

# THE GREAT AND LITTLE CHESTERFORD NEIGHBOURHOOD PLAN 2019–2033

## Basic Conditions Statement



March 2022

# 1. INTRODUCTION TO THE GREAT AND LITTLE CHESTERFORD LOCAL PLAN

- 1.1 The Great and Little Chesterford Neighbourhood Plan 2019–2033 covers the Great and Little Chesterford Neighbourhood Plan Area which was formally designated in June 2015.
- 1.2 The Neighbourhood Plan Area comprises the two separate civil parishes of Great Chesterford and Little Chesterford.
- 1.3 The Neighbourhood Plan establishes a vision for the evolution and long-term sustainability of Great and Little Chesterford. It sets out a vision for the future of the area, along with objectives and a series of policies that will be used to determine planning applications within the parishes. It will be used to govern land use and development from 2019–2033.
- 1.4 The Great and Little Chesterford Neighbourhood Plan is being produced by the Parish Councils of Great Chesterford and Little Chesterford on behalf of the communities. The boundary of the Great and Little Chesterford Neighbourhood Plan, which was formally designated by Uttlesford District Council on 18 June 2015, is shown below.



## 2. INTRODUCTION TO THIS BASIC CONDITIONS STATEMENT AND LEGAL REQUIREMENTS

2.1 This Statement has been prepared by The Great and Little Chesterford Neighbourhood Plan Steering Group (“the Steering Group”) to accompany its submission of the proposed Great and Little Chesterford Neighbourhood Development Plan (“the Neighbourhood Plan”) to Uttlesford District Council (“UDC”).

2.2 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 [development] Plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (“TCPA 1990”) (“Basic Conditions Statement”).

2.3 This Basic Conditions Statement has been prepared to show that the Neighbourhood Plan meets the necessary legal requirements and the basic conditions. Regulation 17 makes it clear that Schedule 4B to the 1990 Act is to be as applied by s38A of the Planning and Compulsory Purchase Act 2004 (“2004 Act”). S38A(3) of the 2004 Act ensures that references to neighbourhood development orders is to apply to neighbourhood development plans subject to the modifications set out in s38C(5) of the 2004 Act. Paragraphs 8(1) and 8(2) are set out below, with the changes as set out in s38A of the 2004 Act explained in square brackets with relevance to the Neighbourhood Plan.

2.4 Paragraph 8(1) of Schedule 4B of the TCPA 1990 states that the examiner must consider:

*(a) whether the draft neighbourhood development order [to be read as plan] meets the basic conditions;*

*(b) whether the draft order [to be read as plan] complies with the provision made by or under sections 61E(2), 61J and 61L [to be read as s38A and 38B of the 2004 Act];*

*(c) whether any period specified under section 61L(2)(b) or (5) is appropriate [to be omitted];*

*(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order [to be read as plan] relates; and*

*(e) such other matters as may be prescribed.*

2.5 Paragraph 8(2) states that a draft order [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 order [plan];*

*(b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order [to be omitted];*

*(c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order [to be omitted];*

*(d) the making of the order contributes to the achievement of sustainable development;*

*(e) the making of the order 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);*

*(f) the making of the order does not breach, and is otherwise compatible with, [retained EU obligations]; and*

*(g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.*

*[Paragraphs 8(3), 8(4) and 8(5) to be omitted.]*

- 2.6 Paragraph 8(6) stipulates that the examiner is not to consider any matter that does not fall within sub-paragraph 8(1) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights.
- 2.7 On 28 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.*”
- 2.8 This Basic Conditions Statement is set out to reflect Schedule 4B as amended by s38C(5) of the 2004 Act accordingly:

### **Section 3 – Basic Conditions**

#### **Section 3.1 – Regard to national policies and advice contained in guidance issued by the Secretary of State**

#### **Section 3.2 – Contribution to the achievement of sustainable development**

#### **Section 3.3 – Conformity with the strategic policies contained in the development plan**

### **Section 3.4 – Compatibility with EU Obligations**

### **Section 3.5 – Prescribed conditions met and complied with**

### **Section 4 – 38A and 38B of the 2004 Act**

### **Section 5 – Referendum Area**

### **Section 6 – Prescribed matters – Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018**

### **Section 7 – Conclusions**

#### **2.9 Other Legal Requirements**

- 2.9.1 Qualifying Body – Great Chesterford Parish Council is a qualifying body as defined in the Localism Act 2011.
- 2.9.2 Neighbourhood Plan Area – The Neighbourhood Plan Area comprises the two separate civil parishes of Great Chesterford and Little Chesterford, as designated by UDC on 18 June 2015. The Neighbourhood Plan relates solely to the area designated by UDC and to no other neighbourhood area. There are no other Neighbourhood Plans in place for the Neighbourhood Plan Area.
- 2.9.3 Time Period for the Neighbourhood Plan – The Neighbourhood Plan covers the period from 2019 to 2033.
- 2.9.4 Development and Use of Land – The Neighbourhood Plan contains policies relating to the use and development of land within the Neighbourhood Plan Area. Where there are policies or proposals of a non-planning nature these are clearly identified in Section 6 of the Neighbourhood Plan as non-planning matters.
- 2.9.5 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 our Neighbourhood Plan.

### **3. MEETING THE BASIC CONDITIONS**

#### **3.1 Regard to National Policy and Advice**

- 3.1.1 The Neighbourhood Plan 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 revised regularly, including most recently in 2021, and advice is provided in the online Planning Practice Guidance (“PPG”) which is regularly updated. The following are the key paragraphs within the NPPF regarding Neighbourhood Planning:

- 3.1.2 The NPPF *provides a framework within which locally-prepared plans for housing and other development can be produced* (paragraph 1), and *planning law requires that applications for planning permission be determined in accordance with the development plan* (including the Neighbourhood Plan) (paragraph 2).
- 3.1.3 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 11).
- 3.1.4 *Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies* (paragraph 13).
- 3.1.5 *In situations where the presumption (at paragraph 11d of the NPPF) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*
- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
  - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*
  - c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74 of the NPPF); and*
  - d) the local planning authority’s housing delivery was at least 45% of that required over the previous three years* (paragraph 14).
- 3.1.6 *Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies* (paragraph 18).

- 3.1.7 *Strategic policies [in local plans] should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies (paragraph 21).*
- 3.1.8 *Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies (paragraph 28).*
- 3.1.9 *Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area (paragraph 29 and footnote 18).*
- 3.1.10 *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently (paragraph 30).*
- 3.1.11 *The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals (paragraph 31).*
- 3.1.12 *Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.) This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible,*

*compensatory measures should be considered) (paragraph 32 and footnote 19).*

- 3.1.13 *Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum (paragraph 37).*
- 3.1.14 *Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement (paragraph 66).*
- 3.1.15 *Where it is not possible to provide a requirement figure for a neighbourhood area (because a neighbourhood area is designated at a late stage in the strategic policy-making process, or after strategic policies have been adopted; or in instances where strategic policies for housing are out of date), the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority (paragraph 67 and footnote 33).*
- 3.1.16 *Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 69a [no larger than 1 hectare]) suitable for housing in their area (paragraph 70).*
- 3.1.17 *The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period (paragraph 101).*

- 3.1.18 *Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers (paragraph 127).*
- 3.1.19 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: 41-040-20160211), 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).
- 3.1.20 The table below shows how the Steering Group has taken account of the relevant policies and guidance in preparing the Neighbourhood Plan. It matches each part of the Neighbourhood Plan against the appropriate underpinning core principles and other relevant NPPF paragraphs.

GLCNP Policy/Section Reference	Relevant Chapters of the NPPF	Conformity Explained
GLCNP/1 – Overall Spatial Strategy	2 – Achieving sustainable development 12 – Achieving well-designed places 15 – Conserving and enhancing the natural environment 16 – Conserving and enhancing the historic environment	This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF. Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.
GLCNP/2 – Settlement Pattern and Separation	2 – Achieving sustainable development 12 – Achieving well-designed places 15 – Conserving and enhancing the natural environment 16 – Conserving and enhancing the historic environment	This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.  Specifically, this Policy has been written to be in accordance with these

		corresponding sections of the NPPF.
GLCNP/3 – Getting Around	<p>2 – Achieving sustainable development</p> <p>6 – Building a strong, competitive economy</p> <p>8 – Promoting healthy and safe communities</p> <p>9 – Promoting sustainable transport</p> <p>12 – Achieving well-designed places</p>	<p>This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.</p> <p>Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.</p>
GLCNP/4a – Landscape Character	<p>2 – Achieving sustainable development</p> <p>12 – Achieving well-designed places</p> <p>15 – Conserving and enhancing the natural environment</p> <p>16 – Conserving and enhancing the historic environment</p>	<p>This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.</p> <p>Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.</p>
GLCNP/4b - Locally Important Views	<p>2 – Achieving sustainable development</p> <p>12 – Achieving well-designed places</p> <p>15 – Conserving and enhancing the natural environment</p> <p>16 – Conserving and enhancing the historic environment</p>	<p>This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.</p> <p>Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.</p>
GLCNP/5 – Historic Environment	<p>2 – Achieving sustainable development</p> <p>12 – Achieving well-designed places</p>	<p>This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the</p>

	16 – Conserving and enhancing the historic environment	Plan-making chapter of the NPPF.  Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.
GLCNP/6 – Valued Community Spaces and Facilities	2 – Achieving sustainable development 12 – Achieving well-designed places 15 – Conserving and enhancing the natural environment 16 – Conserving and enhancing the historic environment	This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.  Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.
GLCNP/7 – Local Green Spaces	2 – Achieving sustainable development 8 – Promoting healthy and safe communities 12 – Achieving well-designed places 15 – Conserving and enhancing the natural environment	This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.  Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.
GLCNP/8 – Employment	2 – Achieving sustainable development 6 – Building a strong, competitive economy 11 – Making effective use of land 12 – Achieving well-designed places	This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.  Specifically, this Policy has been written to be in accordance with these corresponding sections of the

		NPPF.
GLCNP/9 – Housing	<p>2 – Achieving sustainable development</p> <p>5 – Delivering a sufficient supply of homes</p> <p>8 – Promoting healthy and safe communities</p> <p>9 – Promoting sustainable transport</p> <p>11 – Making effective use of land</p> <p>12 – Achieving well-designed places</p> <p>14 – Meeting the challenge of climate change, flooding and coastal change</p> <p>15 – Conserving and enhancing the natural environment</p> <p>16 – Conserving and enhancing the historic environment</p>	<p>This Policy is in general conformity with the NPPF, and the Neighbourhood Plan as a whole is in conformity with the Plan-making chapter of the NPPF.</p> <p>Specifically, this Policy has been written to be in accordance with these corresponding sections of the NPPF.</p>

### 3.2 Meeting the Basic Conditions – Sustainable Development

- 3.2.1 Paragraph 7 of the NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of 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.
- 3.2.2 Paragraph 8 of the NPPF states that there are three dimensions to sustainable development which need to be pursued in mutually supportive ways: economic, social and environmental.
- 3.2.3 The Neighbourhood Plan’s Vision and Objectives (Chapter 4) make it clear the Neighbourhood Plan has these dimensions of sustainable development at its heart.
- 3.2.4 To meet the economic element of sustainable development, the Neighbourhood Plan helps 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 (policies GLCNP1, GLCNP3, GLCNP8).

3.2.5 To meet the social element of sustainable development, the Neighbourhood Plan helps 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (policies GLCNP1, GLCNP3, GLCNP6, GLCNP7, GLCNP9, GLCNP9.1, 9.2 and 9.3).

3.2.6 To meet the environmental element of sustainable development, the Neighbourhood Plan aims to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (policies GLCNP1, GLCNP2, GLCNP4a and GLCNP4b, GLCNP5, GLCNP6, GLCNP7).

### 3.3 Meeting the Basic Conditions – General Conformity with the Development Plan

3.3.1 The Neighbourhood Plan must be in general conformity with the strategic policies contained in the Development Plan for the area. National Planning Practice Guidance on this states (our emphasis):

*When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:*

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy.*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.*

Paragraph: 074 Reference ID: 41-074-20140306

- 3.3.2 The adopted Development Plan for UDC comprises the Uttlesford District Council 2005 Local Plan with policies saved following an application to the Secretary of State in 2007.
- 3.3.3 Regular consultation, review and videocalls with the Policy Team at Uttlesford District Council throughout the production of the draft Neighbourhood Plan have ensured that where there have been any concerns expressed by UDC (whether formally in writing or informally during calls and videocalls) they have been taken into account and the draft Neighbourhood Plan updated accordingly. Work on the draft Local Plan has been ongoing at UDC, but at the date of submission of the Neighbourhood Plan, the UDC revised Local Plan is not at a sufficiently advanced stage to present any conflict with the Neighbourhood Plan.
- 3.3.4 The Neighbourhood Plan is in conformity with Strategic Policy ENV10 (Noise Sensitive Development). Through the site selection process, development proposals identified at CLCNP/9.1 and 9.2 are separated from major sources of noise such as major road, rail and air transport and industrial development. GLCNP/9.3 (which does now have consent from UDC in any event) is adjacent to the railway but contains provisions relating to mitigation of noise and vibration from the railway and was assessed by UDC to be acceptable in terms of disturbance from the railway line.
- 3.3.5 Strategic Policies S1 (Development Limits for Urban Areas), S4 (Stansted Airport), ENV10 (Noise Sensitive Development and Disturbance from Aircraft), RS1 (access to Retailing and Services), RS2 (Town and Local Centres) and Policy T1 (Transport Improvements are undoubtedly strategic policies but are not relevant to the Neighbourhood Plan Area so the Neighbourhood Plan is, by default, compliant with them. For Completeness, there are reproduced at Appendix 2 to this Basic Conditions statement.
- 3.3.6 The following table shows how each Neighbourhood Plan policy is in general conformity with the rest of the relevant strategic policies of the UDC Local Plan. These relevant Strategic Policies of the UDC Local Plan 2005 are set out at Appendix 1.

GLCNP Policy/Section Reference	Relevant sections of the UDC Local Plan	Conformity
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<p>GLCNP/1 – Overall Spatial Strategy</p>	<p>Policy S3 – Other Development Limits</p> <p>Policy S7 – The Countryside</p> <p>Policy GEN2 – Design</p> <p>Policy GEN3 – Flood Protection</p> <p>Policy GEN7 – Nature Conservation</p> <p>Policy E5 – Re-use of Rural Buildings</p> <p>Policy ENV1 – Design of Development within Conservation Areas</p> <p>Policy ENV3 – Open Spaces and Trees</p> <p>Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance</p> <p>Policy ENV5 – Protection of Agricultural Land</p> <p>Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation</p> <p>Policy ENV9 – Historic Landscapes</p> <p>Policy H1 – Housing Development</p> <p>Policy H3 – New Houses within Development limits</p>	<p>S3, ENV1, H1, H3 – Growth in the Neighbourhood Plan Area will be predominantly within the development limits of Great Chesterford village, and in the housing site(s) allocated in Little Chesterford save for the exceptions contained within policies GLCNP/1 (and GLCNP/2 and GLCNP/9).</p> <p>S7, H1, H3 – The quantum of this growth will be proportionate with the scale of the two villages, acknowledging the significant growth seen over the last nine years,.</p> <p>H1, H3 – This Neighbourhood Plan extends the development limits to include both built development and that for which outline planning permission has been granted.</p> <p>GEN2, ENV5 – Outside of the villages, the intrinsic character, rural nature and beauty of the area will be recognised and preserved and enhanced.</p> <p>E5, ENV3, ENV8, ENV9 – Development proposals will only be supported in the Chalk Uplands area defined in Figure 5.1 where they maintain and enhance the characteristics of the open chalk upland landscape (GLCNP/1).</p> <p>ENV4, ENV9 – Development proposals will only be supported in the Roman Scheduled Monuments and Setting zone where they</p>
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		<p>preserve and enhance the landscape features and conserve or enhance the significance of the Roman scheduled monuments, including the intervisibility between them.</p> <p>GEN3, ENV8, GEN7, ENV9 – Development proposals in the Cam River Valley Area will only be supported if they preserve and enhance the landscape features, natural beauty and wildlife habitats of the watercourse, flood plain and river banks.</p>
<p>GLCNP/2 – Settlement Pattern and Separation</p>	<p>Policy S3 – Other Development limits</p> <p>Policy S5 – Chesterford Park Boundary</p> <p>Policy S7 – The Countryside</p> <p>Policy GEN2 – Design</p> <p>Policy GEN3 – Flood Protection</p> <p>Policy GEN7 – Nature Conservation</p> <p>Policy E4 – Farm Diversification: Alternative use of Farmland</p> <p>Policy E5 – Re-use of Rural Buildings</p> <p>Policy ENV1 – Design of Development within Conservation Areas</p> <p>Policy ENV2 – Development affecting Listed Buildings</p>	<p>S3, GEN2, GEN7, ENV1, ENV2, ENV9, H1 – Any development within the villages of Great and Little Chesterford should be sensitively designed infill development, respecting the historic nature and historic architecture, conforming to the existing development patterns: nucleated in Great Chesterford and linear in Little Chesterford.</p> <p>S3, S5, S7, GEN7, ENV1, E4, E5, ENV3 , ENV9 – Outside the Development will need to be sensitive to the landscape and heritage sensitivities of the parish (see Policy GLCNP/1) and will be restricted to:</p> <ul style="list-style-type: none"> <li>• The sites allocated as part of this plan;</li> <li>• Development for agriculture, horticulture, outdoor recreation, essential educational infrastructure and other uses (including employment uses necessary to support the rural economy) that need to be located in the countryside;</li> </ul>

	<p>Policy ENV3 – Open Spaces and Trees</p> <p>Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance</p> <p>Policy ENV5 – Protection of Agricultural Land</p> <p>Policy ENV6 – Change of Use of Agricultural Land to Domestic Garden</p> <p>Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation</p> <p>Policy ENV9 – Historic Landscapes</p> <p>Policy H1 – Housing Development</p> <p>Policy H3 – New Houses within Development limits</p> <p>Policy H4 – Backland Development</p> <p>Policy LC1 – Loss of Sports Fields and Recreational Facilities</p> <p>Policy LC2 – Access to Leisure and Cultural Facilities</p> <p>Policy LC3 – Community Facilities</p> <p>Policy LC4 – Provision of Outdoor Sport and Recreational Facilities</p>	<p>and</p> <ul style="list-style-type: none"> <li>• Employment development at Chesterford Research Park and other places of employment in the rural area.</li> </ul> <p>GEN2, H4 – Backland development in Little Chesterford will not be supported as it would change the character of the village.</p> <p>S7 – Land within the following defined Separation Zones (Figures 5.4 to 5.6) should be kept open and free from development:</p> <ul style="list-style-type: none"> <li>• Little Chesterford / Chesterford Research Park Area of Separation</li> <li>• Little Chesterford / Springwell Area of Separation</li> <li>• Great and Little Chesterford Area of Separation</li> <li>• Northern Gateway Area of Separation</li> </ul> <p>S7, E4, LC1, LC2, LC3, LC4 – Development proposals within defined Separation Zones will only be supported if they can demonstrate (through a proportionate landscape and visual impact appraisal) that they do not harm, individually or cumulatively, the functions and purposes of a separation zone, or its open character.</p> <p>S7, GEN7 – Outside of the villages, the intrinsic character, rural nature and beauty of the area will be recognised and preserved and enhanced.</p>
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<p>GLCNP/3 – Getting Around</p>	<p>Policy GEN1 – Access</p> <p>Policy GEN2 – Design</p> <p>Policy GEN6 – Infrastructure Provision to Support Development</p> <p>Policy GEN7 – Nature Conservation</p> <p>Policy GEN8 – Vehicle Parking Standards</p> <p>Policy E2 – Safeguarding Employment Land</p> <p>Policy E3 – Access to workplaces</p> <p>Policy H3 – New Houses within Development limits</p> <p>Policy LC2 – Access to Leisure and Cultural Facilities</p> <p>Policy LC3 – Community Facilities</p> <p>Policy LC4 – Provision of Outdoor Sport and Recreational Facilities</p> <p>Policy RS1 (Access to Retailing Services)</p> <p>Policy RS3 – Retention of Retail and other Services in Rural Areas</p>	<p>GEN1, GEN2, GEN6, GEN8, E3, H3, LC2, LC3, RS1, RS3 – In order to deliver sustainable development, all development proposals must include suitable provision for adequate sustainable transport infrastructure and be designed to prioritise pedestrian and cycle movements.</p> <p>GEN1, GEN2, GEN6, GEN7, E2, E3, H3, RS1, RS3 – Proposed development must be capable of providing direct access to safe walking routes to all village amenities including provision of pedestrian crossings as appropriate. Village amenities are defined as:</p> <p>a) In Great Chesterford: the railway station, shop, surgeries, school, preschool and the Chesterford Community Centre;</p> <p>b) In Little Chesterford: the Village Hall and Church, and the bus stops on the B184.</p> <p>GEN1, GEN2, GEN6, GEN7, E2, E3, H3, RS1, RS3 - The following on-site infrastructure must be provided on any proposed development:</p> <p>a) Provision of vehicle charging points for all dwellings and parking standards in accordance with the Essex Design Guide or the updated Essex Parking Standards Guidance (whichever is</p>
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		<p>more recent).</p> <p>b) Provision of adequate footway pavements which link with the existing pedestrian network.</p> <p>GEN1, GEN2, GEN8, E2,. E3, H3, LC2, RS3 – 4. Where directly, fairly and reasonably related in scale and kind to the proposed development, off-site contributions or physical infrastructure works shall be sought to achieve the identified required pedestrian and cycle infrastructure improvements as listed at paragraphs 5.3.17–5.3.21</p>
<p>GLCNP/4a and 4b – Landscape Character and Locally Important Views</p>	<p>Policy S7 – The Countryside</p> <p>Policy GEN1 – Access</p> <p>Policy GEN2 – Design</p> <p>Policy GEN7 – Nature Conservation</p> <p>Policy E4 – Farm Diversification: Alternative use of Farmland</p> <p>Policy E5 – Re-use of Rural Buildings</p> <p>Policy ENV1 – Design of Development within Conservation Areas</p> <p>Policy ENV2 – Development affecting Listed Buildings</p> <p>Policy ENV3 – Open Spaces and Trees</p>	<p>Development will only be supported if:</p> <p>S7, GEN2, E4, E5, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9 – It is appropriate, having regard to the landscape sensitivity and landscape value attributed to the landscape character area in which it is located, as described in the Chesterfords Landscape Character Assessment 2017;</p> <p>GEN2, E4, ENV1, ENV2, ENV3 – (Policy GLCNP/4b)</p> <p>a) It maintains or enhances and not adversely impact upon the Important Views or Locally Important Views;</p> <p>b) The panoramic views to and from the plateaus and uplands are maintained, especially open views to and from Scheduled Monuments, historic buildings and</p>

	<p>Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance</p> <p>Policy ENV5 – Protection of Agricultural Land</p> <p>Policy ENV6 – Change Of Use of Agricultural Land to Domestic Garden</p> <p>ENV7 - The Protection of the Natural Environment</p> <p>Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation</p> <p>Policy ENV9 – Historic Landscapes</p>	<p>landmarks such as churches;</p> <p>GEN2, E5, ENV1, ENV3, ENV4, ENV5, ENV9 – The panoramic views to and from the plateaus and uplands are maintained, especially open views to and from Scheduled Monuments, historic buildings and landmarks such as churches;</p> <p>GEN2, GEN7, E5, ENV3, ENV5, ENV6, ENV7, ENV8 – It preserves or enhances the landscape pattern including woodland areas (see Figure 5.10, hedgerows and individual trees, and does not diminish the role they play in views across the landscape;</p> <p>GEN2, E4, E5, ENV3, ENV4, ENV5, ENV6, ENV7 – It preserves or enhances the historic landscape character of field patterns and field size, greens, commons and verges;</p> <p>GEN2, GEN7, E4, E5, ENV1, ENV3, ENV8 – It preserves or enhances special verges and green screening (see Figures 5.8–5.9); and</p> <p>GEN1, GEN6, E4, E5, ENV1, ENV2, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9 – It preserves or enhances the landscape significance and better reveals cultural and heritage links.</p>
GLCNP/5 – Historic Environment	Policy GEN2 – Design	Development proposals in the Plan area must take account of the following matters relating

	<p>Policy ENV1 – Design of Development within Conservation Areas</p> <p>Policy ENV2 – Development affecting Listed Buildings</p> <p>Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance</p> <p>Policy ENV9 – Historic Landscapes</p>	<p>to this historic environment:</p> <p>ENV4, ENV9, GEN2 - Designated heritage assets (Scheduled Monuments, Conservation Areas and Listed Buildings) in the Neighbourhood Plan Area will be considered in accordance with the NPPF, relevant legislation and published national and local guidance. Great weight must be given to the asset’s conservation.</p> <p>ENV4, ENV9 - Open visibility between the Scheduled Monuments comprising the Roman town and fort, and the Roman temple must be conserved. Development detrimentally affecting this, or reducing the open aspect of the Roman-Celtic temple area will not be supported.</p> <p>ENV4, ENV9 - Any development along Newmarket Road which detrimentally interferes with views into the site of the Roman town will not be supported.</p> <p>ENV4, ENV9 - The setting of the Bordeaux Farm Scheduled Monument must be conserved.</p> <p>ENV1, GEN2 - Any development proposals in the Conservation Area must conserve or enhance the special character or appearance of the Conservation Area. The river, incidental open spaces and feature walls should also be</p>
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		<p>conserved or enhanced.</p> <p>ENV1, ENV9, ENV2, GEN2 -In Little Chesterford, the Historic Core, including open space around the church and hall, must be conserved.</p> <p>ENV2, GEN2 - Proposals for development affecting Structures on the Local Heritage List will only be supported where they demonstrate they conserve or enhance the Local Heritage List Structure.</p> <p>ENV2, ENV4, GEN2 - The Local Historic Features (Flint and Brick Walls and Sunken Banks) in Little Chesterford must be conserved or enhanced by any development proposals.</p> <p>ENV2, ENV9, GEN2 - Any and all development proposals will be expected to have particular regard to the heritage of the area and will be required to identify existing Non-Designated Assets and will be conditioned to treat any Non-Designated Assets with appropriate sensitivity.</p> <p>ENV4 - Any and all development proposals must publish and disseminate locally the results of all archaeological investigations relating to the development.</p> <p>ENV2, ENV9 - In order to conserve and enhance the historic environment in the Plan area, any and all</p>
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		development proposals must deliver a high quality of design and materials.
GLCNP/6 – Valued Community Spaces	<p>Policy S3 – Other Development limits</p> <p>Policy S5 – Chesterford Park Boundary</p> <p>Policy GEN2 – Design</p> <p>Policy ENV3 – Open Spaces and Trees</p> <p>Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation</p> <p>Policy H3 – New Houses within Development limits</p> <p>Policy LC1 – Loss of Sports Fields and Recreational Facilities</p> <p>Policy LC2 – Access to Leisure and Cultural Facilities</p> <p>Policy LC3 – Community Facilities</p> <p>Policy LC4 – Provision of Outdoor Sport and Recreational Facilities</p> <p>Policy RS3 – Retention of Retail and other Services in Rural Areas</p>	<p>GEN2, ENV3, ENV8, H3, LC1, LC2, LC3, LC4, RS3 – Where planning permission is required:</p> <p>Development proposals which result in the loss, change of use or alteration of Valued Community Spaces will only be supported in circumstances where the amenity value to the community is not materially reduced as a result of the proposal, and the Valued Community Space is improved or enhanced.</p>
GLCNP/7 – Local Green Spaces	<p>Policy GEN2 – Design</p> <p>Policy ENV3 – Open Spaces and Trees</p> <p>Policy ENV8 – Other Landscape Elements of</p>	<p>GEN2, ENV3, ENV8, H3, LC1, LC2, LC3, LC4, RS3 –</p> <p>1. The sites as shown in Figure 5.35 are designated as Local Green Spaces.</p> <p>2. Development on Local Green Spaces should be consistent with those for Green</p>

	<p>Importance for Nature Conservation</p> <p>Policy H3 – New Houses within Development limits</p> <p>Policy LC1 – Loss of Sports Fields and Recreational Facilities</p> <p>Policy LC2 – Access to Leisure and Cultural Facilities</p> <p>Policy LC3 – Community Facilities</p> <p>Policy LC4 – Provision of Outdoor Sport and Recreational Facilities</p> <p>Policy RS3 – Retention of Retail and other Services in Rural Areas</p>	<p>Belts (NPPF paragraph 103).</p> <p>3. Development on Local Green Spaces will not be supported other than in very special circumstances: delivering community facilities; or enhancing the beauty, significance, recreation value, tranquillity or function of the space; and in either case without compromising the primary function of the space as a Local Green Space.</p>
<p>GLCNP/8 – Employment</p>	<p>Policy S3 – Other Development limits</p> <p>Policy S5 – Chesterford Park Boundary</p> <p>Policy GEN1 – Access</p> <p>Policy GEN2 – Design</p> <p>Policy GEN4 – Good Neighbourliness</p> <p>Policy GEN6 – Infrastructure Provision to Support Development</p> <p>Policy GEN8 – Vehicle Parking Standards</p> <p>Policy E1 – Distribution of Employment Land</p>	<p>GEN1, GEN2, GEN6, GEN8, E3 – Proposals for new employment development will be supported at the existing employment sites identified in Figures 5.24 and 5.25, and where necessary (to deliver sustainable development directly, fairly and reasonably related in scale and kind to the proposed development) off-site contributions are secured towards initiatives that minimise resulting through traffic in the villages.</p> <p>GCLP2, GCLP1, Chesterford Park Local Policy 1, S5, E2 – Proposed developments at Chesterford Research Park will be supported where they are for research and development (and ancillary) uses, are not</p>

	<p>Policy E2 – Safeguarding Employment Land</p> <p>Policy E3 Access to workplaces</p> <p>Policy E4 – Farm Diversification: Alternative use of Farmland</p> <p>Policy E5 – Re-use of Rural Buildings</p> <p>Chesterford Park Local Policy 1</p> <p>Great Chesterford Local Policy 1 – Safeguarding Of Existing Employment Area</p> <p>Great Chesterford Local Policy 2 – London Road Employment Site</p>	<p>within the Chesterford Research Park Separation Zone (see Figure 5.4), and are subject to the provision of a workplace travel plan which takes into account the need to minimise through traffic in the villages.</p> <p>S3, E1, E2, E4, E5 – Proposed development that has a detrimental impact on sites of employment including causing their loss or reduction will not be supported other than where evidence can be produced that the relevant business is not viable in that location and redevelopment or an alternative use is the only realistic proposal.</p>
<p>GLCNP/9 – Housing</p>	<p>Policy S7 – The Countryside</p> <p>Policy GEN1 – Access</p> <p>Policy GEN2 – Design</p> <p>Policy GEN3 – Flood Protection</p> <p>Policy GEN6 – Infrastructure Provision to Support Development</p> <p>Policy GEN8 – Vehicle Parking Standards</p> <p>Policy E4 – Farm Diversification: Alternative use of Farmland</p> <p>Policy E5 – Re-use of Rural Buildings</p>	<p>1. Subject to Policy GLCNP/9 (2) below, sustainable development will be supported in the Plan Area provided it is in compliance with this Neighbourhood Plan and its policies and is either:</p> <p>a) Development within the three allocated sites at: Land Opposite Rectory Barns (Chest 12) Land North of Bartholomew Close (Chest 13) Land South-West of London Road (Chest 9); or</p> <p>b) Represents windfall sites of less than five units; or</p> <p>c) Is infill or brownfield development/re-use of previously developed land in order to maximise effective use of land and protect and</p>

	<p>Policy H1 – Housing Development</p> <p>Policy H3 – New Houses within Development limits</p> <p>Policy H4 – Backland Development</p> <p>Policy H9 – Affordable Housing</p> <p>Policy H10 – Housing Mix</p> <p>Policy H11 – Affordable Housing on Exception Sites</p> <p>Policy LC2 – Access to Leisure and Cultural Facilities</p> <p>Policy LC3 – Community Facilities</p> <p>Policy LC4 – Provision of Outdoor Sport and Recreational Facilities</p> <p>Policy RS3 – Retention of Retail and other Services in Rural Areas</p> <p>Policy ENV10 - Noise Sensitive Development and Disturbance from Aircraft</p>	<p>enhance the natural and built environment.</p> <p>2. Only sustainable development will be supported in the Plan Area and only in accordance with GLCNP/9 (1) above and where:</p> <p>a) Any proposed site is proportionate to the size of the Settlement in which it is located and (in order for that development to be sustainable in accordance with our Objectives) does not exceed 10% of the size of that settlement, with number of dwellings rounded up to the nearest whole dwelling (i.e., not more than 79 in Great Chesterford and 10 in Little Chesterford); and</p> <p>b) Any proposals include a mix of sizes of houses which reflect local need but also provide for a continued balance and vibrancy of the community. Specialist housing for older people would be supported where appropriate; and</p> <p>c) The level of affordable housing and the mix of affordable tenures in any new sustainable development is to be determined by the local housing need (set out by Uttlesford District Council); and</p> <p>d) There is provision of First Homes where appropriate and in line with national policy; and</p> <p>e) Biodiversity Net Gain improvements of at least 10% are achieved; and</p> <p>f) Directly, fairly and reasonably related in scale</p>
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		and kind to the proposed development, contributions will be sought for the Early Years and Child Care education facility to the east of the Bowls Club in Great Chesterford.
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### 3.4 Meeting the Basic Conditions – Compatibility with European Union Obligations

#### 3.4.1 Strategic Environmental Assessment Directive (2001/42/EC)

3.4.1.1 The Neighbourhood Plan has been screened to determine whether Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC. The screening was undertaken by UDC and is dated 16 May 2021.

3.4.1.2 The screening report is summarised on page 2:

*This statement provides the determination (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)) that the draft Great and Little Chesterford Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. This statement also includes the reasons for this determination (in line with Regulation 11 of the SEA Regulations).*

*In addition, this statement determines that the making of the draft Great and Little Chesterford Neighbourhood Plan is unlikely to result in significant effects on any European sites and consequently the plan does not require Habitat Regulation Assessment.*

*This determination statement is also intended to demonstrate that the Great and Little Chesterford Neighbourhood Plan is compatible with certain European Union obligations as required by the basic conditions, namely:*

- *Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment;*

*and*

- *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.*

### 3.4.2 Habitats Directive (92/43/EEC)

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

### 3.4.3 Convention Rights

3.4.3.1 The submission draft Neighbourhood Plan 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. In particular, regard has been had to Article 8 and the right to privacy, Article 10 and the right of freedom of expression, Article 14 and the prohibition of discrimination and Article 1 of the First Protocol – the right of peaceful enjoyment of possessions.

3.4.3.2 The preparation of the Neighbourhood Plan has been based on extensive and on-going consultation with local residents and businesses, clubs and organisations, landowners and the development industry and other statutory and non-statutory organisations and bodies as well as UDC. An Engagement Strategy has been developed.

3.4.3.3 The policies in the Neighbourhood Plan have been formulated with regard and in response to the views of those living and working in the Parishes of Great and Little Chesterford and are based on evidence gathered. They comply with the requirements of EU obligations in relation to human rights.

## 3.5 **Prescribed conditions met and complied with**

3.5.1 There are no further prescribed conditions which have not been set out in this Basic Conditions Statement and complied with.

## 4. **S38A and 38B of the 2004 Act – (8(1)(b) of Schedule 4B TCPA 1990)**

4.1 The Neighbourhood Plan confirms with s38A and 38B of the 2004 Act. In relation to specific points which require confirmation regarding the draft Neighbourhood Plan and its preparation, these are set out in section 2.9 above.

## 5. **Referendum Area (8(1)(d) of Schedule 4B TCPA 1990)**

- 5.1 The boundary of the Great and Little Chesterford Neighbourhood Plan, which was formally designated by Uttlesford District Council on 18 June 2015, is shown below.
- 5.2 The Steering Group does not consider that the area for Referendum should extend beyond the boundaries already formally designated for the Neighbourhood Plan Area.



**6. Other Prescribed Matters (8(1)(e) of Schedule 4B TCPA 1990)**

6.1 The Neighbourhood Plan must not breach the requirements of Chapter 8 of Part 7 of the Conservation of Habitats and Species Regulations 2017. On 28 December 2018, the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force. Amongst other things, these Regulations amended the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) which stated:

*The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.*

6.2 The amended Basic Condition is as follows:

*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.*

6.3 The Neighbourhood Plan Area does not contain any European Sites or European Offshore Sites and is not within the zone of influence of any European Sites or European Offshore Sites.

6.4 The Steering Group does not consider that there are any other prescribed matters that the examiner must consider which are not already set out in this Basic Conditions Statement.

## **7. CONCLUSIONS**

7.1 This Basic Conditions Statement addresses each of the Basic Conditions that the Neighbourhood Plan must meet in order for the Neighbourhood Plan to be legally compliant and therefore may proceed to a Referendum. The Parish Councils of Great and Little Chesterford have proposed a Neighbourhood Plan that demonstrates compliance with the Basic Conditions as set out in this Basic Conditions Statement.

7.2 The Neighbourhood Plan plans positively for the sustainable development of Great and Little Chesterford, responding to local needs and reflecting the views of the local community. The policies proposed, when implemented, will enhance the sustainability of Great and Little Chesterford for future generations.

7.3 It has been evidenced that the proposed policies are in general conformity with those strategic policies in the UDC Local Plan and that the Neighbourhood Plan has appropriate regard to national policy and guidance issued by the Secretary of State. The Neighbourhood Plan is in accordance with the relevant EU obligations including human rights and does not breach the requirements of the Conservation of Habitats and Species Regulations 2017. The Neighbourhood Plan contributes to the achievement of sustainable development in Great and Little Chesterford.

7.4 The Neighbourhood Plan meets the Basic Conditions as:

7.4.1 The Neighbourhood Plan has appropriate regard to national policies and advice contained in guidance issued by the Secretary of State.

7.4.2 The Neighbourhood Plan contributes to the achievement of sustainable development.

7.4.3 The Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.

7.4.4 The Neighbourhood Plan is compatible with EU obligations including human rights requirements.

7.4.5 The Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

7.5 It is therefore respectfully suggested that the Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act and subject to examination can proceed to a Referendum.

March 2022

Great Chesterford Parish Council Neighbourhood Plan Steering Group

Appendix 1 – Strategic Policies in the UDC 2005 Local Plan relevant to the Neighbourhood Plan Area

Strategic UDC policies

<p>Policy S3 – Other Development Limits</p>	<p>Elsenham, Great Chesterford, Newport, Takeley and Thaxted are identified as Key Rural Settlements. Their boundaries, including village extensions at Takeley and Thaxted, and the boundaries of other settlements are defined on the Proposals Map. Development compatible with the settlement’s character and countryside setting will be permitted within these boundaries.</p>
<p>Policy S5 – Chesterford Park Boundary</p>	<p>The boundary of the Chesterford Park Research and Development Site is defined on the Proposals Map as a developed site in the countryside. Facilities for research and development will be permitted within these boundaries if they are in accordance with this Plan.</p>
<p>Policy S7 – The Countryside</p>	<p>The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.</p>

<p>Policy GEN1 – Access</p>	<p>Development will only be permitted if it meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>a) Access to the main road network must be capable of carrying the traffic generated by the development safely;</li> <li>b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network;</li> <li>c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired;</li> <li>d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access; and</li> <li>e) The development encourages movement by means other than driving a car.</li> </ul>
<p>Policy GEN2 – Design</p>	<p>Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents:</p> <ul style="list-style-type: none"> <li>a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;</li> <li>b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;</li> <li>c) It provides an environment which meets the reasonable needs of all potential users;</li> </ul>

	<p>d) It helps to reduce the potential for crime;</p> <p>e) It helps to minimise water and energy consumption;</p> <p>f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan;</p> <p>g) It helps to reduce waste production and encourages recycling and reuse;</p> <p>h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures; and</p> <p>i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.</p>
<p>Policy GEN3 – Flood Protection</p>	<p>Within the functional floodplain, buildings will not be permitted unless there is an exceptional need. Developments that exceptionally need to be located there will be permitted, subject to the outcome of flood risk assessment. Where existing sites are to be redeveloped, all opportunities to restore the natural flood flow areas should be sought.</p> <p>Within areas of flood risk, within the development limit, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.</p> <p>Within areas of the floodplain beyond the settlement boundary, commercial industrial and new residential development will generally not be permitted. Other</p>

	<p>developments that exceptionally need to be located there will be permitted subject the outcome of a flood risk assessment.</p> <p>Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.</p> <p>For all areas where development will be exposed to or may lead to an increase in the risk of flooding applications will be accompanied by a full Flood Risk Assessment (FRA) which sets out the level of risk associated with the proposed development. The FRA will show that the proposed development can be provided with the appropriate minimum standard of protection throughout its lifetime and will demonstrate the effectiveness of flood mitigation measures proposed.</p>
Policy GEN4 – Good Neighbourliness	<p>Development and uses, whether they involve the installation of plant or machinery or not, will not be permitted where:</p> <ul style="list-style-type: none"> <li>a) noise or vibrations generated; or</li> <li>b) smell, dust, light, fumes, electromagnetic radiation, exposure to other pollutants</li> </ul> <p>would cause material disturbance or nuisance to occupiers of surrounding properties.</p>
Policy GEN6 – Infrastructure Provision to Support Development	<p>Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public</p>

	<p>services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority.</p>
<p>Policy GEN7 – Nature Conservation</p>	<p>Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.</p>
<p>Policy GEN8 – Vehicle Parking Standards</p>	<p>Development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location, as set out in supplementary planning guidance “Vehicle Parking Standards”, a summary extract of which is reproduced in Appendix 1 to this Plan.</p>
<p>Policy E1 – Distribution of Employment Land</p>	<p>Provision is made for a net increase of about 17.35 hectares of land for business, general industry, storage or distribution development within the plan area, excluding land within the Stansted Airport boundary. [0.89 HA on London Road proposed for employment.]</p>

<p>Policy E2 – Safeguarding Employment Land</p>	<p>The following key employment areas identified on the Proposals Map will be safeguarded from redevelopment or change of use to other land-uses:</p> <ul style="list-style-type: none"> <li>b) Existing employment areas of 0.5 hectares and over in the key rural settlements of Elsenham, Great Chesterford, Takeley and Thaxted;</li> <li>d) The site at Chesterford Park identified in Policy S5.</li> </ul> <p>The development of employment land for other uses outside the key employment areas will be permitted if the employment use has been abandoned or the present use harms the character or amenities of the surrounding area.</p>
<p>Policy E3 – Access to Workplaces</p>	<p>Developments that would result in the provision of jobs will be required to include the highest standards of accessibility and inclusion for all people regardless of disability, age or gender.</p>
<p>Policy E4 – Farm Diversification: Alternative use of Farmland</p>	<p>Alternative uses for agricultural land will be permitted if all the following criteria are met:</p> <ul style="list-style-type: none"> <li>a) The development includes proposals for landscape and nature conservation enhancement;</li> <li>b) The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding;</li> <li>c) The continued viability and function of the agricultural holding would not be harmed; and</li> <li>d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels,</li> </ul>

	road safety, countryside character and amenity).
Policy E5 – Re-use of Rural Buildings	<p>The re-use and adaptation of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside, including the Metropolitan Green Belt, the Countryside Protection Zone and beyond, if all the following criteria are met:</p> <ul style="list-style-type: none"> <li>a) The buildings are of a permanent and substantial construction;</li> <li>b) They are capable of conversion without major reconstruction or significant extension;</li> <li>c) The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts; and</li> <li>d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety, countryside character and amenity).</li> </ul>
Policy ENV1 – Design of Development within Conservation Areas	<p>Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features. Outline applications will not be considered. Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted.</p>

<p>Policy ENV2 – Development affecting Listed Buildings</p>	<p>Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting.</p>
<p>Policy ENV3 – Open Spaces and Trees</p>	<p>The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value.</p>
<p>Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance</p>	<p>Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there will be a presumption in favour of their physical preservation in situ. The preservation in situ of locally important archaeological remains will be sought unless the need for the development outweighs the importance of the archaeology. In situations where there are grounds for believing that sites, monuments or their settings would be affected developers will be required to arrange for an archaeological field assessment to be carried out before the planning application can be determined, thus enabling an informed and reasonable planning decision to be made.</p>

	<p>In circumstances where preservation is not possible or feasible, then development will not be permitted until satisfactory provision has been made for a programme of archaeological investigation and recording prior to commencement of the development.</p>
<p>Policy ENV5 – Protection of Agricultural Land</p>	<p>Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.</p>
<p>Policy ENV6 – Change of Use of Agricultural Land to Domestic Garden</p>	<p>Change of use of agricultural land to domestic garden will be permitted if the proposal, particularly its scale, does not result in a material change in the character and appearance of the surrounding countryside. Conditions regulating development rights associated with the proposal may be necessary.</p>
<p>Policy ENV7 - The Protection of the Natural Environment - Designated Sites</p>	<p>Development proposals that adversely affect areas of nationally important nature conservation concern, such as Sites of Special Scientific Interest and National Nature Reserves, will not be permitted unless the need for the development outweighs the particular importance of the nature conservation value of site or reserve. Development proposals likely to affect local areas of nature conservation significance, such as County Wildlife sites, ancient</p>

	<p>woodlands, wildlife habitats, sites of ecological interest and Regionally Important Geological/ Geomorphological Sites, will not be permitted unless the need for the development outweighs the local significance of the site to the biodiversity of the District.</p> <p>Where development is permitted the authority will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site's conservation interest.</p>
<p>Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation</p>	<p>Development that may adversely affect these landscape elements</p> <ul style="list-style-type: none"> <li>Hedgerows</li> <li>Linear tree belts</li> <li>Larger semi natural or ancient woodlands</li> <li>Semi-natural grasslands</li> <li>Green lanes and special verges</li> <li>Orchards</li> <li>Plantations</li> <li>Ponds</li> <li>Reservoirs</li> <li>River corridors</li> <li>Linear wetland features</li> <li>Networks or patterns of other locally important habitats</li> </ul> <p>will only be permitted if the following criteria apply:</p> <ul style="list-style-type: none"> <li>a) The need for the development outweighs the need to retain the elements for their importance to wild fauna and flora; and</li> <li>b) Mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality.</li> </ul> <p>Appropriate management of these elements will be encouraged through the use of conditions and planning obligations.</p>

Policy ENV9 – Historic Landscapes	Development proposals likely to harm significant local historic landscapes, historic parks and gardens and protected lanes as defined on the proposals map will not be permitted unless the need for the development outweighs the historic significance of the site.
Policy ENV10 - Noise Sensitive Development and Disturbance from Aircraft	Housing and other noise sensitive development will not be permitted if the occupants would experience significant noise disturbance. This will be assessed by using the appropriate noise contour for the type of development and will take into account mitigation by design and sound proofing features
Policy H1 – Housing Development	The local plan proposes the development of 5,052 dwellings for the period 2000 to 2011 by the following means: c) Re-use of existing buildings and previously developed land outside urban areas (450 dwellings).
Policy H3 – New Houses within Development limits	Infilling with new houses will be permitted on land in each of the following settlements if the development would be compatible with the character of the settlement and, depending on the location of the site, its countryside setting. This will be in addition to the sites specifically allocated as urban extensions and settlement expansions. Windfall sites will be permitted if they meet all the following relevant criteria: a) The site comprises previously developed land; b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;

	<p>c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;</p> <p>d) Development would support local services and facilities;</p> <p>e) The site is not a key employment site; and</p> <p>f) Avoids development which makes inefficient use of land.</p> <p>The list of settlements is:</p> <p>Great Chesterford</p> <p>The limit of each settlement for the purposes of this policy is defined on the proposals map.</p>
<p>Policy H4 – Backland Development</p>	<p>Development of a parcel of land that does not have a road frontage will be permitted, if all the following criteria are met:</p> <p>a) There is significant under-use of land and development would make more effective use of it;</p> <p>b) There would be no material overlooking or overshadowing of nearby properties;</p> <p>c) Development would not have an overbearing effect on neighbouring properties;</p> <p>d) Access would not cause disturbance to nearby properties.</p>
<p>Policy H9 – Affordable Housing</p>	<p>The Council will seek to negotiate on a site to site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations.</p>

<p>Policy H10 – Housing Mix</p>	<p>All developments on sites of 0.1 hectares and above, or of three or more dwellings, will be required to include a significant proportion of market housing comprising small properties.</p>
<p>Policy H11 – Affordable Housing on Exception Sites</p>	<p>Development of affordable housing will be permitted outside settlements on a site where housing would not normally be permitted, if it would meet all the following criteria:</p> <ul style="list-style-type: none"> <li>a) 100% of the dwellings are to be affordable and provided through a Registered Social Landlord;</li> <li>b) The development will meet a particular local need that cannot be met in any other way;</li> <li>c) The development is of a scale appropriate to the size, facilities and character of the settlement; and</li> <li>d) The site adjoins the settlement.</li> </ul>
<p>Policy LC1 – Loss of Sports Fields and Recreational Facilities</p>	<p>Development will not be permitted if it would involve the loss of sports fields or other open space for recreation, including allotments. Exceptions may be permitted if either of the following applies:</p> <ul style="list-style-type: none"> <li>a) Replacement facilities will be provided that better meet local recreational needs;</li> <li>b) The need for the facility no longer exists.</li> </ul>
<p>Policy LC2 – Access to Leisure and Cultural Facilities</p>	<p>Development proposals for sports facilities, arts and leisure buildings, hotel and tourist facilities, will be required to provide inclusive access to all sections of the community, regardless of disability, age or gender.</p>
<p>Policy LC3 – Community Facilities</p>	<p>Community facilities will be permitted on a site outside settlements if all the following criteria are met:</p>

	<ul style="list-style-type: none"> <li>a) The need for the facility can be demonstrated;</li> <li>b) The need cannot be met on a site within the boundaries; and</li> <li>c) The site is well related to a settlement.</li> </ul>
Policy LC4 – Provision of Outdoor Sport and Recreational Facilities	<p>Beyond Development limits the following developments will be permitted:</p> <ul style="list-style-type: none"> <li>a) Outdoor sports and recreational facilities, including associated buildings such as changing rooms and club-houses;</li> </ul>
Policy RS1 - Access to Retailing and Services	All retail and service development proposals where there is public access, whether new build, conversion or extension need to be accessible to all, to ensure social inclusion.
Policy RS3 – Retention of Retail and other Services in Rural Areas	<p>Change of use of community facilities such as shop, post office, public house, garage, doctors/dentist surgeries and village halls will only be permitted where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) The facility is no longer financially viable;</li> <li>b) There is no significant demand for the facility within that locality; or</li> <li>c) Equivalent facilities in terms of their nature and accessibility are available or would be made available nearby.</li> </ul>
Chesterford Park Local Policy 1	<p>A Development Zone of 15.59 hectares is identified on the inset map. Facilities for research and development will be permitted within the zone if all the following criteria apply:</p> <ul style="list-style-type: none"> <li>a) They are compatible with its rural parkland setting;</li> <li>b) The proposals include a comprehensive landscaping scheme to help assimilate development into the park setting;</li> </ul>

	<p>c) The Mansion, The Garden House and Emanuel Cottage and their settings are conserved;</p> <p>d) A comprehensive traffic impact assessment of the full development potential demonstrates that the movement likely to be generated can be properly accommodated on the surrounding transport network and that measures are proposed to ensure that as high a proportion of journeys as is reasonably feasible in the context of the site will be by modes other than the private car; and</p> <p>e) The transport needs of the development can be accommodated whilst maintaining or improving road safety and the surrounding environmental conditions for the local community with minimum impact on the countryside.</p> <p>Developers will be required to prepare a comprehensive master plan for the site to indicate how specific proposals, which may be implemented on a phased basis, relate to an overall design concept for the site. It will also indicate the full development potential of the site as constrained by the development zone boundary. The master plan will be subject to public consultation. Development will need to be implemented.</p>
<p>Great Chesterford Local Policy 1 – Safeguarding of Existing Employment Area</p>	<p>An existing employment area in the vicinity of the station is identified on the proposals map as a key employment area.</p>
<p>Great Chesterford Local Policy 2 – London Road Employment Site</p>	<p>A 0.89 hectare site identified on the proposals map inset is proposed as an employment site for uses falling within class B1.</p>

	Development will be permitted if it is compatible with adjoining existing residential development.
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## Appendix 2 – Strategic Policies in the UDC 2005 Local Plan not relevant to the Neighbourhood Plan Area

### Strategic UDC policies

Policy S1- Development limits for the Main Urban Areas	The development limits of the existing main urban areas and proposed urban extensions for Great Dunmow, Saffron Walden and Stansted Mountfitchet are defined on the Proposals Map. The following development will be permitted within these boundaries: <input type="checkbox"/> Major urban extensions, if in accordance with this Plan; <input type="checkbox"/> Development within the existing built up areas, if compatible with the character of the settlement and, in addition, for sites on the edge of the built up area, its countryside setting.
Policy S4- Stansted Airport Boundary	The boundary of Stansted Airport is defined on the Proposals Map. Provision is made for development directly related to or associated with Stansted Airport to be located within the boundaries of the airport. Industrial and commercial development unrelated to the airport will not be permitted on the site.
Policy RS2 – Town and Local Centres	Retail, commercial and community uses or mixed-use development including a residential element will be permitted in the centres of Saffron Walden, Great Dunmow, Stansted Mountfitchet or Thaxted if it meets all the following criteria: a) It maintains or enhances their role as retail and service centres; b) It does not harm their historic and architectural character; c) It contributes to the diversity of retail and other commercial activity;

	<p>d) It does not result in significant loss of houses or flats in the centres;</p> <p>e) It does not prejudice the effective use of upper floors as living or business accommodation.</p>
<p>Policy T1 – Transport Improvements</p>	<p>The following transport schemes are proposed:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The new A120 Stansted to Braintree</li> <li><input type="checkbox"/> M11 – Airport slips at Junction 8 Birchanger Roundabout</li> <li><input type="checkbox"/> Great Dunmow North West Perimeter Road</li> </ul> <p>Land shown on the proposals map is safeguarded for the construction of these schemes.</p>