

Hatfield Peverel

Neighbourhood Development Plan 2015-2033



Basic Condition Statement

Contents

1. Introduction	2
2. Legal Requirements	3
3. Meeting the Basic Conditions - Regard to National Policy and Advice	3
4. Meeting the Basic Conditions - Sustainable Development	9
5. Meeting the Basic Conditions - General Conformity with the Development Plan	10
6. Meeting the Basic Conditions - European Union Obligations	13

1. Introduction

This Statement has been prepared by Hatfield Peverel Parish Council (HPPC) to accompany its submission of the proposed Hatfield Peverel Neighbourhood Development Plan (NDP) to Braintree District Council (BDC).

Regulation 15(1)(d) 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 paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990 (TCPA).

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

This Statement confirms that the legal requirements have been met (section 2) and that the NDP:

- has had regard to national policies and advice contained in guidance issued by the Secretary of State (section 3)
- contributes to the achievement of sustainable development (section 4)
- 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) (section 5)
- does not breach, and is otherwise compatible with, EU obligations, including human rights obligations and requirements for environmental and habitats assessment (section 6).

2. Legal Requirements

Qualifying Body

HPPC is a qualifying body as defined in the Localism Act 2011.

Neighbourhood Plan Area

The neighbourhood development plan area consists of the parish of Hatfield Peverel, as designated by BDC on the 30 March 2015. The NDP relates solely to the area designated by BDC and to no other neighbourhood area. There are no other Neighbourhood Plans in place for the Hatfield Peverel neighbourhood area. The area is shown in the NDP on page 5.

Time Period for the NDP

The front cover of the NDP states that it covers the period from 2015 to 2033. The NDP explains in more detail that the timeline to 2033 reflects the timeline of the emerging Braintree District Local Plan.

Development and Use of Land

HPNDP contains policies relating to the use and development of land within the designated neighbourhood area. Where there are policies or proposals of a non-planning nature these are clearly identified in a separate Non Statutory Planning Community Action Plan.

Excluded Development

Excluded development includes development defined as a county matter, mainly involving mineral extraction and waste development, and nationally significant infrastructure projects or other prescribed development under section 61K of the TCPA 1990. There is no provision for such development in the NDP.

3. Meeting the Basic Conditions – Regard to National Policy and Advice

The NDP must have appropriate regard to national policy and advice. National planning policy is set out in the National Planning Policy Framework (the NPPF) published in March 2012 and advice is provided in the online Planning Practice Guidance (PPG) published in March 2014, but updated regularly.

The NPPF provides a framework within which local people can produce their own distinctive Neighbourhood Plans which reflect the needs of their communities (paragraph 1), and must be taken into account in the preparation of Neighbourhood Plans (paragraph 2).

At the heart of the NPPF is the presumption in favour of sustainable development which is the golden thread running through both plan-making and decision-taking (paragraph 14). This means that Neighbourhood Plans must support the strategic development needs set out in Local Plans, including policies for housing and economic development.

Neighbourhood Plans must plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan (paragraph 16).

Paragraphs 183 – 185 contain specific advice about the preparation of Neighbourhood Plans. This section of the NPPF outlines how neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development that

they need. It reiterates the requirement for Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan, to reflect those policies and not to promote less development than set out in the Local Plan.

Further guidance is given in the PPG. This includes advice about the need for Neighbourhood Plans to be supported by proportionate robust evidence, for local planning authorities to share relevant evidence (Paragraph 040, Reference ID: 41-040-20140306), and for policies to be clear and unambiguous and drafted with sufficient clarity for a decision maker to apply them consistently and with confidence when determining planning applications. Policies should be concise, precise, supported by robust evidence and reflect the unique characteristics of the neighbourhood area (Paragraph 041, Reference ID: 41-041-20140306).

Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin both plan-making and decision-taking. These therefore apply to the making of Neighbourhood Plans. The core principles are expanded on in the remaining chapters of the NPPF.

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

Neighbourhood Development Plan	Core Planning Principle	NPPF paragraph	Comment
Whole Plan	Planning should: be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.	Introduction: paragraphs 1 & 2 Plan Making: paragraphs 154, 183, 184 & 185.	The Parish Council has carried out extensive community consultation and has developed a positive vision and a NDP that reflect the community's wishes. Evidence has been prepared using documents shared with BDC and information obtained from Census returns and local surveys.
Policy ECN1: Support for Local Businesses	Planning should: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.	Supporting a strong, competitive economy: paragraphs 21, 22 & 28. Promoting healthy communities: paragraphs 69 & 70.	The NDP positively plans for the retention and improvement of employment opportunities within the Parish in order to reduce the need for commuting and to meet the needs of a growing population.
Policy ECN2: Working from Home	Planning should: proactively drive and support sustainable economic development... actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable...	Supporting a strong, competitive economy/prosperous rural community: paragraphs 21, 22 & 28. Promoting healthy communities: paragraphs 69 & 70	This will help support economic growth and will benefit local businesses. It will help reduce the need to travel to work and thus supports the move to a low carbon economy.
Policy ECN3: Broadband & Mobile Connectivity	Planning should: ...drive and support sustainable development. ... deliver sufficient community and	Supporting high quality communications infrastructure: paragraphs 42 & 43.	This will help support economic growth and will benefit local businesses, homeworkers and residents. It will help reduce

	cultural facilities and services to meet local needs.		the need to travel to work and thus supports the move to a low carbon economy.
Policy ECN 4: Protection of Commercial Premises	Planning should: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; ... deliver sufficient community and cultural facilities and services to meet local needs. ...drive and support sustainable development.	Ensuring the vitality of town centres: paragraphs 23 &25. Supporting a prosperous rural economy: paragraph 28	The NDP seeks to positively protect local shopping and services for the growing community, which has already lost a number of local services. The retention of local services will reduce the need to travel, thus contributing to a low carbon economy.
Policy ECN 5: Public Realm	Planning should: be a creative exercise in finding ways to enhance and improve the places in which people live their lives; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.	Ensuring the vitality of town centres: paragraph 23. Requiring good design: paragraphs 56-66 inclusive.	Community engagement identified a lack of cohesion in the existing street scene and the NDP plans to positively enhance the public realm making the local centre more attractive and vibrant whilst increasing off-road access to services for the community and reducing reliance on vehicles for local journeys.
Policy HPE1: Prevention of Coalescence	Planning should: take account of the different roles and character of different areas, promoting the vitality of our main urban areas, ... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it; and it should: actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.	Conserving and enhancing the natural environment: paragraph 115 Promoting sustainable transport: paragraphs 29 & 30; and Delivering a wide choice of high quality homes: paragraph 55.	Development outside the identified settlement boundaries that would conflict with the objective of ensuring Hatfield Peverel and Nounsley remain separate settlements with separate and distinctive identities from each other and from nearby towns will not generally be permitted. The policy helps prevent settlements merging into each other and helps to locate houses where they will maintain the vitality of the community and avoids unsustainable patterns of development.
Policy HPE2: Natural Environment & Biodiversity	Planning should: recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities within it; and contribute to conserving and enhancing the natural environment and reducing pollution.	Conserving and enhancing the natural environment; paragraphs 109, 110 & 117.	The NDP positively plans to improve the natural environment and biodiversity, as identified in the Hatfield Peverel Landscape Character Assessment.
Policy HPE3: Protection of Local Green Space	Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.	Promoting healthy communities; paragraphs 76-78.	The NDP proposes Local Green Spaces which are of special significance for the community. The policy ensures these spaces will be protected.

Policy HPE4: Strutt Memorial Ground	Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.	Promoting healthy communities; paragraphs 70, 73, 74, 76 & 77.	The policy allows for limited development which meets clearly identified and evidenced needs that are associated with leisure uses at the recreation ground, which is next to the Village Hall and located at the heart of the village.
Policy HPE5: Sport & Recreation Provision	Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.	Promoting healthy communities; paragraphs 69 & 70.	The policy positively protects existing facilities, including footpaths, cycle paths, allotments and to improve and extend such facilities to meet the recreational needs of the local community.
Policy HPE6: Protection of Landscape Setting	Planning should: take account of the different roles and character of different areas, promoting the vitality of our main urban areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.	Conserving and enhancing the natural environment; paragraphs 109 & 110	The local community have identified several views that are of local importance and have been included in the Landscape Character Assessment. The protection of these views will also prevent coalescence with neighbouring settlements and retain the individual and unique character of both Hatfield Peverel and Nounsley.
Policy HPE7: Floods & SuDS	Planning should: promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).	Meeting the challenge of climate change, flooding and coastal change; paragraphs 100-104.	The two rivers within the Parish, the Chelmer and the Ter are prone to breaching their banks. This policy positively plans to protect people and property from flooding, including surface water run-off.
Policy HPE8: Heritage	Planning should: conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.	Conserving and enhancing the historic environment; paragraphs 129, 131, 132, 135 & 136.	There are both designated and non-designated heritage assets within the Parish, all of which contribute to the character of the Parish and which should be maintained or enhanced.
Policy FI1: Transport and Access	Planning should: find ways to enhance and improve the places in which people live...require high quality design and a good standard of amenity, actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable and support transition to a low carbon economy.	Promoting sustainable transport, paragraphs 29, 30, 32, 35, 36, 37	The policy aims to reduce the impact of traffic and encourage lower carbon travel within the Parish.
Policy FI2: Parking	Planning should: actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.	Promoting sustainable transport, paragraph 40.	BDC have adopted County-wide parking standards which are considered to be acceptable within the Parish. Although the policy does not reduce car parking, the NPPF recognises that parking solutions may be different in

			<p>rural areas.</p> <p>The policy reflects issues identified by community engagement and the realities of rural life in a settlement on the main line railway into London such as high levels of traffic flows and parking within certain areas (particularly at the railway station) and commuter parking on residential streets.</p>
Policy FI3: Education and Health Infrastructure	<p>Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.</p>	<p>Promoting healthy communities, paragraphs 69, 70, 72 & 73.</p>	<p>The Parish retains both healthcare and education facilities but capacity is an issue and there is limited space for expansion on existing sites. The policy seeks to protect and enhance services for the community.</p>
Policy FI4: Retention of Assets of Community Value	<p>Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.</p>	<p>Promoting healthy communities, paragraph 70</p>	<p>The policy seeks to protect Assets of Community Value, and encourages the community to nominate further buildings or land that are of value to the local community.</p>
Policy FI5: Developer Contribution	<p>Plans should: take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.</p>	<p>Determining applications paragraphs 196, 197, 203-206.</p>	<p>A Neighbourhood Plan can set out a policy for seeking a planning obligation: PPG paragraph 003 Reference ID:23b-003-20150326. This policy takes account of the guidance in order to provide for services that are needed in the Parish.</p>
Policy HO1: Design of new Developments	<p>Planning should: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; ...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and ...support the transition to a low carbon future in a changing climate...</p>	<p>Delivering a wide choice of high quality homes, paragraphs 47, 49, 50, 54 & 55. Requiring good design, paragraphs 59-61.</p>	<p>Sets a standard of design for all developments to ensure that proposals are well designed and reflect the distinctive character of the area.</p>

Policy HO2: Retirement Housing	Planning should: proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs;	Delivering a wide choice of high quality homes, paragraphs 50 & 54.	The Parish has a lack of suitable housing for an ageing population, meaning that older residents remain in unsuitable housing and the housing market is stagnant. The provision of suitable and accessible retirement housing would help free up family housing and enable older people to stay in their own homes for longer.
Policy HO3: Affordable Housing	Planning should: proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs;	Delivering a wide choice of high quality homes, paragraphs 47 & 50.	There is an identified need for affordable housing within the Parish. The policy will help reduce migration to other towns, enhance the local economy and maintain local facilities.
Policy HO4: Minimum Garden Sizes	Planning should: be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area; and always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.	Requiring good design, paragraphs 59-61.	The Essex Design Guide includes a requirement for minimum garden sizes of 100m ² but allows provision for smaller garden areas to be provided. This has resulted in the development of a scheme in the village that the community do not consider desirable and that it does not reflect the rural setting of the village. The policy therefore seeks to ensure the provision of adequate private amenity space.
Policy HO5: Creating Safe Communities	Planning should: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local need.	Requiring good design, paragraphs 58-61 and promoting healthy communities paragraph 69.	In enshrining “Secured by Design” principles, the policy seeks to protect more vulnerable members of the community.
Policy HO6: Allocation of the former Arla site	Planning should: Be genuinely plan-led...setting out a positive vision for the future of the area... Proactively drive and support sustainable economic development to deliver the homes, business..., infrastructure...set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities ...allocations of land for development should prefer land of lesser environmental value... encourage the effective use of land by reusing land that has been previously developed... promote mixed use developments and encourage multiple benefits from the use of land...	Building a strong, competitive economy: paragraphs 19, 20 & 21. Supporting a prosperous rural economy: paragraph 28. Promoting sustainable transport: paragraphs 35, 37 & 38. Delivering a wide choice of high quality homes: paragraphs 47 & 50. Requiring good design: paragraphs 56, 57 & 58. Promoting healthy communities: paragraph 70. Conserving and enhancing the natural environment: paragraph 111	This policy will encourage the use of previously developed land for a mix of uses, provide employment opportunities locally and a mix of housing to meet local needs. The opportunity to improve access is also taken.

4. Meeting the Basic Conditions – Sustainable Development

Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental and paragraph 8 states that these dimensions should not be taken in isolation, because they are mutually dependent.

The Parish of Hatfield Peverel is a semi-rural area of gently undulating agricultural land, interspersed with small wooded areas and some larger woods. Hatfield Peverel itself is severed by the A12, although most development is to the south of the road and is bounded by the mainline railway to the north. Nounsley is located some $\frac{3}{4}$ mile to the south of Hatfield Peverel.

The need to balance the three dimensions of sustainable development is recognised in the NDP's Vision:

Hatfield Peverel in 2033 will be a place where people of any age are happy to live with the ability to easily access facilities, education and employment. Sustainability will underpin decisions within the Parish with social, environmental and economic factors all being taken into account.

The rural character and heritage of the village will be maintained and coalescence with the surrounding settlements be prevented by protected open areas. Any new developments in the built environment will be integrated with the landscape and the existing housing.

The village's geographical position in the area's road network is likely to continue to be a challenge during the plan period. Finding creative and collaborative solutions across local authority borders and agencies will be a high priority.

The NPPF states at paragraph 6 that the purpose of the planning system is to contribute towards the achievement of sustainable development and that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system. The table above shows how the NDP takes account of these policies and therefore how it makes a contribution towards the achievement of sustainable development.

To meet the economic element of sustainable development, the NDP helps to build a strong local economy by supporting existing businesses and encouraging new ones; by supporting high speed broadband and by encouraging infrastructure improvements (policies ECN1 -5 and FI1-5).

To meet the social element of sustainable development, the NDP helps to maintain a strong, vibrant and healthy community, by planning positively to ensure that the housing needs of the Parish are met up to 2033; by locating new development where it relates well to the built-up area; by requiring a high standard of design to create a high quality built environment, and by protecting community leisure and recreation facilities while encouraging new ones (policies HPE1, HPE3, HPE4, HPE5, HO1-3).

To meet the environmental element of sustainable development, the Plan aims to protect and enhance the natural and built environment by protecting the countryside from inappropriate

development; supporting low carbon travel methods and improving biodiversity (policies HPE1-3 and policies HPE6-7).

5. Meeting the Basic Conditions – General Conformity with the Development Plan

The Neighbourhood Plan must be in general conformity with the strategic policies contained in the Development Plan for the area. Paragraph 156 of the NPPF states that strategic policies are those that set out how the local authority will deliver the homes, facilities and infrastructure for the area. To be in general conformity, the NDP’s policies must support and uphold the general principle that the strategic policies are concerned with. They may provide an additional level of detail or local approach but should not undermine strategic policies (PPG Paragraph: 074 Reference ID: 41-074-20140306, NPPF paragraph 184).

The adopted Development Plan

The adopted Development Plan for Hatfield Peverel comprises the Braintree District Core Strategy 2011 and the saved policies of the Braintree District Local Plan Review 2005. The 2005 Plan had a plan period to 2011 and was subsequently saved until replaced. The Core Strategy plan period is 2011-2026.

The emerging Braintree District Local Plan

BDC is preparing a new District Plan to cover the period to 2033. Pre-submission consultation took place in June-August 2016 and it is anticipated that the emerging local plan will be adopted in 2018. The Parish Council has taken account of the emerging Local Plan policies and the up to date evidence and information provided by BDC. While it is not necessary for a Neighbourhood Plan to be in conformity with an emerging District Plan, it is good practice to ensure consistency so that the Neighbourhood Plan does not become out of date once the new Plan is adopted, and to this end, the end date of the HPNDP aligns with the emerging Local Plan.

The table overleaf shows how each NDP policy is in general conformity with the most relevant policies of the adopted and emerging local plans.

Neighbourhood Development Plan	Braintree District Local Plan Review (2005) and Braintree District Core Strategy (2011)	Pre-submission Draft Local Plan	Comment
Whole Plan	Spatial Policy Statement “To preserve and enhance the rural heartland of the District...by supporting development that is needed to make settlements and the rural economy more sustainable and protect and enhance the natural environment...”	Policy SP1 Presumption in Favour of Sustainable Development	The vision of the plan generally conforms with the approach in the adopted Core Strategy and particularly the emerging Local Plan.
Policy ECN1: Support for Local Businesses	Policy RLP 27 Location of Employment Land, Policy RLP 39 Expansion of Local Firms, Core Strategy Policy CS4 – employment located within main towns and service villages (such as Hatfield Peverel).	Policy SP4 Infrastructure and Connectivity, Policy LPP 5 Rural Enterprise	The policy complies with the adopted and emerging Development Plans through its support for local businesses.

Policy ECN2: Working from Home		No policy but paragraph 3.50 notes home working as an emerging trend	By supporting better broadband and reducing the need to travel, the policy complies with the presumption in favour of sustainable development in the NPPF and the emerging Local Plan.
Policy ECN3: Broadband & Mobile Connectivity	Policy RLP 161 Utilities Development	Policy SP4 (as above) Policy LPP 41 Broadband	This policy fully complies with the emerging local plan and the NPPF in respect of high quality communications.
Policy ECN 4: Protection of Commercial Premises	Policy RLP 128 Maintenance of Rural Services and Facilities, Core Strategy Policy CS6 Retailing and Town Centre Regeneration, including local centres.	Policy LPP 7 Retailing and Regeneration, Policy LPP 8 District Centre	This policy complies with the adopted and emerging Development Plans and NPPF, but makes it specific to Hatfield Peverel by protecting key services and facilities to serve Hatfield Peverel's rural hinterland.
Policy ECN 5: Public Realm	Policy RLP 90 Layout and Design of Development, Policy RLP 93 Public Realm, Core Strategy Policy CS9	Policy SP5 Place Shaping Principles Policy LPP 42 Built and Historic Environment Policy LPP 46 Layout and Design of Development	Again, a fully Development Plan compliant policy but one that is locally specific and is intended to enhance the "kerb appeal" and attractiveness of the village.
Policy HPE1: Prevention of Coalescence	Policy CS1 Housing Provision and Delivery, Core Strategy Policy CS5, The Countryside	Policy SP5 (above) Policy LPP 33 Infill Development in Hamlets, Policy LPP 59 Landscape Character and Features, Policy LPP 60 Green Buffers	The NDP identifies two green wedges to prevent the coalescence between Hatfield Peverel and Nounsley and between Hatfield Peverel and Witham to preserve the rural landscape. The policy accords with both the emerging and adopted Development Plans.
Policy HPE2: Natural Environment & Biodiversity	Policies RLP 80 Landscape Features and Habitats, RLP 81 Trees, Woodlands, Grasslands and Hedgerows, RLP 86 River Corridors and RLP 87, Protected Lanes, Core Strategy Policies CS5 The Countryside and CS8 Natural Environment and Biodiversity	Policy LPP 38 Protected Lanes, Policy LPP 56 Natural Environment, Policy LPP Enhancement, Management and Monitoring of Biodiversity	This policy complies with the adopted and emerging Development Plans, including the Landscape Character Assessment and the lanes that have met the threshold for Protected Lanes status and helps to promote healthy lifestyles.
Policy HPE3: Protection of Local Green Space	Policy RLP 136 Formal Recreation Policy resisting loss of formal recreation sites	Policy LPP 44 Provision for Open Space, Sport and Recreation	This is a community-led policy identifying sites valued by the local community and it complies with both the NPPF and the adopted and emerging Development Plans.
Policy HPE4: Strutt Memorial Ground	Policy RLP 136 Formal Recreation Policy resisting loss of formal recreation sites	Policy LPP 44 Provision for Open Space, Sport and Recreation	Supporting community health and cohesion, the policy is both NPPF and Development Plan compliant.
Policy HPE5: Sport & Recreation Provision	Policy RLP 136 Formal Recreation Policy resisting loss of formal recreation sites, Core Strategy CS10 Provision for Open Space, Sport and Recreation	Policy LPP 44 Provision for Open Space, Sport and Recreation	Supporting community health and cohesion, the policy is NPPF and Development Plan compliant.
Policy HPE6: Protection of Landscape Setting		Policy SP5 (above)	Based on the Landscape Character Assessment and community consultation, the policy seeks to protect the natural environment and views that are valued and used by

			the community. It is compliant with the emerging Local Plan.
Policy HPE7: Floods & SuDS	Policy RLP 9 Design and Layout of Housing and Mixed Use Areas, including potential for SuDS, RLP 69 Sustainable Drainage	Policy LPP 66 Sustainable Urban Drainage Systems	This policy takes local circumstances into account and fully accords with the adopted and emerging Development Plans. In that it seeks to ensure that development avoids flood risk areas and reduces flood risk where possible and addresses climate change.
Policy HPE8: Heritage	Policy RLP 90, development shall conserve local features of architectural, historical...importance, Core Strategy CS9 Built and Historic Environment	Policy LPP 42 Built and Historic Environment Policy LPP 50 Alterations, Extensions and Changes to Use to Heritage Assets and their Settings	This policy takes particular account of local circumstances in the Parish and is in accordance with the adopted and emerging Development Plans.
Policy FI1: Transport and Access	Policies RLP 49 Pedestrian Networks, RLP 50 Cycleways and RLP 52 Public Transport, Core Strategy CS7 Promoting Accessibility for All	Policy SP5 (above) Policy LPP 36 Sustainable Access for All	This policy takes account of community concern over the volume and speed of traffic within the Parish and is compliant with both the emerging and adopted Development Plans.
Policy FI2: Parking	Policy RLP 10 Residential Density, including the extent to which car parking standards can be achieved. Policy RLP 56, Vehicle Parking – protection of existing car parking at Hatfield Peverel railway station. Core Strategy CS7 Promoting Accessibility for All	Policy LPP 37 Parking Provision	Whilst applying the Essex County Council parking standards, the policy takes particular account of local circumstances, such as the need to protect existing public parking. The policy complies with both the adopted and emerging Development Plans.
Policy FI3: Education and Health Infrastructure	Policy RLP 150 Educational Establishments, Policy RLP 151 Protection of Community Services	Policy LPP 54 Educational Establishments	The policy goes further than those in the adopted and emerging Development Plans but accords with the emerging Vision for Braintree.
Policy FI4: Retention of Assets of Community Value	Policy RLP 151 Protection of Community Services and Policy RLP 160 Local Facilities in Rural Areas	Policy LPP 55 Retention of Local Community Services and Facilities	The policy accords with the adopted and emerging Development Plans.
Policy FI5: Developer Contributions	Core Strategy policy CS2	Policy LPP 24 Affordable Housing	Neither the adopted nor the emerging Development Plan have a specific policy for developer contributions, although both contain affordable housing policies. The Parish Council is mindful of the requirements in the NPPF and the PPG regarding developer contributions. The policy also takes account of any future CIL that BDC might produce.
Policy HO1: Design of new Developments	Policy RLP 9, as above, including requirements for development to be in character with the site, landscaping, access etc., Core Strategy Policy CS9 Built and Historic	Policy SP5 (above) Policy LPP 16 Housing Provision and Delivery allocates 800 dwellings over the plan period to	The policy accords with both adopted and emerging Development Plans and the Essex Design Guide by seeking a high quality of development and layout and takes

	Environment	service villages (including Hatfield Peverel).	account of local circumstances and needs.
Policy HO2: Retirement Housing	Policy RLP 7 Housing and Mixed Use Sites – different housing types and tenures, RLP 8 House Types Policy RLP 22 Accessible and Lifetime Housing.	Policy SP5 (above) Policy LPP 26 Specialist Housing.	This policy is in conformity with the emerging and adopted Development Plans but provides more specific guidance to reflect local needs and circumstances and to ensure that the housing needs of all sections of the community are provided for.
Policy HO3: Affordable Housing	Core Strategy policy CS2 and Policy RLP 6, Affordable Housing in Rural Areas (rural exception sites outside but adjacent to village envelopes)	Policy LPP 23 Affordable Housing sets a target of 40% for the NDP area. Policy LPP 25 Affordable Housing in Rural Areas is a rural exception policy for sites of 15 dwelling or less.	The policy accords with the requirement in the emerging Local Plan of 40% affordable housing provision.
Policy HO4: Minimum Garden Sizes		Policy LPP 46 Layout and Design of Development – private amenity space should be in accordance with the standards in the Essex Design Guide	This policy generally accords with the Essex Design Guide but seeks to take greater account of local circumstances and community concerns regarding place making and character and appearance.
Policy HO5: Creating Safe Communities	Policy RLP 9 – as above, including secured by design principles.	Policy LPP 46 Layout and Design of Development	The policy fully accords with the adopted and emerging Development Plans.
Policy HO6: Allocation of the former Arla site	Core Strategy Policy CS5 The Countryside, Policy CS7 Promoting Accessibility for All.	Policy SP 5 Place Shaping Principles, Policy LPP 16 Housing Provision and Delivery, Policy LPP 28 Housing Type and Density & LPP 36 Sustainable Access for All.	Hatfield Peverel is identified as a service village and local centre in the emerging Local Plan. The allocation of this site for mixed use development reuses and encourages the regeneration of a previously developed site, enables housing to be provided to meet both local and District needs and provides employment and other facilities of benefit to the community.

6. Meeting the Basic Conditions – European Union Obligations

Strategic Environmental Assessment Directive (2001/42/EC)

The NDP has been screened to determine whether Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC. The screening was undertaken by the Place Services Team of Essex County Council on behalf of BDC and is dated June 2016.

The screening report concluded:

*The content of the Hatfield Peverel Neighbourhood Development Plan 2015-2033 can be **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.*

The Hatfield Peverel Neighbourhood Development Plan 2015-2033 has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the HPNDP can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications however it is considered that the Plan would not have a significant effect on the environment in so far as it does not allocate land for development. In addition, no policy approach can be considered to be contrary to the requirements of sustainable development in the Plan Area or National and existing / emerging LPA planning policy requirements.

Therefore the Hatfield Peverel Neighbourhood Development Plan 2015-2033 does not require Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

The screening report was sent to the statutory consultees, Historic England, the Environment Agency and Natural England who concurred with the results of the screening report as confirmed by Braintree District Council on 25th August 2016.

The NDP has subsequently been amended following Regulation 14 consultation and it is considered that the revisions do not alter the conclusions of the screening report.

The screening report is available separately and constitutes the statement of reasons required to be submitted.

Habitats Directive (92/43/EEC)

There are no European sites within Braintree District. Therefore a Habitats Regulations Assessment (HRA) was not required.

Convention Rights

The submission draft NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance and District level strategic policies. An emerging Local Plan and its evidence base has also been taken into account.

The preparation of the NDP has been based on extensive and on-going consultation with local residents and businesses, clubs and organisations, local landowners and the development industry and other statutory and non-statutory organisations and bodies as well as BDC. An Engagement Strategy has been developed. The overall purpose of the NDP is to improve the quality of life for people living and working in the Parish from an environmental, social and economic point of view.

The policies in the NDP have been formulated with regard and in response to the views of those living and working in the Parish and are based on evidence gathered. They are considered to comply with the requirements of EU obligations in relation to human rights.