

West Bergholt Neighbourhood Plan 2018 to 2033

Basic Conditions Statement



Presented by the
West Bergholt Neighbourhood Plan Steering Group

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1 Introduction

- 1.1 This Basic Conditions Statement has been produced to accompany the West Bergholt Neighbourhood Plan ('the WBNP' or 'the Plan').
- 1.2 The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3 Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
- i. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - ii. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - iii. The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - iv. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and
 - v. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the 'making' of the neighbourhood plan is not likely to have a significant effect 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 etc.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.4 This document sets out how the Plan meets the Basic Conditions.

Supporting documents and evidence

- 1.5 The Plan and its policies is supported by a Consultation Statement, this Basic Conditions Statement and an extensive evidence base.

¹ There are two further basic conditions which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

- 1.6 The Neighbourhood Plan also contains a number of Community Ambitions, which are intended to contribute towards the achievement of the Plan’s vision and proposes principles and projects for the use of the Community Infrastructure Levy (CIL) and monies arising from other planning obligations. These Community Ambitions complement the Plan document but do not form part of the Development Plan.

Key statements

- 1.7 The Neighbourhood Plan has been prepared and is submitted by West Bergholt Parish Council as the qualifying body. The Plan area, shown in Figure 1, is contiguous with the parish boundary and was designated by Colchester Borough Council in June 2013. The Plan sets out policies that relate to the development and use of land within only the West Bergholt Neighbourhood Area. There are no other adopted Neighbourhood Development Plans which cover the West Bergholt Neighbourhood Area.



Figure 1: West Bergholt Neighbourhood Plan designated area

- 1.8 The Plan covers the period from 2018 to 2033. The emerging Local Plan being prepared by Colchester Borough Council sets out a vision for the borough up to 2033 and it is therefore considered that an equivalent period is sufficient to achieve the objectives of the Neighbourhood Plan.
- 1.9 The Plan does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

2 Basic condition (i) - conformity with national planning policy

- 2.1 To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').
- 2.2 It should be noted that the West Bergholt Neighbourhood Plan has been prepared to conform to NPPF12.

National Planning Policy Framework (2012)

- 2.3 The NPPF has 10 key objectives which are:
- Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting sustainable transport
 - Supporting high quality communications infrastructure
 - Delivering a wide choice of high quality homes
 - Requiring good design
 - Promoting healthy communities
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
- 2.4 This statement explains how the Neighbourhood Plan contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5 The Neighbourhood Plan has eight principal objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.
- 2.6 Table 2.2 sets out each policy of the Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.1: Assessment of the Plan objectives against NPPF goals

Plan objective	Relevant NPPF goal
Village Society and Community Facilities	
Objective 1: To improve and extend opportunities for all age groups and the wider community to take part in a wide range of activities including as volunteers. Identifying vulnerable people in our society and ensuring they get the support they need to maintain a thriving community support network.	<ul style="list-style-type: none"> • Promoting healthy communities
Environment	
Objective 2: To maintain the distinctiveness of the parish and its identity by protecting the natural and built environment for the enjoyment of future generations and to explore opportunities to create new areas of recreational open space.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment <p>Ensuring</p>
Housing and Planning	
Objective 3: Support limited expansion in the parish and involve the local community in all aspects of development through consultation and active involvement to determine new housing needs.	<ul style="list-style-type: none"> • Delivering a wide choice of high quality homes Requiring good design • Promoting healthy communities • Conserving and enhancing the historic environment • Conserving and enhancing the historic environment <p>Ensuring</p>
Business and Commerce	
Objective 4: Creating opportunities to work and trade locally.	<ul style="list-style-type: none"> • Building a strong, competitive economy <p>Ensuring the vitality of town centres</p>
Sport and Recreation	
Objective 5: Promoting increased opportunities to get active and participate in sport.	<ul style="list-style-type: none"> • Promoting healthy communities
Community Safety	
Objective 6: Keeping the community informed through a wide range of media and promoting two-way dialogue and creating the opportunity for participation in democratic processes and decision making.	<ul style="list-style-type: none"> • Promoting healthy communities
Communication	
Objective 7: Keeping the community informed through a wide range of media and promoting two-way dialogue and creating the opportunity for participation in democratic processes and decision making.	<ul style="list-style-type: none"> • Promoting healthy communities • Supporting high quality communications infrastructure
Transport	
Objective 8: Moving around in the parish on foot, on bikes, by horse, by car and by bus and ascertaining the wider infrastructure requirements.	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy communities

Table 2.2: Assessment of how each policy in the Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Umbrella Sustainable Development Planning Policy		
Policy PP1: Sustainable Development	6, 7, 8, 9, 14, 16	A core principal of national policy is the need for the planning system to contribute to sustainable development. This policy underpins this aim by taking a positive approach to development in West Bergholt, while balancing the impacts on the economic, social and environmental dimension of planning.
Village Society and Community Planning Policies		
PP2: Protection of Community Facilities	28, 69, 70, 73, 74, 75	The NPPF encourages planning policy that contributes to healthy, inclusive communities. This policy seeks to protect existing community facilities that are valued and well-used by the community, and which enable different sections of the community to come together to share in recreational and social activities.
PP3: New Community Facilities	28, 35, 69, 70, 73, 75	In line with Policy PP2, which protects existing community facilities, this policy plans positively for new community facilities, with a particular focus on younger and older age groups who are currently felt to be underserved. This includes the ambition for a community hub/parish office, which would deliver a shared space to encourage greater community cohesion and enable a greater range of activities to take place.
Environment Planning Policies		
PP4: Open Spaces	58, 74, 109,	The policy contributes to the national objective of encouraging well-designed developments that establish a strong sense of place, in particular by integrating existing and new green open space. This brings benefits to the community, by enabling access to green space for leisure and recreation purposes. It also benefits local wildlife by securing green spaces and corridors that help flora and fauna to flourish.
PP5: Local Green Spaces	77	National policy enables local communities to identify for special protection green areas of importance to them known as Local Green Spaces. This policy designates 14 areas, identified by the local community as important, as Local Green Spaces which will be protected.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
PP6: Character Area	9, 17, 56, 57, 58, 60, 126, 128, 136	National policy encourages neighbourhood plans to develop robust and comprehensive design policies that, amongst other things, ensure that development responds to local character and history, and reflects local identity. This policy contributes to this aim by ensuring that development in the West Bergholt respects the features and character in the designated 'Character Area' within the village.
PP7: Heritage Assets	9, 58, 60, 69, 126, 128	The policy contributes to the NPPF objective of ensuring that development responds to local character and history and conserves and enhances the historic environment. In particular, it sets out that heritage assets within West Bergholt are treated sympathetically and that development preserves and enhances them.
PP8: Trees and Hedgerows	9, 58, 109	National policy encourages development to be undertaken in a way that contributes to and enhances the natural environment by seeking to protect, manage and maintain trees, hedgerows and other natural features. This policy supports that aim by safeguarding, where possible trees and hedgerows of amenity and arboricultural value.
PP9: Natural Environment	58, 99, 109, 114	This policy supports the national policy objective of ensuring that development contributes to and enhances the natural environment, through the protection special landscape areas, encouraging local biodiversity and minimising flood risk.
PP10: Recreational disturbance Avoidance & Mitigation Strategy (RAMS)	117, 118	The policy supports the national policy objective of minimising the negative impacts of development on biodiversity and geodiversity, instead seeking to mitigate impacts particularly on protected habitat sites.
PP11: Area of Separation	17, 58	Protecting the distinct character(s) of settlements is an important aspect of national policy. This policy seeks to safeguard from development defined green open spaces is a defined part of the parish in order to ensure that the settlements in the parish retain their individual identities and strong sense of place.
PP12: Key Views	58	This policy contributes to the NPPF objectives of requiring good design and conserving and enhancing the historic and natural environment. It seeks to protect locally important views from development that would reduce their contribution towards West Bergholt's character.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Housing Planning Policies		
PP13: Housing Sites	17, 47, 50, 54, 55, 109	The policy defines the settlement boundary to enable a balanced approach to delivering the housing need while protecting the open countryside beyond the urban edge from inappropriate uses. National policy encourages local communities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. This policy supports that national objective by setting out the scale of housing appropriate over the Plan period, based on an assessment of housing need. This contributes both to the local housing need but also responds to the strategic need across the district. This policy allocates two site for housing, based on evidenced local need. It contributes to the NPPF objective to boost the housing supply, in a sustainable location, close to local services and amenities.
PP14: Design	7, 9, 17, 56, 58, 60, 63, 64, 66, 95	The policy seeks to ensure that housing development is in keeping with the design of surrounding housing, without stifling good or innovative design. This is in line with the national aim to plan positively for the achievement of high quality and inclusive design for all development. The policy encourages developers to engage with communities on local design matters.
PP15: Energy Hierarchy	18, 95, 96, 97	National policy encourages neighbourhood plans to actively support energy efficiency improvements to existing and new development buildings. This policy seeks to require this to be illustrated at the local level.
PP16: Infill and Redevelopment Sites	17, 56, 58	High quality design is an objective of the NPPF and this policy presents a robust description of what this means, in particular in relation to infill and redevelopment sites, to be applied at the local level.
PP17: Dormers	17, 56, 58	The policy contributes to the NPPF objective of ensuring that development responds to local character and history and conserves and enhances the historic environment. It provides locally specific guidance in relation to dormer extensions in the Area including the need to maintain the character of the area.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
PP18: New Agricultural Buildings	17, 28, 56, 58	The policy supports the national objective of promoting a strong rural economy, while setting out locally specific guidance in relation to the design of new agricultural buildings, taking into account the local built context, native materials and landscape character.
PP19: Change of Use of Agricultural Buildings	17, 28, 56, 58	This policy supports a strong rural economy, encouraging change of use where appropriate. It provides detail on the design for such developments, bearing in mind the local context.
PP20: Essex Parking Standards	39	The policy recognises the negative impacts that on-street parking has in the Area and seeks to ensure that new development provides for off-street parking commensurate with the comparatively high levels of car ownership in a rural parish.
PP21: Rural Exception Sites	54	The policy contributes to the NPPF objective of delivering a wide choice of homes, particularly for affordable housing, including through rural exception sites where appropriate.
PP22: Coalescence	56, 58	Protecting the distinct character(s) of settlements is an important aspect of national policy. This policy seeks to safeguard from the district settlements in the parish from coalescing, in order to retain their individual identities and strong sense of place.
PP23: Sustainable Transport	29, 32, 35,	The NPPF sets out that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. This policy seeks to ensure that new development is well-connected to the local transport network – in particular to encourage sustainable modes of transport – and contributes to measures to improve opportunities for such sustainable transport.
PP24: Highways Network	51, 61	The NPPF sets out that where development is likely to have a significant impact on the transport network, improvements to that network should be sought. This policy has identified a specific part of the network in the parish that requires such improvement and makes provision for this to happen, through contributions from development.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
PP25: Infrastructure	17,	It is a core principle of the NPPF that the appropriate infrastructure to support development should be provided. This policy seeks to achieve that.
Business, Commerce and Employment Planning Policies		
PP26: Expansion of Employment Sites	18, 19, 21, 28	Securing economic growth, including in rural communities, in order to create jobs and prosperity, is a key objective of the NPPF. This policy supports sustainable economic growth at the local level.
PP27: Protection of Employment Sites	18, 21, 28	This policy seeks to protect existing commercial land and premises that is valuable in maintaining the vitality of the local economy. It supports the national aim of encouraging economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
PP28: Farm Diversification	17, 28, 56, 58	This policy supports a strong rural economy, encouraging the redevelopment and diversification of agricultural and land-based rural businesses, where the impact, for instance on the road network, can be mitigated.
PP29: Rural Businesses	17, 21, 23, 28	The NPPF encourages a strong economy that is fit for the 21 st century. This policy supports and makes provision for the contribution that flexible and home-working can bring, particularly in a rural area. In addition, supporting the economic contribution that tourism related development has on the local economy.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Sport and Recreation Planning Policies		
PP30: New Sports Facilities	69, 70, 73, 75	The policy supports the adequate provision and accessibility of new leisure facilities to meet identified community needs. This directly supports the national objective of encouraging healthy and inclusive communities, by providing facilities that will encourage community interaction and healthy living.
Community Safety Planning Policies		
PP31: Designing Out Crime	58, 69	The policy contributes to the NPPF objective of encouraging quality design, to create safe and accessible environments within which local communities feel safe and, which promote sense of civic pride and community cohesion.
PP32: New Road Layouts	58, 69	The policy contributes to the NPPF objective of encouraging quality design, to create safe and accessible environments within which local communities feel safe and, which promote sense of civic pride and community cohesion. Promoting an accessible and safe pedestrian and cycling environment, with clear, legible routes, is a key part of this.
Communication Planning Policies		
PP33: Communications Network	20, 42, 99, 100	The policy contributes to the NPPF requirement for supporting high quality communications infrastructure by seeking to ensure that development makes provision for adequate utilities infrastructure to be in place.
Transport Planning Policies		
PP34: Access	35, 51, 61	The NPPF sets out that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. This policy seeks to ensure that new development is well-connected to the local transport network – in particular to encourage sustainable modes of transport – and contributes to measures to improve opportunities for such sustainable transport.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
PP35: Traffic Congestion	34, 35	Traffic congestion is an issue that has been cited as a problem within the local area. While the Plan's policies inherently promote improvements and links to sustainable transport modes, inevitably in a rural area, car usage is high. This policy therefore supports the national objective of ensuring that developments that are likely to generate significant traffic movements, undertake measures to mitigate the impacts of this.
PP36: Cycle Storage	17, 35, 56	National policy encourages provision for sustainable modes of transport. This policy supports that ambition by encouraging developers to provide sufficient space for cycle and mobility vehicle storage within development.
PP37: Sustainable Transport Connections	17, 29, 56	The policy supports the NPPF objective of encouraging sustainable modes of transport by protecting existing foot and cycle ways, and enhancing these where possible.

3 Basic condition (iv) - contribution to sustainable development

- 3.1. The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and ‘should be seen as a golden thread running through both plan-making and decision-taking’.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’.²
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of Plan objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘Contribute to building a strong, responsive economy’ and ‘Ensure the viability of town centres’	
WBNP Objectives	Objective 4: Creating opportunities to work and trade locally.
WBNP Policies	PP26 Expansion of employment sites PP27 Protection of employment sites PP28 Farm diversification PP29 Rural businesses PP33: Communications Network
Commentary	<p>The NPPF seeks to secure economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. This includes supporting the viability of local centres and also encouraging a sustainable rural economy.</p> <p>The WBNP supports these national aims, promoting a sustainable and viable local economy by protecting, where viable, existing employment generators in the parish as well as encouraging new employment generating developments to locate here.</p> <p>West Bergholt is a largely rural parish and is an increasingly attractive location for workers seeking a more flexible approach to employment, including home-working. The Plan seeks to support this sector by ensuring that the right conditions are in place – for instance relating to broadband availability businesses based in the parish. In addition, it encourages the diversification of farm and land-based businesses where this can improve the viability of those businesses. Tourism development is a key part of this vision.</p> <p>In these ways, the Plan seeks to contribute to building a sustainable economy.</p>

² Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306

Deliver social sustainability	
NPPF definition – ‘Support strong vibrant and healthy communities’	
WBNP Objectives	<p>Objective 1: To improve and extend opportunities for all age groups and the wider community to take part in a wide range of activities including as volunteers. Identifying vulnerable people in our society and ensuring they get the support they need to maintain a thriving community support network.</p> <p>Objective 3: Support limited expansion in the parish and involve the local community in all aspects of development through consultation and active involvement to determine new housing needs.</p> <p>Objective 5: Promoting increased opportunities to get active and participate in sport.</p> <p>Objective 6: Keeping the community informed through a wide range of media and promoting two-way dialogue and creating the opportunity for participation in democratic processes and decision making.</p> <p>Objective 7: Keeping the community informed through a wide range of media and promoting two-way dialogue and creating the opportunity for participation in democratic processes and decision making.</p>
WBNP Policies	<p>PP1 Sustainable development</p> <p>PP2 Protection of community facilities</p> <p>PP3 New community facilities</p> <p>PP13 Housing sites</p> <p>PP21 Rural exception sites</p> <p>PP30 New sports facilities</p> <p>PP31 Designing out crime</p> <p>PP32 New road layouts</p>
Commentary	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.</p> <p>The Neighbourhood Plan has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. An important feature has been to ensure that the parish remains a vibrant community, attracting a diverse demographic, with the provision of housing, services and facilities to meet their needs.</p> <p>In terms of local housing needs, the Plan sets out two allocations for new housing that meet identified local needs, but which also contributes to the wider strategic housing need. A mix of housing is sought with a particular focus on accommodation that is suited to first time buyers and families, as well as older people, including provision for affordable housing options. This reflects the aging demographic of West Bergholt, while encouraging families into the area, which will serve to sustain local facilities, for instance the local primary school.</p> <p>The location of the new housing has been carefully considered to ensure that it is integrated into the existing village, close to local amenities and facilities, as well as the footpath network to encourage healthy living.</p> <p>The Plan sets out locally specific design criteria, with a focus on creating safe and accessible environments that encourage inclusivity and a sense of local pride.</p> <p>Supporting healthy living is an important aim of the Plan and this is achieved by encouraging active travel (walking and cycling), easy access to green space and the surrounding</p>

	<p>environment and the provision of leisure and recreational activities that serve the full range of ages and locally identified interests.</p> <p>In these ways, the Plan aims to support a strong, vibrant and healthy community.</p>
<p>Deliver environmental sustainability</p>	
<p>NPPF definition – ‘Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change’</p>	
WBNP Objectives	<p>Objective 2: To maintain the distinctiveness of the parish and its identity by protecting the natural and built environment for the enjoyment of future generations and to explore opportunities to create new areas of recreational open space.</p> <p>Objective 8: Moving around in the parish on foot, on bikes, by horse, by car and by bus and ascertaining the wider infrastructure requirements.</p>
WBNP Policies	<p>PP4 Open spaces PP5 Local Green Spaces PP6 Character Area PP7 Heritage assets PP8 Trees and hedgerows PP9 Natural environment PP10 Recreational disturbance Avoidance and Mitigation Strategy (RAMS) PP11 Area of Separation PP12 Key views PP14 Design PP15 Energy hierarchy PP16 Infill and redevelopment sites PP17 Dormers PP18 New agricultural buildings PP19 Change of use of agricultural buildings PP20 Essex Parking Standards PP22 Coalescence PP23 Sustainable transport PP24 Highways network PP25 Infrastructure PP34 Access PP35 Traffic congestion PP36 Cycle storage PP37 Sustainable transport connections</p>
Commentary	<p>West Bergholt benefits from a high quality environment; its green spaces and trees and hedgerows, as well as the surrounding countryside are an important part of what defines the area in particular. The Plan seeks to protect and enhance access to these green spaces for future generations to enjoy.</p> <p>Equally important is maintaining and improving the built environment. The Plan supports high quality design that complements the character of the area, while not stifling innovation. There are many significant heritage buildings and structures in the area and design of any new development or redevelopment is expected to complement and enhance this.</p> <p>The Plan sets out locally specific design criteria, supporting the national aspiration for high quality design, and has sought to minimise impacts on climate change, for instance through the installation of alternative energy technologies with developments.</p> <p>The Plan emphasises the need to promote non-car modes of transport in order to reduce traffic congestion and travel by the private car to reduce carbon emissions.</p> <p>In these ways, the Plan seeks to contribute to protecting and enhancing the natural, built and historic environment of West Bergholt.</p>

3.4. As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a

balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to sustainable development.

4 Basic condition (v) - general conformity with the strategic policies of the development plan

4.1 The adopted Local Plan currently consists of the following:

- Core Strategy (adopted 2008, amended 2014)
- Site Allocations DPD (adopted 2010)
- Development Policies DPD (adopted 2010, amended 2014)
- Proposals Maps (adopted 2010)
- Tiptree Jam Factory DPD (adopted 2013)
- Essex Minerals Local Plan 2014
- Essex & Southend Waste Local Plan 2017

4.2 A new Local Plan is in the process of being formulated to cover the period up to 2033. The Neighbourhood Plan must be in general conformity with the strategic policies of the adopted Local Plan and it has also taken into account the direction of the emerging Local Plan.

4.3 Table 4.1 details the Plan policies alongside a consideration of how they are in general conformity with the strategic policies in the adopted and emerging Local Plans. Local Plan policies that are not identified in Table 4.1 are not considered to be relevant to the WBNP because the WBNP does not have any policies that directly relate to it.

Table 4.1: Relevant strategic policies in the adopted Core Strategy, 2008 (amended 2014) and the emerging Local Plan 2017-2033

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
Umbrella Sustainable Development Planning Policy			
Policy PP1: Sustainable Development	SD1 – Sustainable Development Locations (Revised July 2014)	Policy SP1 - Presumption in Favour of Sustainable Development Policy SG8: Neighbourhood Plans Policy SS15: West Bergholt	This policy contributes to the strategic policy to promote sustainable development that balances the economic, social and environmental impacts.
Village Society and Community Planning Policies			
Policy PP2: Protection of Community Facilities	SD2 – Delivering Facilities and Infrastructure (Revised July 2014) SD3 – Community Facilities (Revised July 2014) Policy DP4: Community Facilities	Policy DM2: Community Facilities	The policy seeks to protect local facilities that have been identified by the local community as important to them. It supports the strategic objective of promoting healthy lifestyles through the provision and enhancement of sport, leisure and recreation facilities, public open space and green infrastructure.
Policy PP3: New Community Facilities	SD2 – Delivering Facilities and Infrastructure (Revised July 2014) SD3 – Community Facilities (Revised July 2014) Policy DP4: Community Facilities	Policy DM2: Community Facilities	The policy supports the provision of new facilities that have been identified as required through local engagement, adding additional, locally specific detail, to the strategic planning context.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
Environment Planning Policies			
PP4: Open Spaces	PR1 – Open Space Table PR1 – Open Space and Recreation Facilities ENV1 – Environment Policy DP15: Retention of Open Space and Indoor Sports Facilities (Revised July 2014)	Policy SP6 - Place Shaping Principles Policy ENV1: Environment Policy ENV3: Green Infrastructure Policy DM17: Retention of Open Space and Recreation Facilities Policy DM18: Provision of Public Open Space	The policy supports the strategic objective to promote healthy lifestyles by seeking to ensure that new developments incorporate open spaces that link through to the wider green network.
PP5: Local Green Spaces	PR1 – Open Space Table PR1 – Open Space and Recreation Facilities Policy DP15: Retention of Open Space and Indoor Sports Facilities (Revised July 2014)	Policy ENV1: Environment Policy ENV3: Green Infrastructure Policy DM1: Health and Wellbeing Policy DM17: Retention of Open Space and Recreation Facilities	The policy identifies specific local green spaces that have been identified by the local community as have special qualities that warrant their protection for future generations. This supports the strategic objective at the borough to protect green spaces.
PP6: Character Area	ENV1 – Environment Policy DP1: Design and Amenity (Revised July 2014) Policy DP14: Historic Environment Assets	Policy SP6 - Place Shaping Principles	The strategic planning context highlights the importance of protecting the distinctiveness of the different settlements throughout the borough. This policy identifies a Character Area in the village that achieves this.
PP7: Heritage Assets	ENV1 – Environment Policy DP14: Historic Environment Assets	Policy DM16: Historic Environment	Conserving and, where possible enhancing, heritage assets is a strategic priority and this policy seeks to ensure that any new development at the neighbourhood level is undertaken in a way that is sympathetic to local historic character.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
PP8: Trees and Hedgerows	PR1 – Open Space ENV1 – Environment	Policy ENV1: Environment Policy ENV3: Green Infrastructure	The emerging Local Plan seeks to preserve biodiversity. Trees and hedgerows have been identified as key natural features in the parish, which are also important habitats for fauna. This policy seeks to protect these features.
PP9: Natural Environment	PR1 – Open Space ENV1 – Environment Policy DP21: Nature Conservation and Protected Lanes	Policy ENV1: Environment Policy ENV3: Green Infrastructure	This policy seeks to safeguard existing green spaces, local landscape and green infrastructure networks, to support biodiversity and environmental net gain. This complements the environmental policies of the emerging Local Plan.
PP10: Recreational disturbance Avoidance & Mitigation Strategy (RAMS)	PR1 – Open Space ENV1 – Environment Policy DP21: Nature Conservation and Protected Lanes	Policy ENV1: Environment	Mitigating the impacts of development on landscapes and designated sites is a strategic objective of the emerging Local Plan. This policy adds detail specific to the local level in respect of mitigating the impact on the Habitat Sites detailed in Essex Coast RAMS.
PP11: Area of Separation	PR1 – Open Space	Policy ENV1: Environment	This policy identifies a specific area in the parish that will resist changes in land use and development as a result of the importance of protecting its landscape and visual characteristics. This local detail complements the strategic objective of the emerging Local Plan, which seeks to protect valued landscapes.
P12: Key Views	PR1 – Open Space ENV1 – Environment	Policy ENV1: Environment	The policy protects a series of local views that have been identified by the local community as being particularly important and reflective of local character and sense of place. This is underpinned at the strategic level by the objective to ensure that the unique qualities of each community are preserved, including both the natural and built environments.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
Housing Planning Policies			
PP13: Housing Sites	H1 – Housing Delivery H2 – Housing Density (Revised July 2014) H3 – Housing Diversity (Revised July 2014) H4 – Affordable Housing (Revised July 2014) UR 2 – Built Design and Character Policy DP12: Dwelling Standards	Policy SP2 - Spatial Strategy for North Essex Policy SP3: Meeting Housing Needs Policy SP6 - Place Shaping Principles Policy SG1: Colchester’s Spatial Strategy Policy SG2: Housing Delivery Policy SS15: West Bergholt Policy DM8: Affordable Housing Policy DM9: Development Density Policy DM10: Housing Diversity Policy DM15: Design and Amenity Policy DM19: Private Amenity Space	The policy supports the overarching spatial strategy for the borough, providing for new homes in a way that is sustainable and taking into account local context and housing needs, while also contributing to the wider strategic housing need.
PP14: Design	UR 2 – Built Design and Character Policy DP1: Design and Amenity (Revised July 2014) Policy DP12: Dwelling Standards Policy DP16: Private Amenity Space and Open Space Provision for New Residential Development (Revised July 2014)	Policy SP6 - Place Shaping Principles Policy DM1: Health and Wellbeing Policy DM12: Housing Standards Policy DM15: Design and Amenity	This policy adheres to the strategic policies in promoting high quality and inclusive design for all development that is in keeping with the local context. The policy sets out, at a local level, key criteria for design, seeking high standards of building materials, finishes and landscaping.
PP15: Energy Hierarchy	UR 2 – Built Design and Character	Policy CC1: Climate Change Policy DM24: Sustainable Urban Drainage	This policy complements the strategic objective to Ensure new development is sustainable and minimises the use of scarce natural resources and addresses the causes and

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
	ER1 Energy, Resources, Waste, Water and Recycling DP25: Renewable Energy	Systems Policy DM25: Renewable Energy, Water, Waste and Recycling	potential impacts of climate change, and encourages renewable energy.
PP16: Infill and Redevelopment Sites	UR 2 – Built Design and Character ENV2 – Rural Communities (Revised July 2014) Policy DP1: Design and Amenity (Revised July 2014)	Policy SP6 - Place Shaping Principles Policy OV1: Development in Other Villages Policy DM13: Domestic development Policy DM15: Design and Amenity	The policy provides locally specific advice in respect of the design of infill and redevelopments. It underlines the importance of high quality and well-integrated design, which is set out at the strategic level.
PP17: Dormers	UR 2 – Built Design and Character Policy DP1: Design and Amenity (Revised July 2014) Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings	Policy SP6 - Place Shaping Principles Policy DM13: Domestic development Policy DM15: Design and Amenity	The extension of homes was raised by the local community as a potential source of ‘erosion’ of the local character of the parish. It complements the emerging Local Plan, which states the need for conversions to be sympathetic to their surrounds.
PP18: New Agricultural Buildings	UR 2 – Built Design and Character Policy DP1: Design and Amenity (Revised July 2014) Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings	Policy SP6 - Place Shaping Principles Policy DM15: Design and Amenity	The policy supports the need for high quality design in the development of any new agricultural buildings, supporting the strategic objectives on design and complementing local distinctiveness.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
PP19: Change of Use of Agricultural Buildings	UR 2 – Built Design and Character Policy DP1: Design and Amenity (Revised July 2014) Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings	Policy OV2: Countryside	The policy supports the need for high quality design in the change of use of any new agricultural buildings, supporting the strategic objectives on design and complementing local distinctiveness.
PP20: Essex Parking Standards	TA5 – Parking Policy DP12: Dwelling Standards Policy DP19: Parking Standards	Policy SP6 - Place Shaping Principles Policy DM22: Parking	The policy seeks to ensure that minimum car parking standards, as set out in the emerging Local Plan, are provided as part of new development. This is particularly important given the high car usage in the area, largely as a result of the rural nature of the parish. Reducing on-street parking will help to deliver the strategic objectives of promoting high quality design and improving street space.
PP21: Rural Exception Sites	H4 – Affordable Housing (Revised July 2014)	Policy OV2: Countryside Policy DM8: Affordable Housing	The policy supports the strategic objective of providing for a range of homes – both market and, in this case affordable – to meet both the identified housing needs of the parish, but also the wider, strategic housing needs.
PP22: Coalescence	ENV1 – Environment	Policy SP2 - Spatial Strategy for North Essex Policy ENV1: Environment	This policy supports the strategic objective of ensuring that future growth will be planned to ensure that West Bergholt maintains its distinctive character and role.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
PP23: Sustainable Transport	SD3 – Community Facilities (Revised July 2014) TA2 – Walking and Cycling TA3 – Public Transport	Policy SP5: Infrastructure and Connectivity Policy DM20: Promoting Sustainable Transport and Changing Travel Behaviour	The policy supports, at the local level, the provision of development at accessible locations which support public transport, walking and cycling, and reduce the need to travel, and enhance sustainable travel connections.
PP24: Highways Network	UR 2 – Built Design and Character TA4 – Roads and Traffic	Policy SG7: Infrastructure Delivery and Impact Mitigation	The emerging Local Plan supports the need to mitigate developments that are likely to have significant impacts on the road network. This policy adds additional local detail, suggesting improvements along the Colchester Road that can be made using developer contributions from the allocated sites.
PP25: Infrastructure	SD2 – Delivering Facilities and Infrastructure (Revised July 2014) SD3 – Community Facilities (Revised July 2014)	Policy SP5: Infrastructure and Connectivity Policy PP1: Generic Infrastructure and Mitigation Requirements	The emerging Local Plan supports the need to ensure that new development contributes appropriately to the provision of necessary supporting infrastructure. This policy adds additional local detail, suggesting contributions can be made to fund a series of projects that have been prioritised by the local community.
Business, Commerce and Employment Planning Policies			
PP26: Expansion of Employment Sites	CE1 – Centres and Employment Classification and Hierarchy CE3 – Employment Zones Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing	Policy SP4 - Providing for Employment and Retail Policy SG3: Economic Growth Provision Policy SG4: Local Economic Areas Policy DM6: Economic Development in Rural Areas and the Countryside	The emerging Local Plan seeks to encourage employment growth across the Plan period. This policy supports the expansion or existing employment sites, for instance Patterns Yard Business Park, where the impacts on neighbouring uses and the road network can be mitigated.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
	Businesses		
PP27: Protection of Employment Sites	CE1 – Centres and Employment Classification and Hierarchy CE2c – Local Centres Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses Policy DP7: Local Centres and Individual Shops	Policy SP4 - Providing for Employment and Retail Policy SG3: Economic Growth Provision Policy DM6: Economic Development in Rural Areas and the Countryside	There are numerous employment sites in the parish and this policy seeks to protect those, complementing the economic policies of the emerging Local Plan.
PP28: Farm Diversification	CE3 – Employment Zones ENV2 – Rural Communities (Revised July 2014) Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses Policy DP8: Agricultural Development and Diversification	Policy SP4 - Providing for Employment and Retail Policy SG3: Economic Growth Provision Policy OV2: Countryside Policy DM5: Tourism, Leisure, Culture and Heritage Policy DM6: Economic Development in Rural Areas and the Countryside Policy DM7: Agricultural Development and Diversification	The policy actively supports the diversification of farm and land-based businesses, in line with the strategic need to encouraging innovative ways to improve the viability of rural businesses.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
<p>PP29: Rural Businesses</p>	<p>CE3 – Employment Zones ENV2 – Rural Communities (Revised July 2014) Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses Policy DP9: Employment Uses in the Countryside Policy DP10: Tourism, Leisure and Culture</p>	<p>Policy SP4 - Providing for Employment and Retail Policy SG3: Economic Growth Provision Policy OV2: Countryside Policy DM5: Tourism, Leisure, Culture and Heritage Policy DM6: Economic Development in Rural Areas and the Countryside</p>	<p>New businesses in the rural community – including for tourism, leisure and to enable flexible and home-based working – are encouraged. This conforms to the strategic objective of developing a robust rural economy that introduces increased employment opportunities.</p>
Sport and Recreation Planning Policies			
<p>PP30: New Sports Facilities</p>	<p>SD2 – Delivering Facilities and Infrastructure (Revised July 2014) SD3 – Community Facilities (Revised July 2014) Table PR1 – Open Space and Recreation Facilities Policy DP4: Community Facilities</p>	<p>Policy DM2: Community Facilities Policy DM4: Sports Provision</p>	<p>The local community has identified a series of opportunities for new and improved sports facilities in West Bergholt. This policy supports this provision, in particular to be provided adjacent to one of the allocated sites. This adds additional local detail to the policies of the emerging Local Plan.</p>

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
Community Safety Planning Policies			
PP31: Designing Out Crime	UR 2 – Built Design and Character Policy DP1: Design and Amenity (Revised July 2014)	Policy SP6 - Place Shaping Principles Policy DM1: Health and Wellbeing	There are identified incidences of crime in the parish and this policy seeks to ensure that new development is designed in a way to help mitigate this problem. It is very much in line with the strategic policies on design and place shaping, as well as enabling inclusive and healthy local communities.
PP32: New Road Layouts	UR 2 – Built Design and Character PR2 - People-friendly Streets TA1 - Accessibility and Changing Travel Behaviour	Policy SP6 - Place Shaping Principles Policy DM1: Health and Wellbeing	New road layouts developed as part of new housing sites provide an opportunity to design safe, well-lit and connected spaces that reduce the feeling of isolation among communities. This has been raised as an important local issue and conforms to the place shaping principles set out in the Local Plan.
Communication Planning Policies			
PP33: Communications Network	SD2 – Delivering Facilities and Infrastructure (Revised July 2014)	Policy SP5: Infrastructure and Connectivity	The emerging Local Plan underpins the need for infrastructure to support development. Broadband in particular has been identified in the parish as being patchy and this policy seeks to ensure that it is provided as part as new developments, or alternative solutions provided where this is not feasible.
Transport Planning Policies			
PP34: Access	SD3 – Community Facilities (Revised July 2014) PR2 - People-friendly Streets TA1 - Accessibility and Changing Travel Behaviour DP17 - Accessibility and Access	Policy SP5: Infrastructure and Connectivity Policy SG7: Infrastructure Delivery and Impact Mitigation Policy PP1: Generic Infrastructure and Mitigation Requirements Policy DM21: Sustainable Access to Development	Parts of the parish are served by winding local road networks and the neighbourhood plan seeks to ensure that new development ameliorates access where possible, in line with the strategic policy on connectivity, infrastructure and access to developments.

Policy Title and Reference	Adopted Core Strategy/ Development Policies	Emerging Local Plan	Commentary
PP35: Traffic Congestion	TA1 - Accessibility and Changing Travel Behaviour TA4 – Roads and Traffic	Policy SP5: Infrastructure and Connectivity Policy SG7: Infrastructure Delivery and Impact Mitigation Policy PP1: Generic Infrastructure and Mitigation Requirements	The engagement process revealed numerous concerns about traffic congestion. The policy conforms to strategic policy on this matter and adds local detail in terms of specific village schemes that any mitigating funds could be allocated to.
PP36: Cycle Storage	UR 2 – Built Design and Character TA1 - Accessibility and Changing Travel Behaviour	Policy DM20: Promoting Sustainable Transport and Changing Travel Behaviour	The emerging Local Plan supports the promotion of sustainable modes of transport as an alternative to the car. In West Bergholt, there are opportunities to encourage great cycle use locally, bearing in mind the topography and proximity of key facilities such as the railway station. This policy therefore seeks to encourage the provision of additional cycle storage.
PP37: Sustainable Transport Connections	PR2 - People-friendly Streets TA1 - Accessibility and Changing Travel Behaviour TA2 – Walking and Cycling Policy DP17: Accessibility and Access	Policy SP5: Infrastructure and Connectivity Policy PP1: Generic Infrastructure and Mitigation Requirements Policy DM1: Health and Wellbeing Policy DM20: Promoting Sustainable Transport and Changing Travel Behaviour Policy DM21: Sustainable Access to Development	It is a strategic objective to focus development at accessible locations which support public transport, walking and cycling, and reduce the need to travel, and enhance sustainable travel connections. In light of the high car usage within the parish, this policy seeks to ensure that this objective is followed through at the local level.

5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). Colchester Borough Council undertook a Screening Report that was published in November 2018. It sought the views of the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether or not the West Bergholt Neighbourhood Plan would have significant environmental effects in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 5.2 The Screening Report concluded that the Plan would not be likely to have any significant environmental effects arising either individually or cumulatively:
- “The West Bergholt Neighbourhood Plan determines the use of a small area at local level and is effectively a minor modification to the Colchester Borough Local Plan. The plan will result in positive, long term effects. However, none of these effects will be significant. Therefore, the LPA has concluded that the West Bergholt Neighbourhood Plan will not require an assessment of the significant environmental effects of the plan under the SEA Directive and Environmental Assessment Regulations based on the content of the submission draft plan (November 2018).”*
- 5.3 The Screening Report, including the responses from the statutory bodies, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.
- 5.4 In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.

6 Basic condition (vii) - conformity with the prescribed conditions

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive³, it must be ascertained whether the draft Plan is likely to have significant effects on a European site designated for its nature conservation interest. The Directive is implemented by the Conservation of Habitats and Species Regulations 2010. Assessments under the regulations are known as Habitats Regulation Assessments (“HRA”). An appropriate assessment (“AA”) is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2 An HRA Screening Opinion was published by Colchester Borough Council in November 2018. This followed a consultation response from Natural England based on a draft of the Neighbourhood Plan. The report concludes that the Plan is not likely to have significant impacts on European protected species or sites, either on its own or collectively, and therefore an HRA is not required.
- 6.3 The Screening Report including the responses from the statutory bodies has been submitted at Regulation 16 stage as part of the evidence base for the Plan.

³ Directive 92/43/EEC ‘on the conservation of natural habitats and of wild fauna and flora’: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

7 Conclusion

- 7.1 The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the West Bergholt Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the West Bergholt Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.