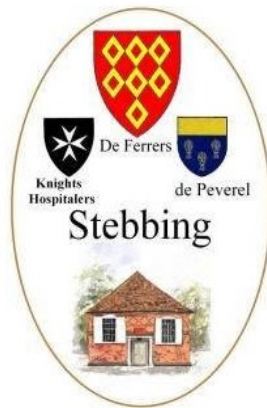


# Stebbing Neighbourhood Plan

## Basic Conditions Statement



June 2021

# Stebbing Neighbourhood Plan

## Basic Conditions Statement

<b>Contents</b>	<b>Page No.</b>
1. Introduction	<b>3</b>
2. Legal Requirements	<b>4</b>
3. Meeting the Legal Requirements	<b>5</b>
4. Basic Conditions	<b>9</b>
5. Having Regard to National Policies and Advice and General Conformity with the Strategic Policies of the Development Plan	<b>10</b>
6. Achieving Sustainable Development	<b>20</b>
7. Compatibility with EU Obligations	<b>23</b>
8. Additional Basic Condition	<b>24</b>

# THE STEBBING NEIGHBOURHOOD PLAN – BASIC CONDITIONS STATEMENT

## 1. INTRODUCTION

- 1.1 As part of the formal submission of the Stebbing Neighbourhood Plan (SNP) for Examination, there is a requirement for the Parish Council, as the “Qualifying Body”, to demonstrate that it has complied with a series of “basic conditions” as set out in the Town and Country Planning Act 1990 (as amended). This Statement accompanies the submission to the Local Planning Authority, Uttlesford District Council, of the SNP under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (the “Regulations”). Regulation 15 requires a submission neighbourhood development plan to be accompanied by “a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act” (The “Basic Conditions Statement”).
- 1.2 This statement has been prepared in order to confirm compliance with these basic conditions as follows:
  - Section 2 identifies the legal requirements for neighbourhood plans including the basic conditions;
  - Section 3 explains how the SNP meets the legal requirements;
  - Sections 4 sets out the basic conditions that neighbourhood plans must meet;
  - Sections 5 to 8 demonstrate how the SNP meets the basic conditions.
- 1.3 As demonstrated in this Statement it is considered that the Stebbing Neighbourhood Plan complies with the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act and therefore meets the basic conditions.

## **2. LEGAL REQUIREMENTS**

- 2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act (as amended) sets out the “basic conditions” that the neighbourhood plan must meet.
- 2.2 Paragraph 8(1) states that the Examiner must consider:
- (a) whether the draft neighbourhood development plan meets the basic conditions;
  - (b) whether the draft neighbourhood plan complies with the provisions made under sections 38A and 38B of this Act (these are explained in the Table below);
  - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates; and
  - (d) such other matters as may be prescribed.
- 2.3 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - (c) 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);
  - (d) the making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations; and
  - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.
- 2.4 Paragraph 8(6) stipulates that the Examiner is not to consider any matter that does not fall within sub-paragraph (1) (set out in para. 2.2 above) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights (see paragraph 7 below).
- 2.5 On 28th December 2018 the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force and amongst other things amended the basic condition relating to habitats to:
- “The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”

### 3. MEETING THE LEGAL REQUIREMENTS

3.1 Details of how the SNP complies with the individual elements of the legal requirements are set out in the Table below.

**Table 1: Meeting the Legal Requirements**

Requirement	Interpretation	SNP Response
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions (see 2.3 above)	This requires the NP to demonstrate compliance with para 8(2) of Schedule 4B of the Town and Country Planning Act 1990	This is considered in detail in paragraphs 5 to 8 of this Statement.
4B 8 (1)(b)	This requires the draft plan to comply with Sections 38A and 38B of the Compulsory Purchase Act 2004. Section 38A sets out the meaning of “Neighbourhood Development Plan”	Compliance with sections 38A and 38B is demonstrated in the following rows.
	Section 38A(1) “any qualifying body is entitled to initiate a process of requiring a Local Planning Authority in England to make a Neighbourhood Development Plan”	The Neighbourhood Plan has been prepared by The Stebbing Parish Council, being a qualifying body as defined in the Localism Act 2011.
	Section 38A(2) A “neighbourhood development plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the Plan.”	The SNP sets out policies that relate to the development and use of land for the Neighbourhood Area covering the parish of Stebbing as designated by Uttlesford District Council on 6 <sup>th</sup> June 2016. The boundary of the Neighbourhood Area is shown in the SNP.
	Section 38A, sub-sections (3) to (12)	These provisions are not of relevance to the submission stage of the SNP

Requirement	Interpretation	SNP Response
	<p>Section 38B (1)(a)</p> <p>The Neighbourhood Plan “must specify the period for which it is to have effect”,</p>	<p>The plan period of the SNP is from 2019 to 2033.</p>
	<p>Section 38 (1)(b)</p> <p>A Neighbourhood Development Plan “may not include provision about development that is excluded development”.</p>	<p>The SNP does not contain policies relating to excluded development as defined in Section 61K of the Planning and Compulsory Purchase Act 2004.</p>
	<p>Section 38 (1)(c)</p> <p>A Neighbourhood Development Plan may not relate to more than one neighbourhood area</p>	<p>The SNP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by Uttlesford District Council on 6<sup>th</sup> June 2016.</p>
	<p>Section 38B (2)</p> <p>Only one Neighbourhood Development Plan may be made for each neighbourhood area.</p>	<p>There are currently no other NPs in place in this neighbourhood area.</p>
	<p>Section 38B (3)</p> <p>If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or information in the Plan, the conflict must be resolved in favour of the policy.</p>	<p>There are no conflicts within the SNP.</p>

	<p>Section 38B (4)(a)  Regulations made by the Secretary of State may make provision for “restricting the provision that may be included in Neighbourhood Development Plans about the use of land.”</p>	<p>The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the SNP.</p>
--	---	--

Requirement	Interpretation	SNP Response
	These Regulations are set out in Statutory Instrument 2012 No. 637, The Neighbourhood Planning (General) Regulations 2012.	
	Section 38B(4)(b) Regulations made by the Secretary of State may make provisions “requiring Neighbourhood Development Plans to include such matters as are prescribed in the Regulations.”	It is considered that the SNP will not have significant environmental effects and that SNP policies provide for mitigation of any effects on European sites. The SNP has been screened to determine whether a Strategic Environmental Assessment (SEA) or a Habitats Regulation Assessment (HRA) is required. In both cases the content of the SNP has been screened out for further assessment.
	Section 38B, which includes paragraphs 38B(4)(c), 5 and 6	The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement
4B 8(1)(d) Whether the Referendum should extend beyond the Plan area	This requires the Examiner to consider whether the area for any referendum should extend beyond the NP area to which it relates.	The SNP relates solely to land that falls within the parish of Stebbing.
4B 8(1)(e) Other matters	This requires the Examiner to consider such other matters as may be prescribed.	There are no other prescribed matters.
Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018	These Regulations require an Appropriate Assessment of the Plan to be carried out should the SEA and HRA Screening Opinion deem it necessary.	It is considered that the SNP will not have significant environmental effects and that SNP policies provide for mitigation of any effects on European sites. The SNP has been screened to determine whether a



Requirement	Interpretation	SNP Response
		<p>Strategic Environmental Assessment (SEA) or a Habitats Regulation Assessment (HRA) is required. In both cases the content of the SNP has been screened out for further assessment. An Appropriate Assessment of the Plan is not therefore required.</p>

#### **4. THE BASIC CONDITIONS**

4.1 As indicated in paragraph 2.3 above paragraph 8(2) of Schedule 4(B) of the Town and Country Planning Act sets out the basic conditions that must be met by a draft Neighbourhood Plan. The basic conditions are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
- The making of the neighbourhood plan contributes to the achievement of sustainable development;
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
- The making of the neighbourhood plan does not breach and is otherwise compatible with European Union (EU) obligations
- Prescribed matters are met in relation to the plan and prescribed matters have been complied with, in connection with the proposal for the plan

4.2 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28<sup>th</sup> December 2018. The additional condition is:

- 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.

4.3 Each of these basic conditions is considered in the following sections.

## **5. HAVING REGARD TO NATIONAL POLICIES AND ADVICE AND CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN**

### **National Policy**

- 5.1 The SNP policies have been drafted to have regard to national policies and advice. This is primarily set out in the National Planning Policy Framework (NPPF), originally published in 2012, revised in July 2018 and further amended in February 2019. The NPPF is framed around a basic premise of the presumption in favour of sustainable development, comprising three main dimensions: economic, social and environmental. The table below assesses the degree of regard that the SNP policies have had to the NPPF 2019.

### **Strategic Local Policy**

- 5.2 The statutory UDC Development Plan comprises the 'saved' policies of the Uttlesford Local Plan (ULP), adopted in January 2005, which were intended to cover the period to 2011. The Development Plan also includes the Essex Minerals Local Plan 2014 (MLP) and Essex and Southend-on-Sea Waste Local Plan 2017 (WLP). The UDC Local Plan is now considerably out of date by virtue of the NPPF, but remains part of the Development Plan until superseded by a new adopted Local Plan.
- 5.3 UDC prepared and submitted a draft Local Plan to the Secretary of State in Summer 2014, but this was subsequently withdrawn following the conclusion of the examination Inspector that it was not sound. A second draft Local Plan was subsequently submitted on 24th January 2019. This included an extension of the West of Braintree Garden Community (WoBGC), as proposed by Braintree District Council (BDC), into Uttlesford District. The WoBGC formed one of three new Garden Communities proposed in the Publication Draft Section 1 Shared Strategic Local Plan for North Essex<sup>1</sup>. The extension of the proposals into Uttlesford would have been located entirely within Stebbing Parish and would have had a fundamental and adverse impact on the area and local community.
- 5.4 Following the initial stages of the examination into the submitted Uttlesford Local Plan, UDC received a letter dated 10th January 2020 from the appointed Inspectors. This stated that they were not persuaded that there was sufficient evidence to demonstrate that the proposed Garden Communities, and thus the overall spatial strategy, had been justified. Consequently, the Inspectors stated they "cannot conclude that these fundamental aspects of the Plan are sound". They found that they "are of a view that withdrawal of the plan from examination is likely to be the most appropriate option". UDC subsequently decided at an Extraordinary Council meeting on 30th April 2020 to withdraw the Plan and to start a new Plan 'from scratch'. In addition, on 15th May 2020, the Inspector examining the North Essex Authorities' (NEAs) Shared Strategic Section 1 Plan wrote to the NEAs setting out his findings and conclusions on the Plan. He found that the proposed Colchester/Braintree Borders and WoBGCs were not justified or deliverable. Consequently, the Plan's spatial strategy was unsound. The Inspector recommended two options either to remove both of these GCs through proposed main modifications, or to withdraw the Plan. The NEAs subsequently agreed the former and following consultation of proposed main modifications in August and September 2020, the Inspector's final report dated 10th December 2020 recommended adoption of the Section 1 Plan. BDC formally adopted the Plan on 22nd February 2021. Meanwhile, UDC is progressing with a series of consultations on various topics, including a new 'Call for Sites'. The current UDC Local Development Scheme anticipates submission of the New Local Plan in August 2023 and adoption in July 2024.
- 5.5 Consequently the SNP has been prepared to be in general conformity with the relevant

---

<sup>1</sup> The North Essex Authorities (NEAs) comprise Braintree District Council, Colchester Borough Council and Tendring District Council.

strategic policies of the adopted ULP 2005, the MLP 2014 and WLP 2017, and the NPPF 2019, where appropriate. These strategic policies are set out in the table at Appendix A of the NP.

- 5.6 In summary, it is the view of the Stebbing Parish Council (as the relevant Qualifying Body) that the SNP has had appropriate regard to national policies and advice and is in general conformity with the strategic policies contained in the development plan for the area, as set out respectively in Tables 2 and 3 below.

## CONFORMITY WITH NATIONAL PLANNING POLICY (NPPF)

5.7 The table below sets out a summary of how each SNP policy has regard to the National Planning Policy Framework (NPPF) of 2019. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

5.8 From the SNP, each policy conformity to the NPPF paragraphs is detailed. There are some policies where many different paragraphs have some degree of relevance, but concentration is given to the most directly linked.

**Table 2: How the Plan policies conform to the NPPF**

SNP Policy	NPPF Paragraph	Comment on conformity
STEB1 - Respecting Stebbing's Heritage – Design and Character	184, 185	Policy STEB1 especially, as well as much of the theme of the Plan, is aligned to NPPF paragraphs 184 and 185 in preserving and enhancing the historical heritage of the village. This is particularly the case within the 'conservation area' where any developments/changes must be sympathetic to the character of the area.
STEB2 – Green Infrastructure and Development	91c, 96-101, 170, 171, 174, 176	This over-arching policy seeks to conform generally with the NPPF's environmental objective; the promotion of healthy and safe communities, paragraphs 91c, 96-101 regarding provision of green open space and recreation and protection of Local Green Space; and conserving and enhancing the natural environment (paras 170, 171, 174 and 176)
STEB3 – Identified Woodland Sites and Wildlife Sites	170, 174	The Stebbing Parish has a number of ancient woodlands, including Boxted Wood and Mouslin Wood. Policy STEB2 seeks to preserve these and other sites, and conform to NPPF para 170, sub-sections a, b, d and e and para 174.
STEB4 – Local Green Space	92, 97-101	The Plan has eight locations recommended to be adopted as Local Green Spaces (LGS). Three (a, b, c) are sports facilities in line with NPPF paragraph 92b. Four (e, f, g, h) are open spaces used by walkers, hikers etc., complying in line with NPPF paragraphs 92b & c.  All eight recommended LGS sites conform to the provisions of in NPPF paragraphs 97-101.

STEB5 – Protection of Green Wedge	170b, 185-192	STEB5 seeks to recognise and protect the intrinsic character and beauty of the countryside, the wider benefit of natural capital and ecosystems services – including the economic and other benefits of the best and most versatile agricultural land, and trees and woodland, including the open gap between the hamlet of Stebbing Green and the ancient woodland of Boxted Wood. In addition STEB5 sets out a positive strategy for the conservation and enjoyment of the historic environment and the desirability to protect and enhance the setting and distinctive character of Stebbing Green with its many listed buildings and Historic Environmental Record sites.
STEB6 - Protected Open Gaps	125	STEB6 seeks to protect and enhance the distinctive character areas of Bran End and Church End from coalescing with The Village Core, thus retaining their individual identities. This will stop the increase of urban sprawl and ensure the village is kept within agreed development areas and encroachments do not take place, whether spreading out from the village centre or arising from new development encroaching upon existing settlement boundaries.
STEB7 - Important and Protected Views	125, 127, 170	The Stebbing Parish has many areas of historical and natural landscape interest and many sweeping views across the landscape. The Plan has included 13 outstanding and protected views within the Parish for protection. The policy seeks to protect key views that are important in contributing to the appearance and setting of the village and its character areas which all contribute to the overall special character and sense of place.
STEB8 – Blackwater Estuary SPA and Ramsar site/Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (Essex Coast RAMs)	176, 177	A small part of the southern most area of the Parish is situated within the identified Zone of Influence for the Blackwater Estuary Special Protection Area and Ramsar Site. STEB8 requires an appropriate assessments to demonstrate the proposal will not adversely affect the integrity of the European site.
STEB9 - Design Principles and Location of New Development	189,190, 77-79, 124-127	STEB9 supports the provision of new development within the defined development limits, allocated sites and windfall sites, where these will be of high quality design and sympathetic to existing village character. Heritage Statements will be required on relevant sites in line with NPPF paras 189 and 190. The Plan requires new development to meet high quality design related criteria, in line with NPPF paragraphs 124-127. In addition, STEB9 seeks to protect the intrinsic character of the countryside by restricting new development to those categories appropriate to the rural area.

STEB10 - Meeting Local Needs	59-61	STEB10 seeks to provide a mix of site and type of housing to meet the needs of different groups in the community, including low-cost market housing and the needs of young families, together with meeting the needs of the ageing population and lifetime homes. This conforms to paras 59-61 of the NPPF relating to the delivery of a sufficient supply of homes.
STEB11 – Affordable Housing	61-64	Policy STEB11 states the Plan's commitment to meeting UDC current policy on Affordable Housing to provide 40% of the total number of dwellings to be affordable dwellings. This is compatible with the NPPF's policy in paragraphs 61-64 to provide adequate affordable housing within the plan area.
STEB12 - Sustainable Design and Construction	149-151, 153	STEB12 requires new development to embrace sustainable design and construction techniques to combat the effects of climate change in line with paragraphs 149-151, 153.
STEB13 – Managing Flood Risk and Drought Mitigation	155, 163	STEB13 requires development proposals to reduce the potential for flooding in Stebbing Parish and mitigate against drought events, in accordance with NPPF paragraphs 155 and 163.
STEB14 – Renewable Energy	152, 153	Policy STEB14 supports individual or community-led renewable energy schemes where these are acceptable in design and amenity terms and do not harm the setting of heritage or landscape character.
STEB15 - Supporting the Local Economy – Small Scale Employment Space	83, 84	The Parish of Stebbing is principally a rural area, with a limited number of small business. However, policy STEB13 states the Plan's support of small business expansions, as defined in NPPF's paragraphs 83a and 84.
STEB16 - Communications	112	Policy STEB14 recommends the installation of new fibre cables to all new residential, retail and commercial premises to enable a superfast broadband connection. This conforms to NPPF paragraph 112, which states advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.
STEB17 - Farm Diversification/Improvement	83a and 83b	Policy STEB17 supports farm, diversification or improvement proposals, in line with the NPPF's objective of supporting a prosperous rural economy as set out at paragraph 83a and 83b.
STEB18 – Tourism	83c and 83d	STEB18 supports proposals that will contribute to the tourism appeal of the immediate area, together with new facilities that can benefit local residents. This conforms with NPPF para 83c and 83d which encourage sustainable rural tourism and seek to retain and improve existing local services and facilities.

STEB19 - Protection and Provision of Open Space, Sports Facilities and Playing Pitches	91, 92, 97	Policy STEB19 seeks to safeguard existing facilities for recreation, sport and play, together with formal and informal open space, in line with paras 96 and 97 of the NPPF.
STEB20 – Protection of Leisure and Community Facilities	92	STEB20 guards against the loss of locally valued community facilities and support new replacement, extended and/or improved community facilities and open space, in conformity with NPPF para 92.
STEB21 – Health and Medical Care	92b 59, 61, 64b	The policy supports proposals for specialist and adaptable housing, together with a care home, in line with the NPPF's requirement to address the housing needs of specific groups in paras 59, 61 and 64b.
STEB22 - Promoting Sustainable Transport	98, 102, 104	STEB22 emphasises the need to evaluate the traffic impacts of any new development, to promote sustainable modes of transport in accordance with NPPF paras 102-104.  Policy also seeks to protect and improve existing bridleways, footpaths and byways in accordance with para 98 of the NPPF.



## CONFORMITY WITH LOCAL PLAN POLICY

5.9 As referred to in paragraph 5.2 above, the statutory UDC Development Plan comprises the ‘saved’ policies of the Uttlesford Local Plan (ULP) adopted in January 2005, together with the Essex Minerals Local Plan 2014 and the Southend-on-Sea Waste Local Plan 2017. The NPPF requires that Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area. UDC provided a list of ULP Policies that are considered “strategic” in the ULP2005 for the purposes of neighbourhood planning (Appendix A of the SNP). It is the nature of neighbourhood planning that policies relate to planning at a local ‘micro’ level and the Table below provides an appraisal for the extent to which the SNP has regard to, and is in general conformity with, strategic local policy.

**Table 3 : How the Plan policies generally conform to the strategic policies in the ULP2005**

Neighbourhood Plan (NP) Policy	Strategic Local Plan (LP) Policy	Comments
STEB1 - Respecting Stebbing’s Heritage – Design and Character	ENV1 ENV2 ENV4 ENV9	Policy STEB1 is applicable to all heritage assets and in accordance with LP policies ENV1, ENV2, ENV4 & ENV9, focusses on preserving and contributing positively to Stebbing’s distinctive character. Whilst these LP policies refer to specific heritage assets (i.e. conservation areas, listed buildings and ancient monuments and historic landscapes), NP Policy STEB1 places joint significance on conserving and enhancing the area’s heritage assets and distinct character.
STEB2 - Green Infrastructure and Development	GEN7 ENV3 ENV8	Aligns with the principles LP policies GEN7, ENV3 & ENV8 which seek to retain and enhance green spaces, wildlife habitats and key landscape features.
STEB3 - Identified Woodland Sites and Wildlife Sites	ENV7	Supports the objectives of ENV7 which sets out to protect local areas of nature conservation significance, including ancient woodlands and wildlife habitats, from development. Any development impacts upon such sites will be required to contribute to the protection and enhancement of the site’s conservation interest.
STEB4 - Local Green Space	ENV3	Policy STEB3 is in conformity with Policy ENV3 which seeks to prevent the loss of local green space and prevent development causing adverse impacts on the features of open space which make it locally significant.

STEB5 - Protection of Green Wedge	ENV3 ENV7 ENV8	Aligns with ENV3, ENV7 & ENV8, the ambitions of which are to protect key areas of undeveloped land between settlements from development in order to respect, preserve and enhance the character and appearance of the Stebbing Green hamlet and the surrounding landscape. The Green Wedge includes areas between Stebbing Green, New Pastures Lane, Boxted Wood and the Braintree District Council boundary as demonstrated on the Proposals Map.
STEB6 - Protected Open Gaps	ENV3 ENV8	STEB 6 reflects ENV8 and ENV8 which seek to protect visually important open spaces and landscape features, including that of the land between the core settlement of Stebbing with Bran End and Church End.
STEB7 - Important and Protected Views	ENV1 ENV3 ENV8 ENV9	Supports the objectives set out in ENV1, ENV3, ENV8 and ENV9 to protect key views into and out of the core settlement of Stebbing. STEB7 has the overall aim to protect the historic character of the village and important features of the historic landscape that surrounds it.
STEB8 - Blackwater Estuary SPA and Ramsar site/Essex Coast RAMS	ENV7	Supports the objectives of ENV7 and GEN7 which seeks to ensure that development does not adversely affect areas of nationally important nature conservation concern. STEB 8 enforces that any development within the Zone of Influence of the Blackwater Estuary SPA and Ramsar site shall be accompanied by a project level Habitats Regulation Assessment to demonstrate that the development proposal will have no adverse effects on the integrity of the SPA and Ramsar site.
STEB9 - Design Principles and Location of New Development	GEN2 S7	The design principles in STEB9 are consistent with the requirement under GEN2 that development should be of high design quality, compatible with the existing built character of Stebbing, and respect the reasonable occupation and enjoyment of neighbouring properties. STEB9 also aligns with the objectives of LP Policy S7 which seeks to restrict the development outside of defined settlement limits to appropriate rural uses.

STEB10 - Meeting Local Needs	H10	Aligns with the objectives of H10 to deliver a balanced and appropriate housing mix in line with local needs. This includes the provision of low-cost market housing, including two and three-bedroom properties, for young families and for the ageing population.
STEB11 - Affordable Homes	H9	Specifically aligns with LP Policy H9 to provide a 40% affordable housing provision on sites of 11 dwellings or more.
STEB12 - Sustainable Design and Construction	GEN2	There is no specific reference in the Uttlesford Local Plan to sustainable design and construction, however elements of STEB12 are broadly consistent with elements of GEN2 which seeks high quality design standards for new developments with specific reference to minimising water and energy consumption.
STEB13 - Managing Flood Risk and Drought Mitigation	GEN3	This is compatible with LP Policy GEN3 whereby it seeks to use effective existing or innovative technology construction and design techniques to reduce the risk of flooding, mitigate any impact of flooding and minimise surface water run-off through Sustainable Drainage Systems (SUDs).
STEB14 - Renewable Energy	ENV15	STEB14 supports the principle of individual and community-led renewable energy schemes in the Parish, and seeks to ensure their siting, scale and visual appearance is appropriate to their setting, in alignment with the objectives of LP Policy ENV15.
STEB15 - Supporting the Local Economy – Small Scale Employment Space	E4 E5	Although not directly relevant to any LP policies, STEB 15 is consistent with the principles set out under E4 & E5 in relation to safeguarding and supporting employment uses in rural areas including the re-use of rural buildings for small-scale commercial uses.

STEB16 - Communications	GEN6	There is no specific LP policy relating to broadband installation, however STEB16 supports the necessary installation of telecommunication equipment to provide superfast broadband which broadly conforms with GEN6 which seeks to ensure provision for necessary infrastructure is made in new developments.
STEB17 - Farm Diversification/Improvement	E4	STEB 17 reflects LP Policy E4 and sets out that applications for farm diversification will be supported where they increase farm sustainability and do not have adverse impacts on the surrounding landscape character.
STEB18 - Tourism	LC2 LC5	Consistent with the principles set out under LC2 & LC5 which seek to increase the economic benefits of tourism and leisure in local areas through support for hotels, bed and breakfast accommodation and tourist facilities.
STEB19 - Protection of Play, Sports, Recreation, Leisure and Community Facilities	LC1	Directly aligned with LC1 which sets out to protect open space, sports fields and recreation facilities.
STEB20 - Protection of Leisure and Community Facilities	LC1 LC3	Directly aligned with LC1 & LC3 which set out to protect open space, sports fields and recreation facilities as well as encouraging the principle of new community facilities.
STEB21 - Health and Medical Care	H10	There is no specific LP policy that gives regard to providing health and medical care facilities, however NP Policy STEB21 promotes the development of adaptable homes and care facilities in accordance with the principle of H10 to provide mixed and balanced communities through an appropriate mix of housing.
STEB22 - Promoting Sustainable Transport	GEN1	Consistent with GEN1 which seeks to encourage and support sustainable modes of transport in new developments and to ensure new developments do not have adverse impacts on highway safety.

## **6. ACHIEVING SUSTAINABLE DEVELOPMENT**

- 6.1 The NPPF 2019 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The appraisal of the Stebbing
- 6.2 SNP policies against NPPF policies presented above demonstrates how policies in the Neighbourhood Plan comply with the NPPF and therefore deliver sustainable development.
- 6.3 The NPPF states that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These are:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework.

6.4 The Table below shows how the Plan’s policies contribute to the sustainable development objectives of the NPPF.

NPPF Sustainable Development Objective	Contribution through Stebbing Neighbourhood Plan Policies
<p><b>An economic objective</b> – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure</p>	<p><b>STEB15 – Supporting Local Economy-Small Scale Employment Space:</b> This policy supports expansion or new small scale floorspace for Class E commercial, business and service use to encourage investment and expansion of local employment opportunities appropriate to the scale and character of the Parish.</p> <p><b>STEB16 – Communications:</b> encourages improvements to fibre broadband connectivity to support local facilities.</p> <p><b>STEB17 – Farm Diversification/Improvement:</b> supports proposals that would improve farm diversification and/or increase employment opportunities.</p> <p><b>STEB18 – Tourism:</b> supports proposals that contribute to tourism and enhance visitor attractions or provide new facilities, which would stimulate the local economy.</p> <p><b>STEB20 – Protection of Leisure and Community Facilities:</b> protects and supports locally valued community facilities, such as Stebbing Primary School and Andrewsfield Airfield, which are important to the local economy.</p> <p><b>STEBH1 to H6 Housing Allocations:</b> make provision for the local housing needs of the Parish and identify the location and scale of development proposed.</p>
<p><b>A social objective</b> – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being</p>	<p><b>STEB2 – Respecting Stebbing’s Heritage – Design and Character:</b> supports new development subject to meeting the stated criteria.</p> <p><b>STEB2 – Green Infrastructure and Development; STEB3 – Identified Woodland Sites and Wildlife Sites; STEB4 – Local Green Space; STEB5 – Protection of Green Wedge; STEB6 – Protected Open Gaps; STEB7 – Important and Protected Views:</b> this suite of policies collectively seek to protect and enhance the overall green infrastructure of the village, which are important for the continued enjoyment, amenity, health, social and cultural well-being of the local community.</p> <p><b>STEB9 – Design Principles and Location of New Development; STEB10 – Meeting Local Needs and STEB11 – Affordable Homes:</b> all seek to meet the needs of the present and future generations by fostering a well-designed and safe built environment and support social and cultural well-being. <b>Policies STEBH1 to H6 Housing Allocations</b> all make provision for meeting local housing needs of the Parish and identify the location and scale of the proposed allocations.</p>

<p><b>An environmental objective</b> – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy</p>	<p><b>STEB1 – Respecting Stebbing’s Heritage – Design and Character:</b> seeks to protect and enhance the distinctive built and historic character of Stebbing.</p> <p><b>STEB 2 – Green Infrastructure and Development; STEB 3 – Identified Woodland Sites and Wildlife Sites; STEB 4 – Local Green Space; STEB5 – Protection of Green Wedge; STEB6 – Proposed Open Gaps; STEB7 – Important and Protected Views:</b> all seek to protect and enhance the natural and historic environment and help protect and improve biodiversity.</p> <p><b>STEB9 – Design Principles and Location of New Development; STEB12 – Sustainable Design and Construction; STEB13 – Managing Flood Risk and Drought Mitigation; and STEB14 – Renewable Energy:</b> all seek to protect and enhance the built environment by promoting the creation of high quality developments that are safe, mitigate and adapt to climate change and overall create sustainable environments.</p>
---	--

## **7. Compatibility with EU Obligations**

- 7.1 Although the UK ceased to be a member of the European Union on 31st January 2020, the need to comply with EU obligations remains a requirement for neighbourhood plans at present. These obligations relate primarily to environmental and habitats protection.
- 7.2 Compliance with EU obligations has been examined by a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening. No significant effects have been identified. Therefore, neither an Environmental Report nor Appropriate Assessment are required. Furthermore, Policy STEB8 provides for contributions to measures to mitigate any adverse effects from housing development on the Blackwater Special Protection Area (SPA) and RAMSAR site. This applies to a very small area at the southern tip of the Parish as shown on page 51 of the SNP.
- 7.3 The SNP is therefore compatible with and does not breach EU obligations.
- 7.4 In addition, the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The accompanying Consultation Statement sets out how the local community and interested bodies have been involved in the preparation of the Plan and how this has influenced its policies and proposals.



## **8. ADDITIONAL BASIC CONDITION**

- 8.1 On 28<sup>th</sup> December 2018 the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations came into force and amongst other things amended the basic condition relating to habitats to:

“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”

- 8.2 As indicated in sections 7 above the plan area falls within the Zone of Influence of the Blackwater Estuary SPA and RAMSAR site and its effects have been assessed by the HRA screening process. No significant effects have been identified. Furthermore, Policy STEB8 provides for contributions to measures to mitigate any adverse effects from housing development on the Blackwater Special Protection Area (SPA) and RAMSAR site.
- 8.3 The SNP therefore meets this basic condition.