



# Feering Neighbourhood Plan Basic Conditions Statement

April 2021

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## 1. Introduction

Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 requires a Neighbourhood Plan to meet the following basic conditions in order to progress to referendum:

- 1) the Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State;
- 2) the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
- 3) the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Local Plan;
- 4) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
- 5) prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with proposals within the Neighbourhood Plan<sup>1</sup>.

When submitting a Neighbourhood Plan to a local authority, Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) states that the Plan should be accompanied by a statement which identifies how the draft Neighbourhood Plan meets the requirements of the basic conditions listed above. This statement is referred to as a Basic Conditions Statement.

The basic conditions require a different level of assessment between national and local planning policy. In relation to national policies and advice, neighbourhood plans are only required to 'have regard' to their content, therefore referencing and relating appropriately to relevant national policy and guidance. In relation to local planning policy, neighbourhood plans are required to be 'in general conformity' with strategic policies, therefore complying, agreeing, and seeking similar outcomes as local strategic planning policies.

The draft Feering Neighbourhood Plan (FNP) was published for Regulation 14 consultation in February 2020. Amendments have since been made to the Plan to address issues identified through consultation responses, and the Regulation 15 FNP has been produced for submission to Braintree District Council (BDC).

The Regulation 15 FNP and this Basic Conditions Statement have been informed by the Strategic Environmental Assessment<sup>2</sup> (SEA) and the Habitats Regulation Assessment<sup>3</sup> (HRA).

The FNP and this Basic Conditions Statement have been produced against a complex local planning policy context. BDC currently has an adopted Local Plan Review (LPR) adopted in 2005, and a Core Strategy adopted in 2011. Relevant policies within these two documents form the statutory Development Plan for the District against which the FNP will be examined. However, the Publication Draft (Regulation 19) Braintree District Local Plan (BDLP) was published for consultation in summer 2017, and was submitted to the Secretary of State for independent examination in October 2017. The BDLP includes Strategic Section 1, which is shared by all three North Essex local authority areas

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<sup>1</sup> Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) add a basic condition for Neighbourhood Plans in addition to those set out in the primary legislation, requiring the making of the Neighbourhood Plan to not have a likely significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).

<sup>2</sup> Strategic Environmental Assessment for the Feering Neighbourhood Plan, Environmental Report, February 2021, AECOM

<sup>3</sup> Feering Neighbourhood Plan Regulation 14 Submission Habitats Regulations Assessment (HRA), AECOM, November 2020

of Braintree, Colchester, and Tendring. Section 1 Plan includes policies on strategic cross boundary issues including infrastructure and housing numbers and includes proposals for three new Garden Communities.

Two of the proposed Garden Communities were rejected during the joint examination with Colchester and Tendring in May 2020. A six week consultation on proposed main modifications to the Section 1 Plan was undertaken in August 2020. The Section 1 Plan was adopted in February 2021.

Public examination of the Section 2 Plan is anticipated for July 2021. As the emerging Section 2 Plan is at an advanced stage of preparation, and will eventually constitute, with Section 1, the new and up to date statutory development plan for the District subject to the successful completion of the independent examination, this Basic Conditions Statement will refer to the emerging BDLP alongside the adopted Local Plan.

This statement supports the submission of the Regulation 15 FNP. The statement will begin by clarifying which adopted and emerging local planning policies are considered to be strategic and outlining how the overarching legal requirements of a Neighbourhood Plan are met. The remaining sections of the statement will review each Neighbourhood Plan objective and policy to consider how they meet the requirements of the basic conditions.

## 2. Adopted and emerging strategic local planning policies

Part 3 of the basic conditions listed in section 1 above requires a neighbourhood plan to be ‘in general conformity with the strategic policies contained in the Local Plan’. Given the local planning policy context in Braintree District outlined above, this would require the FNP to consider the strategic policies contained within the adopted LPR, the Core Strategy, Section 1 Plan and the emerging Section 2 Plan.

In January 2019 BDC provided clarification to the Cressing Parish Neighbourhood Plan Inspector on which adopted and emerging Local Plan policies should be considered strategic for the purposes of producing a neighbourhood plan. The strategic policies identified by BDC are listed in Table 1 below, along with strategic policies in the adopted Section 1 Plan. To meet the requirements of the basic conditions in relation to local planning policy, this Basic Conditions Statement is only required to review the general conformity of the FNP policies against the strategic local planning policies listed within Table 1.

**Table 1: Adopted and emerging strategic local planning policies within Braintree District**

| Local Development Plan Document     | Identified strategic policies                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local Plan Review (2005)            | Strategic policies in the 2005 Plan have been superseded by the 2011 Core Strategy                                                                                                                                                                                                                                                                                                                                                                                                               |
| Core Strategy (2011)                | CS1 – Housing Provision and Delivery<br>CS2 – Affordable Housing<br>CS3 – Gypsies and Travellers and Travelling Showpersons<br>CS4 – Provision of Employment<br>CS5 – The Countryside<br>CS6 – Retailing and Town Centre Regeneration<br>CS7 – Promoting Accessibility for All<br>CS8 – Natural Environment and Biodiversity<br>CS9 – Built and Historic Environment<br>CS10 – Provision for Open Space, Sport and Recreation<br>CS11 – Infrastructure Services and Facilities                   |
| Section 1 Plan (2021)               | Policy SP 1 Presumption in Favour of Sustainable Development<br>Policy SP 2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)<br>Policy SP 3 Spatial Strategy for North Essex<br>Policy SP 4 Meeting Housing Needs<br>Policy SP 5 Employment<br>Policy SP 6 Infrastructure and Connectivity<br>Policy SP 7 Place Shaping Principles<br>Policy SP 8 Development and Delivery of a New Garden Community in North Essex<br>Policy SP 9 Tendring/Colchester Borders Garden Community |
| Publication Draft Local Plan (2017) | Section 2:<br>LPP2 – Location of Employment Land<br>LPP3 – Employment Policy Areas<br>LPP10 – Retailing and Regeneration<br>LPP17 – Housing Provision and Delivery                                                                                                                                                                                                                                                                                                                               |

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|  | <p>LPP18 – Strategic Growth location – land East of Great Notley, south of Braintree</p> <p>LPP19 – Strategic Growth Location – Land East of Broad Road, Braintree</p> <p>LPP20 – Strategic Growth Location – Former Towerlands Park Site</p> <p>LPP21 – Strategic Growth Location North West Braintree</p> <p>LPP22 – Strategic Growth Location – Land at Feering</p> <p>LPP23 – Strategic Growth Location – Wood End Farm, Witham</p> <p>LPP33 – Affordable Housing</p> <p>LPP36 – Gypsy and Traveller and Travelling Showpersons Accommodation</p> <p>LPP44 – Sustainable Transport</p> <p>LPP48 – New Road Infrastructure</p> <p>LPP50 – Built and Historic Environment</p> <p>LPP67 – Natural Environment and Green Infrastructure</p> <p>LPP68 – Protected Species, Priority Species and Priority Habitat</p> <p>LPP82 – Infrastructure Delivery and Impact Mitigation</p> |
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### 3. Legal requirements of a Neighbourhood Plan

The FNP has been produced by Feering Parish Council. The Parish Council is a qualifying body to produce a Neighbourhood Plan in accordance with Schedule 9 of the Localism Act 2011.

In 2015, and in accordance with Part 2 of the Neighbourhood Planning Regulations 2012, BDC formally designated Feering Parish as a Neighbourhood Area for the purposes of producing a Neighbourhood Plan.

The draft FNP contains policies relating to the development and use of land within the neighbourhood area. All policies have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The draft FNP relates to the period 2020-2033. This is consistent with the proposed plan period of the emerging BDLP which also runs to 2033. The draft FNP does not propose policies relating to mineral extraction and waste development, nationally significant infrastructure, or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The draft Plan relates only to the parish of Feering. There are no other Neighbourhood Plans in place or proposed within the neighbourhood area.

## 4. Assessment of the Neighbourhood Plan objectives

Through ongoing engagement with the local community, the Feering Neighbourhood Plan Committee identified 23 objectives to guide the production of the Neighbourhood Plan. Table 2 assesses the general themes of the identified objectives against the requirements of the basic conditions, to consider if the objectives have regard to national planning policy and advice, and conform with the identified strategic local planning policy listed in Table 1.

**Table 2: Assessment of the Feering Neighbourhood Plan Objectives against the requirements of the basic conditions**

| Objectives                                                                                                                                                                                                              | Have regard to national planning policy                                                                                              | Objectives conform with the following adopted and emerging local strategic planning policies:                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| MP1 - To ensure master planning of all future strategic development in collaboration with the local community and other stakeholders, including the Parish Council, prior to the submission of planning applications.   | NPPF Section 12 <i>Achieving well-designed spaces</i>                                                                                | SP 7 Place Shaping Principles                                                                                                       |
| D1 - Ensure new development respects, adds to or maintains the rural nature, character and scale of existing development within the Parish in line with the FPC NP Village Assessment and Design Guide.                 | NPPF Section 12 <i>Achieving well-designed spaces</i>                                                                                | CS9 Built and Historic Environment<br>LPP50 – Built and Historic Environment<br>SP 7 Place Shaping Principles                       |
| D2 – Any development proposal must respect, conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows and mature trees. | NPPF Section 12 <i>Achieving well-designed spaces</i><br><br>NPPF Section 15 <i>Conserving and enhancing the natural environment</i> | CS8 – Natural Environment and Biodiversity<br>LPP67 – Natural Environment and Green Infrastructure<br>SP 7 Place Shaping Principles |
| D3 - Ensure that new development responds positively to the character of surrounding existing development.                                                                                                              | NPPF Section 12 <i>Achieving well-designed spaces</i>                                                                                | CS9 Built and Historic Environment<br>LPP50 – Built and Historic Environment<br>SP 7 Place Shaping Principles                       |
| D4 - Ensure new buildings are as energy efficient as possible and comply with the latest energy efficiency standards.                                                                                                   | NPPF Section 14 <i>Meeting the challenge of climate change, flooding and coastal change</i>                                          | CS9 Built and Historic Environment<br>SP 7 Place Shaping Principles                                                                 |

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| D5 – Ensure that any new development creates a safe, active, well designed and accessible environment where crime and disorder, and the fear of crime do not undermine the quality of life, health and wellbeing and community cohesion.                                                              | NPPF Section 8 <i>Promoting healthy and safe communities</i><br><br>NPPF Section 12 <i>Achieving well-designed spaces</i> | CS9 Built and Historic Environment<br>LPP50 – Built and Historic Environment<br>SP 7 Place Shaping Principles   |
| D6- Parking provision to be well thought out with sufficient car parking spaces associated with each dwelling and to be located inside the development perimeter. The use of frontage parking must be limited and commensurate with pedestrian, cyclist and vehicle safety.                           | NPPF Section 9 <i>Promoting sustainable transport</i>                                                                     | CS 7 – Promoting Accessibility for All<br>SP 6 Infrastructure and Connectivity<br>SP 7 Place Shaping Principles |
| D7 – A fully connected ultra-fast reliable broadband connection throughout the Parish                                                                                                                                                                                                                 | NPPF Section 10 <i>Supporting High quality communications</i>                                                             | LPP82 – Infrastructure Delivery and Impact Mitigation<br>SP 6 Infrastructure and Connectivity                   |
| H1 - Any new development to consist of a mix of high-quality housing and tenures to ensure a socially strong, inclusive and integrated community, achieved through sensitive design (considering existing dwelling heights, housing density and the need for quality accommodation and amenity space) | NPPF Section 8 <i>Promoting healthy and safe communities</i><br><br>NPPF Section 11 <i>Making effective use of land</i>   | CS9 Built and Historic Environment<br>LPP 50 Built and Historic Environment<br>SP 7 Place Shaping Principles    |
| H2 - Ensure local people can stay living in the village throughout their lifetime and as their needs change.                                                                                                                                                                                          | NPPF Section 5 <i>Delivering a sufficient supply of homes</i>                                                             | CS1 – Housing Provision and Delivery<br>CS2 – Affordable Housing<br>SP 4 Meeting Housing Needs                  |
| H3 - Ensure new housing development provides affordable homes which would be available to local people to meet the local needs of the Parish.                                                                                                                                                         | NPPF Section 5 <i>Delivering a sufficient supply of homes</i>                                                             | CS2 – Affordable Housing<br>LPP33 – Affordable Housing                                                          |
| HE1 – To conserve and enhance the historic environment within the Parish.                                                                                                                                                                                                                             | NPPF Section 16 <i>Conserving and enhancing the historic environment</i>                                                  | CS9 – Built and Historic Environment<br>LPP50 – Built and Historic Environment<br>SP 7 Place Shaping Principles |

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E1 - Conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows and mature trees.                                     | NPPF Section 12 <i>Achieving well-designed spaces</i><br><br>NPPF Section 15 <i>Conserving and enhancing the natural environment</i>                                       | CS8 – Natural Environment and Biodiversity<br>LPP67 – Natural Environment and Green Infrastructure<br>SP 7 Place Shaping Principles                                                                                                                              |
| E2 - Protect open spaces and wildlife of local importance and enhance biodiversity.                                                                                                                                  | NPPF Section 15 <i>Conserving and enhancing the natural environment</i>                                                                                                    | CS8 – Natural Environment and Biodiversity<br>CS10 – Provision for Open Space, Sport and Recreation<br>LPP67 – Natural Environment and Green Infrastructure<br>LPP68 – Protected Species, Priority Species and Priority Habitat<br>SP 7 Place Shaping Principles |
| E3 – Preserve and, where appropriate, enhance designated nature conservation sites and green and blue infrastructure.                                                                                                | NPPF Section 15 <i>Conserving and enhancing the natural environment</i>                                                                                                    | CS 8 – Natural Environment and Biodiversity<br>LPP67 – Natural Environment and Green Infrastructure<br>LPP68 – Protected Species, Priority Species and Priority Habitat<br>SP 7 Place Shaping Principles                                                         |
| E4 – Deliver a biodiversity net gain and reduce the carbon footprint of the Parish.                                                                                                                                  | NPPF Section 14 <i>Meeting the challenge of climate change, flooding and coastal change</i><br><br>NPPF Section 15 <i>Conserving and enhancing the natural environment</i> | LPP68 – Protected Species, Priority Species and Priority Habitat<br>SP 7 Place Shaping Principles                                                                                                                                                                |
| FM1 - Reduce the risk of flooding (fluvial, pluvial and sewer) in Feering and immediate surrounding areas and take measures to ensure proper controls are applied to any development to avoid and manage flood risk. | NPPF Section 14 <i>Meeting the challenge of climate change, flooding and coastal change</i>                                                                                | CS 8 – Natural Environment and Biodiversity<br>SP 7 Place Shaping Principles                                                                                                                                                                                     |
| CL1 - Community and leisure facilities to be enhanced, protected and developed to meet the changing needs of a growing Parish.                                                                                       | NPPF Section 8 <i>Promoting healthy and safe communities</i>                                                                                                               | CS11 – Infrastructure Services and Facilities<br>LPP82 – Infrastructure Delivery and Impact Mitigation<br>SP 6 Infrastructure and Connectivity                                                                                                                   |
| CL2 - Ensure early years and childcare, primary school and secondary school facilities are provided to meet the needs of the growing population.                                                                     | NPPF paragraph 94 refers to providing sufficient school places to meet local needs.                                                                                        | CS11 – Infrastructure Services and Facilities<br>LPP82 – Infrastructure Delivery and Impact Mitigation<br>SP 6 Infrastructure and Connectivity                                                                                                                   |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| MA1 - To provide safe, new and improved walking, cycling, bridleways and public transport routes, both within Feering and to surrounding parishes.  | NPPF Section 9 <i>Promoting sustainable transport</i>                                                                                                                                                                                | CS7 – Accessibility for All<br>LPP44 – Sustainable Transport<br>SP 6 Infrastructure and Connectivity                |
| BE1 - Develop and protect sustainable community employment in the Parish including the facilitation of flexible working.                            | NPPF Section 6 <i>Building a strong competitive economy</i>                                                                                                                                                                          | CS4 – Provision of Employment<br>LPP 2 – Location of Employment Land<br>SP 5 Employment                             |
| CIP1 - Ensure appropriate collection and allocation of developer contributions.                                                                     | NPPF Paragraph 34, Section 4 <i>Decision-making</i>                                                                                                                                                                                  | LPP82 – Infrastructure Delivery and Impact Mitigation                                                               |
| CE - Improve the local environment of the Parish for future generations by reducing its carbon footprint and developing sustainable ways of living. | NPPF Section 2 achieving sustainable development. All sections of the NPPF seek to support and encourage sustainable development.<br><br>NPPF Section 14 <i>Meeting the challenge of climate change, flooding and coastal change</i> | CS8 – Natural Environment and Biodiversity<br>CS9 – Built and Historic Environment<br>SP 7 Place Shaping Principles |

Table 2 demonstrates that the FNP objectives have regard to national planning policy and generally conform with local strategic planning policy.

## 5. Assessment of the Neighbourhood Plan policies against the basic conditions

There are 12 policies within the FNP. This section will review each policy against the requirements of the basic conditions.

### Policy 1 New Development Allocations within the Parish

| Summary of FNP policy                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                 |
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| Site F1 is allocated for the development of up to 750 homes, 4 hectares of this land is allocated for E(g), B2, B8 and other employment generating sui generis uses, and a proportion for self-build plots. A masterplan for Phase 2 of Site F1 should be informed by an independent quality review panel, funded by the developer. |                                                                                                                                                                                                                 |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                 |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                           | How the Neighbourhood Plan policy has regard to national planning policy and guidance                                                                                                                           |
| NPPF Section 5                                                                                                                                                                                                                                                                                                                      | The policy seeks to ensure that housing needs are met through the FNP with a mix of house types.                                                                                                                |
| NPPF Section 6                                                                                                                                                                                                                                                                                                                      | The policy seeks to support economic growth through the FNP.                                                                                                                                                    |
| NPPF para 34, 54, 55, 56, 57                                                                                                                                                                                                                                                                                                        | New development proposals should contribute towards infrastructure projects identified in the Neighbourhood Plan, associated with the allocated site, education, health, open space, retail and transportation. |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                           | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |
| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                        |                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |
| Conformity with local strategic planning policy                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |
| Relevant local strategic planning policy                                                                                                                                                                                                                                                                                            | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                                                 |
| LPP22                                                                                                                                                                                                                                                                                                                               | The policy allocates the strategic growth location Site F1 in Feering for up to 750 homes, 4 hectares of land for employment uses and identifies contributions for infrastructure needs.                        |
| LPP17, SP4                                                                                                                                                                                                                                                                                                                          | The policy seeks to provide more housing in the area.                                                                                                                                                           |
| CS11, LPP82, SP6                                                                                                                                                                                                                                                                                                                    | New development proposals should contribute towards infrastructure projects identified throughout the Neighbourhood Plan, associated with allocated sites, education, health and transportation.                |
| SP7                                                                                                                                                                                                                                                                                                                                 | Ensure quality design and encourage the use of design guidance documents including masterplans.                                                                                                                 |
| LPP2                                                                                                                                                                                                                                                                                                                                | The policy allocates up to 4 ha of employment land in Feering.                                                                                                                                                  |
| Relevant section of local planning policy and guidance                                                                                                                                                                                                                                                                              | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |
| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                              |                                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>Masterplan informed by an independent quality review panel</li> <li>The provision of self-build plots</li> </ul>                                                                                                                                                                             |                                                                                                                                                                                                                 |

|                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                              |
| The policy goes beyond national and local strategic planning policy in requiring a masterplan to be informed by an independent quality review panel, funded by the developer.                                                 |
| The policy goes beyond local strategic planning policy in requiring self-build plots. The provision of a mix of house types and tenures is covered by the local non-strategic planning policy LPP37 Housing Type and Density. |
| This policy does not contradict national and local policy, and therefore has regard to national planning policy and conforms with local strategic planning policy.                                                            |
| Contribution towards the achievement of sustainable development:                                                                                                                                                              |
| Supporting development that meets housing and employment needs.                                                                                                                                                               |

#### Policy 2 Master Planning Site F1 (excluding Phase 1)

| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Development proposals for Phase 2 of Site F1 must be delivered in accordance with a masterplan which will be consulted on and should be adoptable as an SPD. The masterplan should cover the development framework, site opportunities and constraints, a vision and objectives, infrastructure requirements, guidance for further planning applications on the site, long-term plan for asset stewardship, design codes, and place shaping principles including design, character, SuDS, amenity, sustainable transport and congestion, green and blue infrastructure and biodiversity net gain. The masterplan should also identify the location of employment land and a new local centre. |                                                                                                                                                                                                  |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                  |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | How the Neighbourhood Plan policy has regard to national planning policy and guidance                                                                                                            |
| NPPF Section 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The policy seeks to ensure that housing needs are met through the FNP.                                                                                                                           |
| NPPF para 34, 54, 55, 56, 57                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | New development proposals should contribute towards infrastructure projects identified throughout the Neighbourhood Plan, associated with allocated sites, education, health and transportation. |
| NPPF para 72                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Identification, phasing and provision of infrastructure and development for significant extensions to existing villages.                                                                         |
| NPPF 102, 110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Encourage sustainable transport modes.                                                                                                                                                           |
| NPPF para 124                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Achieve high quality design through effective engagement between all parties.                                                                                                                    |
| NPPF para 126                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Achieve high quality design through a masterplan and design codes.                                                                                                                               |
| NPPF para 127                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | The policy seeks good design, sympathetic to local character and landscape setting, and access to green space.                                                                                   |
| NPPF para 150, 170, 171, 174                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The policy seeks to provide and enhance green and blue infrastructure links, biodiversity and net gains, and maintain landscape character.                                                       |
| NPPF 165                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Development proposals to include SuDS features.                                                                                                                                                  |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                  |
| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                  |

| Conformity with local strategic planning policy                                                                                                             |                                                                                                                                                                                                  |
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| Relevant local strategic planning policy                                                                                                                    | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                                  |
| LPP17, SP4                                                                                                                                                  | The policy seeks to provide new housing in the area.                                                                                                                                             |
| CS11, LPP82, SP6                                                                                                                                            | New development proposals should contribute towards infrastructure projects identified throughout the Neighbourhood Plan, associated with allocated sites, education, health and transportation. |
| CS9, LPP50, SP7                                                                                                                                             | Development to deliver quality design.                                                                                                                                                           |
| LPP67, CS8, SP7                                                                                                                                             | Development to protect and enhance the natural environment, including the green and blue infrastructure network.                                                                                 |
| CS8, SP7                                                                                                                                                    | Development proposals to include SuDS features.                                                                                                                                                  |
| LPP67                                                                                                                                                       | Development to provide access to gardens or green space.                                                                                                                                         |
| CS7, SP6, SP7                                                                                                                                               | Development to provide connections to sustainable transport and public transportation.                                                                                                           |
| LPP44                                                                                                                                                       | Consider the impact on traffic and highways.                                                                                                                                                     |
| Relevant section of local planning policy and guidance                                                                                                      | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                                   |
|                                                                                                                                                             |                                                                                                                                                                                                  |
| Topics within the policy which are not included within local strategic planning policy                                                                      |                                                                                                                                                                                                  |
|                                                                                                                                                             |                                                                                                                                                                                                  |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                            |                                                                                                                                                                                                  |
| The policy requirements have regard to national planning policy and conform with local strategic planning policy.                                           |                                                                                                                                                                                                  |
| Contribution towards the achievement of sustainable development:                                                                                            |                                                                                                                                                                                                  |
| Supporting the delivery of high-quality housing to meet local need, infrastructure to meet need from new development and enhancing the natural environment. |                                                                                                                                                                                                  |

### Policy 3 Design

| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>New development should contribute and respond to the character and appearance of the area through policy requirements relating to scale, design, character, density, layout, height, locally sourced materials, views, off-street parking with regard to Essex County Council Parking Standards, accessibility, adaptability, safety and sustainable design features including SuDS, energy and water efficiency and flood resilience.</p> <p>Non-residential development should meet design standards with a 'very good' BREEAM rating or an assessment demonstrating environment performance results above those set by the Building Regulations, and have regard to the Building with Nature User Guide. Residential development should achieve the Home Quality Mark, and both residential and non-residential development should achieve Secure by Design principles and aspire to the ECC Livewell Developer Accreditation Scheme.</p> <p>Residential development should provide 1 electric vehicle charging point per unit with off-road parking and 1 charging point for 10 parking spaces. Non-residential development should provide charging points at the rate of 10% of overall parking provision.</p> |

| Have regard to national planning policy                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Relevant section of national planning policy and guidance                                    | How the Neighbourhood Plan policy has regard to national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                 |
| NPPF para 102                                                                                | Plan-making and development proposals should consider transport issues, including parking, at early stages.                                                                                                                                                                                                                                                                                                                                                                                           |
| NPPF para 105                                                                                | Development proposals should comply with local parking standards.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| NPPF para 105, 110                                                                           | The policy sets electric vehicle charging point standards.                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| NPPF para 110                                                                                | The policy supports accessibility for people of all mobilities                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| NPPF para 127                                                                                | Development to provide a high standard for existing and future occupiers.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| NPPF para 127                                                                                | The policy seeks good design, sympathetic to local character and landscape setting, and access to green space.                                                                                                                                                                                                                                                                                                                                                                                        |
| NPPF para 129                                                                                | Non-residential development is required to meet the BREEAM standards and encourages the Building with Nature standards. Residential development should achieve the Home Quality Mark, and both residential and non-residential development should achieve Secure by Design principles and aspire to the ECC Livewell Developer Accreditation Scheme. The NPPF does not specifically reference these schemes, but instead refers to the use of design assessment frameworks such as Building for Life. |
| NPPF para 150                                                                                | Development proposals to incorporate sustainable design features which promote energy efficiency.                                                                                                                                                                                                                                                                                                                                                                                                     |
| NPPF para 150, 170, 171, 174                                                                 | The policy seeks to provide and enhance green and blue infrastructure links, biodiversity and net gains, and maintain landscape character.                                                                                                                                                                                                                                                                                                                                                            |
| NPPF para 165                                                                                | Development proposals to include SuDS features.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Relevant section of national planning policy and guidance                                    | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Topics within the policy which are not included within national planning policy and guidance |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Conformity with local strategic planning policy                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Relevant local strategic planning policy                                                     | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                       |
| CS9, LPP50, SP7                                                                              | Development to deliver quality design and safe environments, and to have regard to scale, design, character, density, layout, height, locally sourced materials and views.                                                                                                                                                                                                                                                                                                                            |
| LPP67, CS8, SP7                                                                              | Development to protect and enhance the natural environment, including the green and blue infrastructure network.                                                                                                                                                                                                                                                                                                                                                                                      |
| SP6, LPP44                                                                                   | Provide charging infrastructure for electric vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| LPP50                                                                                        | Create built environments which are accessible to everyone.                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| CS9                                                                                          | Development to be adaptable to the future needs of occupiers.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| SP7                                                                                          | Provide parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| CS7                                                                                          | Comply with the Essex County Council Parking Standards.                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| SP7, CS8, CS9                                                                                | Incorporate sustainable design features which promote energy and water efficiency, water and flood risk management                                                                                                                                                                                                                                                                                                                                                                                    |
| Relevant section of local planning policy and guidance                                       | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                        |
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| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                                                                                                                        |
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| <ul style="list-style-type: none"> <li>Meeting BREEAM standards or Building Regulation environment performance results</li> <li>Achieving the Home Quality Mark and Secure by Design principles</li> <li>Aspiring to the Building with Nature standards and ECC Livewell Developer Accreditation Scheme</li> </ul>                                                                                                            |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                                                                                                                                                                              |
| <p>The requirements within the policy go beyond local strategic planning policy. However, these requirements do not contradict local strategic planning policy, and build on existing local strategic requirements. The policy therefore does not contradict local strategic planning policy.</p> <p>The policy has regard to national planning policy and is in general conformity with local strategic planning policy.</p> |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                                                                                                                                                                              |
| Meeting housing need with high-quality sustainable design.                                                                                                                                                                                                                                                                                                                                                                    |

#### Policy 4 Housing

| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                |
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| <p>Proposals for residential development should be within settlement boundaries or sites allocated in the FNP, provide housing types and tenures which meet identified local housing needs and provide affordable housing dispersed through the proposed development.</p> <p>Rural Exception Sites will be supported outside of defined settlement boundaries and sites allocated in the Local Plan where they satisfy identified local need and are occupied by people with a local connection in perpetuity.</p> |                                                                                                                                                                                                |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How the Neighbourhood Plan policy has regard to national planning policy and guidance                                                                                                          |
| NPPF para 61, 63                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The policy seeks to provide affordable housing.                                                                                                                                                |
| NPPF para 77                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The policy supports the provision of rural exception sites to meet identified local needs.                                                                                                     |
| NPPF para 79 and 170                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The policy supports new development within settlement boundaries.                                                                                                                              |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                           |
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| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                |
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| Conformity with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                |
| Relevant local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                                |
| LPP 33                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The policy seeks to provide affordable housing in the area.                                                                                                                                    |
| CS5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The policy seeks to locate new development within settlement boundaries. The policy therefore seeks to discourage development in the countryside and protect the character of the countryside. |
| Relevant section of local planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                             | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                |
| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                |
| <ul style="list-style-type: none"> <li>Local connection criteria</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                |

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| <ul style="list-style-type: none"> <li>Rural exception sites</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>In seeking the provision of affordable housing in the area, the policy has regard to national planning policy and is in general conformity with strategic planning policy.</p> <p>The provision of rural exception sites is covered in the non-strategy local planning policy LPP 34 Affordable Housing for Rural Areas.</p> <p>In seeking to prioritise the distribution of affordable housing to people with a local connection, the FNP policy goes beyond the requirements of local strategic planning policy. This approach does not contradict local strategic planning policy, and is therefore in general conformity.</p> <p>Overall the policy has regard to national planning policy and is in general conformity with local strategic planning policy.</p> |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Providing affordable housing to meet identified local need.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

#### Policy 5 Heritage

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                      |
| <p>Development proposals should protect and enhance heritage assets, and assess their significance in the case of impact or harm to heritage assets in a Heritage Statement submitted alongside the proposal.</p> <p>Development proposals which may impact a heritage asset or its setting will be supported where the proposal enhances the asset, does not detrimentally impact the character, appearance, setting, structure and historic features, does not result in the loss of important views, does not result in a damaging increase in use, provides benefits and uses sympathetic building materials.</p> <p>Development proposals which could impact archaeological sites should submit an archaeological evaluation of the site.</p> |                                                                                                                                                                                                      |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                      |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How the Neighbourhood Plan policy has regard to national planning policy and guidance                                                                                                                |
| NPPF para 189                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Production of heritage statements and desk-based assessment or field evaluation of heritage assets with archaeological interest.                                                                     |
| NPPF para 190, 194, 197, 200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The policy seeks to protect and enhance designated heritage assets and their setting, non-designated heritage assets and archaeological sites.                                                       |
| NPPF para 192, 193                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Development proposals will be considered which enhance or do not harm the heritage asset.                                                                                                            |
| NPPF para 200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Protect views around heritage assets. While the NPPF does not refer directly to views, the setting of heritage assets could include important views to and from heritage assets and their curtilage. |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                                 |
| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                      |

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| Conformity with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |
| Relevant local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                    |
| CS9, LPP50, SP7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Mitigate the impact of the development on the surrounding area with regard to character and materials. Protect the character, setting, appearance and function of heritage assets. |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                     |
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| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                    |
| <ul style="list-style-type: none"> <li>• Protect key views</li> <li>• Heritage Statement</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                    |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                    |
| <p>The production of a Heritage Statement is covered in non-strategic local planning policy LPP 60 Heritage Assets and their Settings.</p> <p>Protecting key views specifically goes beyond national and local strategic planning policy, however in combination with landscape and heritage setting the policy is consistent with national and local strategic planning policy.</p> <p>The policy does not contradict national or local strategic planning policy, and therefore has regard to national planning policy and is in general conformity with local strategic planning policy.</p> |                                                                                                                                                                                    |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                    |
| Protecting key features of the historic environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                    |

## Policy 6 Natural Environment and Green Infrastructure

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                       |
| <p>Development proposals are supported which protect and enhance the natural environment, or demonstrate adequate mitigation in the case of negative affect.</p> <p>Proposals should deliver biodiversity net gain, protect, enhance and improve connectivity between Local Green Spaces, public open spaces, Public Rights of Way, cycle, footpath and bridleway networks, enhance local wildlife sites and important natural features, ensure access to public open spaces and green and blue infrastructure, provide water management measures, contribute to mitigation measures in accordance with the Essex Coast RAMS and provide agreed management and maintenance arrangements.</p> <p>Development proposals in the Blackwater River Valley or Langley Green Farmland Plateau Landscape Character Areas should protect and enhance the special features and character of the area.</p> |                                                                                       |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                       |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | How the Neighbourhood Plan policy has regard to national planning policy and guidance |
| NPPF para 91, 102, 104                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The policy seeks to enhance cycle paths, footpaths and bridleway networks.            |

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| NPPF para 96, 98                                                                                                                                                                                                                                                   | The policy seeks to protect and enhance the connectivity of local green space, open space and public rights of way.                                                                             |
| NPPF para 150, 170, 171, 174                                                                                                                                                                                                                                       | The policy seeks to establish, maintain and enhance green and blue infrastructure links, provide biodiversity net gains, protect designated sites and mitigate harm to the natural environment. |
| NPPF para 165                                                                                                                                                                                                                                                      | Development proposals should include SUDs features and have maintenance arrangements in place.                                                                                                  |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                          | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                                            |
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| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                       |                                                                                                                                                                                                 |
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| Conformity with local strategic planning policy                                                                                                                                                                                                                    |                                                                                                                                                                                                 |
| Relevant local strategic planning policy                                                                                                                                                                                                                           | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                                 |
| LPP67, CS8, SP7                                                                                                                                                                                                                                                    | Development to protect and enhance the natural environment, including the open space and green and blue infrastructure network, and contribute to biodiversity.                                 |
| SP2                                                                                                                                                                                                                                                                | Development to provide contributions towards mitigation measures for the Essex Coast RAMS.                                                                                                      |
| CS10                                                                                                                                                                                                                                                               | Ensuring access and provision of green space.                                                                                                                                                   |
| CS7, SP6, LPP44                                                                                                                                                                                                                                                    | Provide sustainable transport links, notable cycle paths and footpaths.                                                                                                                         |
| CS8, SP7                                                                                                                                                                                                                                                           | Development proposals to include SuDS features.                                                                                                                                                 |
| Relevant section of local planning policy and guidance                                                                                                                                                                                                             | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                                  |
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| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                             |                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>Long term management of SuDS</li> </ul>                                                                                                                                                                                     |                                                                                                                                                                                                 |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                   |                                                                                                                                                                                                 |
| <p>The non-strategic local planning policy LPP80 Sustainable Urban Drainage Systems covers the management and maintenance of SuDS.</p> <p>The policy has regard to national planning policy and is in general conformity with local strategic planning policy.</p> |                                                                                                                                                                                                 |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                   |                                                                                                                                                                                                 |
| Maintaining and enhancing the natural environment, and improving its connectivity.                                                                                                                                                                                 |                                                                                                                                                                                                 |

### Policy 7 Flood Management

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| Summary of FNP policy                                                                                                                                            |                                                                                                                  |
| Development proposals should avoid and reduce flood risk through natural flood management techniques on and off-site, and manage water and wastewater discharge. |                                                                                                                  |
| Have regard to national planning policy                                                                                                                          |                                                                                                                  |
| Relevant section of national planning policy and guidance                                                                                                        | How the Neighbourhood Plan policy has regard to national planning policy and guidance                            |
| NPPF para 28                                                                                                                                                     | The policy seeks to ensure the appropriate provision of infrastructure to manage water and wastewater discharge. |

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| NPPF para 34                                                                                                         | The policy seeks to ensure flood and water management techniques will be provided with new development.        |
| NPPF Section 14, para 155 onwards                                                                                    | New development proposals should avoid and reduce the risk of flooding.                                        |
| NPPF para 165                                                                                                        | Development proposals to include SuDS features.                                                                |
| Relevant section of national planning policy and guidance                                                            | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance           |
| Topics within the policy which are not included within national planning policy and guidance                         |                                                                                                                |
| Conformity with local strategic planning policy                                                                      |                                                                                                                |
| Relevant local strategic planning policy                                                                             | How the Neighbourhood Plan policy conforms with local strategic planning policy                                |
| CS8, SP7                                                                                                             | Development proposals to include water management techniques, including SuDS, and manage water and wastewater. |
| CS8, SP6                                                                                                             | Improvements to wastewater capacity to be sought for new development.                                          |
| Relevant section of local planning policy and guidance                                                               | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                 |
| Topics within the policy which are not included within local strategic planning policy                               |                                                                                                                |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy     |                                                                                                                |
| The policy has regard to national planning policy and is in general conformity with local strategic planning policy. |                                                                                                                |
| Contribution towards the achievement of sustainable development:                                                     |                                                                                                                |
| Ensuring climate change resilience in new development.                                                               |                                                                                                                |

### Policy 8 Community and Leisure Facilities

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                   |                                                                                                             |
| Development proposals should improve and expand community and leisure facilities to meet needs, ensure access to and between facilities, ensure access to active and public transport links, design adaptable internal spaces, should not impact the local environment, and provide vehicle access and on-site parking. |                                                                                                             |
| Evidence should be submitted to demonstrate a locally valuable community facility is financially unviable and does not meet local needs in the case of loss.                                                                                                                                                            |                                                                                                             |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                 |                                                                                                             |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                               | How the Neighbourhood Plan policy has regard to national planning policy and guidance                       |
| NPPF para 83d), 92, 97                                                                                                                                                                                                                                                                                                  | Retain community facilities                                                                                 |
| NPPF para 91, 92                                                                                                                                                                                                                                                                                                        | The policy seeks to ensure the provision and access of facilities.                                          |
| NPPF 91, 102, 104                                                                                                                                                                                                                                                                                                       | The policy seeks to provide and enhance active travel and public transport networks.                        |
| NPPF para 102                                                                                                                                                                                                                                                                                                           | Plan-making and development proposals should consider transport issues, including parking, at early stages. |

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| NPPF para 127                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Development to provide a high standard of amenity for existing and future occupiers.                 |
| NPPF para 127                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The policy seeks design sympathetic to local character and landscape setting.                        |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance |
| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                      |
| <ul style="list-style-type: none"> <li>Demonstrating unviable community facilities</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                      |
| Conformity with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                      |
| Relevant local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | How the Neighbourhood Plan policy conforms with local strategic planning policy                      |
| SP7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Provide parking spaces.                                                                              |
| CS7, SP6, LPP44                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Provide and enhance active travel and public transport networks.                                     |
| SP6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The policy seeks to ensure the provision of facilities.                                              |
| CS9, SP7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The policy seeks design sympathetic to local character and landscape.                                |
| CS9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Development should be adaptable to meet the needs of future uses.                                    |
| Relevant section of local planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy       |
| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                      |
| <ul style="list-style-type: none"> <li>Demonstrating unviable community facilities.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                      |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                      |
| <p>The demonstration of unviability for community facilities is covered by non-strategic planning policy LPP65 Local Community Services and Facilities in the emerging BDLP.</p> <p>The requirements within the policy go beyond national and local strategic planning policy. However, these requirements do not contradict national and local strategic planning policy, and build on existing national and local strategic requirements. The policy therefore does not contradict local strategic planning policy.</p> |                                                                                                      |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                      |
| Supporting the contribution of community facilities to community wellbeing and cohesion.                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                      |

### Policy 9 Moving Around

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                       |
| <p>New development proposals should protect the highway network, provide and enhance public rights of way, bridleways and active travel connections, not cause detrimental congestion or mitigate congestion, increase sustainable transport modes, not impact air quality, provide parking with regard to the Essex Parking Standards, and ensure good access to the A12, A120 and Kelvedon Station.</p> <p>New and improved road infrastructure is supported which provides safe crossing points, and wildlife and equestrian corridors.</p> |                                                                                       |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                       |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | How the Neighbourhood Plan policy has regard to national planning policy and guidance |

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| NPPF Section 9, para 102                                                                                             | Plan-making and development proposals should consider transport issues, including parking, transport impacts and opportunities to promote sustainable transport, at early stages. |
| NPPF para 105                                                                                                        | Comply with local parking standards.                                                                                                                                              |
| NPPF para 108, 109, 110                                                                                              | The policy seeks highway safety and mitigation in the case of congestion.                                                                                                         |
| Relevant section of national planning policy and guidance                                                            | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                                              |
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| Topics within the policy which are not included within national planning policy and guidance                         |                                                                                                                                                                                   |
|                                                                                                                      |                                                                                                                                                                                   |
| Conformity with local strategic planning policy                                                                      |                                                                                                                                                                                   |
| Relevant local strategic planning policy                                                                             | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                                                   |
| SP7                                                                                                                  | Provide parking spaces.                                                                                                                                                           |
| CS7                                                                                                                  | Comply with the Essex County Council Parking Standards.                                                                                                                           |
| CS7, SP6, LPP44                                                                                                      | Reduce congestion and promote sustainable transport modes.                                                                                                                        |
| CS8                                                                                                                  | Provide wildlife corridors.                                                                                                                                                       |
| Relevant section of local planning policy and guidance                                                               | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                                                    |
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| Topics within the policy which are not included within local strategic planning policy                               |                                                                                                                                                                                   |
|                                                                                                                      |                                                                                                                                                                                   |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy     |                                                                                                                                                                                   |
| The policy has regard to national planning policy and is in general conformity with local strategic planning policy. |                                                                                                                                                                                   |
| Contribution towards the achievement of sustainable development:                                                     |                                                                                                                                                                                   |
| Promoting sustainable transport and safety by managing congestion and traffic.                                       |                                                                                                                                                                                   |

## Policy 10 Business and Economy

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                                                         |                                                                                       |
| Employment proposals should support SMEs, protect existing businesses, provide local benefits, be located in accessible areas without an adverse traffic impact and be carbon neutral.                                                                                                                                                                        |                                                                                       |
| Conversion, change of use or redevelopment of existing employment sites to non-employment uses will be resisted unless there is no market demand and the property has been marketed for at least twelve months, the benefit of the proposal outweighs any affect on employment or the existing and proposed alternative uses generate environmental problems. |                                                                                       |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                                                       |                                                                                       |
| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                     | How the Neighbourhood Plan policy has regard to national planning policy and guidance |
| NPPF para 80, 81                                                                                                                                                                                                                                                                                                                                              | Support economic growth.                                                              |
| NPPF para 83 d), 92                                                                                                                                                                                                                                                                                                                                           | The policy seeks to retain business units where viable.                               |
| NPPF para 91, 102, 108, 127                                                                                                                                                                                                                                                                                                                                   | Business units to be accessible and not have a detrimental impact on congestion.      |
| NPPF para 148, 150                                                                                                                                                                                                                                                                                                                                            | Business units to be sustainably designed and aim for carbon neutrality.              |

| Relevant section of national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance |
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| Topics within the policy which are not included within national planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                      |
| <ul style="list-style-type: none"> <li>Supporting small and medium size enterprises</li> <li>Marketing an employment site for 12 months prior to its change of use to a non-employment purpose</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                      |
| Conformity with local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                      |
| Relevant local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | How the Neighbourhood Plan policy conforms with local strategic planning policy                      |
| CS4, LPP10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The policy seeks to retain business units where viable.                                              |
| CS7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Business units to be accessible and not have a detrimental impact on congestion.                     |
| CS4, SP5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Support economic growth.                                                                             |
| SP7, CS8, CS9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Environmentally friendly design.                                                                     |
| Relevant section of local planning policy and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                      |
| Topics within the policy which are not included within local strategic planning policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |
| <ul style="list-style-type: none"> <li>Support small and medium enterprises</li> <li>Requiring evidence that the business is no longer financially viable</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                      |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                      |
| <p>The policy goes beyond the requirements of local planning policy, requiring the loss of existing retail and business units to demonstrate that the current use is no longer financially viable as employment use through appropriate marketing of the site for 12 months. While this creates additional policy requirements, the aims and objectives are still considered to conform with local strategic planning policy.</p> <p>Local policy does not explicitly refer to SMEs, however the aims and objectives for economic growth are still considered to conform with local strategic planning policy.</p> <p>The policy has regard to national planning policy and is in general conformity with local strategic planning policy.</p> |                                                                                                      |
| Contribution towards the achievement of sustainable development:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                      |
| Supporting sustainable economic growth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                      |

#### Policy 11 Developer Contributions to Community Infrastructure

| Summary of FNP policy                                                                                                                                                                                             |                                                                                       |
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| Development proposals should contribute to new and improved infrastructure to mitigate impacts, and demonstrate the impacts and mitigation of local infrastructure.                                               |                                                                                       |
| Development proposals which do not provide contributions must demonstrate through an open book viability assessment that this would render the site unviable or that infrastructure will be funded alternatively. |                                                                                       |
| Have regard to national planning policy                                                                                                                                                                           |                                                                                       |
| Relevant section of national planning policy and guidance                                                                                                                                                         | How the Neighbourhood Plan policy has regard to national planning policy and guidance |
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|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NPPF para 34, 54, 55, 56, 57                                                                                         | New development proposals should contribute towards infrastructure projects identified in the Neighbourhood Plan, associated with the allocated site.      |
| NPPF para 57                                                                                                         | Applicant to demonstrate contributions would make their development unviable through a viability assessment.                                               |
| NPPF para 102, 111, 190                                                                                              | New development proposals should assess their impact on local infrastructure and demonstrate mitigation measures.                                          |
| Relevant section of national planning policy and guidance                                                            | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance                                                       |
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| Topics within the policy which are not included within national planning policy and guidance                         |                                                                                                                                                            |
|                                                                                                                      |                                                                                                                                                            |
| Conformity with local strategic planning policy                                                                      |                                                                                                                                                            |
| Relevant local strategic planning policy                                                                             | How the Neighbourhood Plan policy conforms with local strategic planning policy                                                                            |
| CS11, LPP82, SP6                                                                                                     | New development proposals should contribute towards infrastructure projects identified throughout the Neighbourhood Plan, associated with allocated sites. |
| LPP82                                                                                                                | New development proposals should assess their impact on local infrastructure and demonstrate mitigation measures.                                          |
| LPP82                                                                                                                | Exceptions to contributions must be demonstrated through an open book viability assessment.                                                                |
| Relevant section of local planning policy and guidance                                                               | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy                                                             |
|                                                                                                                      |                                                                                                                                                            |
| Topics within the policy which are not included within local strategic planning policy                               |                                                                                                                                                            |
|                                                                                                                      |                                                                                                                                                            |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy     |                                                                                                                                                            |
| The policy has regard to national planning policy and is in general conformity with local strategic planning policy. |                                                                                                                                                            |
| Contribution towards the achievement of sustainable development:                                                     |                                                                                                                                                            |
| Supporting the sustainable growth of communities with the provision of appropriate levels of infrastructure.         |                                                                                                                                                            |

## Policy 12 Climate change and sustainability

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| Summary of FNP policy                                                                                                                                                                                                                                                                                                      |
| Community led renewable energy schemes are supported. Community owned or led renewable energy schemes are supported which are suitably located and do not result in an unacceptable landscape, visual, amenity and natural environment and biodiversity impacts.                                                           |
| Development proposals which mitigate risks to the environment and are accompanied where relevant by an assessment such as a sustainability appraisal, air quality assessment, drainage and flood mitigation assessment, landscape management plan, noise/water pollution assessment and mitigation strategy are supported. |
| Development proposals that incorporate SuDS, use renewable energy sources, promote sustainable transport links, limit light pollution and explore grey water reuse are supported.                                                                                                                                          |
| Have regard to national planning policy                                                                                                                                                                                                                                                                                    |

| Relevant section of national planning policy and guidance                                                            | How the Neighbourhood Plan policy has regard to national planning policy and guidance                |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| NPPF para 102, Section 14                                                                                            | Development proposals to provide appropriate assessments and mitigations on the environment.         |
| NPPF para 110                                                                                                        | Development to use sustainable transport links.                                                      |
| NPPF para 127                                                                                                        | Consider and seek to manage the impacts of development on the landscape.                             |
| NPPF para 148, 150                                                                                                   | Development proposals to use renewable energy and water recycling measures.                          |
| NPPF para 152, 154                                                                                                   | Community led renewable energy schemes are supported with acceptable or mitigable impacts.           |
| NPPF 165                                                                                                             | Development proposals to include SuDS features.                                                      |
| NPPF Section 15, para 170                                                                                            | Consider the impacts of development on noise, air, and water pollution.                              |
| NPPF para 180                                                                                                        | Development proposals to reduce the impact on light pollution.                                       |
| Relevant section of national planning policy and guidance                                                            | How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance |
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| Topics within the policy which are not included within national planning policy and guidance                         |                                                                                                      |
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| Conformity with local strategic planning policy                                                                      |                                                                                                      |
| Relevant local strategic planning policy                                                                             | How the Neighbourhood Plan policy conforms with local strategic planning policy                      |
| CS9                                                                                                                  | Community led renewable energy schemes are supported with acceptable or mitigable impacts.           |
| CS8, SP7                                                                                                             | Development proposals to include SuDS features.                                                      |
| CS8                                                                                                                  | Development proposals to reduce the impact on light pollution.                                       |
| CS7, LPP44, SP7                                                                                                      | Development to use sustainable transport links.                                                      |
| CS9, SP7                                                                                                             | Consider and seek to manage the impacts of development on the landscape.                             |
| CS9                                                                                                                  | Development proposals to use renewable energy and water recycling measures.                          |
| Relevant section of local planning policy and guidance                                                               | How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy       |
|                                                                                                                      |                                                                                                      |
| Topics within the policy which are not included within local strategic planning policy                               |                                                                                                      |
| Noise, air, and water pollution                                                                                      |                                                                                                      |
| Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy     |                                                                                                      |
| Addressing noise, air, and water pollution and improving air quality is included within non-strategic policy LPP73.  |                                                                                                      |
| The policy has regard to national planning policy and is in general conformity with local strategic planning policy. |                                                                                                      |
| Contribution towards the achievement of sustainable development:                                                     |                                                                                                      |
| Supporting sustainable design and sustainable energy sources.                                                        |                                                                                                      |

## 6. Compatibility with EU obligations and meeting prescribed conditions

AECOM produced a Strategic Environmental Assessment<sup>4</sup> (SEA) and Habitat Regulations Assessment<sup>5</sup> (HRA) to support the production of the Neighbourhood Plan.

The SEA report concluded that the Plan's content would provide *'an additional layer of policy provisions to the strategic allocation of the Local Plan and masterplanning for the site that will, on the whole, deliver positive effects in relation to the SEA objectives. Overall, minor long-term positive effects are predicted in relation to all the SEA themes'*.

The HRA report recommended reference to the Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) within the Plan, and stated that where this is included, *'it can be concluded that the Plan document will not result in an adverse effect on the integrity of any international sites either alone or in combination'*. Policy 6 of the FNP states that the Plan will support development proposals that contribute towards mitigation measures in accordance with the Essex Coast RAMS. The Plan therefore meets the recommendations of the HRA.

The policies contained within the FNP are therefore not likely to have a significant effects on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, and c.) Regulations 2007) either alone or in combination with other plans or projects.

The FNP does not breach, and is otherwise compatible with, EU obligations. The FNP meets all prescribed conditions for a Neighbourhood Plan outlined within the Neighbourhood Planning Regulations 2012 (as amended).

## 7. Conclusions

This Basic Conditions Statement demonstrates how the Feering Neighbourhood Plan meets the requirements of the basic conditions. The objectives contained within the draft FNP were assessed as meeting the neighbourhood plan basic conditions. All FNP policies have been prepared with regard to national planning policy and are considered to be in general conformity with local strategic planning policy. All FNP policies contribute towards the achievement of sustainable development. No issues have been identified regarding the compatibility of the policies with EU obligations or meeting the prescribed conditions.

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<sup>4</sup> Strategic Environmental Assessment (SEA) for the Feering Neighbourhood Plan, Environmental Report, Feering Parish Council, AECOM, February 2021

<sup>5</sup> Feering Neighbourhood Plan Regulation 14 Submission Habitats Regulations Assessment (HRA), AECOM, November 2020