



Ingatestone and Fryerning
Neighbourhood Plan
Basic Conditions Statement

November 2021

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1. Introduction

Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 requires a Neighbourhood Plan to meet the following basic conditions in order to progress to referendum:

- 1) the Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State;
- 2) the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
- 3) the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Local Plan;
- 4) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
- 5) prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with proposals within the Neighbourhood Plan¹.

When submitting a Neighbourhood Plan to a local authority, Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) states that the Plan should be accompanied by a statement which identifies how the draft Neighbourhood Plan meets the requirements of the basic conditions listed above. This statement is referred to as a Basic Conditions Statement.

The basic conditions require a different level of assessment between national and local planning policy. In relation to national policies and advice, neighbourhood plans are only required to 'have regard' to their content, therefore referencing and relating appropriately to relevant national policy and guidance. In relation to local planning policy, neighbourhood plans are required to be 'in general conformity' with strategic policies, therefore complying, agreeing, and seeking similar outcomes as local strategic planning policies.

The draft Ingatestone and Fryerning Neighbourhood Plan (IFNP) was published for Regulation 14 consultation in September 2020. Amendments have since been made to the Plan to address issues identified through consultation responses, and the Regulation 15 IFNP has been produced for submission to Brentwood Borough Council (BBC).

The Regulation 15 IFNP and this Basic Conditions Statement have been informed by the Strategic Environmental Assessment (SEA) and the Habitats Regulation Assessment (HRA) screening reports which have been produced alongside the production of the Plan.

The IFNP and this Basic Conditions Statement have been produced against a complex local planning policy context. BBC currently has the Replacement Local Plan adopted in 2005 with saved policies from 2008. Relevant policies within this document forms the statutory Development Plan for the Borough against which the IFNP will be examined. However, the Publication Draft (Regulation 19) Brentwood Borough Local Plan (BBLP) was published for consultation in 2019, and was submitted to the Secretary of State for independent examination in 2020.

As the emerging BBLP is at an advanced stage of preparation, and will eventually constitute the new and up to date statutory development plan for the District subject to the successful completion of

¹ Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) add a basic condition for Neighbourhood Plans in addition to those set out in the primary legislation, requiring the making of the Neighbourhood Plan to not have a likely significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).

the independent examination, this Basic Conditions Statement will refer to the emerging BBLP alongside the adopted Local Plan.

This statement supports the submission of the Regulation 15 IFNP. The statement will begin by clarifying which adopted and emerging local planning policies are considered to be strategic and outlining how the overarching legal requirements of a Neighbourhood Plan are met. The remaining sections of the statement will review each Neighbourhood Plan objective and policy to consider how they meet the requirements of the basic conditions.

2. National planning policy and adopted and emerging strategic local planning policies

Part 1 of the basic conditions listed in section 1 above requires a Neighbourhood Plan to have regard to national policies and advice contained in guidance issued by the Secretary of State. This Statement will therefore consider how the production of the IFNP has had regard to the National Planning Policy Framework (NPPF, July 2021), the Planning Practice Guidance² (PPG), and any other relevant neighbourhood planning related guidance issued by the Secretary of State.

Part 3 of the basic conditions requires a neighbourhood plan to be ‘in general conformity with the strategic policies contained in the Local Plan’. Given the local planning policy context in Brentwood Borough outlined above, this Statement will consider the strategic policies contained within the adopted Replacement Local Plan and the emerging BBLP.

In September 2021 BBC provided clarification through correspondence with the Neighbourhood Plan Advisory Committee³ (NPAC) on which adopted and emerging Local Plan policies should be considered strategic for the purposes of producing a neighbourhood plan. The strategic policies identified by BBC are listed in Table 1 below.

On the 30th September BBC published for consultation modifications to the submitted Local Plan⁴, which included amendments to policy titles and numbering, and provided further clarification on the policies within the Plan which are strategic and non-strategic. As requested by BBC, the policy titles and numbering within this Statement have been updated to reflect the modifications to the BBLP published on the 30th September 2021.

To meet the requirements of the basic conditions in relation to local planning policy, this Basic Conditions Statement is only required to review the general conformity of the IFNP policies against the strategic local planning policies listed within Table 1.

² www.gov.uk/government/collections/planning-practice-guidance

³ The Neighbourhood Plan Advisory Committee (NPAC) was established to support the Ingatestone and Fryerning Parish Council to produce the IFNP. Residents and stakeholders were invited to participate in the committee. The terms of reference for the committee were formulated and agreed by the Parish Council in November 2017.

⁴ www.brentwood.gov.uk/-/main-modifications

Table 1: Adopted and emerging strategic local planning policies within Brentwood Borough

Local Development Plan Document	Identified strategic policies
Replacement Local Plan (2005)	CP1 General Development Criteria CP2 New Development and Sustainable Transport Choices CP3 Transport Assessments CP4 The Provision of Infrastructure and Community Facilities
Brentwood Local Plan (Regulation 19 consultation)	MG01 Spatial Strategy MG02 Green Belt HP01 Housing Mix BE01 Carbon Reduction, and Renewable Energy BE06 Communications Infrastructure BE08 Strategic Transport Infrastructure BE09 Sustainable Means of Travel BE14 Creating Successful Places BE16 Conservation and Enhancement of Historical Environment PC01 Safeguarding Employment Land PC03 Retail and Commercial Leisure Growth PC04 Retail Hierarchy of Designated Centres PC10 Protecting and Enhancing Community Facilities NE01 Protecting and Enhancing the Natural Environment NE02 Green and Blue Infrastructure NE08 Air Quality NE09 Flood Risk

3. Legal requirements of a Neighbourhood Plan

The IFNP has been produced by Ingatestone and Fryerning Parish Council. The Parish Council is a qualifying body to produce a Neighbourhood Plan in accordance with Schedule 9 of the Localism Act 2011.

In 2017, and in accordance with Part 2 of the Neighbourhood Planning Regulations 2012, BBC formally designated Ingatestone and Fryerning Parish as a Neighbourhood Area for the purposes of producing a Neighbourhood Plan.

The draft IFNP contains policies relating to the development and use of land within the neighbourhood area. All policies have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The draft IFNP relates to the period 2020-2033. This is consistent with the proposed plan period of the emerging BBLP which also runs to 2033. The draft IFNP does not propose policies relating to mineral extraction and waste development, nationally significant infrastructure, or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The draft Plan relates only to the parish of Ingatestone and Fryerning. There are no other Neighbourhood Plans in place or proposed within the neighbourhood area.

4. Assessment of the Neighbourhood Plan objectives

Through ongoing engagement with the local community, the NPAC identified objectives for heritage, housing, design, transport, economy and the environment to guide the production of the Neighbourhood Plan. Table 2 assesses the general themes of the identified objectives against the requirements of the basic conditions, to consider if the objectives have regard to national planning policy and advice, and conform with the identified strategic local planning policy listed in Table 1.

Table 2: Assessment of the Ingatestone and Fryerning Neighbourhood Plan Objectives against the requirements of the basic conditions

Objectives	Have regard to national planning policy	Objectives conform with the following adopted and emerging local strategic planning policies:
Heritage		
Recognising and protecting the character and history of the neighbourhood area, its conservation areas (Fryerning, Ingatestone High Street, Station Lane and Tor Bryan), listed buildings and sites.	NPPF Section 16 <i>Conserving and enhancing the historic environment</i>	CP1 General Development Criteria Strategic Policy BE16: Conservation and Enhancement of Historic Environment
Housing and Design		
Supporting measured, proportionate, timely and sustainable development to meet local requirements, particularly those of our young people and older residents.	NPPF Section 5 <i>Delivering a sufficient supply of homes</i>	Strategic Policy MG01: Spatial Strategy Strategic Policy HP01: Housing Mix
Influencing key 'age friendly' issues, for example, community safety, housing, planning, street lighting, green spaces, playing fields and parks, community centres, war memorials, seats, shelters and public toilets.	NPPF section 8 <i>Promoting healthy and safe communities</i> NPPF Section 12 <i>Achieving well-designed spaces</i>	CP4 The Provision of Infrastructure and Community Facilities Strategic Policy BE14: Creating Successful Places
To promote an integrated approach to achieving sustainable and quality residential environments. To promote the comprehensive planning and development of residential areas and ensure that adequate information accompanies planning applications which will enable the delivery of an improved design quality. To ensure that adequate provision is made for	NPPF section 8 <i>Promoting healthy and safe communities</i> NPPF section 9 <i>Promoting sustainable transport</i> NPPF Section 12 <i>Achieving well-designed spaces</i> NPPF section 15 <i>Conserving and enhancing the natural environment</i>	CP1 General Development Criteria CP2 New Development and Sustainable Transport Choices CP3 Transport Assessments CP4 The Provision of Infrastructure and Community Facilities Strategic Policy BE14: Creating Successful Places Strategic Policy PC10: Protecting and Enhancing Community Facilities Strategic Policy NE01: Protecting and Enhancing the Natural Environment

Objectives	Have regard to national planning policy	Objectives conform with the following adopted and emerging local strategic planning policies:
<p>infrastructure and appropriate local neighbourhood facilities as an integral part of residential development.</p> <p>To promote quality residential development that:</p> <ul style="list-style-type: none"> - Creates places for people which are attractive, locally distinctive and appropriate to their surroundings, safe, convenient, adaptable and easy to maintain. - Respects and enhances features of value and local character and promotes biodiversity. - Reduces reliance on the private car, supports movement by pedestrians and cyclists, provides adequate and convenient access to public transport and connects well with the wider locality. 		
<p>Engaging residents, particularly older people in the creation of social networks, enabling action for safer, kinder, cleaner, inclusive and connected communities (both online and offline).</p>	<p>NPPF section 8 <i>Promoting healthy and safe communities</i></p>	<p>Strategic Policy BE14: Creating Successful Places</p>
<p>Economy</p>		
<p>Promoting a flourishing local economy with a range of successful independent businesses.</p>	<p>NPPF Section 6 <i>Building a strong competitive economy</i></p>	<p>Strategic Policy PC01: Employment land Strategic Policy PC04: Retail Hierarchy of Designated Centres</p>
<p>Preserve and grow the High Street (Figure 10) with predominantly thriving independent shops.</p> <p>Encourage business, especially those that can employ local people and are in growth sectors such as technology, creative arts, healthcare, renewable energy, professional education and tourism.</p>	<p>NPPF Section 6 <i>Building a strong competitive economy</i></p> <p>NPPF Section 7 <i>Ensuring the vitality of town centres</i></p>	<p>Strategic Policy PC04: Retail Hierarchy of Designated Centres</p>

Objectives	Have regard to national planning policy	Objectives conform with the following adopted and emerging local strategic planning policies:
Maintain and grow the key local economic drivers within the Parish.		
Transport		
Giving consideration to effective transport links, the staffed train station, the bus service and access routes for movement around the village of cyclists and pedestrians.	NPPF section 9 <i>Promoting sustainable transport</i>	CP2 New Development and Sustainable Transport Choices CP3 Transport Assessments
Environment		
Endorsing policies that have a positive effect on the environment, including those that remove or minimise flood risk, mitigate climate change, reduce our carbon footprint and minimise the impact of traffic to protect the quality of air within the Parish.	NPPF section 9 <i>Promoting sustainable transport</i> NPPF Section 14 <i>Meeting the challenge of climate change, flooding and coastal change</i> NPPF section 15 <i>Conserving and enhancing the natural environment</i>	CP1 General Development Criteria CP2 New Development and Sustainable Transport Choices Strategic Policy NE02: Green and Blue Infrastructure Strategic Policy NE01: Protecting and Enhancing the Natural Environment Strategic Policy NE08: Air Quality Strategic Policy NE09: Flood Risk

Table 2 demonstrates that the IFNP objectives have regard to national planning policy and generally conform with local strategic planning policy.

5. Assessment of the Neighbourhood Plan policies against the basic conditions

There are 7 policies within the IFNP. This section will review each policy against the requirements of the basic conditions.

5.1 Housing Policies

Policy 1 Housing

Summary of IFNP policy	
<ul style="list-style-type: none"> • Allocation of 57 dwellings on Site R22. Development proposals on this site should: <ul style="list-style-type: none"> ○ Respond and integrate with the surrounding environment ○ Create a strong sense of place and identity ○ Incorporate measures and provide planting and landscaping to attenuate traffic noise ○ Provide street tree planting ○ Provide pedestrian and cycle access; and ○ Provide surface water management. • Site R22 should provide contributions to necessary infrastructure • Residential development proposals will be supported which meet the following criteria: <ul style="list-style-type: none"> ○ Built within development boundaries, deliver minimum affordable housing rates, outline local housing needs and proposed housing mix, spread affordable housing through the development, meet housing needs of the Parish, accessibility to local services, amenities and public transport, meet LLFA's surface water management guidance in the SuDS Design Guide, green infrastructure contribution, avoid harm to heritage assets, meet Essex County Council Parking Standards, avoid impact and improve highway safety, and protect and enhance the natural environment and biodiversity. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 34	The policy seeks developer contributions towards necessary infrastructure.
NPPF para 93	Encourage sustainable development.
NPPF Section 5	The policy seeks to ensure that housing needs are met through the IFNP, including affordable housing.
NPPF Section 16	Avoid harm to heritage assets.
NPPF para 104	Comply with the local parking standards.
NPPF para 110, 112	Encourage sustainable transport modes, access to public transport and ensure highway safety.
NPPF para 130	Sympathetic development designed to integrate into the surrounding environment and create a sense of place.
NPPF para 131	Support street tree planting.
NPPF para 159, 166	Development proposals should not increase flood risk.
NPPF para 92, 174, 179	Contribute to green infrastructure. Conserve and enhance the natural environment and biodiversity.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance

Topics within the policy which are not included within national planning policy and guidance	
<ul style="list-style-type: none"> • Planning applications to outline local housing needs and the proposed housing mix • Support development within development boundaries 	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP1, BE14	Ensure pedestrian and cycle access to the site.
CP1, BE16	Conserve heritage assets.
CP1, NE01	Conserve and enhance biodiversity, and environmental assets.
CP1,	Avoid impact on highway safety.
CP1, BE14	Sympathetic development designed to integrate into the surrounding built environment.
CP2,	Reduce car use with sustainable transport.
CP4	The policy seeks developer contributions towards necessary infrastructure.
HP01	Provide appropriate housing mix on proposals for 10 or more dwellings.
NE09	Development proposals should avoid flood risk.
NE02	Provide green infrastructure contributions where necessary.
BE14	Provide appropriate landscaping measures.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> • Planning applications to outline local housing needs and the proposed housing mix • Support development within development boundaries • Essex County Council car parking standards 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
<p>Car parking standards are addressed in non-strategic Policy BE13: Parking Standards. Policy BE13 specifies development proposals should comply with the most up to date vehicle parking standards set out in the Essex Parking Standards.</p> <p>Housing mix is addressed within emerging BBLP Policy HP01 Housing Mix, requiring development of 10 or more dwellings to provide an appropriate mix of dwelling types. IFNP Policy 1 goes beyond the emerging BBLP policy to require all relevant development to consider local housing needs in relation to the proposed housing mix within the development proposals.</p> <p>Emerging BBLP Policy MG01 seeks to direct development towards site allocations and accessible locations. IFNP Policy goes beyond this by supporting new development within define development limits or boundaries.</p> <p>Requiring planning applications to consider local housing needs, and supporting development within defined settlement limits, has regard to and goes beyond those requirements in the NPPF, to set out specific policy requirements for the Parish.</p> <p>The policy does not contradict national and local policy, and therefore has regard to national planning policy and is in general conformity with local strategic planning policy.</p>	
Contribution towards the achievement of sustainable development:	
Meeting housing need with sustainable design.	

Encouraging sustainable development.
 Encouraging sustainable transport modes.
 Encouraging tree planting and green infrastructure.

Policy 2: Housing Design

Summary of IFNP policy	
<ul style="list-style-type: none"> • Development proposals should reflect and contribute to the historic character, existing development and surrounding environment with high-quality design, a sense of place and identity, materials, sustainable design features, SuDS, views, off-street parking according to ECC Parking Standards, visually sensitive car parking according to BBC Vehicle Parking Standards SPD (2011), on-site waste storage facilities, street tree planting, views and landscape, accessible and inclusive design, and safety. • Development proposals for older people’s housing should demonstrate the incorporation of HAPPI principles. A minimum 5% of new homes to be of M4(3) standard. • Non-residential development should achieve a minimum BREEAM ‘very good’ rating or include an assessment demonstrating environment performance results above current Building Regulations. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 110, 112	Design safe and uncluttered streets, and parking areas.
NPPF para 130	Well-designed development sympathetic to the surrounding environment, creating a sense of place.
NPPF para 130, footnote 49	New development should meet technical standards for accessible housing.
NPPF para 131	Support street tree planting.
NPPF para 133	New development is encouraged to meet the BREEAM standards for non-residential development and HAPPI principles for older people’s housing. The NPPF does not specifically reference BREEAM and the HAPPI principles, but instead refers to the use of design assessment frameworks such as Building for a Healthy Life.
NPPF para 154	Incorporate sustainable design features.
NPPF para 169	Incorporate sustainable drainage systems.
NPPF para 131	Support street tree planting.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
NPPF para 16	<p>It is unclear how small developments would provide the requirement within Policy 2 for the 5% provision of dwellings with M4(3) standards. For example, any developments under 20 dwellings would be required to provide less than 1 dwelling, and it is unclear how this would be delivered, or how the failure to provide the requirement for smaller development should be considered by decision makers.</p> <p>It is therefore recommended that a minimum threshold is included within the Policy to ensure that at least 1 dwelling with the standard can be provided. The Policy should therefore state ‘In new developments of 20 dwellings or more, a minimum of 5% of new homes should be built to Building Regulations Part M4 (3)’.</p>

	Where these proposed amendments are implemented, Policy 2 would have regard to national planning policy.
Topics within the policy which are not included within national planning policy and guidance	
<ul style="list-style-type: none"> On-site waste storage Preserve key views 	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
BE01	Non-residential development to achieve an 'excellent' BREEAM rating from 2020 onwards.
BE01	New development proposals to meet minimum standards of sustainable construction.
NE06NE09	Development in flood risk areas to manage risk with appropriate measures including SuDS.
BE14	High-quality, accessible, inclusive and safe design sympathetic to the surrounding built environment.
HP01	New development proposals should be inclusive and accessible, with proposals to meet M4(3) standards.
BE16	Development proposals to reflect and contribute to the historic environment, and preserve key views.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> On-site waste storage Requiring 5% of new homes to built to meet M4(3) standards Car parking standards according to Essex County Council Parking Standards and BBC Vehicle Parking Standards SPD (2011) Tree-lined streets Protecting key views HAPPI principles 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
<p>On-site waste storage is covered in non-strategic emerging BBLP Policy BE14: Creating Successful Places.</p> <p>Strategic Policy HP01: Housing Mix requires 5% of dwellings to meet M4(3) standards for development proposals of 60 or more dwellings. The Neighbourhood Plan goes beyond local planning policy by requiring a minimum 5% of homes on all development proposals to meet M4(3) standards.</p> <p>Off-street car parking standards are covered in non-strategic emerging BBLP Policy BE13: Parking Standards. Policy BE13 specifies development proposals should comply with the most up to date vehicle parking standards set out in the Essex County Council Parking Standards.</p> <p>Tree-lined streets are encouraged in site-specific policies and large development proposals are required to plant new trees as part of the landscaping in non-strategic emerging BBLP Policy NE03: Trees, woodlands, hedgerows. The Neighbourhood Plan refers to street tree planting as recommended within the Essex County Council Material Guide: Design and Good Practice 2012.</p>	

Protecting specific key views goes beyond national and local strategic planning policy, however in combination with landscape and heritage setting the policy is consistent with national and local strategic planning policy.

HAPPI principles are not referenced in the emerging Local Plan. The IFNP therefore goes beyond the requirements within local strategic policy in seeking the incorporation of HAPPI principles within new development proposals.

Amendments have been proposed to Policy 2 to ensure that it has regard to NPPF paragraph 16.

The requirements within the policy go beyond national and local strategic planning policy. However, these requirements do not contradict national and local strategic planning policy, and build on existing national and local strategic requirements. Subject to the amendments proposed, the policy therefore does not contradict local strategic planning policy.

Contribution towards the achievement of sustainable development:

Seeking high-quality and sustainable design.

5.2 Heritage policy

Policy 3: Heritage

Summary of IFNP policy	
<ul style="list-style-type: none"> • Development proposals with Conservation Areas to protect and enhance the area. • Development proposals to protect and enhance heritage assets. • Development proposals affecting a designated or non-designated heritage asset to outline its significance, local importance and the potential impacts of new development. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF Section 16, para 190, 200-204	Conserve and enhance the heritage assets and the historic environment.
NPPF para 194	New development proposals are required to describe the significance of affected heritage assets.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
Topics within the policy which are not included within national planning policy and guidance	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP1, BE16	Conserve and enhance the heritage assets and the historic environment.
BE16	New development proposals are required to describe the significance of and impact on affected heritage assets.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	

Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy
The policy has regard to national planning policy and is in general conformity with local strategic planning policy.
Contribution towards the achievement of sustainable development:
Conserving the historic environment.

5.3 Economy policy

Policy 4: Economy

Summary of IFNP policy	
<ul style="list-style-type: none"> • Allocation of 2.06ha of employment land. • Development proposals will be supported which increase local employment opportunities and the local economy, and where they diversify the local economy, support existing and new businesses, provide benefits outweighing harm, are accessible, do not detrimentally impact residential amenity, health and quality of life, provide tourist attractions, and provide infrastructure which supports ultrafast broadband and 5G telecommunications. • Parts of Ingatstone High Street are designated Primary Retail Frontage Areas. Development proposals supporting retail and ancillary uses in this area will be supported. Shop fronts in this area should maintain the character of the High Street. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 81	Create the conditions for businesses to expand and invest with the allocation of employment land.
NPPF para 86	Support the vitality of the High Street with permitted uses and designation of Primary Retail Frontage Areas.
NPPF para 114	Support the expansion of broadband connections.
NPPF para 130	Support accessible and high quality design sensitive to neighbouring amenity and health.
NPPF para 84	Enabling rural tourism development.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
NPPF para 16	<p>It is unclear what the final bullet point of section b) of the Policy is seeking to achieve. It is recommended that this bullet point is amended to state 'Provide infrastructure which supports the use of ultrafast broadband and 5G mobile telecommunications'. The existing text within the Policy would be more appropriate within the supporting text to the Policy.</p> <p>Where these proposed amendments are implemented, Policy 4 would have regard to national planning policy.</p>
Topics within the policy which are not included within national planning policy and guidance	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP1	Limit impact on amenity.
CP1	Avoid impact on health.
PC01	Allocation of site E08.

PC04	Support for retail and other town centre uses encouraged in this area.
PC04	Development proposals to contribute to the character of the High Street.
BE06	Support broadband access and provision.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> Development proposals which promote tourism 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
Amendments have been proposed to Policy 4 to ensure that it has regard to NPPF paragraph 16.	
Policy 4 goes beyond local strategic policy by supporting employment generating development proposals which provide tourist or visitor attractions. However, these requirements do not contradict national and local strategic planning policy. Subject to the amendments proposed, the policy therefore does not contradict local strategic planning policy.	
Contribution towards the achievement of sustainable development:	
Supporting a strong, local economy.	

5.4 Transport

Policy 5: Transport

Summary of IFNP policy	
<ul style="list-style-type: none"> Development proposals which contribute towards car parking provision or bridleways, pedestrian and cycle routes between and in the Parish will be supported. New development proposals should provide car and cycle parking in accordance with ECC Parking Standards, not reduce car parking spaces, contribute to car parking facilities, not impact highway safety and air quality, protect and enhance public rights of way, pedestrian and cycle routes and bridleways, not increase congestion levels, improve accessibility, increase the use of sustainable transport modes, contribute to public/sustainable transport, enforce signed speed restrictions, create safe and accessible environments, use sympathetic lighting and provide electric and low emission vehicle infrastructure. Development proposals for 10 or more dwellings to assess and demonstrate the impact on local highway capacity and public transport services. New development proposals which improve the safety of pedestrians and cyclists will be supported. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 34	The policy seeks developer contributions towards new and improved transport infrastructure.
NPPF para 107	Comply with the local parking standards.
NPPF para 110, 112	Encourage and prioritise sustainable transport modes, improve accessibility, create safe, uncluttered streets and ensure highway safety.
NPPF para 113	Production of a transport assessment.

Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
Topics within the policy which are not included within national planning policy and guidance	
<ul style="list-style-type: none"> • New development proposals to enforce speed restrictions • Produce a transport assessment for proposals of 10 or more dwellings 	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP3	Production of a transport assessment for planning applications giving rise to significant transport implications.
CP4	The policy seeks developer contributions towards transport provision.
CP1,	Avoid impacts on highway safety.
BE14	New development proposals to contribute to sustainable transport modes.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> • Enforcement of speed restrictions • Produce a transport assessment for proposals of 10 or more dwellings • Car parking standards according to Essex County Council Parking Standards • Electric and low emission vehicle infrastructure • Demonstrate impact on highway safety according to Essex County Council’s Development Management Policies or successor documents • Create safe infrastructure for pedestrians and cyclists, and provide bridleway connections 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
<p>The enforcement of speed restrictions is not covered in national policy and local strategic planning policy.</p> <p>Non-strategic emerging BBLP Policy BE12: Mitigating the transport impacts of development requires new development proposals to submit a transport assessment in accordance with the requirements set out in Essex County Council’s Development Management Policies or its successors.</p> <p>Car parking standards are covered in non-strategic emerging BBLP Policy BE13: Parking Standards. Policy BE13 specifies development proposals should comply with the most up to date vehicle parking standards set out in the Essex County Council Parking Standards.</p> <p>The provision of electric and low emission vehicle infrastructure is covered in non-strategic emerging BBLP Policy BE11: Electric and low emission vehicles.</p> <p>Demonstrating the impact on highway safety from new development, creating safe infrastructure for pedestrians and cyclists, and providing bridleway connections is covered in non-strategic emerging BBLP Policy BE09 Sustainable Means of Travel and Walkable Streets.</p> <p>The requirements within the policy go beyond national and local strategic planning policy. However, these requirements do not contradict national and local strategic planning policy, and</p>	

build on existing national and local strategic requirements. The policy therefore does not contradict local strategic planning policy.

Contribution towards the achievement of sustainable development:

Promoting sustainable transport.

5.5 Environment

Policy 6: Environment

Summary of IFNP policy	
<ul style="list-style-type: none"> • New development proposals should protect and enhance the natural environment, deliver biodiversity net gain and protect existing habitats and species, and mitigate impacts on biodiversity. • New development proposals with an impact on wildlife habitats should provide an ecological assessment of the impacts. • New development proposals which provide green infrastructure and open space should increase their connectivity and enhance their visual characteristics and biodiversity. • New development proposals resulting in the net loss of green infrastructure or open space will only be supported where it is demonstrated that the benefits outweigh the harm, the development results in biodiversity net gain and compensatory habitats are near the development. • New development proposals should reduce carbon emissions with sustainable transport, encourage home working, tree planting, and encourage the provision of electric car charging points and sustainable design features. • New development proposals should incorporate SuDS. • New development should not impact air quality and public health and major development proposals should contribute to air quality monitoring. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 174	Protect and enhance the natural environment, deliver biodiversity net gain and mitigate impacts on biodiversity.
NPPF para 99	Avoid loss of green space.
NPPF para 110, 112	Encourage and prioritise sustainable transport modes, and provide charging points.
NPPF para 154	Incorporate sustainable design features.
NPPF para 169	Incorporate sustainable drainage systems.
NPPF para 131	Support street tree planting.
NPPF para 186	Limit air pollution.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
Topics within the policy which are not included within national planning policy and guidance	
<ul style="list-style-type: none"> • Major development proposals to contribute to air quality monitoring • Produce ecological assessment for development proposal impacts on wildlife habitats 	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP1, NE08	Limit air pollution.
CP1, NE01	Protect and enhance the natural environment, deliver biodiversity net gain, mitigate impacts on biodiversity, connect significant

	sites, and avoid or mitigate adverse impacts on natural environmental assets.
NE02	Connect and provide green and blue infrastructure, and offset the loss of net gains.
CP2, NE08	Reduce car use with sustainable transport.
NE09	Development in flood risk areas to manage risk with appropriate measures including SuDS.
NE08	Supporting text to Policy NE08 states that where necessary, the Council may require development through planning conditions to undertake additional monitoring for air quality during the construction process.
BE14	Home working is not directly referenced in the emerging BBLP, however Policy BE14 encourages development proposals to be adaptable to changing social, technological and economic conditions.
BE01, BE14	Support sustainable design features.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> • Ecological assessments for development proposals impacting wildlife habitats • Tree-lined streets • The provision of electric car charging points 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
<p>Ecological assessments for development proposals impacting wildlife habitats are not required within local strategic planning policy, however emerging BBLP Policy NE01 sets out a range of requirements which seek to reduce the impacts of new development on the natural environment.</p> <p>Tree-lined streets are encouraged in site-specific policies and large development proposals are required to plant new trees as part of the landscaping in non-strategic Policy NE03: Trees, woodlands, hedgerows. The Neighbourhood Plan refers to street tree planting as recommended within the Essex County Council Material Guide: Design and Good Practice 2012.</p> <p>The provision of electric car charging points is covered in non-strategic Policy BE11: Electric and low emission vehicles.</p> <p>In addition to the policies listed above, support for sustainable design features is also covered in non-strategic Policy BE02: Water Efficiency and Management.</p> <p>The requirements within the policy go beyond national and local strategic planning policy. However, these requirements do not contradict national and local strategic planning policy, and build on existing national and local strategic requirements. The policy therefore does not contradict local strategic planning policy.</p>	
Contribution towards the achievement of sustainable development:	
Conserving and enhancing the natural environment.	

5.6 Wellbeing, leisure and community facilities

Policy 7: Wellbeing, leisure and community facilities

Summary of IFNP policy	
<ul style="list-style-type: none"> • New development proposals should contribute to leisure and community facilities. • New development proposals resulting in the net loss of existing community facilities or public open space will be supported where the benefits outweigh identified harm or the facility is unviable and will not be brought back into use. 	
Have regard to national planning policy	
Relevant section of national planning policy and guidance	How the Neighbourhood Plan policy has regard to national planning policy and guidance
NPPF para 34	The policy seeks developer contributions towards leisure and community facilities.
NPPF para 93	Guard against the loss of facilities and services.
Relevant section of national planning policy and guidance	How has the Neighbourhood Plan policy <u>not</u> had regard to national planning policy and guidance
Topics within the policy which are not included within national planning policy and guidance	
Conformity with local strategic planning policy	
Relevant local strategic planning policy	How the Neighbourhood Plan policy conforms with local strategic planning policy
CP4	The policy seeks developer contributions towards leisure and community facilities.
PC10	Resist the loss of community assets unless the benefits outweigh the harm.
Relevant section of local planning policy and guidance	How does the Neighbourhood Plan policy <u>not</u> conform with local strategic planning policy
Topics within the policy which are not included within local strategic planning policy	
<ul style="list-style-type: none"> • Securing developer contributions towards leisure and community facilities. 	
Conclusions on having regard to national planning policy and guidance and conforming with local strategic policy	
Developer contributions are covered in non-strategic local planning Policy MG05: Developer Contributions.	
The policy has regard to national planning policy and is in general conformity with local strategic planning policy.	
Contribution towards the achievement of sustainable development:	
Meeting infrastructure needs	
Protecting community facilities and public open space	

6. Compatibility with EU obligations and meeting prescribed conditions

AECOM produced a Strategic Environmental Assessment (SEA) screening report⁵ which assessed the draft Neighbourhood Plan to consider the need for the production of an SEA. The report concluded that the *'Neighbourhood Plan is not subject to the requirements of Directive 2001/42/EC, the 'SEA Directive' and associated Regulations. As such, an SEA process meeting the requirements of the SEA Regulations is not deemed to be required to accompany the development of the Ingatestone and Fryerning Neighbourhood Plan'*.

In relation to the Habitats Regulation Assessment (HRA, AECOM advised that based on the BBLP HRA conclusions, only new development proposals to the east of Ingatestone village within the 22km Zone of Influence for recreational pressure associated with the Blackwater Estuary Ramsar and SPA and the Essex Estuaries SAC would require a HRA screening assessment to be undertaken. There are no proposals for development in this area relating to the IFNP. As a result, AECOM confirmed that there would be no pathway of impact to European sites emerging from the Neighbourhood Plan, and therefore a screening assessment would not be required.

The policies contained within the IFNP are therefore not likely to have a significant effects on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) either alone or in combination with other plans or projects.

The IFNP does not breach, and is otherwise compatible with, EU obligations. The IFNP meets all prescribed conditions for a Neighbourhood Plan outlined within the Neighbourhood Planning Regulations 2012 (as amended).

7. Conclusions

Subject to the amendments proposed to draft IFNP Policy 2 and Policy 4, this Basic Conditions Statement demonstrates how the IFNP meets the requirements of the basic conditions. The Basic Conditions Statement should be read alongside the IFNP and all other supporting documentation.

The objectives contained within the draft IFNP were assessed as meeting the neighbourhood plan basic conditions. Subject to the amendments proposed to draft IFNP Policy 2 and Policy 4, all IFNP policies have been prepared with regard to national planning policy and are considered to be in general conformity with local strategic planning policy. All IFNP policies contribute towards the achievement of sustainable development. No issues have been identified regarding the compatibility of the policies with EU obligations or meeting the prescribed conditions. In addition, the assessment of the IFNP policies contained within this report has concluded that there would be no impact upon the European Convention on Human Rights and the UK Human Rights Act 1998, including equality implications.

⁵ Strategic Environmental Assessment (SEA): Screening Opinion, Ingatestone and Fryerning Neighbourhood Plan. AECOM, July 2021