



**Newport Quendon & Rickling Neighbourhood Plan
2018 – 2033**

**Basic Conditions Statement
August 2019**



The Plan was produced jointly by Newport Parish Council (NPC) and Quendon & Rickling Parish Council (QRPC)

It was written and overseen by the Neighbourhood Plan Steering Group. The Steering Group consists of: Cllr. Neil Hargreaves (Chair) (UDC), Cllr. Anthony Gerard (Vice-Chair) (NPC & UDC), Cllr. Howard Bowman (NPC), Cllr. Brandon Chapman (QRPC), Cllr. Judy Emanuel (NPC), Mr. Mike Hannant (Chair of Newport Sports Committee), Ms. Tracey Hepting (Quendon & Rickling resident working in Newport), Mr. David Mayle (Newport resident), and Ms. Chris Murphy (Newport resident).

Previous Steering Group members are Ms. Joanna Parry (former Chair and former NPC & UDC Cllr.) and Mr. Barney Miller (Proprietor of The Design Mill)

Current status of the Local Plan and its relationship to the Neighbourhood Plan

The current Local Plan is at the time of writing the 2005 adopted Local Plan, which expired in 2011. A new draft Local Plan was presented to an Examination in Public in 2014 but was rejected by the inspector. A revised draft Plan has been prepared and consulted upon, at a stage referred to as 'Regulation 19'. It was submitted for inspection on 18th January 2019 and hearings started in July 2019 and are expected to continue until the end of 2019.

The Newport Quendon & Rickling Neighbourhood Plan is therefore being prepared at the same time as the Uttlesford Emerging Local Plan (ELP).

The NPPF sets the baseline to which all local planning policy must have regard. This Plan, being submitted after January 2019, is required to be in conformity with the 2018 NPPF. However, the ELP was submitted under the 2012 NPPF. Thus this Plan is required to be in conformity, directly and indirectly, with two different versions of the NPPF. The Steering Group, in preparing policy wordings and the supporting text, did not however find any conflict in basic principles relevant to the Neighbourhood Plan.

Completion of the Neighbourhood Plan after the Regulation 14 consultation took longer than anticipated because it had to address the rewrite of the NPPF and changes to the ELP between regulations 18 and 19. Reference is also made to the Essex Design Guide which was reissued after major update in 2018, during the Plan preparation.

Nevertheless, reference is sometimes made to the 2005 Plan where it is considered relevant and not replaced by later policies.

Summarising, this Plan is consistent with the relevant policies of the ELP and the 2018 NPPF. The Steering Group believe, however, that it is not inconsistent with the adopted Local Plan, but that it would be ill advised to align it in detail with the out of date Plan which is about to be replaced. To do so would make this Plan weak and subject to challenge. Being in conformity with the most up to date national and most up to date local policies is considered the best option to create a robust, long lasting, Neighbourhood Plan.



1. Legal Requirements

1.1 This statement has been prepared by the Newport Quendon & Rickling Neighbourhood Plan Steering Group on the behalf of Newport Parish Council and Quendon & Rickling Parish Council to accompany its submission to Uttlesford District Council of the Newport Quendon & Rickling Neighbourhood Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2 The Neighbourhood Plan has been prepared by Newport Parish Council and Quendon & Rickling Parish Council, which are the qualifying bodies, for the area covering the two parishes, as designated by Uttlesford District Council on 16th February 2017.

1.3 The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2018 to 2033. It does not contain policies relating to excluded development as laid out in the Regulations.

1.4 The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

2. Plan process, vision and aims

Process

The process has aimed to be:

- Inclusive – offering the opportunity to participate for all residents.
- Comprehensive – identifying the important infrastructure and facilities needed to plan for the future.
- Positive – bringing forward proposals which will improve the quality of life in Newport, Quendon and Rickling.

Vision

A Neighbourhood Plan that will conserve the character of Newport, Quendon and Rickling villages whilst allowing for long-term economic and social growth together with sustainable development.



The vision is for Newport, Quendon and Rickling to be forward thinking, vibrant villages, which are clean and healthy with a strong sense of community to provide an outstanding quality of life for current and future generations where the views of the community are respected and reflected.

Aims

It is the aim of this Neighbourhood Plan to guide developments in Newport, Quendon and Rickling to 2033.

The aim is for Newport, Quendon and Rickling to have small, sustainable, timely developments that meet the needs of local residents and that do not distort the shape and essence of the villages; to evolve and expand whilst retaining our unique and distinctive character.

The area has had many recent planning applications. Some of the Plan policies are to address, for the future, issues arising from these applications. Some others are based on Emerging Local Plan policies but with matters specific to the Neighbourhood Plan area identified or amplified.

3. Having regard to National Planning Policy

3.1 The Neighbourhood plan has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF) of 2018. It also gives regard the National Planning Practice Guidance (NPPG) published by the Government in March 2014 and as updated in May 2019 in relation to the formation of Neighbourhood Plans.

3.2 The table below sets out a summary of how each policy has regard to the NPPF. 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. For each policy, full detail of conformity to the Emerging Local Plan (ELP), the NPPF and where relevant the out of date adopted Local Plan, is noted in the body of the Plan

Table 1: How the NP policies conform to the NPPF

Policy	NPPF Paragraph(s)	Comment on conformity
NQRBL1 Support of new and existing businesses	83, 104, 112	Conform to paragraph 83 which says that policies should promote ‘the retention and development of accessible local services and community facilities, such as local shops....’ And with paragraph 104 which says policies should ‘support an appropriate mix of uses ... to minimise the number and length of journeys needed for employment....; Sustainability is an important thread throughout planning policy. Provision of shops and services and employment within walking or cycling distance of homes is important to reduce vehicle movements, and therefore road congestion and environmental impact. ‘ Para 112 covers ‘Advanced, high quality and reliable communications infrastructure
NQRBL2 Change of use on upper floors		
NQRBL3 Business parking		
NQRBL4 High speed internet connection		

<p>NQRAQ1 Air quality impact of development proposals</p> <p>NQRAQ2 Cumulative impact of developments on clean air and traffic congestion.</p>	<p>103, 181</p>	<p>Conform to paragraph 181 which states: <i>‘Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications...’</i></p> <p>And conform to paragraph 103: <i>‘The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.’</i></p>
<p>NQRGSE1 Discharges into watercourses</p> <p>NQRGSE2 Locally supplied evidence of flood risk</p> <p>NQRGSE3 Footpaths and access to the countryside</p>	<p>155 and following paras</p>	<p>Conform to paragraph 155: <i>“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”</i></p>
<p>NQREH2 Primary school places</p> <p>NQREH1 General Practice (expansion of)</p>	<p>94, 34</p>	<p>Conform to Paragraph 94: <i>It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.</i></p>

		<p><i>They should:</i></p> <p><i>a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications;</i></p> <p>Para 34 covers provision for infrastructure including health and education</p>
<p>NQRHA1 Coherence of the villages</p> <p>NQRHA2 Building on Brownfield Sites</p> <p>NQRHA3 Connection with the countryside</p> <p>NQRHA4 Building in the countryside</p>	<p>118 170</p>	<p>Conform with para 118 which covers access to countryside, use of previously used land and the value of undeveloped land</p> <p>And para 170 which recognises ‘the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland’</p>
<p>NQRHD1 Parking Standards</p> <p>NQRHD2 Housing Design</p> <p>NQRHD3 Use of Specimen Trees</p> <p>NQRHD4 House sizes</p> <p>NQRHD5 Affordable homes and local connection</p> <p>NQRHD6 Affordable housing</p>	<p>63, 64, 125</p>	<p>HD6 conforms to paras 63 and 64 re affordable housing</p> <p>The ELP says affordable housing applies at 11 dwellings. The NPPF defines ‘major development’ as 10 or more homes. HD6 therefore complies with the NPPF</p> <p>HD2 conforms to para 125 and other parts of the NPPF section 12 ‘Achieving well designed places’</p> <p>The rest of the policies in this section are specific to the location and so have no direct parallel in the NPPF</p>
<p>NQRTR1 Extension of speed limits and footways</p> <p>NQRTR2 Mitigation of traffic impacts</p> <p>NQRTR3 Safe access to schools and village facilities</p>	<p>108,110</p>	<p>Conform with para 108, and 110 which includes a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</p>

NQRSCL1 Retaining and enhancing existing community facilities	92,96, 97	Conform to para 92 which includes retention of facilities, para 96, covers provision of high quality open spaces and opportunities for sport and physical activity, and para 97 sets conditions relating to retention of 'Existing open space, sports and recreational buildings and land, including playing fields,..'
NQRSCL2 Financial contributions from development		
NQRSCL3 Provision of amenity space and for ball sports		
NQRSCL4 Retention of sports fields		

4. General conformity with the strategic policies of the development plan

4.1 The table below sets out how each policy is in general conformity with the Emerging Uttlesford Local Plan 2011 - 2033.

Table 2 – Conformity with the Emerging Local Plan

Policy	Relevant local plan policy	Comment on conformity
NQRBL1 Support of new and existing businesses	EMP3, RET3, RET4	Conforms with EMP3 - Non-Estate Employment Uses, which is about retention of business use RET 3 is about change of use on upper floors, and this Plan adds to that policy by permitting use types additional to RET3 RET 4 cover the financial viability tests prior to change of use away from business – these are incorporated into the Plan to bring early implementation, and are linked to BL1 and BL2
NQRBL2 Change of use on upper floors		
NQRBL3 Business parking		
NQRBL4 High speed internet connection		
NQRAQ1 Air quality impact of development proposals	EN15, 2005 UDC Policy ENV13	Conforms with EN15 which has nine points concerning requirements on what applicants must demonstrate compliance 2005 UDC Policy ENV13 – Exposure to Poor Air Quality is also referenced as it covers air quality in the zone either side of the M11. There is no specific reference in the ELP
NQRAQ2 Cumulative impact of developments on clean air and traffic congestion.		

<p>NQRGSE1 Discharges into watercourses</p> <p>NQRGSE2 Locally supplied evidence of flood risk</p> <p>NQRGSE3 Footpaths and access to the countryside</p>	<p>SP12</p>	<p>Conforms with SP12 Sustainable Development Principles: which supports <i>'Locating development on land identified as being at low risk of flooding and taking into account any potential increased risk of flooding from new development'</i></p> <p>There is no ELP policy specific to GSE3</p>
<p>NQREH2 Primary school places</p> <p>NQREH1 General Practice (expansion of)</p>	<p>TA1</p>	<p>Conforms with TA1 Accessible Development:</p> <p><i>Development should be located where it can provide safe, attractive, direct walking and cycling routes between new developments and schools/ other community infrastructure, together with appropriate design for these new facilities that encourages and delivers sustainable travel;</i></p> <p>The ELP has nothing specific to EH1</p>
<p>NQRHA1 Coherence of the villages</p> <p>NQRHA2 Building on Brownfield Sites</p> <p>NQRHA3 Connection with the countryside</p> <p>NQRHA4 Building in the countryside</p>	<p>SP2, SP12 C1</p>	<p>Conforms with SP2 The Spatial Strategy 2011-2033, which says Newport should have no further development to that already permitted in the ELP (it already has a significant number of additional sites, plus large developments at appeal). Quendon has one site allocation from SP2 and this Plan adds further detail to it</p> <p>SP12 - Sustainable Development Principles contains several relevant points to which this Plan conforms including building on brownfield and <i>'Retaining and enhancing the character, appearance and setting of those areas, settlements or buildings that are worthy of protection;'</i></p> <p>HA3 and HA4 conform with C1: Protection of Landscape Character.</p>

<p>NQRHD1 Parking Standards</p> <p>NQRHD2 Housing Design</p> <p>NQRHD3 Use of Specimen Trees</p> <p>NQRHD4 House sizes</p> <p>NQRHD5 Affordable homes and local connection</p> <p>NQRHD6 Affordable housing</p>	<p>H1 H2 H6 D2 TA4</p>	<p>Conforms with H1 which sets housing densities of 30-50 p ha. The Plan supports the highest density range in village centres and supports up to 20 outside of development limits, but does not seek to bar densities of 30.</p> <p>Policies D2 and TA4 makes general statements about parking, but neither addresses in-line parking.</p> <p>H2 covers some house sizes and HD4 fills gaps in H2 for sizes not considered</p> <p>ELP H6 conflicts with the 2018 NPPF. H6 says affordable housing applies at 11 dwellings. The NPPF defines 'major development' as 10 or more homes. HD6 therefore complies with the NPPF as overriding a Local Plan</p>
<p>NQRTR1 Extension of speed limits and footways</p> <p>NQRTR2 Mitigation of traffic impacts</p> <p>NQRTR3 Safe access to schools and village facilities</p>	<p>TA1</p>	<p>Speed limits are not specifically considered in the ELP. However TA1 mentions safety six times, and so extension of speed limits adjacent to new development is in conformity</p> <p>These policies are in conformity with TA1 Accessible Development (which is very detailed). TR2 however brings in a s106 funding aspect which is not in TA1. TA1 only uses good selection of location to fulfil its objectives, which on its own is not considered realistic</p>
<p>NQRSCL1 Retaining and enhancing existing community facilities</p> <p>NQRSCL2 Financial contributions from development</p> <p>NQRSCL3 Provision of amenity space and for ball sports</p> <p>NQRSCL4 Retention of sports fields</p>	<p>INF2</p>	<p>Conforms with Policy INF 2 Protection, Enhancement and Provision of Open Space, Sports Facilities and Playing Pitches</p> <p>The Plan policies list assets to be protected or enhanced under INF2. It also supports provision of a CIL.</p> <p>SCL3 is specific on encouraging flat areas for ball sports within developments, which is not covered in the ELP</p>

5. Contribution to the achievement of sustainable development

5.1 Table 3 below sets out an assessment of each policy of the plan and how it impacts on each of the three strands of sustainability; economic, social and environmental.

Table 3

Policy	Economic	Social	Environmental	Comments
NQRBL1 Support of new and existing businesses	**	*	**	Supply of work, less travel, local fire station needs people to work locally
NQRBL2 Change of use on upper floors	**	**	*	Supports business, provides housing
NQRBL3 Business parking	**	*	**	Same comment as BL1
NQRBL4 High speed internet connection	**	-	-	Most residents commute to work and most by car. These policies support local employment which is more sustainable
NQRAQ1 Air quality impact of development proposals	**	*	**	There is an economic and health care cost to having polluted air
NQRAQ2 Cumulative impact of developments on clean air and traffic congestion.	**	*	**	
NQRGSE1 Discharges into watercourses	*	-	**	The environmental aspect is self evident. However, flooding is a cost to all, hence the economic benefit
NQRGSE2 Locally supplied evidence of flood risk	*	-	**	
NQRGSE3 Footpaths and access to the countryside	*	**	**	Enjoyment of countryside has significant health and social benefits. Our green corridors are important to wildlife
NQREH2 Primary school places	*	**	**	Not having to drive children to a distant school has economic benefit as well as the obvious social and environmental benefit
NQREH1 General Practice (expansion of)	*	*	*	

Policy	Economic	Social	Environmental	Comments
NQRHA1 Coherence of the villages	*	**	**	Restricting ribbon development distant from facilities reduces driving
NQRHA2 Building on brownfield Sites	*	-	**	Economic benefit as clearance of previously used sites requires more work
NQRHA3 Connection with the countryside	-	*	*	Social and health benefits of proximity to good countryside
NQRHA4 Building in the countryside	*	*	**	Economic benefit includes retaining agricultural use – land in the Plan area is at top end of quality status
NQRHD1 Parking Standards	-	*	-	Poor parking arrangements are a cause of annoyance
NQRHD2 Housing Design	**	*	**	High insulation standards reduce CO2 emissions
NQRHD3 Use of Specimen Trees	-	*	**	
NQRHD4 House sizes	*	*	*	Building at the right size ensures land is not wasted. Provision of house sizes to match what is needed (vs what is most profitable) is a benefit to communities and assists formation of households
NQRHD5 Affordable homes and local connection	*	**	**	
NQRHD6 Affordable housing	*	**	*	Affording to live locally reduces commuting into the area for service providers
NQRTR1 Extension of speed limits and footways	-	*	*	
NQRTR2 Mitigation of traffic impacts	*	*	**	Traffic congestion has an economic and environmental cost which the policies seek to mitigate
NQRTR3 Safe access to schools and village facilities	*	**	*	

Policy	Economic	Social	Environmental	Comments
NQRSL1 Retaining and enhancing existing community facilities	*	**	**	Support and retention and expansion of sport and community facilities have health benefits and promote social cohesion by participation in sports and events. Conversely, having 'nothing to do' leads to social costs In villages where commercial entertainment is generally non-existent, policies to support local provisions benefit all three sustainability strands
NQRSL2 Financial contributions from development	*	**	**	
NQRSL3 Provision of amenity space and for ball sports	*	**	**	
NQRSL4 Retention of sports fields	*	**	**	

**Very positive impact *positive impact – neutral impact x negative impact xx very negative impact

6. Compatibility with EU obligations and legislation

6.1 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 consultation process was designed to ensure that no sections of the community have been isolated or excluded. Full detail is in the Consultation Statement submitted with the Plan which outlines the transparent and inclusive process undertaken to develop the content of the plan. No policies within it will impact negatively on black and minority ethnic groups, people with disabilities, people of different faiths and women.

The 2011 census shows that there are very few residents whose first language is not English and so publication of material in other languages was not considered necessary. Survey material was presented both online and on paper, with copies being readily available at locations throughout the villages. As Quendon & Rickling has fewer places to display copies of surveys than Newport, the 2017 consultation survey was delivered to every house there.

6.2 A screening process was carried out by Uttlesford District Council which determined that the Neighbourhood Plan didn't require a Strategic Environmental Assessment.

6.3 It was also determined that the plan didn't require a Habitats Regulations Assessment.