

Tiptree Neighbourhood Plan 2020-2033

Basic Conditions Statement

Tiptree Parish Council

March 2020



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1. Introduction

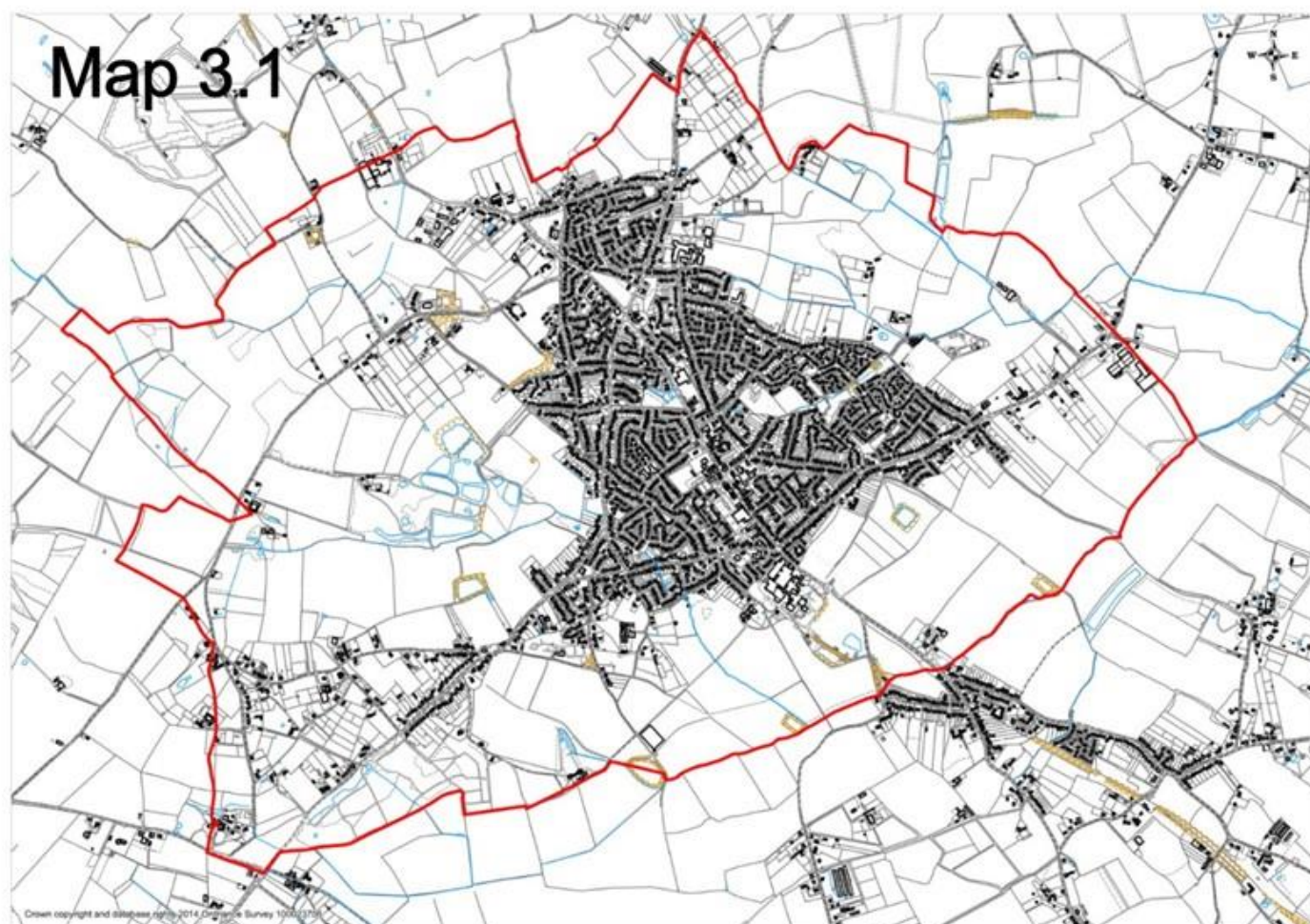
- 1.1. This Basic Conditions Statement has been produced to accompany Tiptree Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
 - I. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - II. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - III. The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - IV. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and
 - V. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4. This document sets out how the Plan meets the Basic Conditions.

Key statements

- 1.5. Colchester Borough Council (CBC), as the local planning authority, has designated the Plan area, which covers the parish area of Tiptree. This was designated in 2015.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Tiptree Neighbourhood Area. This is shown in Figure 1 below.
- 1.7. The Plan refers only to the administrative boundary of the parish of Tiptree. There are no other adopted Neighbourhood Development Plans that cover the Tiptree Neighbourhood Area.
- 1.8. The Tiptree Neighbourhood Plan Group (TNPG) have prepared the Plan to establish a vision for the future of the parish. The community has set out how that vision will be realised through planning and controlling land use and development change over the plan period 2020 to 2033.

¹ There are two further basic conditions, which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

Figure 1: Tiptree Neighbourhood Plan Area



2. Basic Condition (i) – Conformity with National Planning Policy

- 2.1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).

National Planning Policy Framework

- 2.2. The NPPF has 13 key objectives which are:

1. Delivering a sufficient supply of homes
2. Building a strong, competitive economy
3. Ensuring the vitality of town centres
4. Promoting healthy and safe communities
5. Promoting sustainable transport
6. Supporting high quality communications
7. Making effective use of land
8. Achieving well-designed places
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

- 2.3. This statement explains how the Plan contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.

- 2.4. The Plan has 31 objectives. These are identified in Table 2.1 alongside the NPPF goals that each objective seeks to address.

Table 2.1: Assessment of the TNP objectives against NPPF goals

Plan objective	Relevant NPPF goal
SPATIAL STRATEGY	
Objective 1: To deliver development in keeping with the village feel and identity of Tiptree.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the natural environment
Objective 2: To value and protect our heritage	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment
Objective 3: To promote sensitive development that protects and enriches the landscape and the existing settlement whilst meeting the ongoing needs of the community.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the natural environment • Delivering a sufficient supply of homes
Objective 4: To seek on-going improvements to	<ul style="list-style-type: none"> • Promoting sustainable transport

Plan objective	Relevant NPPF goal
transport, to utility infrastructure and to digital connectivity.	• Supporting high quality communications
Objective 5: To prioritise local distinctiveness in every element of change and growth.	• Achieving well-designed places
Objective 6: To define clearly a revised settlement boundary for Tiptree.	Addresses multiple goals
HOMES AND HOUSING	
Objective 7: Delivery of a housing growth strategy tailored to the needs and context of Tiptree.	• Delivering a sufficient supply of homes • Building a strong, competitive economy
Objective 8: To identify and allocate sites to support the construction and delivery of 600 homes by 2033.	• Delivering a sufficient supply of homes
Objective 9: To include variety and choice to meet existing and future needs in terms of housing type and tenure.	• Delivering a sufficient supply of homes
Objective 10: To promote developments with sufficient off-road parking, front gardens and varied housing densities and styles as befits Tiptree's rural community.	• Achieving well-designed places
Objective 11: To integrate green 'corridors' for foot and cycle paths, recreation and wildlife into new developments.	• Conserving and enhancing the natural environment
Objective 12: To favour new developments to the north and west of the village on sites that allow access to main routes with minimal impact on the village centre.	• Ensuring the vitality of town centres • Promoting sustainable transport • Promoting healthy and safe communities
TRAFFIC AND MOVEMENT	
Objective 13: To provide access routes to new estates that avoids congestion.	• Achieving well-designed places • Promoting healthy and safe communities
Objective 14: To avoid increased congestion on existing roads and junctions in and around Tiptree by steering development to the north and west edge of the village.	• Promoting sustainable transport • Promoting healthy and safe communities
Objective 15: To promote steady and safe traffic flow through the village centre in order to help maintain a viable shopping centre.	• Ensuring the vitality of town centres
Objective 16: To promote the provision of cycleways and footpaths from new developments to existing village amenities including the village centre.	• Promoting sustainable transport
Objective 17: To improve access to Kelvedon and Witham railway stations and the A12 north and south.	• Promoting sustainable transport
Objective 18: In the long term to relieve traffic on Church Road.	• Promoting sustainable transport • Promoting healthy and safe communities
VILLAGE CENTRE	
Objective 19: To maintain and improve a safe, welcoming and attractive village centre.	• Ensuring the vitality of town centres • Promoting healthy and safe communities
Objective 20: Sustaining and improving the local facilities for existing and new residents.	• Promoting healthy and safe communities
Objective 21: To promote the provision of sufficient essential services and shops as close to the village centre as possible to service the community.	• Ensuring the vitality of town centres • Promoting healthy and safe communities
Objective 22: To facilitate the relocation of other	• Ensuring the vitality of town centres

Plan objective	Relevant NPPF goal
trades that choose to move away from the centre to make way for village centre amenities.	• Building a strong, competitive economy
Objective 23: To promote sufficient public car parking spaces in the village centre.	• Promoting sustainable transport
Objective 24: To improve pedestrian and mobility vehicle accessibility and safety for all users.	• Promoting sustainable transport • Promoting healthy and safe communities
COMMERCIAL ACTIVITY	
Objective 25: To strengthen and support local economic activity and local economic areas.	• Building a strong, competitive economy
Objective 26: To encourage small businesses and local employment.	• Building a strong, competitive economy
Objective 27: To promote accessible business park(s) for new and existing businesses.	• Building a strong, competitive economy • Promoting sustainable transport
COUNTRYSIDE AND GREEN SPACES	
Objective 28: To protect existing greenspace, the landscape character and support nature conservation.	• Conserving and enhancing the natural environment
Objective 29: To protect local wildlife sites and other locally valued habitats.	• Conserving and enhancing the natural environment
Objective 30: To deliver additional green space with public access as part of new developments in Tiptree and space to roam in beautiful surroundings.	• Conserving and enhancing the natural environment
Objective 31: To establish a Country Park for Tiptree	• Conserving and enhancing the natural environment • Promoting healthy and safe communities

- 2.5. Table 2.2 sets out each policy of the Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.2: Assessment of how each policy in the TNP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY TIP01: TIPTREE SETTLEMENT BOUNDARIES	16, 17, 28	A core principle of national policy is the need for the planning system to contribute to sustainable development. The NPPF states that plans should be developed that support the strategic development needs set out in the Local Plan and actively manage patterns of growth. The policy takes a positive approach to development by defining the settlement boundary to enable a balanced approach to delivering the housing need and supporting infrastructure.
POLICY TIP02: GOOD QUALITY DESIGN	124, 125, 127, 128, 130, 148	This policy contributes to the NPPF requirement of good design in the built environment. National policy encourages neighbourhood plans to develop design policies that demonstrate high quality, sustainable and inclusive design and architecture that respects and responds positively to the area's character. This policy also addresses climate change through a reduction in greenhouse gas emissions.
POLICY TIP03: RESIDENTIAL CAR PARKING	105, 127	This policy supports the NPPF objective of promoting sustainable transport. It specifically addresses local parking standards for residential development and also matters relating to design of on- and off-plot parking.
POLICY TIP04: BUILDING FOR LIFE	129	The NPPF encourages the use of the Building for Life framework as a way of delivery high quality design.
POLICY TIP05: DWELLING MIX	61	In ensuring delivery of a sufficient supply of homes, the NPPF requires that the mix of housing to address the needs of differing groups is provided for.
POLICY TIP06: CYCLING, WALKING AND DISABILITY ACCESS ROUTES	91, 102, 104, 108	The NPPF encourages Neighbourhood Plan to exploit opportunities for the use of sustainable transport modes in a safe layout that minimises conflicts between traffic and cyclists or pedestrians. Priority is given to proposal that encourage cycling and walking as an alternative sustainable transport mode to driving.
POLICY TIP07: MITIGATING THE IMPACT OF VEHICULAR TRAFFIC THROUGH TIPTREE VILLAGE	102, 104	The NPPF seeks to promote sustainable transport and this recognises that opportunities should be taken to identify routes which could be critical in developing infrastructure to widen transport choice. This policy seeks to do this and ensure that traffic does not continue having to be routed through the centre of Tiptree village.
POLICY TIP08: TIPTREE VILLAGE CENTRE: EXISTING BUSINESSES	85	This policy supports the NPPF objective of ensuring the vitality of town centres by identifying the types of uses that will help Tiptree village centre to thrive.
POLICY TIP09: TIPTREE VILLAGE CENTRE: NEW DEVELOPMENTS	85	The policy supports the vital role played by the village centre in the neighbourhood plan area. It seeks to encourage more flexible use of sites adjacent to the centre, which can contribute to a more vibrant village.
POLICY TIP10: BUSINESS DEVELOPMENT	81, 82	This policy supports the NPPF objective of building a strong, competitive economy by identifying land for new B-class uses.
POLICY TIP11: PLANNING OBLIGATIONS	91, 92, 96, 97	This policy supports the NPPF objective of promoting healthy and safe communities by identifying specific items of community infrastructure that are needed and, in certain instances, where they should be located.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY TIP12: COMPREHENSIVE DEVELOPMENT	126	The requirement for comprehensive masterplans in this policy meet the NPPF objective of achieving well designed places.
POLICY TIP13: TOWER END	8, 69, 91, 102, 104	The land at Tower End is allocated for residential development along with green space for community use, a primary street capable of supporting a public bus route and improved pedestrian and cycle access.
POLICY TIP14: HIGHLAND NURSERY AND ELMS FARM	8, 69, 84, 91, 102, 104	The land at Highland Nursery and Elms Farm is allocated for residential and employment development along with green space for community use, play facilities and a primary street capable of supporting a public bus route.
POLICY TIP15: COUNTRYSIDE AND GREEN SPACES	91, 96, 170, 171	This policy seeks to enhance access to the surrounding countryside whilst protecting and managing Local Wildlife Sites. It therefore meets the NPPF objectives relating to promoting healthy and safe communities and conserving and enhancing the natural environment.
POLICY TIP16: RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION	170, 171, 174	This policy requires contributions where development is within the zone of influence of coastal habitats, thereby meeting the NPPF objective of conserving and enhancing the natural environment.
POLICY TIP17: HISTORIC ENVIRONMENT	185	A key objective of the NPPF is to conserve and enhance the historic environment. This policy seeks to conserve and enhance heritage assets of importance in Tiptree.

3. Basic Condition (iv) – Contribution to Sustainable Development

- 3.1. The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and ‘should be seen as a golden thread running through both plan-making and decision-taking’.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’. The Forum has prepared a Sustainability Report, which, along with the wider evidence base, demonstrates how the Plan guides development towards sustainable solutions. The Sustainability Report has been submitted at Regulation 16 stage as part of the evidence base supporting the Plan and should be read alongside this Basic Conditions Statement.
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of TNP objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘Contribute to building a strong, responsive economy’ and support growth, innovation and improved productivity; and ‘identifying and coordinating the provision of infrastructure’.	
TNP Objectives	<p>Objective 4: To seek on-going improvements to transport, to utility infrastructure and to digital connectivity.</p> <p>Objective 6: To define clearly a revised settlement boundary for Tiptree.</p> <p>Objective 7: Delivery of a housing growth strategy tailored to the needs and context of Tiptree.</p> <p>Objective 8: To identify and allocate sites to support the construction and delivery of 600 homes by 2033.</p> <p>Objective 12: To favour new developments to the north and west of the village on sites that allow access to main routes with minimal impact on the village centre.</p> <p>Objective 14: To avoid increased congestion on existing roads and junctions in and around Tiptree by steering development to the north and west edge of the village.</p> <p>Objective 15: To promote steady and safe traffic flow through the village centre in order to help maintain a viable shopping centre.</p> <p>Objective 17: To improve access to Kelvedon and Witham railway stations and the A12 north and south.</p> <p>Objective 18: In the long term to relieve traffic on Church Road.</p> <p>Objective 19: To maintain and improve a safe, welcoming and attractive village centre.</p> <p>Objective 21: To promote the provision of sufficient essential services and shops as close to the village centre as possible to service the community.</p> <p>Objective 22: To facilitate the relocation of other trades that choose to move away from the centre to make way for village centre amenities.</p> <p>Objective 23: To promote sufficient public car parking spaces in the village centre.</p> <p>Objective 25: To strengthen and support local economic activity and local economic areas.</p> <p>Objective 26: To encourage small businesses and local employment.</p> <p>Objective 27: To promote accessible business park(s) for new and existing businesses.</p>
TNP Policies	<p>POLICY TIP01: TIPTREE SETTLEMENT BOUNDARIES</p> <p>POLICY TIP08: TIPTREE VILLAGE CENTRE: EXISTING BUSINESSES</p> <p>POLICY TIP09: TIPTREE VILLAGE CENTRE: NEW DEVELOPMENTS</p> <p>POLICY TIP10: BUSINESS DEVELOPMENT</p> <p>POLICY TIP12: COMPREHENSIVE DEVELOPMENT</p>

	POLICY TIP14: HIGHLAND NURSERY AND ELMS FARM
Commentary	There is a recognition of the need to expand Tiptree's small but not insignificant local economy. This would provide more local jobs so fewer people would have to drive out of Tiptree to access jobs in other places. This will also help to sustain the vitality of Tiptree's village centre. One of the issues in the village centre is the presence of some light industrial-type businesses that would be better suited on sites further towards the edge of the village. The site allocation at Highland Nursery seeks to provide new business space to either attract these businesses to relocate or new businesses into Tiptree. The vacated space close to Tiptree village centre could then be used for other employment and income-generating uses.
Deliver social sustainability	
NPPF definition – 'Support strong, vibrant and healthy communities'	
TNP Objectives	<p>Objective 1: To deliver development in keeping with the village feel and identity of Tiptree.</p> <p>Objective 2: To value and protect our heritage</p> <p>Objective 3: To promote sensitive development that protects and enriches the landscape and the existing settlement whilst meeting the ongoing needs of the community.</p> <p>Objective 5: To prioritise local distinctiveness in every element of change and growth.</p> <p>Objective 7: Delivery of a housing growth strategy tailored to the needs and context of Tiptree.</p> <p>Objective 8: To identify and allocate sites to support the construction and delivery of 600 homes by 2033.</p> <p>Objective 9: To include variety and choice to meet existing and future needs in terms of housing type and tenure.</p> <p>Objective 10: To promote developments with sufficient off-road parking, front gardens and varied housing densities and styles as befits Tiptree's rural community.</p> <p>Objective 11: To integrate green 'corridors' for foot and cycle paths, recreation and wildlife into new developments.</p> <p>Objective 13: To provide access routes to new estates that avoids congestion.</p> <p>Objective 16: To promote the provision of cycleways and footpaths from new developments to existing village amenities including the village centre.</p> <p>Objective 19: To maintain and improve a safe, welcoming and attractive village centre.</p> <p>Objective 20: Sustaining and improving the local facilities for existing and new residents.</p> <p>Objective 21: To promote the provision of sufficient essential services and shops as close to the village centre as possible to service the community.</p> <p>Objective 23: To promote sufficient public car parking spaces in the village centre.</p> <p>Objective 24: To improve pedestrian and mobility vehicle accessibility and safety for all users.</p> <p>Objective 30: To deliver additional green space with public access as part of new developments in Tiptree and space to roam in beautiful surroundings.</p> <p>Objective 31: To establish a Country Park for Tiptree</p>
TNP Policies	<p>POLICY TIP02: GOOD QUALITY DESIGN</p> <p>POLICY TIP03: RESIDENTIAL CAR PARKING</p> <p>POLICY TIP04: BUILDING FOR LIFE</p> <p>POLICY TIP05: DWELLING MIX</p> <p>POLICY TIP06: CYCLING, WALKING AND DISABILITY ACCESS ROUTES</p> <p>POLICY TIP07: MITIGATING THE IMPACT OF VEHICULAR TRAFFIC THROUGH TIPTREE VILLAGE</p> <p>POLICY TIP09: TIPTREE VILLAGE CENTRE: NEW DEVELOPMENTS</p> <p>POLICY TIP11: PLANNING OBLIGATIONS</p> <p>POLICY TIP13: TOWER END</p> <p>POLICY TIP14: HIGHLAND NURSERY AND ELMS FARM</p> <p>POLICY TIP17: HISTORIC ENVIRONMENT</p>

Commentary	<p>With the growing population of Tiptree, it is important that the provision of community infrastructure keeps pace with this and, in particular, addresses gaps in provision. Alongside this, new development needs to be accessible to shops and services by means other than the private car, recognising that a car-centred village such as Tiptree, lacking public transport, has problems of congestion through the village centre. Providing genuine alternatives, particularly walking and cycling, could help to alleviate a lot of short distance trips that are currently undertaken by car. This will also help to improve the health and wellbeing of the community.</p> <p>The two site allocations create the opportunity to provide a road-based solution to divert much of the traffic away from the village centre. Such a solution should be provided so that ultimately it can be served by a public bus service.</p>
Deliver environmental sustainability	
NPPF definition – ‘Contribute to protecting and enhancing our natural, built and historic environment’ and ‘mitigate and adapt to climate change’	
TNP Objectives	<p>Objective 2: To value and protect our heritage</p> <p>Objective 3: To promote sensitive development that protects and enriches the landscape and the existing settlement whilst meeting the ongoing needs of the community.</p> <p>Objective 11: To integrate green ‘corridors’ for foot and cycle paths, recreation and wildlife into new developments.</p> <p>Objective 28: To protect existing greenspace, the landscape character and support nature conservation.</p> <p>Objective 29: To protect local wildlife sites and other locally valued habitats.</p> <p>Objective 30: To deliver additional green space with public access as part of new developments in Tiptree and space to roam in beautiful surroundings.</p> <p>Objective 31: To establish a Country Park for Tiptree</p>
TNP Policies	<p>POLICY TIP02: GOOD QUALITY DESIGN</p> <p>POLICY TIP13: TOWER END</p> <p>POLICY TIP14: HIGHLAND NURSERY AND ELMS FARM</p> <p>POLICY TIP15: COUNTRYSIDE AND GREEN SPACES</p> <p>POLICY TIP16: RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION</p> <p>POLICY TIP17: HISTORIC ENVIRONMENT</p>
Commentary	<p>Tiptree has a number of significant environmental assets which should be protected. Also though, it is important to provide the community with improved access to some of these assets, provided that they are well managed and maintained.</p> <p>More generally, well-designed new developments will help to protect biodiversity assets and also to improve the relationship that the community has with the environment and particularly the surrounding countryside.</p>

- 3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to sustainable development in respect of building a strong, responsive economy, supporting a strong, vibrant and healthy community and protecting and enhancing the natural and historic environment.

4. Basic Condition (v) – General Conformity with the Strategic Policies of the Development Plan

- 4.1. The development plan currently consists of the following:
- The Colchester Core Strategy 2001-2021 (adopted in 2008), with selected policies revised in 2014
 - Colchester Development Policies DPD 2001-2021 (adopted in 2010), with selected policies revised in 2014
 - Colchester Site Allocations DPD 2001-2021 (adopted 2010)
 - Tiptree Jam Factory DPD (adopted 2013)
 - Essex Minerals Local Plan (adopted 2014)
 - Essex and Southend-on-Sea Waste Local Plan (adopted 2017)
- 4.2. Table 4.1 details the TNP policies alongside a consideration of how they are in general conformity with the policies in the Colchester Core Strategy, Development Policies DPD and Site Allocations DPD.
- 4.3. In addition, the TNP policies have been assessed against the policies in the Publication Draft of the Colchester Local Plan 2017-2033 (published in June 2017) in order to understand whether there are any fundamental conflicts with the strategic direction of emerging policy.
- 4.4. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.

Table 4.1: Assessment of conformity with strategic policies in the development plan

TNP Policy	Colchester Core Strategy	Colchester Development Policies DPD	Colchester Site Allocations DPD	Colchester Local Plan, Publication Draft	Commentary
POLICY TIP01: TIPTREE SETTLEMENT BOUNDARIES	SD1: Sustainable Development Locations.			SP1: Presumption in Favour of Sustainable Development. SP2: Spatial Strategy for North Essex. SS14: Tiptree.	The policy focuses development within the settlement boundaries of Tiptree, to help sustain its character and vitality. It redefines the settlement boundary to account for the required levels of growth.
POLICY TIP02: GOOD QUALITY DESIGN	UR2: Built Design and Character.	DP1: Design and Amenity. DP12: Dwelling Standards. DP16: Private Amenity Space and Open Space Provision for New Residential Development.		SP6: Place Shaping Principles. CC1: Climate Change. DM15: Design and Amenity.	The policy identifies specific issues which are considered to represent good quality design that reflects the character of Tiptree. This includes designing properties so they minimise their impact on the environment.
POLICY TIP03: RESIDENTIAL CAR PARKING	TA5: Parking	DP19: Parking Standards.		DM22: Parking.	The policy seeks to require parking levels appropriate for Tiptree, a rural settlement.
POLICY TIP04: BUILDING FOR LIFE	H3: Housing Diversity	DP12: Dwelling Standards.		SS14: Tiptree. DM10: Housing Diversity. DM12: Housing Standards.	The policy encourages residential development to meet Building for Life standards.
POLICY TIP05: DWELLING MIX	H3: Housing Diversity			SS14: Tiptree. DM10: Housing Diversity.	This policy seeks to ensure an appropriate mix of housing.
POLICY TIP06: CYCLING, WALKING AND DISABILITY ACCESS ROUTES	PR2: People-friendly Streets. TA2: Walking and Cycling. TA3: Public	DP1: Design and Amenity. DP17: Accessibility and Access.	SA TIP2: Transport in Tiptree	SP5: Infrastructure and Connectivity. DM14: Health and Wellbeing. DM20: Promoting	This policy seeks to enhance walking and cycling routes, including through good design of new development. It also seeks to ensure streets are able to support new bus routes.

TNP Policy	Colchester Core Strategy	Colchester Development Policies DPD	Colchester Site Allocations DPD	Colchester Local Plan, Publication Draft	Commentary
	Transport.			Sustainable Transport and Changing Travel Behaviour. DM21: Sustainable Access to Development.	
POLICY TIP07: MITIGATING THE IMPACT OF VEHICULAR TRAFFIC THROUGH TIPTREE VILLAGE	TA4: Roads and Traffic.	DP17: Accessibility and Access.		DM21: Sustainable Access to Development.	This policy seeks to direct traffic away from the village centre where congestion is most acute.
POLICY TIP08: TIPTREE VILLAGE CENTRE: EXISTING BUSINESSES	CE2: Mixed Use Centres. CE2b: District Centres.	DP7: Local Centres and Individual Shops.		SG6: Town Centre Uses.	This policy seeks to support Tiptree's role as a Rural District Centre and to focus an appropriate mix of uses in and adjacent to the village centre.
POLICY TIP09: TIPTREE VILLAGE CENTRE: NEW DEVELOPMENTS	CE1: Centres and Employment Classification and Hierarchy. CE2: Mixed Use Centres. CE2b: District Centres.	DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses.		SG5: Centre Hierarchy. SG6: Town Centre Uses.	This policy seeks to support Tiptree's role as a Rural District Centre and to focus an appropriate mix of uses in and adjacent to the village centre.
POLICY TIP10: BUSINESS DEVELOPMENT	CE1: Centres and Employment Classification and Hierarchy.	DP5: Appropriate Employment Uses and Protection of	Various Local Employment Zone allocations (DP5 applies)	SP4: Providing for Employment and Retail. SG4: Local Economic Areas.	This policy seeks to support Tiptree's role as a Rural District Centre.

TNP Policy	Colchester Core Strategy	Colchester Development Policies DPD	Colchester Site Allocations DPD	Colchester Local Plan, Publication Draft	Commentary
		Employment Land and Existing Businesses.			
POLICY TIP11: PLANNING OBLIGATIONS	SD2: Delivering Facilities and Infrastructure. SD3: Community Facilities. PR1: Open Space. ENV2: Rural Communities.	DP4: Community Facilities.		SP5: Infrastructure and Connectivity. SG7: Infrastructure Delivery and Impact Mitigation. PP1: Generic Infrastructure and Mitigation Requirements. SS14: Tiptree. DM2: Community Facilities.	This policy identifies the specific infrastructure required to support growth.
POLICY TIP12: COMPREHENSIVE DEVELOPMENT		DP1: Design and Amenity.		SS14: Tiptree. DM21: Sustainable Access to Development.	This policy seeks to ensure a comprehensive approach to development of the site allocations in respect of character, design and layout.
POLICY TIP13: TOWER END	SD2: Delivering Facilities and Infrastructure. SD3: Community Facilities. H1: Housing Delivery. H5: Gypsies, Travellers and Travelling Showpeople.	DP4: Community Facilities. DP17: Accessibility and Access.	SA H2: Gypsy and Traveller Accommodation	SP3: Meeting Housing Needs. SP5: Infrastructure and Connectivity. SG2: Housing Delivery. SS14: Tiptree. DM11: Gypsies, Travellers and Travelling Showpeople. DM21: Sustainable Access to Development.	This policy identifies the specific infrastructure required to support housing growth. It ensures that the road network can support public bus services. It also ensures that provision is made for the gypsy and traveller requirement of one pitch if a pitch was lost at Ponys Farm.

TNP Policy	Colchester Core Strategy	Colchester Development Policies DPD	Colchester Site Allocations DPD	Colchester Local Plan, Publication Draft	Commentary
POLICY TIP14: HIGHLAND NURSERY AND ELMS FARM	SD2: Delivering Facilities and Infrastructure. SD3: Community Facilities. H1: Housing Delivery.	DP4: Community Facilities. DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses. DP17: Accessibility and Access.		SP3: Meeting Housing Needs. SP4: Providing for Employment and Retail. SP5: Infrastructure and Connectivity. SG2: Housing Delivery. SG4: Local Economic Areas. DM21: Sustainable Access to Development.	This policy identifies the specific infrastructure required to support housing and employment growth on the site. It ensures that the road network can support public bus services. It also identifies land to provide new employment space which offsets designated employment land at Tower House LEZ that will be lost through development of the TIP13 site allocation.
POLICY TIP15: COUNTRYSIDE AND GREEN SPACES	ENV1: Environment.	DP21: Nature Conservation and Protected Lanes.		ENV1: Environment. ENV3: Green Infrastructure. SS14: Tiptree. DM14: Health and Wellbeing. DM18: Provision of Open Space.	This policy seeks to maximise access to suitable countryside areas.
POLICY TIP16: RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION	ENV1: Environment.	DP21: Nature Conservation and Protected Lanes. DP23: Coastal Areas.		ENV1: Environment.	This policy seeks to minimise impacts of human activity on sensitive coastal habitats.
POLICY TIP17: HISTORIC ENVIRONMENT	UR2: Built Design and Character.	DP14: Historic Environment Assets.		DM16: Historic Environment.	This policy seeks to protect and enhance Tiptree's heritage.

5. Basic Condition (iv) – Conformity with EU Obligations

- 5.1. The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). At an early stage in the development of the Neighbourhood Plan, it was agreed that an SEA would be needed.
- 5.2. In May 2019, following a scoping exercise which took on board comments from the statutory bodies (the Environment Agency, Natural England and Historic England), a draft SEA report prepared by Colchester Borough Council was published. This accompanied the publication of the Pre-Submission (Regulation 14) Neighbourhood Plan. The draft SEA report demonstrated that, when considered against alternative options, the draft Neighbourhood Plan would have a number of positive effects and no negative effects. Some mitigation measures were recommended.
- 5.3. Following comments at Regulation 14 stage, the Neighbourhood Plan was amended. This included the mitigation measures recommended in the SEA. The SEA was reviewed and updated as necessary. The overall conclusion was the same, namely that the Tiptree Neighbourhood Plan would not be likely to have any significant environmental effects arising either individually or cumulatively.
- 5.4. The various SEA documents, including the responses from the statutory bodies, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.
- 5.5. In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.

6. Basic Condition (vii) – Conformity with the Prescribed Conditions

- 6.1. Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the draft Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2. An HRA Screening was undertaken by Colchester Borough Council in February 2020. This reflected consultation with Natural England. It was of the opinion that no planning policies within the Tiptree Neighbourhood Plan except policies TIP13 (Tower End) and TIP14 (Highlands Nursery and Elms Farm), which allocate sites for the development of 625 dwellings, will lead to any adverse effects and can be screened out of further assessment.
- 6.3. Colchester Borough Council has separately carried out an appropriate assessment of the Emerging Local Plan (Section 2). This includes a detailed in-combination assessment, which considers the in-combination effects of the Section 2 Local Plan with other neighbourhood plans and other local plans across Essex, on Habitats sites. A Statement of Common Ground signed by Colchester Borough Council and Natural England confirms that Natural England agrees with the conclusion that the Section 2 Local Plan will not lead to adverse effects on the integrity of Habitats sites either alone or in-combination.
- 6.4. Policy SS14 of the Section 2 Local Plan provides for the development of 600 dwellings in Tiptree. Policy SS14 was screened out of further assessment owing to the location of Tiptree in relation to Habitats sites.
- 6.5. Colchester Borough Council was therefore of the opinion that the Plan is not likely to have significant impacts on European protected species or sites.
- 6.6. The Screening Report, including the responses from the statutory bodies, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.

² Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

7. Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Tiptree Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Tiptree Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.




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