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Copford with Easthorpe Neighbourhood Plan Basic Condition Statement

Introduction

This Statement has been prepared by Copford with Easthorpe Parish Council and Neighbourhood Plan Working Group (NPWG) to accompany its submission of the proposed Copford with Easthorpe Neighbourhood Development Plan (CENP) to Colchester Borough Council (CBC)

Regulation 15(1)9d) of the Neighbourhood Planning (General) Regulations 2012 states that when a Plan proposal is submitted to the local planning authority it must include a statement explaining how the proposed Neighbourhood Plan meets the requirements of the Town and Country Planning Act 1990(Paragraph 8 Schedule 48)

It is also in compliance with the Strategic Policies in the recently adopted Section 2 of the Local Plan in the policies SG1-8 and policies ENV1-5, CC1 and PP1

This Statement has been prepared to show that CENP meets the legal requirements and the basic conditions.

That it:

Has had regards to national policies and advice contained in guidance issued by the Secretary of State

Contributes to the achievement of sustainable development

Is in general conformity with the strategic policies contained in the Local Plan for the CBC

Does not breach and is otherwise compatible with human rights obligations and requirements for environmental and habitats assessment.

Legal Requirements

Qualifying Body

Copford with Easthorpe Parish Council (CEPC) is a qualifying body as defined in the Localism Act 2011

Neighbourhood Plan Area

The Neighbourhood Development Plan area consists solely of the parish of Copford with Easthorpe as defined by CBC in May 2015 and no other area. The area is shown in the map at the end. There are no other Neighbourhood Plans for CEPC area.

Time Period

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The Neighbourhood Development Plan runs from 2019-2033 although work commenced originally in 2014/15, as shown in the Consultation Statement and evidence file. The NDP dovetails with the Colchester Borough Council Local Plan.

Development and use of Land

CENP contains objectives and policies relating to matters primarily to do with the use and development of land and housing, including Housing Design note-these are within the AECOM document which provided more technical support for the CENP and should be considered and read as part of the Plan.

CENP is not allocating sites for housing; these have been allocated by CBC.

There are a number of objectives linked to matters relating to land use and development which were identified from feedback and the consultations carried out including questionnaires and open days as described in the Consultation Statement.

There is no provision within the Plan for matters such as mineral extraction, waste management, local and nationally significant infrastructure.

Meeting the Basic Conditions-Regard to National Policy and Advice

The NDP has appropriate regards to national policy and advice such as is set out in the National Planning Policy Framework (NPPF) which provides a framework within which local people can produce their own distinctive Neighbourhood Plans which reflect the needs of their community and which must be taken into account when preparing a Neighbourhood Plan.

The Neighbourhood Plan supports the strategic development needs set out in CBC Local Plan including policies for housing. It positively supports local development aiming to shape and direct developments. The Plan gives communities direct influence to develop a shared vision for their neighbourhood and deliver sustainable development, It is in conformity with the strategic policies of the Local Plan, it reflects those policies and does not set out to promote less development than is set out in the Local Plan.

The CENP is supported by robust evidence from a variety of local sources (see Consultation Statement and evidence file) and contains policies which are clear and unambiguous with sufficient clarity for any decision maker to apply them consistently when determining planning applications The Policies reflect the unique characteristics of the plan area.

The table below shows how the Parish Council has taken account of relevant policies and guidance in preparing the Neighbourhood Plan. It matches each part of the Plan against core principles and relevant NPPF paragraphs

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Neighbourhood Development Plan	Core principles	NPPF paragraphs	Comment
Whole Plan	The Plan provides a practical framework and a positive vision for the future, empowering local people to shape their surroundings.	Introduction paragraphs 1,2	The Parish Council through the NPWG has carried out extensive community consultation and developed a positive Vision, with Objectives and Policies that reflect the community's wishes. Evidence has been shared with the community and a range of statutory and non-statutory stakeholders
Policy CE1 Settlement Boundaries and Development	The plan supports the preservation of the identity of individual settlements within the parish, while supporting development which respects the character of the parish and enhances its assets	Paragraphs 125,126,127, 190,199	
Policy CE2 Natural and Ecological Environment , Open Spaces and Views	The Plan recognises the rural character and beauty of the area and will contribute to conserving and enhancing the natural environment and reducing pollution. It will also protect and enhance local green spaces	Paragraphs 109,110,117	The Plan positively aims to maintain and enhance the natural environment as described in the Local Landscape Assessment. It will support, promote and protect biodiversity and provide accessible areas of public space as appropriate
Policy CE3 Design and Character	The policy seeks to ensure that all new developments meet the highest standards of design, taking account of sources of best practice including the Local Plan, Essex Design Guide and the National Planning Policy Framework .The Plan encourages imaginative, high-quality development which merges well with the mixed character of the Parish, while not seeking to imitate.	Paragraphs 78,189,190,126, 132,134,135	

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<p>Policy CE4 Housing</p>	<p>The Plan will promote Small scale development appropriately located on 'Brownfield' sites where and when they become available, for example the Car Boot field. Developments will be permitted which have the least impact on sites of importance and significance, including heritage sites and views.</p> <p>Housing should be planned to enable local home-working and work-hubs close to where people live. Proposals will be expected to provide an appropriate housing mix and tenure, including sufficient affordable housing, recognising the assessed needs of households.</p> <p>Affordable housing will be planned in line with Colchester Borough Council Policy.</p>	<p>Paragraphs 61,62,63,64,79, 120,199</p>	<p>Good design will be favoured, to intelligently reduce purchase and running costs ,without sacrificing quality</p> <p>The plan will favour and promote the use of Brownfield sites over green field land. It will ensure a mix of well-designed, high-quality housing that meets local needs and favours small developments, including self-build ,with a commitment to low or zero carbon housing</p>
<p>Policy CE5 Transport and Getting Around</p>	<p>Transport policy must increasingly take account of major changes in our way of life and the impact of climate change.</p> <p>Inequality of access to transport in different parts of the Parish will be addressed to avoid the continued dominance of cars. Policy will favour the improvement of infrastructure for walking and cycling</p>	<p>Paragraphs 104,106,107, 108,112</p>	
<p>Policy CE6 Infrastructure and Local Community Facilities</p>	<p>The Neighbourhood Plan prioritises key facilities and assets to improve health and wellbeing alongside the improvement of assets such as broadband access, which is essential for home working but is currently variable across the parish.</p>	<p>Paragraphs 92,93,98,99, 100,101</p>	
<p>Policy CE7 Environment and Ecology</p>	<p>The policy intends to protect the parish environment in the face of the climate emergency and pressures which threaten the quality of the environment. Policy includes conservation of water courses and the limitation of paved and nonporous surfaces.</p>	<p>Paragraphs 152,153,154, 156,158,174,179, 180,181,183</p>	

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	New development is expected to control light pollution, thus protecting the night sky, as well as clarifying required protection against other pollution, conscious support for natural ecology and promotion of recycling. The plan supports the future development of community energy projects as a further ambition		
Policy CE8: Existing, new and Expanding Businesses	This rural parish and its Neighbourhood Plan will encourage a successful, mixed economy, taking account of both physical space and a need for digital infrastructure. The Pandemic has irreversibly altered working practices. New development must take account of changes work patterns working to include a blend of home working and shared office hubs in the mix of public and private development.	Paragraphs 84,85,114	

Meeting the Basic Conditions-Sustainable Development

The Parish of Copford with Easthorpe comprises three distinct villages, Copford, Easthorpe and Copford Green. It is a vibrant, modern community retaining a mainly rural aspect with largely agricultural aspects. It has good transport connections with local road networks (A12 and A120) and mainline rail connections to London.

The need to maintain the mainly rural nature of the Parish and avoid coalescence is recognised in the Vision for the Neighbourhood Plan as is the need to provide sustainable travel and developments which are proportionate to the size of the villages and meets the broad range of local housing needs.

The location of the villages places a significant challenge on future developments, as although deemed 'sustainable' significant demands will be placed on the infrastructure when new development occurs

The summary table above shows how the CENP has taken account of the policies within the NPPF and how it aims to make a contribution to sustainable development

The CENP will encourage and support a successful mixed economy and support local business. It encourages developers to install high standards of fibre, wireless and broadband connectivity.

The RCCE Housing Needs Survey (June 2020) provides a template for the current and future housing needs of the Parish, identifying type and numbers of homes including affordable

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ones. Together with the AECOM Design Guidance and Codes, (September 2021) it provides clear guidance on high quality building in line with the existing character of the villages.

The CENP provides clear policy requirements to provide new facilities for local community use and stress the need for use of s106 contributions to be directed towards priorities identified by the community and Parish Council. Effective collaboration with Health, Education and essential water services must come from future developments.

CENP has clear objectives and policies designed to protect and facilitate accessible public spaces, environmental and landscape features, retention of trees and hedgerows and net biodiversity gain, whilst supporting low carbon travel through a better infrastructure for walkers, cyclists and other users, encouraging better public transport links.

The CENP is in general conformity with CBC Policy SP1 (Presumption in Favour of Sustainable Development) This is shown both in the CENP Vision, Objectives and Policies with the CENP, also in the table below showing how CENP Policies are in general conformity with CBC Local Plan Part 1.

Meeting the Basic Conditions-General Conformity with Colchester Borough Council Local Plan

The Neighbourhood Plan must be in general conformity with the strategic policies contained in the Development (Local) Plan for the Colchester area. These policies are those that set out how the local authority will deliver the homes.

It is also in compliance with the Strategic Policies in both Local Plan Part 1 the recently adopted Section 2 of the Local Plan in the policies SG1-8 and policies ENV1-5, CC1 and PP1

Neighbourhood Development Plan	Core principles	Colchester Borough Council Local Plan Part 1 and Part 2	Comment
Whole Plan	The Plan provides a practical framework and a positive vision for the future, empowering local people to shape their surroundings. (Map CENP page 27)	Policy SP1 Policy SP2 Policy SG1	The Parish Council through the NPWG has carried out extensive community consultation and developed a positive Vision, with Objectives and Policies that reflect the community's wishes. The vision of the Plan broadly conforms to the emerging CBC Local Plan Section 1. There is general conformity with CBC Policy SP1 as shown in CENP and in this table. The Essex Coast RAMS detailed within CENP and looks for contributions from development as mitigation (CENP Policy CE2) to avoid adverse recreational disturbance effects on habitat sites. Local Plan Part 2 Policy SG1 identifies Copford and Copford Green as sustainable settlements (Note Copford Green is a conservation area)
Policy CE1 Settlement Boundaries and Development	The plan supports the preservation of the identity of individual settlements within the parish, while supporting development which respects the character of the parish and enhances its assets(Map CENP page 28)	Policy SP3 Future growth will be planned to ensure existing settlements maintain their distinctive character and role to avoid coalescence between them and to conserve their settings SG2	Whilst the CENP is not allocating additional homes beyond the 120 already allocated by CBC within Local Plan Part 2 there is an agreement 'in principle' to support development on the Car Boot sale Field on the B1408(London Road. This area was the most popular for development in the two questionnaires and four open days and drop in sessions organised by CEPN Policy.SG3 Colchester Housing provision and delivery is set at 120 units for the NP area for 2021-2033(SS1-16) There is support for this in the CENP Policy CE4 Housing. If this development were to take place, it would provide up to 30 homes in each of the Copford with Easthorpe Parish and Neighbouring Marks Tey Parish (who have a Policy MT04 covering this in their Neighbourhood Plan) It is understood that this would be a further development of homes not 'instead of' any other site currently proposed. There would be no coalescence between the Parishes as an area of just under 2 hectares of Community Use land would be provided between the two sites.
Policy CE2 Natural and Ecological Environment ,	The Plan recognises the rural character and beauty of the area and will contribute to conserving and enhancing the natural	Policy SP7 Incorporate biodiversity creation and	The CENP positively aims to maintain and enhance the natural environment as described in the Local Landscape Assessment. It will

<p>Open Spaces and Views</p>	<p>environment and reducing pollution. It will also protect and enhance local green spaces</p>	<p>enhancement measures. Policy ENV1 Policy ENV2 does not apply Policy PP1</p>	<p>support, promote and protect and incorporate biodiversity and provide accessible areas of public space as appropriate ENV1 considers development where the principal objective is to conserve or enhance biodiversity and geodiveristy in principle looking to preserve, restore and enhance natural habitats with a net 10% biodiversity gain The LPA will carefully balance the requirement for new development ensuring it does not have any adverse effects on the intrinsic character roles and identities of settlements and valued landscapes Pp1 suitable screening/landscaping to minimise impact</p>
<p>Policy CE3 Design and Character</p>	<p>The policy seeks to ensure that all new developments meet the highest standards of design, taking account of sources of best practice including the Local Plan, Essex Design Guide and the National Planning Policy Framework .The Plan encourages imaginative, high-quality development which merges well with the mixed character of the Parish, while not seeking to imitate.</p>	<p>Policy SP7 All new developments must meet high standards of urban and architectural design and respond positively to local character and context</p>	<p>CENP are in conformity with SP7. The AECOM Design Guidance and Codes should be read alongside the CENP, it provides detailed technical support for CENP Policy CE3</p>
<p>Policy CE4 Housing</p>	<p>The Plan will promote Small scale development appropriately located on 'Brownfield' sites where and when they become available, for example the Car Boot field. Developments will be permitted which have the least impact on sites of importance and significance, including heritage sites and views. Housing should be planned to enable local home working and work hubs close to where people live. Proposals will be expected to provide an appropriate housing mix and tenure, including sufficient affordable housing, recognising the assessed needs of households. Affordable housing will be planned in line with Colchester Borough Council Policy.</p>	<p>Policy SP4 Policy SP7 Respond positively to local character and. context , protect and enhance assets of historical or natural value Policy SG2</p>	<p>CENP is not allocating sites for development; they have previously been allocated by CBC with current allocation of 120 homes CBC Local Plan Part2 Policy SG2 over two sites, this helping to meet housing needs over the plan period. Please note the comment regarding the 'in principle' support for development of the Car Boot Sale Field off London Road B1408 under CENP 1 Good design will be favoured, to intelligently reduce purchase and running costs ,without sacrificing quality The plan will favour and promote the use of Brownfield sites over green field land. It will Ensure a mix of well-designed, high-quality housing that meets local needs and favours small developments ,including self-build ,with a commitment to low or zero carbon housing CENP will promote developments which have the least impact on sites of importance and significance, including heritage sites and views listed(see listed Heritage sites</p>

			CENP PAGES 29-31
Policy CE5 Transport and Getting Around	<p>Transport policy must increasingly take account of major changes in our way of life and the impact of climate change.</p> <p>Inequality of access to transport in different parts of the Parish will be addressed to avoid the continued dominance of cars. Policy will favour the improvement of infrastructure for walking, cycling and equestrians</p>	Policy SP6 Section B 6.15 6.17,,6.18, Policy SP7 Policy ENV3 Policy PP1	CENP supports and is in conformity with CBC Policies 6 and 7 recognising that measures are taken to reduce car use by promoting alternatives, also that adequate off-street parking is provided. Furthermore that existing local off road options (PROW, Bridleways, footpaths and cycle ways will be supported within developments) ENV3 is supported by the NP in promoting choices for residents to participate in healthy activities by walking, cycling and horse riding PP1 (v) is supported in the NP
Policy CE6 Infrastructure and Local Community Facilities	The Neighbourhood Plan prioritises key facilities and assets to improve health and wellbeing alongside the improvement of assets such as broadband access, which is essential for home working but is currently variable across the parish.	Policy SP6 Section C D and E Notes :6.20, 6.22 6.23, 6.24,6.25 Policy SP7 Policy SG5 Policy SG6 Policy SG6a Policy SG7	CENP supports and is in general conformity with relevant sections of CBC Policies 6 and 7 where all future developments must enable local community facilities to be protected and enhanced, (s106 funding) existing and future residents to have access to secure, reliable, fast broadband, promote long term water supplies and have effective collaboration with Health and Education authorities so that future health and education needs are accommodated.. Whilst deemed a sustainable village the NP area does not form part of

			<p>Policy SG5 Hierarchy of Local Centres</p> <p>Policy SG6 does not apply as it refers to Town Centre Uses, Policy SG6a may be considered in broad terms but the NP area is not a defined Local Centre, although expansion of community facilities and consideration of impact on residential amenities/parking should be included.</p> <p>SG7 Infrastructure Delivery and Impact Mitigation support new development as outline in the first paragraph. The cumulative effect of small sites will require proportional contributions from developments</p>
<p>Policy CE7 Environment and Ecology</p>	<p>The policy intends to protect the parish environment in the face of the climate emergency and pressures which threaten the quality of the environment. Policy includes conservation of water courses and the limitation of paved and nonporous surfaces. New development is expected to control light pollution, thus protecting the night sky, as well as clarifying required protection against other pollution, conscious support for natural ecology and promotion of recycling. The plan supports the future development of community energy projects as a further ambition</p>	<p>Policy SP1 Policy SP6 E and 6.25 Policy SP7 Policy ENV1 Policy ENV3 Policy ENV4 Dedham Vale ANOB not apply Policy ENV5 Policy CC1 Policy PP1</p>	<p>CENP together with the AECOM Design Guidance and Notes is in general conformity with CBC Local Plan. CENP ;Policy 7 is divided into CE7A Water Conservation, CE7b Energy, CE7c Dark Skies, CE7d Recycling, CE7e Pollution-the majority of which are found within CBC Policy SP7 Place Shaping Principles or SP6 as listed</p> <p>This furthermore supports Policy CC1 Climate change and Policy PP1wastewater/SUDS</p> <p>ENV3 –see earlier on healthy transport choices and also development of further green corridors providing community gardens, open spaces in new developments and protecting existing water, wetlands and flood risks</p> <p>ENV5 as no housing is being allocated by the NP this does not directly apply but AQMA is relevant to already allocated new development as is any polluted or contaminated land.</p>
<p>Policy CE8: Existing, new and Expanding Businesses</p>	<p>This rural parish and its Neighbourhood Plan will encourage a successful, mixed economy, taking account of both physical space and a need for digital infrastructure .The Pandemic has irreversibly altered working practices. New development must take account of changes work patterns working to include a blend of home working and shared office hubs in the mix of public and private development.</p>	<p>Policy SP5 5.1 and 5.11 Policy SG3 SG4</p>	<p>The CENP reflects the changes expressed in this paragraph and recognises the need to strengthen and diversify local economies CENP is in conformity with CBC Policy SP5 and SG3 and SG4-although there is no location/allocation for Local Economic Areas in the NP area.</p>

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Essex Coast RAMS Policy	CENP Policy CE2 Natural and Ecological Environment, Open Spaces and Views	Policy SP1 Policy SP2	CENP is in conformity with this
Habitats Regulations Assessment Screening	No Policy with CENP	Policy SP1	CENP is not allocating any development sites as the two sites in the Parish have been allocated by CBC within Local Plan Part 2. The advice given to CENP was that as there were no likely significant effects relating to physical development of land and therefore will not affect any (European) site. No responses have been received from Historic England, the Environment Agency and Natural England regarding HRA. As the CENP does not allocate land for housing the making of the CENP does not breach the requirements of the HRA and as such is screened out.
Strategic Environmental Assessment Screening Report	No Policy within CENP	Policy SP1	The CENP will result in positive long term benefits; however none of these effects will be significant. The LPA has concluded that CENP will not require an assessment of the significant environmental effects of the plan under SEA directive and environmental assessment

The version of the CENP presented as part of Regulation 14/15 is effectively a submission draft which has already had some modifications made as a result of the support of CBC from both the on-going public engagement with residents of Copford with Easthorpe Parish and formal public consultation under Regulation 14 which ended on January 18th 2022. It is fully compatible with the Human Rights Act 1998.

In the Consultation Statement accompanying the Basic Condition Statement, the full list of statutory and non statutory consultees is included with their comments and the responses from CENP.

The CENP, AECOM Design Guidance and Codes, Consultation Statement and Basic Conditions Statement have all been prepared within the existing framework of statute, national planning policy and CBC Local Plan vision and Policies.

The CENP has been based on extensive and on-going engagement and consultation with local residents and CBC. The overall purpose of CENP is to conserve and enhance the distinctive nature of our rural community, recognising the challenges of the climate emergency while taking a sustainable

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and optimistic view of development. (The further eight bullet points relating to the Vision for CENP are to be found on Page 4 of the submitted plan)

The policies in CENP have been formulated with regard to and in response to the views of those living within the Parish and are based on evidence gathered.