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viewpoints” below and listed in the Appendices.	while not preventing or discouraging appropriate innovation or change (such as increased densities); 15. Conserving and enhancing the natural Environment 170. Planning policies and decisions should contribute to and enhance the natural and local environment by: b) recognising the intrinsic character and beauty of the countryside	recognise the intrinsic beauty of the countryside. The important views should be reviewed, particularly taking into account the visual impacts of recent developments and changes. The Policy could be better worded eg Development proposals should respect the identified important views. Where a development proposal impacts on an identified important view, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that the scheme is designed and sited sensitively and appropriately to mitigate any adverse impacts.' The justification should include photos (see Table (ii) Key Viewpoints).	The following views on Map 5 have changed due to recent developments and should be reviewed. No 9 and 10 views have now changed due to the Daffodil Field and the building next to the Old Rectory The view symbols on Map 5 should be changed to represent real person wide angle view – as in the Village Design Statement.
Policy TEH3 – Local Green Spaces	99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to	The NPPF supports the identification of Local Green Spaces for protection.	Reviewing the Green Spaces on Map 6

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Local Green Space is designated at the nine sites shown on Map 6 and supporting plans. These are listed in the Appendices. Development of Local Green Space is not permitted, other than in very special circumstances.	them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period. 100. The Local Green Space designation should only 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), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land. 101. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.	The LGSs in the NDP should all be reviewed and re-assessed against the 3 criteria in the NPPF (para 100). Some examiners change the wording of the Policy eg The following are designated as Local Green Spaces: These are shown on Map x. The NPPF advises that proposals to develop local green space will be considered in relation to green belt policy. This establishes a presumption against development in order to protect the landscape character and openness of these areas. Development is only allowed in very special circumstances. This means that these areas will be retained as local green space unless there are special circumstances to allow development or it is considered as appropriate ancillary development, which does not reduce the openness	against the 3 NPPF criteria. Green spaces No 1, 3, 4, 5 and 8 can remain as is. No 9 needs to be re-written to describe it as the Brook Road Playing Field and Nature Park. No 2 and 6 has been partly developed and so their boundaries need to be re-drawn No 7 does not meet the NPPF criteria paragraph 100 b. and so should not be identified as a Green Space. Some of the areas that were identified as “Green Roadways and Corridors” (see Appendices 1 and 4) should actually be

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		or character of the green space.'	designated as Green Spaces, i.e. No 15 – this wooded area is the Southern Tip of the Mersey Forest and is a habitat for bats, owls, newts, and other amphibians. No 9 is a tranquil woodland area around an old sandstone quarry much used by residents No 11 is a woodland area on the west side of the golf course along a much-used footpath. There are also some numbering errors in Appendices 1 and 4, i.e Nos 12 and 13
Policy TEH4 – Design	12. Achieving well-designed places	See notes for TEH1 above.	Leave as it is for now. This section will be

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New residential development will be required to demonstrate consideration of the following design principles and the detailed guidance contained within the Village Design Statement: New Residential Development A. A mix of housing types and sizes is encouraged within each development, to provide variety in shapes and styles (rather than uniform, “off the shelf” house types). B. The height of dwellings, away from the High Street, should not be more than 2 storeys. C. The design of dwellings should not be limited to traditional house styles, although designs should respect their context and the use of locally appropriate materials is preferred. D. Resource efficiency measures such as water butts fed from	124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. 125. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. 126. To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and	This Policy is broadly in line with the NPPF in that it refers to Tarporley's special defining characteristics and was developed through earlier consultation and engagement with local people. However the Policy could include more local detail if it was drawn from an up to date local character assessment and design codes. Also the Policy is rather weak in terms of sustainable design and much more detail could be provided in a new policy on say sustainable design and tackling climate change. Again, commissioned design codes could assist with this.	superseded by the Design Code.

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roofs and sustainable low carbon technologies such as solar panels are encouraged where these do not adversely affect the character and appearance of the historic environment in the Conservation Area. E. Away from the High Street, dwellings should have front gardens. F. Where houses are built in terraces, and in properties with no side access to the rear, designated covered structures should be integrated into designs to support occupiers keeping their recycling bins at the front of their dwellings.	should allow a suitable degree of variety where this would be justified.		
Policy TEH5 – Protecting Heritage Assets Designated and non-designated heritage assets enhance local distinctiveness and should be preserved in a manner appropriate to their significance. Development should seek to	16. Conserving and enhancing the historic Environment 184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an	This Policy does not really provide more local detail to national policies and CWAC policies and other legislation which provides protection. It could therefore be deleted.	Leave as it is for now. This section will be superseded by the Design Code.

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
protect and, where possible enhance, both designated and non designated heritage assets and historic landscape character, and put in place measures to avoid or minimise impact or mitigate damage.	irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations⁶². 185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account: a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation; b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place.	It would be more appropriate for the NDP Review to include a local design policy for the conservation area.	
Housing	8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and	Add this to the supporting / introductory text to the Housing section. (The whole housing section needs complete review.)	

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	range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;		
Proposal TH1 Site Allocation – Royal British Legion Site, Tarpoley The site of the Royal British Legion Hall and associated car park as shown on Map 7 is allocated for new development. The development of housing will be supported, subject to there being no loss in the number of spaces provided by the existing car park and safe access to local facilities being maintained.	5. Delivering a sufficient supply of homes 65. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement. 66. Where it is not possible to provide a requirement figure for a neighbourhood area³¹, the local planning authority should provide an indicative figure, if requested to do so	Delete Site allocation and supporting text. The supporting text will need to be revised and updated to reflect the latest position in relation to housing requirements for Tarpoley.	

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority. 69. Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their area.		
Policy TH2 - Affordable Housing Affordable housing will be required to contribute towards meeting the affordable housing needs of the community in terms of types and sizes of dwelling, levels of affordability, and mix of tenures. Affordable housing should be allocated to those with a local connection as defined in Table 1 below. Affordable housing should be fully integrated (i.e. “pepper potted”) with market housing in new development and should only be provided off-site or located away from other housing types within a	5. Delivering a sufficient supply of homes 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes). 62. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and	Affordable housing provision will be determined through CWAC strategic policies. This Policy is no longer required as it duplicates national and CWAC policies and should be deleted.	

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
development scheme in exceptional circumstances and where it can be robustly justified.	b) the agreed approach contributes to the objective of creating mixed and balanced communities. 63. Provision of affordable housing should not be sought for residential developments that are not major developments*, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. 64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development: a) provides solely for Build to Rent homes; b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students); c) is proposed to be developed by people who wish to build or commission their own homes; or		

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	d) is exclusively for affordable housing, an entry-level exception site or a rural exception site. * Major development is defined in the NPPF Annex 2: Glossary: Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.		
Policy TH3 - Housing for Older People New housing, including nursing homes and older persons accommodation, which is designed to meet older peoples' needs, either as part of mixed developments or as separate schemes, will be encouraged.	5. Delivering a sufficient supply of homes 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).	Housing for older people (and other groups) will be determined through CWAC strategic policies. This Policy is no longer required as it duplicates national and CWAC policies and should be deleted - unless you feel there is a particular local need that isn't being met? If so, need to discuss this with CWAC. However, do you want to consider a site allocation if	

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
		there is a particular local (Tarporley) need that isn't being met?	
Improving Facilities and Connections	8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;	Add this to the supporting / introductory text to the Improving Connections and Facilities section.	
Policy TIFC1 - Provision and Protection of Facilities and Services The provision of new community facilities and services will be supported, subject to respecting residential amenity and local character. The change of use of existing facilities to other uses or	Supporting a prosperous rural economy 83. Planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. 8. Promoting healthy and safe communities 91. Planning policies and decisions should aim to achieve healthy, inclusive and safe	This Policy is broadly in line with the NPPF which sets out that policies should enable the retention and development of accessible local services and community facilities. Local community facilities are largely protected in the Local Plan policies but they could be listed in the NDP policy to	

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
redevelopment will only be supported where it can be demonstrated that: 1. The proposal includes alternative provision, in a suitable location, of equivalent or enhanced facilities; and 2. It is accessible to all by public transport, walking, cycling, by car and have adequate car parking; 3. For private commercial facilities, it can be demonstrated, further to twelve months pro-active marketing, that the use is no longer viable.	places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;	provide local detail and context. Table 2 contains a mix of open space and community facilities and these should be separated out. Community facilities are usually churches, village halls, scout / guide club halls etc. Recreation / open space would include allotments, playing fields, play areas, sports clubs etc. The Policy could be more positively worded to support improvements to existing and provision of new facilities. Check evidence base - Table 3 and discuss with CWAC if any particular local need identified or known gap in provision. The NPPF treats recreational / open space facilities differently from community facilities and NDP policies tend to reflect this by having 2 separate policies. NPPF para 97 sets out the criteria	

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. 96. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate. 97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:	for assessing development that impacts on open space / recreation etc. Policy TIFC1 seems weaker than the NPPF so if the criteria are retained / strengthened they should more closely align with the NPPF (but not duplicate). Also an open space policy could identify any deficits and plan for these. Promoting health and wellbeing (physical and mental) are now given more prominence in planning. The Policy could be replaced with a more up to date and positive policy supporting development which contributes to health and wellbeing eg is accessible to all and supports active lifestyles, walking and cycling, includes opportunities for social interaction / shared space, food growing etc.	

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.		
Policy TIFC2 – Community Leisure Facility The provision of new multi-purpose sport and recreation facilities with access for all members of the community will be supported subject to it respecting local character and residential amenity.	Promoting healthy and safe communities 91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities	This Policy is in line with the NPPF which sets out that planning policies and decisions should enable and support healthy lifestyles and plan positively for community facilities such as sports venues. The criteria could be strengthened and go beyond respecting local character and residential amenity to be more specific about what / where it should be developed and designed.	

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	(such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;	The Policy needs to be reviewed against the evidence base. Is there still a need? Is it for something in particular? What about a site allocation / NDO?	
Policy TIFC3 - Relocation of Existing Facilities Proposals for the re-location of existing major community facilities will be supported, where: A. The relocation site is as close as possible to the village centre and would provide improved facilities and services; and B. New development would provide improved health and / or major community facilities and services; and C. The former site is brought forward for new employment related development, parking,	Supporting a prosperous rural economy 83. Planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. 8. Promoting healthy and safe communities 91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) are safe and accessible, so that crime and disorder, and the fear of crime, do	The Policy is generally in line with the NPPF which advises that planning policies and decisions should enable the development of community facilities, and plan positively for community facilities such as sports venues. There is a need to review the Policy against the evidence base to consider whether it is still needed and if so what / where? NDOs remain part of the planning system and an NDO could follow on from the NDP as originally intended.	

Tarporley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
housing, open space and / or other community uses; and D. The proposed new development demonstrates community approval through a Neighbourhood Development Order or Community Right to Build Order.	not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;		

Tarporeley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.		
Policy TIFC4 – Transportation, Car Parking and Accessibility All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment to be produced by an independent consultant. Developers will be required to identify the realistic level of traffic which development proposals are likely to generate, and to consider the impact of additional traffic on other road users and pedestrian safety. Proposals for improved traffic access to the High School will be supported.	9. Promoting sustainable transport 102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and	This Policy promotes transport assessments but these are required anyway by the local authority where appropriate so this part of the policy could be deleted. The second part of the Policy which promotes walking and cycling is in line with the NPPF. It could be strengthened slightly to give a stronger emphasis to alternatives to the private car and as part of measures which support healthy lifestyles and improved accessibility for all.	

Tarpoley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
The provision of the following, as part of new development, will be supported: A. Safe walking and cycling pathways of hard surface materials, designed to provide easy access to the schools, shops and the services in the village centre without the need to use cars. Pathways should be of a standard suitable for people to ride mobility scooters and to push buggies and wheelchairs. B. Cycle racks along the High Street. C. Linkages to public rights of way that extend out of the development into the surrounding countryside toward the existing public rights of way network and into open fields with new paths. D. The creation of new footpaths that link to existing footpaths, roadways and/or the village centre.	e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. 103. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. 104. Planning policies should: a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities; b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;		

Tarporeley NDP Planning Policies	Relevant paragraphs of NPPF (Feb 2019)	Suggested changes	NT & GP Recommendation
	c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);		
Policy TIFC5 – Communications Infrastructure The development of advanced high quality communications infrastructure, including high speed broadband, will be supported, subject to: i) Development being kept to a minimum consistent with the efficient operation of the network; ii) Any development being sympathetic to its surroundings and camouflaged where appropriate.	10. Supporting high quality communications 112. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution). 113. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic	This policy is in line with the NPPF but is probably not really needed. Perhaps it would be better to include a policy requiring new developments to incorporate high speed / quality communications technologies as part of infrastructure requirements (some don't). Discuss with CWAC.	

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	communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.		

Note also the NPPF is currently being reviewed and proposed changes have been published for consultation. See:

<https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals/national-planning-policy-framework-and-national-model-design-code-consultation-proposals>