

## **Answers to questions 2 to 4 by Mr Andrew Seaman – Examiner of the Peover Superior Neighbourhood Plan**

Reference 02/AS/PSNP

- 2. In relation to Section 4.4 of the Basic Conditions Statement, could you confirm that the amendments made to the Regulation 16 version of the Plan have been considered and have no effect upon the conclusions within the SEA Screening Report (including HRA) which was undertaken on the earlier version?**

The comments received from the local consultation have been assessed against the SEA screening report and have no impact on the answers given to the screening questions. It is therefore concluded that the SEA Screening report remains valid.

- 3. With regard to the 4th paragraph of Section 4.4 of the Basic Conditions Statement, can you provide any further summary explanation on how the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998?**

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

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

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

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

#### **4. Finally, could you summarise the production, consultation and any adoption process that the Peover Superior Design Guide underwent?**

##### Production

The Peover Superior Design Guide was produced in conjunction with the Peover Superior Character Assessment. It was produced to provide further local detail in support of the Cheshire East Design Guide reflecting the feedback from residents in the initial questionnaire of what they liked and disliked about living in the Parish and specifically question 10 which asked if such a design guide should be produced. There were 75 responses to question 10 of which 32 ranked it at 10 (most important) and 58 (77%) ranked it at 5 or more. This indicated it was an issue of significant importance to the residents.

The Document was produced early in 2018 by an external consultant that had also worked on the Cheshire East Design Guide. It was reviewed extensively by the Neighbourhood Plan Steering Group and modified to ensure it reflected what local residents had aired at several planning meetings in the preceding months and years and in their responses to the questionnaire.

The document was published on the Village website in April 2018.

##### Consultation

Following production of the Design Guide updates on progress were reported in the Parish Council minutes e.g. [24<sup>th</sup> April minutes](#) and an open progress update meeting and [presentation](#) was held in the Village Hall on 29<sup>th</sup> May. The presentation contained feedback from the questionnaire including findings on question 10 and the Design Guide.

In July 2018, the Neighbourhood Plan Steering Group, with assistance from Cheshire East Council, had formulated a number draft policies and themes. These were printed as A1 size posters and residents and businesses invited to drop-in sessions on 17<sup>th</sup> and 28<sup>th</sup> July at the Village Hall. At the drop-in sessions the posters were displayed and attendees were invited to leave comments (anonymously if they wished) via sticky notes on each poster.

The key themes from the Design Guide were presented across several of the posters (see [drop-in slides](#) on Village website). The sticky notes were virtually all positive indicating that the proposals in the Design Guide met with widespread endorsement from the residents. See specifically the slide headed “Design and Character: Policy Options”.

A copy of the posters with the sticky notes comments is attached below (double click to open). Note that some comments were simply to agree with a comment already made by another person.



Drop in posters with  
sticky note comments

##### Adoption

As a supporting document to the Neighbourhood Plan, adoption of the Design Guide is conditional on the Neighbourhood Plan passing successfully through examination and referendum as compliance is invoked through Neighbourhood Plan Policy LCD1 – Local Character and Design.

Phillip Welch

Vice Chairman – Peover Superior Parish Council

Chair – Peover Superior Neighbourhood Plan Steering Group

13<sup>th</sup> February 2020