

Great Bardfield

Neighbourhood Plan

BASIC CONDITIONS STATEMENT

JULY 2025

Great Bardfield Parish Council



Prepared for Great Bardfield Parish Council by
Places4People Planning Consultancy



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1 Introduction

- 1.1 As part of the formal submission of the Great Bardfield Neighbourhood Plan for Examination, there is a requirement for the Parish Council, as the 'qualifying body' to illustrate that they have complied with a series of 'basic conditions' as set out in the Town & Country Planning Act 1990 (as amended). This Statement accompanies the submission to the local planning authority, Braintree District Council, of the Great Bardfield Neighbourhood Plan under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations"). Regulation 15 (1)(d) requires a submission neighbourhood development plan to be accompanied by *"a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act"*.
- 1.2 This statement has been prepared in order to confirm compliance with these basic conditions as follows:
- Section 2** identifies the legislative requirements for the 'basic conditions'
- Section 3** identifies how the Plan Objectives and Policies are in general conformity with the National Planning Policy Framework and the Strategic Policies of the adopted Local Plan.
- Sections 4** confirms that the neighbourhood plan is compatible with the Convention Rights.
- It is considered that the Neighbourhood Plan complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.
- 1.3 Pre-submission consultation under Regulation 14 was undertaken for six weeks and closed on 2 August 2024. This Basic Conditions Statement therefore, reflects the plan as amended to take into account comments received.

2. Legal Requirements

2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the "Basic Conditions" that the neighbourhood plan must comply with.

2.2 Paragraph 8 (1) states that the examiner must consider:

- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L of this Act,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- (e) such other matters as may be prescribed.

2.3 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:

- (a) having regard to national policies and advice contained in guidance by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- (e) 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),
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with retained EU obligations, and
- (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

The requirements of Paragraph 8(2)(b), (2)(c) (3), (4) and (5) are not of relevance to the compliance with the basic conditions test.

2.4 Paragraph 8 (6) stipulates that the examiner is not to consider any matter that does not fall within subparagraph (1) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights.

2.5 On 28 December 2018 the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force. Amongst other things, these Regulations amend the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) which stated:

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

The Regulations substitute this with a new basic condition which states:

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

Meeting the Legal Requirements

Compliance with the individual elements of the legal requirements is set out below.

Requirement	Interpretation	NP response
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions	This requires the NP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act.	This is considered in detail in later sections of this Statement.
4B 8 (1)(b) Whether the Draft Order Complies with Sections 38A & 38B of the Compulsory Purchase Act 2004	This requires the draft order to comply with Sections 38A & 38B of the Compulsory Purchase Act 2004. Section 38A sets out the "Meaning of Neighbourhood Development Plan".	Compliance with Sections 38A and 38B is demonstrated in the following rows.
	Section 38A(1) "any qualifying body is entitled to initiate a process for the purpose of requiring a Local Planning Authority in England to make a Neighbourhood Development Plan."	The Neighbourhood Plan has been submitted by Great Bardfield Parish Council, a qualifying body (as defined in the Localism Act 2011).
	Section 38A(2) A "Neighbourhood Development Plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."	The NP sets out Policies that relate to the development and use of land for the Neighbourhood Area covering the Parish of Great Bardfield, as designated by Braintree District Council on 15 April 2019. The boundary of the Neighbourhood Area is shown in the NP.
	Section 38A, Paragraphs (3) - (12)	These paragraphs are not of relevance to the submission phase of the NP.
	Section 38B1(a) The Neighbourhood Development Plan "Must specify the period for which it is to have effect."	The plan period of the NP is from 2024 to 2033.
	Section 38B1(b)	The NP does not contain policies relating to excluded development as defined in

Requirement	Interpretation	NP response
	A Neighbourhood Development Plan "may not include provision about development that is excluded development."	Section 61K of the Planning and Compulsory Purchase Act 2004
	Section 38B1(c) A Neighbourhood Development Plan may not relate to more than one neighbourhood area	The NP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by Braintree District Council on 15 April 2019.
	Section 38B(2) Only one Neighbourhood Development Plan may be made for each neighbourhood area.	There are currently no other NP's in place in this neighbourhood area.
	Section 38B(3) If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.	There are no conflicts within the NP
	Section 38B(4)(a) Regulations made by the Secretary of State may make provisions for "restricting the provision that may be included in Neighbourhood Development Plans about the use of land." These Regulations are set out in Statutory Instrument 2012 No 637, The Neighbourhood Planning (General) Regulations 2012.	The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the NP.
	Section 38B(4)(b) Regulations made by the Secretary of State may make provisions "requiring Neighbourhood Development Plans to include such matters as are prescribed in the Regulations."	A screening process was carried out to determine whether a Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment (HRA) would be required in support of the Neighbourhood Plan. The report was published in July 2025 by Braintree District Council and can be viewed on the Gt Bardfield Neighbourhood Plan page of their website.

Requirement	Interpretation	NP response
		<p>In terms of the SEA its was concluded that the Plan is screened out for its requirement of Strategic Environmental Assessment.</p> <p>In terms of HRA the screening concluded that the Plan is not predicted to have “likely significant effect” on the designated features of any habitats site, either alone or in combination with other plans or projects. The need for further assessment was therefore ruled out.</p>
	Section 38B, which include paragraphs 38B(4)(c), 5 & 6,	The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement
4B 8 (1)(d) Whether the Referendum should extend beyond the NP Area	This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates.	The NP relates solely to land that falls within the Parish of Great Bardfield.
4B 8 (1)(e) Other Matters 3.28.	This requires the examiner to consider such other matters as may be prescribed	There are no other prescribed matters.
Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018	These Regulations require an Appropriate Assessment of the Plan to be carried out should the SEA and HRA Screening Opinion deem it necessary.	<p>A screening process was carried out to determine whether a Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment (HRA) would be required in support of the Neighbourhood Plan. The report was published in July 2025 by Braintree District Council and can be viewed on the Gt Bardfield Neighbourhood Plan page of their website.</p> <p>In terms of the SEA its was concluded that the Plan is screened out for its requirement of Strategic Environmental Assessment.</p> <p>In terms of HRA the screening concluded that the Plan is not predicted to have “likely significant effect” on the designated features of any habitats site, either alone or in</p>

Requirement	Interpretation	NP response
		combination with other plans or projects. The need for further assessment was therefore ruled out.

3. Compliance with Basic Conditions

3.1 Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act sets out the basic conditions that must be met by a draft Neighbourhood Plan. Subsections (a), (d), (e), (f), and (g) are of relevance to this statement. The Regulations state that the neighbourhood plan will have met the basic conditions if it:

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

National Policy

3.2 The Great Bardfield Neighbourhood Plan must have appropriate regard to national policy. The following section describes how the Plan relates to the National Planning Policy Framework (NPPF) which was originally published in 2012 with various amendments, the latest version published in December 2024. This latter version of the NPPF that has been used as the basis to assess the Neighbourhood Plan in terms of its regard to national policies. The NPPF is framed around a basic premise of achieving sustainable development, comprising three main dimensions: economic, social and environmental. It requires the planning system to have regard to three overarching objectives:

- a) "an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

3.3 The NPPF contains thirteen topic-based chapters in which more detailed policy guidance is set out for plan making and decision taking. Table 1, below, identifies how the Plan meets the basic condition of having regard to the NPPF by assessing the Plan against the principles for each of the NPPF topic-based chapters

Table 1 - Compatibility of the Plan’s objectives and policies against the NPPF Core Principles

NPPF Topic	Great Bardfield NP Objectives (as identified in Section 4 of the NP)	Great Bardfield NP Policies
Delivering a sufficient supply of homes	<p>Development Location and Housing</p> <ul style="list-style-type: none"> To support the development of small scale housing sites in the Parish to meet local needs which are at an affordable level relative to the average local income. To ensure that any new housing scheme includes an appropriate mix of housing types sizes and tenures to meet local need including accommodation that is or can be made adaptable for a variety of life stages, including independent living housing for older people and people with disabilities, elderly accommodation and care. 	Policy GBD1 – Bridge End Development Boundary
Building a strong, competitive economy	<p>The Local Economy</p> <ul style="list-style-type: none"> To promote the provision of high speed broadband in the Parish to aid local businesses and home workers. To support and enhance opportunities for local businesses and to encourage home working. To strengthen and enhance the existing village centre. To support and enhance the visitor economy, building on the legacy of the Bardfield artists 	Policy GBD8 -Protecting Existing Services and Facilities
Ensuring the vitality of town centres	Not applicable to Great Bardfield	None
Promoting healthy and safe communities	<p>Landscape and Natural Environment</p> <ul style="list-style-type: none"> To encourage multi-functional green initiatives within the community for a cleaner and healthier future. <p>Community Services and Facilities</p> <ul style="list-style-type: none"> To continue to provide opportunities for all ages for cultural, leisure, community, sport, religious and other activities within the Parish to foster a sense of community. To support the retention of existing education facilities in the village for all age groups and their enhancement and growth. To sustain a vibrant, safe and welcoming village. 	Policy GBD5 – Local Green Space Policy GBD7 – Design Considerations Policy GBD8 -Protecting Existing Services and Facilities Policy GBD9 – Off street parking in the Conservation Area

NPPF Topic	Great Bardfield NP Objectives (as identified in Section 4 of the NP)	Great Bardfield NP Policies
	<ul style="list-style-type: none"> To consider how best to accommodate green infrastructure such as electric car charging points in the village given the growth in this sector. <p>Highways and Travel</p> <ul style="list-style-type: none"> To improve conditions for walking and cycling through the village including promoting lower speed limits in the core of Great Bardfield. 	
Promoting sustainable transport	<p>Transport and Travel</p> <ul style="list-style-type: none"> To improve car parking, traffic management and public transport for Great Bardfield. To improve conditions for walking and cycling through the village including promoting lower speed limits in the core of Great Bardfield. To ensure that any new developments do not exacerbate the current problems with parking, speeding and road safety. 	<p>Policy GBD7 – Design Considerations Policy GBD8 – Protecting Existing Services and Facilities Policy GBD9 – Off street parking in the Conservation Area</p>
Supporting high quality communications	<p>Local Economy</p> <ul style="list-style-type: none"> To promote the provision of high speed broadband in the Parish to aid local businesses and home workers. 	<p>Policy GBD7 – Design Considerations</p>
Making effective use of land	<p>Development Location and Housing</p> <ul style="list-style-type: none"> To support the development of small scale housing sites in the Parish to meet local needs which are at an affordable level relative to the average local income. <p>Built Environment and Conservation</p> <ul style="list-style-type: none"> To protect and enhance the parish’s many heritage assets and ensure that any development serves to make a positive contribution to the existing environment. To ensure that the landscape surrounding the Great Bardfield conservation area is not fundamentally altered to the detriment of the village. 	<p>Policy GBD1 – Bridge End Development Boundary Policy GBD2 – Maintaining and Improving Great Bardfield’s Landscape Character Policy GBD7 – Design Considerations Policy GBD8 – Protecting Existing Services and Facilities</p>
Achieving well-designed places	<p>Development Location and Housing</p>	<p>Policy GBD1 – Bridge End Development Boundary Policy GBD2 – Maintaining and Improving Great Bardfield’s Landscape Character</p>

NPPF Topic	Great Bardfield NP Objectives (as identified in Section 4 of the NP)	Great Bardfield NP Policies
	<ul style="list-style-type: none"> • To support the development of small scale housing sites in the Parish to meet local needs which are at an affordable level relative to the average local income. • To ensure that any new housing scheme includes an appropriate mix of housing types suitable for all age groups. <p>Landscape and Natural Environment</p> <ul style="list-style-type: none"> • To protect and enhance the countryside within the Parish, including important ecological sites, trees, hedgerows and watercourses, together with the village greens and other green spaces in Great Bardfield. • To encourage multi-functional green initiatives within the community for a cleaner and healthier future. • To protect important views from both outside and within Great Bardfield, particularly those featuring in the works of the Bardfield artists. <p>Built Environment and Conservation</p> <ul style="list-style-type: none"> • To protect and enhance the parish’s many heritage assets and ensure that any development serves to make a positive contribution to the existing environment. • To ensure that the landscape surrounding the Great Bardfield conservation area is not fundamentally altered to the detriment of the village. • To ensure that the design, style and density of any new housing scheme is in keeping with the character of Great Bardfield and built to a high sustainability standard. 	<p>Policy GBD3 – Protection of Important Views Policy GBD5 – Local Green Space Policy GBD6 – Great Bardfield Conservation Area Policy GBD7 – Design Considerations Policy GBD9 – Off street parking in the Conservation Area</p>
Protecting Green Belt land	Not applicable to Great Bardfield	None
Meeting the challenge of climate change, flooding and coastal change	<p>Built Environment and Conservation</p> <ul style="list-style-type: none"> • To encourage and facilitate the installation and uptake of renewable energy for the existing housing stock and business properties. • To ensure that the design, style and density of any new housing scheme is in keeping with the character of Great Bardfield and built to a high sustainability standard. 	<p>Policy GBD4 – Protection of Trees, Hedgerows and other Natural Features Policy GBD5 – Local Green Space Policy GBD7 – Design Considerations</p>

NPPF Topic	Great Bardfield NP Objectives (as identified in Section 4 of the NP)	Great Bardfield NP Policies
	<ul style="list-style-type: none"> To strongly encourage that all planning applications for new housing in the Parish shall include renewable energy and low carbon technology for each unit built. 	
Conserving and enhancing the natural environment	<p>Landscape and Natural Environment</p> <ul style="list-style-type: none"> To protect and enhance the countryside within the Parish, including important ecological sites, trees, hedgerows and watercourses, together with the village greens and other green spaces in Great Bardfield. To encourage multi-functional green initiatives within the community for a cleaner and healthier future. To protect important views from both outside and within Great Bardfield, particularly those featuring in the works of the Bardfield artists. 	<p>Policy GBD1 – Bridge End Development Boundary Policy GBD2 – Maintaining and Improving Great Bardfield’s Landscape Character Policy GBD3 – Protection of Important Views Policy GBD4 – Protection of Trees, Hedgerows and other Natural Features Policy GBD5 – Local Green Space Policy GBD6 – Great Bardfield Conservation Area Policy GBD7 – Design Considerations</p>
Conserving the historic environment	<p>Built Environment and Conservation</p> <ul style="list-style-type: none"> To protect and enhance the parish’s many heritage assets and ensure that any development serves to make a positive contribution to the existing environment. 	<p>Policy GBD1 – Bridge End Development Boundary Policy GBD2 – Maintaining and Improving Great Bardfield’s Landscape Character Policy GBD3 – Protection of Important Views Policy GBD5 – Local Green Space Policy GBD6 – Great Bardfield Conservation Area Policy GBD7 – Design Considerations Policy GBD9 – Off street parking in the Conservation Area</p>
Facilitating the sustainable use of minerals	Not applicable to the Neighbourhood Plan	None

How the purpose of the Neighbourhood Plan policies achieve sustainable development

3.4 The table below identifies the purpose of each policy in the Plan and its intended outcome in relation to achieving sustainable development as defined by the NPPF.

Policy	Purpose	Outcome
GBD 1	To defined a development boundary around Bridge End, to provide a strategy for the location of new development within the neighbourhood plan area	Ensures that new development is within the defined development boundary to protect the countryside from inappropriate development.
GBD 2	To ensure that the existing landscape character is not harmed from inappropriate development.	Protects the countryside from inappropriate development.
GBD 3	Designates a number of important views.	Ensures development is appropriate and does not have a detrimental impact on the setting of Great Bardfield.
GBD 4	Seeks protection of trees, hedgerows and other nature features.	Ensures that not only biodiversity net gain is achieved but also that native planting is used.
GBD 5	Designates a number of green spaces that meet the NPPF Local Green Space criteria.	Protects spaces that have an identifiable local importance to the village.
GBD 6	Requires proposals in the conservation area to positively contribute to it and its setting.	Preserves and enhances the distinctiveness and character of the conservation area.
GBD 7	Provides design criteria for the consideration of the impact of development proposals.	Ensures new development is appropriate in terms of its contribution to a high quality, safe and sustainable environment.
GBD 8	Seeks to protect and retain existing community facilities and services	Ensures local facilities are retained for the benefit of the community
GBD 9	Requires existing parking provision within the conservation area to be retained.	Ensures sufficient parking spaces are provided to avoid a detrimental impact on the historic environment.

General conformity with the strategic policies contained in the development plan

3.5 The Neighbourhood Plan must demonstrate that it is in general conformity with the development plan for the local authority area concerned. The development plan currently in force is the Braintree District Local Plan 2033 adopted in July 2022, which replaces the Local Plan Review 2005 and the Core Strategy 2011. The Development Plan also includes the Essex and Southend-on Sea Waste Local Plan 2017 and the Essex Minerals Local Plan 2014.

3.6 The Government's Planning Practice Guidance states:

"Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- whether the policy sets out an overarching direction or objective
- whether the policy seeks to shape the broad characteristics of development
- the scale at which the policy is intended to operate
- whether the policy sets a framework for decisions on how competing priorities should be balanced
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
- whether the Local Plan identifies the policy as being strategic"

3.7 The Braintree District Local Plan comprises two parts:

- Section 1 is a strategic plan for North Essex. It was adopted on 22nd February 2021. It is shared with Colchester and Tendring Councils and covers all three authorities.
- Section 2 contains policies, maps and sites for development, housing, employment, regeneration etc within Braintree District Council. It was adopted on 25th July 2022.

3.8 The Braintree Local Plan (Section 1) includes a number of policies with the prefix SP (Strategic Policy). The Braintree Local Plan (Section 2) does not identify policies that are of a strategic nature. Those which are considered to be of particular relevance to Great Bardfield with the prefix SP and LPP, are listed in the table below together with a link to the Neighbourhood Plan policy (where relevant) and a narrative of conformity of the Neighbourhood Plan with the development plan. Those policies of no specific relevance to Great Bardfield are set out in Appendix 1.

BDLP Policy	Neighbourhood Plan Policy	Comment
BDLP Section 1 Strategic Policy		
SP 1 Presumption in Favour of Sustainable Development	GBD1 – Bridge End Development Boundary	The LP requires all new development to take a positive approach that reflects the presumption in favour of sustainable development. The Neighbourhood Plan does not conflict with this requirement and supports development as appropriate to the scale and nature of the village.
SP 2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)	No specific policies apply	The LP requires contributions to the RAMS strategy for the period 2018 – 2038. The Neighbourhood Plan does not conflict with this requirement.
SP 3 Spatial Strategy for North Essex	GBD1 – Bridge End Development Boundary	The LP requires existing settlements to be the focus for additional growth. The Neighbourhood Plan does not conflict with this requirement.
SP 4 Meeting Housing Needs	No specific policies apply	The LP sets a housing requirement for each of the local authorities covered by the LP. The Neighbourhood Plan does not conflict with this requirement.
SP 5 Employment	No specific policies apply	The LP sets a requirements for employment land for each of the local authorities covered by the LP. The Neighbourhood Plan does not conflict with this requirement.
SP 6 Infrastructure and Connectivity	GBD 7 – Design Considerations GBD 8 – Protecting Existing Services and Facilities	The LP policy requires new development to be supported by the provision of infrastructure, services and facilities. The Neighbourhood Plan does not conflict with this requirement.
SP 7 Place Shaping Principles	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features	The LP requires all new development to meet high standards of design and sets out a series of principles to be followed. The Neighbourhood Plan does not conflict with this approach and its Design Codes and Guidelines reflect a number of the principles expressed.

BDLP Policy	Neighbourhood Plan Policy	Comment
	GBD 5 – Local Green Spaces GBD 6 – Great Bardfield Conservation Area GBD 7 – Design Considerations GBD 9 – Off-street parking in the Conservation Area	
SP 8 Development and Delivery of a New Garden Community in North Essex	No specific policies apply	The LP proposes a new garden community covering land within Tendring District and Colchester Borough and this policy outlines the key requirements. The Neighbourhood Plan area lies within Braintree District does not conflict with this requirement.
SP 9 Tendring/Colchester Borders Garden Community	No specific policies apply	The LP policy supports Policy SP8 above and sets out what the specific DPD for the allocation of the Garden Community should include. The Neighbourhood Plan area lies within Braintree District does not conflict with this requirement.
BDLP Section 2 Local Plan Policy – the following policies whilst not strategic in nature are of relevance to the circumstances of Great Bardfield		
LPP 1 Development Boundaries	GBD 1 – Bridge End Development Boundary	The LP policy sets out where development would be appropriate within defined development boundaries. The local Plan defines Great Bardfield as a Second-Tier settlement within its Spatial Strategy, and refers to development within Key Service Villages and Second Tier villages to support thriving rural communities. The Neighbourhood plan supports this approach by defining a development boundary around Bridge End in addition to the existing boundary around Great Bardfield.
LPP 7 Rural Enterprise	GBD 1 – Bridge End Development Boundary GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 – Design Considerations	This policy applies outside of defined development boundaries and allows for conversion and re-use of existing buildings for commercial uses. The Neighbourhood Plan does not conflict with this requirement and adds local detail to it.

BDLP Policy	Neighbourhood Plan Policy	Comment
LPP 8 Tourist Development within the Countryside	GBD 1 – Bridge End Development Boundary GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 – Design Considerations	The policy allows for tourist development within the countryside subject to compliance with a number of criteria. The Neighbourhood Plan does not conflict with this requirement and adds local detail to it.
LPP 9 Retailing and Regeneration	GBD 8 – Protecting Existing Services and Facilities	The policy identifies the main locations for town centre activities, which does not include Great Bardfield, but includes reference to local centres to be protected from inappropriate development. The Neighbourhood Plan does not conflict with this requirement and adds local detail to it.
LPP 16 Housing Provision and Delivery	No specific policies apply	The policy requires the delivery of over 14,000 new homes in the main towns and key service villages. Great Bardfield does not have a housing requirement being a Second-Tier village. The Neighbourhood Plan does not conflict with this requirement.
LPP 17 Strategic Growth Location – Land East of Great Notley, South of Braintree	No specific policies apply	The policy allocates land for up to 1,750 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.
LPP 18 Strategic Growth Location – Land east of Broad Road, Braintree	No specific policies apply	The policy allocates land for up to 1,000 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.
LPP 19 Strategic Growth Location – Former Towerlands Park Site	No specific policies apply	The policy allocates land for up to 575 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.
LPP 20 Strategic Growth Location – North West Braintree	No specific policies apply	The policy allocates land for up to 825 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.

BDLP Policy	Neighbourhood Plan Policy	Comment
LPP 21 Strategic Growth Location – Land at Feering	No specific policies apply	The policy allocates land for up to 835 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.
LPP 22 Strategic Growth Location – Wood End Farm, Witham	No specific policies apply	The policy allocates land for up to 400 homes and associated uses and infrastructure. The Neighbourhood Plan does not conflict with this requirement.
LPP 31 Affordable Housing	No specific policies apply	The policy sets out the requirements for the provision of affordable housing of different scales of development. The Neighbourhood Plan does not conflict with this requirement, albeit the scale of new development in Great Bardfield is unlikely to trigger the need for compliance with this policy.
LPP 32 Affordable Housing in Rural Areas	No specific policies apply	The policy sets out the circumstances where affordable housing may be appropriate outside of development boundaries. The Neighbourhood Plan does not conflict with this requirement.
LPP 34 Gypsy and Traveller and Travelling Showperson's Accommodation	No specific policies apply	The policy sets out the provision for new pitches and plots across the plan area. The Neighbourhood Plan does not conflict with this requirement.
LPP 35 Housing Mix, Density and Accessibility	GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 Design Considerations	The policy requires a mix of types of dwellings to reflect local need. The Neighbourhood Plan does not conflict with this requirement.

BDLP Policy	Neighbourhood Plan Policy	Comment
<p>LPP 36 Residential Alterations, Extensions and Outbuildings</p> <p>LPP 37 Replacement Dwellings in the Countryside</p> <p>LPP 38 Rural Workers Dwellings in the Countryside</p>	<p>GBD 1 – Bridge End Development Boundary</p> <p>GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character</p> <p>GBD 3 – Protection of Important Views</p> <p>GBD 4 – Protection of Trees, Hedgerows and other Natural Features</p> <p>GBD 7 – Great Bardfield Conservation Area</p> <p>GBD 7 – Design Considerations</p>	<p>The policy sets out a number of criteria to be followed for the various types of development.</p> <p>The Neighbourhood Plan does not conflict with these requirement, but adds local detail.</p>
<p>LPP 39 Infill Development in Hamlets</p>	<p>GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character</p> <p>GBD 3 – Protection of Important Views</p> <p>GBD 4 – Protection of Trees, Hedgerows and other Natural Features</p> <p>GBD 7 – Design Considerations</p>	<p>The policy allows for infill development in certain circumstances. The Neighbourhood Plan does not conflict with this requirement.</p>
<p>LPP 40 Residential Conversion of Buildings in the Countryside</p>	<p>GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character</p> <p>GBD 3 – Protection of Important Views</p> <p>GBD 4 – Protection of Trees, Hedgerows and other Natural Features</p> <p>GBD 7 – Design Considerations</p>	<p>The policy allows for conversions where certain criteria are satisfied. The Neighbourhood Plan does not conflict with this requirement.</p>
<p>LPP 41 Garden Extensions</p>	<p>GBD 2 – Maintaining and Improving Great Bardfield's Landscape Character</p> <p>GBD 3 – Protection of Important Views</p> <p>GBD 4 – Protection of Trees, Hedgerows and other Natural Features</p> <p>GBD 7 – Design Considerations</p>	<p>The policy allows for the extension of residential gardens subject to compliance with certain criteria. The Neighbourhood Plan does not conflict with this requirement.</p>
<p>LPP 42 Sustainable Transport</p>	<p>GBD 7 Design Considerations</p> <p>GBD 9 – Off-street parking in the Conservation Area</p>	<p>The policy establishes priority for cycle and pedestrians and access to public transport when considering new development proposals. The Neighbourhood Plan does not conflict with this requirement.</p>

BDLP Policy	Neighbourhood Plan Policy	Comment
LPP 43 Parking Provision	GBD 9 – Off-street parking in the Conservation Area	The policy requires compliance with the Essex Vehicle Parking Standards. The Neighbourhood Plan does not conflict with this requirement.
LPP 45 New Road Infrastructure	No specific policies apply	The policy lists road schemes proposed across the plan area. The Neighbourhood Plan does not conflict with this requirement.
LPP 47 Built and Historic Environment	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 – Design Considerations GBD 9 – Off-street parking in the Conservation Area	The policy requires high standard of design in all new development in terms of the historic environment. The Neighbourhood Plan does not conflict with this requirement and adds local detail.
LPP 50 Provision for Open Space, Sport and Recreation	GBD 5 – Local Green Spaces	The policy requires provision of new open space with developments. The Neighbourhood Plan does not conflict with this requirement and identifies local spaces of importance to be protected. .
LPP 52 Layout and Design of Development	GBD 7 – Design Considerations	The policy requires high standard of design in all new development. The Neighbourhood Plan does not conflict with this requirement and adds local detail.
LPP 53 Conservation Areas LPP 54 Demolition in Conservation Areas LPP 55 Shop Fronts, Fascia’s and Signs in Conservation Area LPP 56 Illuminated Signs in Conservation Areas	GBD 6 – Great Bardfield Conservation Area GBD 7 – Design Considerations GBD 9 – Off-street parking in the Conservation Area	The policies specify requirements for proposals within conservation areas and affecting heritage assets. The Neighbourhood Plan does not conflict with this requirement and adds local detail.

BDLP Policy	Neighbourhood Plan Policy	Comment
LPP 57 Heritage Assets and their Settings LPP58 Demolition of Listed Buildings or Structures		
LPP 61 Local Community Services and Facilities	GBD 5 - Local Green Spaces GBD 8 – Protecting Existing Services and Facilities	The policies specifies facilities to be protected. The Neighbourhood Plan does not conflict with this requirement and adds local detail.
LPP 62 Cemeteries and Churchyards	No specific policies apply	The policy specifically allocates an extension to the Churchyard as St Mary the Virgin, Great Bardfield. The Neighbourhood Plan does not conflict with this requirement.
LPP 63 Natural Environment and Green Infrastructure LPP 64 Protected Sites LPP 65 Tree Protection LPP 66 Protection, Enhancement, Management and Monitoring of Biodiversity	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 – Design Considerations	The policies require the protection and enhancement of the natural environment, habitats, biodiversity and geodiversity. The Neighbourhood Plan does not conflict with this requirement.
LPP 67 Landscape Character and Features	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features	The policy requires the different landscape area to be taken into consideration in development proposals. The Neighbourhood Plan does not conflict with this requirement and adds local detail.
LPP 69 Protected Lanes	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features	The policy identifies a number of protected lanes some of which lie within the parish of Great Bardfield. The Neighbourhood Plan does not conflict with this requirement.

BDLP Policy	Neighbourhood Plan Policy	Comment
LPP 72 Resource Efficiency, Energy Generation and Energy Efficiency	GBD 7 – Design Considerations	The policy requires new development to include energy conservation and efficiency measures. The Neighbourhood Plan does not conflict with this requirement.
LPP 73 Renewable Energy Schemes	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 3 – Protection of Important Views GBD 4 – Protection of Trees, Hedgerows and other Natural Features	The policy allows for schemes subject to the benefit of low carbon energy generation outweighing harm or loss to certain features. The Neighbourhood Plan does not conflict with this requirement.
LPP 74 Flooding Risk and Surface Water Damage	No specific policies apply	The policy requires development to be in area of higher flood risk, parts of Great Bardfield and Bridge End are in Flood Zone 2 and 3. The Neighbourhood Plan does not conflict with this requirement.
LPP 76 Sustainable Urban Drainage Systems	GBD 7 – Design Considerations	The policy requires developments of 10 or more dwellings to incorporate SuDs. Whilst the Neighbourhood Plan does not advocate larger developments it does not conflict with this approach.
LPP 77 External Lighting	GBD 2 – Maintaining and Improving Great Bardfield’s Landscape Character GBD 7 – Design Considerations	The policy sets out criteria to be met when considering proposals for external lighting schemes. The Neighbourhood Plan does not conflict with this requirement.
LPP 78 – Infrastructure Delivery and Impact Mitigation	GBD 4 – Protection of Trees, Hedgerows and other Natural Features GBD 7 – Design Considerations GBD 9 – Off-street parking in the Conservation Area	The policy requires appropriate infrastructure capacity to support proposals being promoted. The Neighbourhood Plan does not conflict with this requirement.

4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 4.1 Section 4B 8 (2)(f) states that a draft Neighbourhood Plan will meet the basic conditions if, the making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 4.2 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plan or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) that this is to be determined by a screening process which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available.
- 4.3 In accordance with Regulation 9 of the Regulations, as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, Great Bardfield Parish Council requested Braintree District Council, as the responsible body, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required. The District Council subsequently made this determination following consultation with the statutory consultees. **ADD details when known**

Human Rights

- 4.4 The public consultation process for the Great Bardfield Neighbourhood Plan has been wide and inclusive and has included direct engagement with the local community. The policies contained within the plan do not disadvantage any minority group or group with protected characteristics.
- 4.5 The overall purpose of the Neighbourhood Development Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people's views and in the light of evidence gathered for the parish, in order to meet the needs expressed and address the issues identified. In order to confirm that the Neighbourhood Plan does not have any unintended consequences for particular groups, the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. "Protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 4.6 This section assesses the Submission Draft of the Neighbourhood Plan to ensure that Great Bardfield Parish Council is satisfying its statutory duties in this regard. An assessment has been made on whether the objectives and the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics. The purpose of each of the objective and the policies in the Neighbourhood Plan are provided, and their likely impact on persons with protected characteristics is assessed.

Impact of Objectives of Great Bardfield Neighbourhood Plan on Persons with Protected Characteristics

Neighbourhood Plan Objectives	Outcome for persons with Protected Characteristics
<p>Development Location and Housing</p> <ul style="list-style-type: none"> To support the development of small scale housing sites in the Parish to meet local needs which are at an affordable level relative to the average local income. To ensure that any new housing scheme includes an appropriate mix of housing types sizes and tenures to meet local need including accommodation that is or can be made adaptable for a variety of life stages, including independent living housing for older people and people with disabilities, elderly accommodation and care. 	<p>Supports small scale development in the village , to meet local needs.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Landscape and Natural Environment</p> <ul style="list-style-type: none"> To protect and enhance the countryside within the Parish, including important ecological sites, trees, hedgerows and watercourses, together with the village greens and other green spaces in Great Bardfield. To encourage multi-functional green initiatives within the community for a cleaner and healthier future. To protect important views from both outside and within Great Bardfield, particularly those featuring in the works of the Bardfield artists. 	<p>Protects and enhances the setting of the village and natural environment for the benefit of residents.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Built Environment and Conservation</p> <ul style="list-style-type: none"> To protect and enhance the parish’s many heritage assets and ensure that any development serves to make a positive contribution to the existing environment. To ensure that the landscape surrounding the Great Bardfield conservation area is not fundamentally altered to the detriment of the village. To encourage and facilitate the installation and uptake of renewable energy for the existing housing stock and business properties. To ensure that the design, style and density of any new housing scheme is in keeping with the character of Great 	<p>Promotes the preservation of the character and historic assets of the village and seeks to minimise impact of new development on the overall character of the village and requires new development to be energy efficient.</p> <p>Broadly positive/Neutral impact for persons with protected characteristics.</p>

Neighbourhood Plan Objectives	Outcome for persons with Protected Characteristics
<p>Bardfield and built to a high sustainability standard.</p> <ul style="list-style-type: none"> To strongly encourage that all planning applications for new housing in the Parish shall include renewable energy and low carbon technology for each unit built. 	
<p>Community Services and Facilities</p> <ul style="list-style-type: none"> To continue to provide opportunities for all ages for cultural, leisure, community, sport, religious and other activities within the Parish to foster a sense of community. To support the retention of existing educational facilities in the village for all age groups and their enhancement and growth. To sustain a vibrant, safe and welcoming village. To consider how best to accommodate green infrastructure such as electric car charging points in the village given the growth in this sector. 	<p>Ensures that local services are retained and maintained.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>The Local Economy</p> <ul style="list-style-type: none"> To promote the provision of high speed broadband in the Parish to aid local businesses and home workers. To support and enhance opportunities for local businesses and to encourage home working. To strengthen and enhance the existing village centre. To support and enhance the visitor economy, building on the legacy of the Bardfield artists. 	<p>Supports opportunities to promote and enhance the local economy.</p> <p>Broadly positive/Neutral impact for persons with protected characteristics</p>
<p>Highways and Travel</p> <ul style="list-style-type: none"> To improve car parking, traffic management and public transport for Great Bardfield. To improve conditions for walking and cycling through the village including promoting lower speed limits in the core of Great Bardfield. To ensure that any new developments do not exacerbate the current problems with parking, speeding and road safety. 	<p>Requires and supports sustainable modes of transport and road safety.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>

Impact of Great Bardfield Neighbourhood Plan Policies on Persons with Protected Characteristics

Policy	Purpose	Outcome
GBD 1	To defined a development boundary around Bridge End and to provide a strategy for the location of new development within the neighbourhood plan area.	Ensures that new development is within the development boundary to protect the countryside from inappropriate development. Neutral impact on persons with protected characteristics.
GBD 2	To ensure that the existing landscape character is not harmed from inappropriate development.	Protects the countryside from inappropriate development. Neutral impact on persons with protected characteristics.
GBD 3	Designates a number of important views.	Protects the countryside from inappropriate development and protects the setting of the village. Neutral impact on persons with protected characteristics.
GBD 4	Seeks protection of trees, hedgerows and other nature features.	Contributes to protecting and enhancing the natural environment, including helping to improve biodiversity. Neutral impact on persons with protected characteristics.
GBD 5	Designates a number of green spaces that meet the NPPF Local Green Space criteria.	Protects spaces that have an identifiable local importance to the village. Broadly positive impact for persons with certain protected characteristics. Broadly positive impact on persons with protected characteristics.
GBD 6	Requires proposals in the conservation area to positively contribute to it and its setting.	Protects the conservation area from inappropriate development. Neutral impact for persons with certain protected characteristics.
GBD 7	Provides design criteria for the consideration of the impact of development proposals.	Preserves and enhances the distinctiveness, character and sense of place of the village's built environment. Broadly positive impact for persons with certain protected characteristics.

Policy	Purpose	Outcome
GBD 8	Seeks to protect and retain existing community facilities and services	<p>Protects existing facilities for local benefit.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GBD 9	Requires existing parking provision within the conservation area to be retained.	<p>Ensures proposals with the conservation area provide sufficient parking.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>

Certain protected characteristics are not affected by the Neighbourhood Plan, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same circumstances.

APPENDIX A

Adopted development plan policies that do not apply to Great Bardfield Neighbourhood Plan

The Braintree District Local Plan comprises two parts:

- Section 1 is a strategic plan for North Essex. It was adopted on 22nd February 2021. It is shared with Colchester and Tendring Councils and covers all three authorities.
- Section 2 contains policies, maps and sites for development, housing, employment, regeneration etc within Braintree District Council. It was adopted on 25th July 2022.

The Braintree Local Plan (Section 2) does not identify policies that are of a strategic nature. Those which are not considered to be of particular relevance to Great Bardfield with the prefix LPP, are listed in the table below.

Policy Ref	Title
LLP 2	Location of Employment Land
LLP 3	Employment Policy Areas
LPP 4	Kelvedon Park
LPP 5	Allshot's Farm, Rivenhall
LPP 6	Business Parks
LPP 10	Primary Shopping Areas
LPP 11	District Centre – great Notley
LPP 12	Braintree Village Designer Outlet
LPP 13	Leisure and Entertainment
LPP 14	Retail Warehouse Development
LPP 15	Retail Site Allocations
LPP 23	Comprehensive Redevelopment Area - Land East of Halstead High Street
LPP 24	Specialist Housing – Mount Hill, Halstead
LPP 25	Comprehensive Redevelopment Area – Factory Lane West/Kings Road, Halstead
LPP 26	Comprehensive Redevelopment Area – Kings Chase, Witham
LPP 27	Comprehensive Redevelopment Area – Newlands Precinct, Witham
LPP 28	Comprehensive Redevelopment Area – Rickstones Neighbourhood Centre, Witham
LPP 29	Comprehensive Redevelopment Area – Lands Between A12 and GEML, Hatfield Peveril

LPP 30	Residential Allocation – Gimsons, Witham
LPP 33	Specialist Housing
LPP 44	Transport Related Policy Areas
LPP 46	Broadband
LPP 48	An Inclusive Environment
LPP 49	Health and Wellbeing Impact Assessment
LPP 51	Equestrian Facilities
LPP 59	Archaeological Evaluation, Excavation and Recording
LPP 60	Educational Establishments
LPP 68	Green Buffers
LPP 70	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
LPP 71	Climate Change
LPP 75	Surface Water Management Plan



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