

# THAXTED NEIGHBOURHOOD PLAN

## BASIC CONDITIONS STATEMENT

### INTRODUCTION

This statement forms part of a package of documents submitted to Uttlesford District Council which constitutes a Neighbourhood Plan (the Plan) proposal for the parish of Thaxted. It accompanies the draft plan itself which contains details of the extent of the area covered and a Consultation Statement setting out the processes involved and the outcome of the consultation that helped to form the evidence base for the Plan. These documents fulfil the requirements of Regulation 15 of The Neighbourhood Planning (General) Regulations 2012 (the Regulations).

The policies in the draft Neighbourhood Plan relate to development and use of land in the designated Neighbourhood Area and do not relate to any other designated area. The Plan period is from 2017 to 2033 and the Plan does not contain policies relating to excluded development in accordance with the Regulations.

This Statement deals specifically with the four ‘basic conditions’ as set out in the Regulations and explains how the submitted draft Plan meets the requirements of paragraph 8 of Schedule 4B of the 1990 Town and Country Planning Act. In essence the Plan will be considered to meet the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- the making of the neighbourhood development plan contributes to the achievement of sustainable development;
- 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); and
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Schedule 2 of the Regulations additionally prescribes the following basic condition relating to habitats:

*‘The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e) (either alone or in combination with other plans or projects).*

## **FORM OF RESPONSE**

In setting out our confirmation that the Plan is in conformity with the basic conditions as outlined above we will reference each of the policies first against the NPPF and then against the policies of the Uttlesford Local Plan. In relation to the NPPF analysis we will identify the principal paragraph numbers that most closely relate to the specific policy and briefly summarise the reasoning behind its conformity. For the Local Plan assessment we will reference the Local Plan policy or policies that most closely relate to each Neighbourhood Plan policy and again summarise the way in which it conforms.

With regard to the sustainability testing we will note the contribution that each policy makes to each of the three 'strands' of sustainability with a scoring system based on the strength of the contribution made.

Following this, the process that has been followed with regards to compatibility with EU obligations is explained (Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA), human rights legislation).

## **CONFORMITY WITH NATIONAL PLANNING POLICY**

The Thaxted Neighbourhood Plan has been drafted having regard to the requirements of the National Planning Policy Framework 2012 (the NPPF). Guidance on the making of neighbourhood plan policies is specifically dealt with at paragraphs 16, 183, 184, and 185 of the NPPF.

The Thaxted Neighbourhood Plan Steering Group believes, in relation to paragraph 16, that the Plan is supportive of the strategic development needs of the Local Plan; that it positively supports the shaping and directing of development in the Plan area; and that it identifies opportunities for the use of Neighbourhood Development Orders.

In relation to the section covering Neighbourhood Plans specifically (paragraphs 183-185) the Steering Group believes that a thorough process of consultation has enabled Thaxted to take advantage of the opportunity provided in paragraph 183 to develop a shared vision for sustainable development through the formulation of policies which will be used in the determination of planning applications whilst also identifying opportunities for development. The Plan policies are in general conformity with Local Plan policy albeit that the Local Plan, which was adopted in 2005, is now somewhat out-dated. A detailed assessment of conformity with Local Plan policy will be set out in the next section.

The assessment that follows considers each Plan policy in turn and comments on its conformity with the most directly relevant NPPF paragraph numbers. There are policies where many different paragraphs have some degree of relevance but we will concentrate on the relationship with those that are most directly linked.

## HERITAGE AND CONSERVATION POLICIES

NP POLICY	NPPF PARA	COMMENTS	CONFORMS
HC1 – Exclusion of permitted development rights	17; 126; 132.	Represents the wish of local people to provide a positive vision of the future of their area (para 17).Sustains and enhances the significance of heritage assets (para 126). Protection against harm to the significance of the Conservation Area (para 132).	ok
HC2 – Colour Treatments	17; 126; 132.	As above.	ok
HC3 – Heritage and Development	17; 131; 137; 169; 170.	Represents the wish of local people to provide a positive vision for the future (para 17). Fulfils requirements of all three bullets under 131; Provides policy support for sensitive development within the Conservation Area that better reveals its significance (para 137). Provides evidence in relation to the historic environment (para 169). Most significantly though, it meet the requirement of para 170 that landscape character assessments should be prepared.	ok
HC4 – Signage in the Conservation Area	17.	Represents the wish of local people to shape their surroundings and specifically ‘to secure high quality design and a good standard of amenity’.	ok
HC5 – Retention of Shop Fronts	126; 131.	Enhances the significance of heritage assets (para 126) and fulfils the requirements of all three bullet points under 131.	ok
HC6 – Protection of Retail frontages	23; 126; 131.	Recognition of the need to support the viability and vitality of the village centre and defines the primary shopping area (para 23). Also protects and enhances the historic environment (paras 126 and 131).	ok
HC7 – Changes to Shop Fronts	126; 131.	Protects and enhances the historic environment (paras 126 and 131).	ok
HC8 – Local Green Spaces	76	A specific response to para 76 based on the desire of the local community to protect certain key areas of green space.	ok
HC9 – Thaxted Station	126; 131.	Although a very specific policy relating to an important piece of Thaxted history it fulfils the requirements of paras 126 and 131 in relation to the protection and enhancement of heritage assets.	ok

## LANDSCAPE AND COUNTRYSIDE POLICIES

NP POLICY	NPPF PARA	COMMENTS	CONFORMS
LSC1 – Protection of the Countryside	17; 109.	<p>In line with core planning principle 5 under paragraph 17, takes account of the different roles and character of different areas, promoting the vitality of Thaxted village and recognising the intrinsic character and beauty of the countryside surrounding Thaxted.</p> <p>Responds to para 109 in seeking to protect and enhance valued landscapes.</p> <p>In line with paragraph 28, the policy supports development in rural areas where this respects the character of the countryside.</p>	ok
LSC2 – Development beyond the Development Limits	55; 109.	Again responds to para 109 in seeking to protect and enhance valued landscapes but principally it aligns with para 55 in avoiding <i>‘new isolated homes in the countryside unless there are special circumstances’</i> .	ok
LSC3 – Protection and Improvement of the Landscape	112; 113.	Defines land quality in relation to 112 and specifically supports the requirement for criteria based policies against development which adversely affects the countryside.	ok
LSC4 – Wildlife Habitats	109; 113.	Meets the requirements of 109 to the extent that it seeks to <i>‘minimise the impacts on biodiversity’</i> and again supports the objectives of 113.	ok
LSC5 – Visual Impact Appraisals	17	In recognition of the need to take account of intrinsic character and beauty of the countryside.	ok
LSC6 – Outlying Settlements	7; 55.	Generally to ensure that development is sustainable but also aligns with para 55 in seeking to avoid <i>‘new isolated homes in the countryside unless there are special circumstances’</i> .	ok

## HOUSING AND DESIGN POLICIES

NP POLICY	NPPF PARA	COMMENTS	CONFORMS
HD1 – Presumption in favour of Sustainable Development	7; 49.	Aligns with general policies on sustainable development (para 7 especially) but also sets out the parameters for what constitutes sustainable development in relation to para 49.	ok
HD2 – Scale and Location of Development	17; 170.	Based on the wishes of local people to shape their surroundings and based on a preference to development land of a lesser environmental value (para 17). Development in line with landscape character assessments (para 170).	ok
HD3 – Local Housing Needs	47; 50.	Development having regard to a housing needs survey (para 47) and the identification of needs reflecting local demand (para 50).	ok
HD4 – Affordable/Special Needs Housing	50	Again, development based on identified housing needs (para 50).	ok
HD5 – HD10 – Allocations and Opportunities	16; 17; 111;	These policies all relate to the future development potential of specific sites. The sites are generally of lesser quality land (paras 17 and 111) but are in the main sites not identified in the adopted or emerging Local Plan and therefore contribute additional development opportunities (para 16).	ok
HD11 – Design Principles	58; 60.	These principles represent <i>‘robust and comprehensive policies that set out the quality of development that will be expected.’</i> They also follow the guidance in para 60 <i>‘to promote or reinforce local distinctiveness’</i> .	ok

## TOURISM AND LOCAL ECONOMY POLICIES

NP POLICY	NPPF PARA	COMMENTS	CONFORMS
TLE1 – Enhancing Tourism	28	Supports rural tourism in line with para 28.	ok
TLE2 – Works to Key Historic Buildings	28	As above.	ok
TLE3 - Employment	28.	Supports sustainable growth and expansion of businesses within rural area in line with para 28.	ok
TLE4 – Redundant Farm Buildings	28.	As above but also supports the diversification of agricultural enterprises.	ok

## INFRASTRUCTURE POLICIES

NP POLICY	NPPF PARA	COMMENTS	CONFORMS
IFS1 – Primary School Provision	72	This policy follows the objective of para 72 to ensure sufficient provision of school places.	ok
IFS2 – Primary School Expansion	72	As above.	ok
IFS3 – Thaxted Surgery	162; 171.	This policy is in recognition of the requirements of para 162 to provide adequate infrastructure and specifically to take account of the health needs of the local population (para 171).	ok
IFS4 - Footpaths	75	A response to the need to protect and enhance public rights of way and access (para 75).	ok
IFS5 – Recreation Ground	73; 74.	A policy designed to enhance the provision of access to <i>'high quality open spaces and opportunities for sport and recreation'</i> (para 73). Protection of existing sports field (para 74).	ok
IFS6 – Community Hall	28; 70.	A policy in support of <i>'the retention and development of local services and community facilities'</i> (para 28). Also <i>'to deliver the social, recreational and cultural facilities and services the community needs'</i> (para 70).	ok
IFS7 - Broadband	42; 43.	Aligns with para 42 – <i>'Advanced, high quality communications infrastructure is essential for sustainable economic growth'</i> and para 43 – <i>'local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband'</i> .	ok

## CONFORMITY WITH LOCAL PLAN POLICY

The current Local Plan for the district of Uttlesford was adopted in 2005 with all policies that were relevant to Thaxted saved following application to the Secretary of State in 2007. A new draft Local Plan was submitted for Examination in Public in 2014 but at the hearing was rejected by the Inspector and work then commenced on the preparation of a new draft.

The Regulation 18 consultation for the new plan closed in September 2017. As set out in the Local Development Scheme published in February 2018, the Local Plan is expected to be published for Regulation 19 Consultation in the autumn 2018 and the target date for adoption is autumn 2019.

In the light of the above the assessment of conformity for the Thaxted Neighbourhood Plan is against the adopted 2005 Local Plan albeit that we have had regard to evidence for the new draft as it has emerged. This includes particularly the site assessments undertaken by Uttlesford of the sites submitted in response to the 'Call for Sites' in 2015. Members of the steering group have also liaised with planning officers at Uttlesford District Council in the drafting of the text and policies. Of particular significance is the position with regard to housing sites. Sites allocated for housing in the 2005 Local Plan have been developed out and we have therefore had regard to the sites that were considered favourably by planning officers following the 'Call for Sites' in 2016 and appeared in the 2017 consultation draft. Of these, permission has now been granted on appeal for development of the 'Land at Wedow Road' and work is well advanced on the redevelopment of the former Molecular Products site. There is considerable uncertainty about the potential of 'Land East of The Mead' due to a lack of clarity over the landowner's (Essex County Council) intentions and the fact that application has been made for the site to be designated a community asset for its habitat value. The Thaxted Neighbourhood Plan does however identify other sites in the village either for housing allocations (or as potential opportunities), in line with the guidance provided by the NPPF.

With regard to the comparison analysis that follows we have, as with the NPPF analysis, looked at each of the Neighbourhood Plan policies and commented on its conformity with the most directly relevant Local Plan policy or policies. It is in the nature of neighbourhood planning that policies relate to planning at a 'micro' level. In other words the Neighbourhood Plan policies represent the interpretation of Local Plan policies but at the most local level. Specifically, the steering group believe that the policies of the Neighbourhood Plan conform with the policies of the Local Plan as applied to the Thaxted context.

## HERITAGE AND CONSERVATION POLICIES

NP POLICY	LOCAL PLAN POLICY	COMMENTS	CONFORMS
HC1 – Exclusion of permitted development rights	ENV.	The policy is designed to strengthen and clarify the requirements of ENV1 which seeks to preserve and enhance <i>‘the character and appearance of the essential features of a Conservation Area’</i> .	ok
HC2 – Colour Treatments	ENV1;	As above.	ok
HC3 – Heritage and Development	ENV1; ENV2.	NP Policy HC3 is applicable to all heritage assets and, in line with the NPPF is focused on the impact that development has on the significance of heritage assets. Local Plan policies ENV1, ENV2 and ENV4 don’t use the term <i>heritage assets</i> but apply to the specific heritage assets (conservation area, listed buildings and ancient monuments and sites of archaeological importance). NP Policy HC3 complements and strengthens the district-wide approach by being locally specific and informed by locally commissioned studies of the heritage assets in the plan area.	ok
HC4 – Signage in the Conservation Area	ENV1	A more detailed interpretation relating to one element of the historic environment which should be considered in assessing the requirement to preserve and enhance <i>‘the character and appearance of the essential features of (the) Conservation Area’</i> .	ok
HC5 – Retention of Shop Fronts	ENV1	Relates again to a specific feature within the Conservation Area and seeks to preserve and enhance the overall character and appearance.	ok
HC6 – Protection of Retail frontages	TLP1.	<p>Thaxted Local Policy 1 – Local Centre does not allow for change of use to residential of existing shops, restaurants, public houses and hot food take-aways currently located in an area of the village designated as the Local Centre. The NP Policy HC6 departs from this approach by defining retail frontages (rather than a Local Centre area) including a secondary retail frontage and a primary retail frontage. The NP resists loss of ground floor uses from A1 to any other use within the primary retail frontage and takes a similar approach to the adopted Thaxted Local Policy 1 in the secondary retail frontages.</p> <p>Of relevance is the fact that the Regulation 18 Local Plan also proposed a departure from the approach taken in the adopted Policy TLP1 along similar lines to the approach taken in the NP. The supporting text</p>	ok

		to Policy TLP1 implies the intention underpinning the policy is to ensure tourism remains an important economic activity in Thaxted and states that “development that would contribute to its promotion will be permitted if it preserves or enhances the character of the townscape”. It is not considered the proposed NP will undermine the apparent intentions underpinning the adopted Local Plan particularly because a greater degree of flexibility with regards town centre uses will continue in the secondary frontage. This policy is therefore considered to be in broad conformity with the Local Plan.	
HC7 – Changes to Shop Fronts	ENV1.	Further protects and enhances the historic environment in line with the requirements of ENV1.	ok
HC8 – Local Green Spaces	ENV3	Specifically aligns with ENV3 which seeks to guard against the <i>‘loss of traditional open spaces, other visually important spaces, ...etc.’</i> . . The adopted Proposals Map includes three open spaces in Thaxted. These are: Magdalen Green, Churchyard of the Church of St. John the Baptist and Weaverhead Close. Of these, the NP has designated Churchyard of the Church of St. John the Baptist in addition to eight others. The approach taken in HC8 is in broad conformity with the adopted Local Plan .	ok

## LANDSCAPE AND COUNTRYSIDE POLICIES

NP POLICY	LOCAL PLAN POLICY	COMMENTS	CONFORMS
LSC1 – Protection of the Countryside	S7.	Local Plan Policy S7 provides a strategic approach to the protection of the countryside. Policy LSC1 complements this approach by being locally specific to the Thaxted context and being informed by the findings of the Thaxted Landscape Character assessment.	ok
LSC2 – Protection and Improvement of the Landscape	ENV7; ENV8.	Aligns with ENV7 and ENV8, the ambitions of which are to protect areas of nature conservation significance. LSC3 provides a reference for assessment of the effect of development based on expert evidence.	ok
LSC3 – Wildlife Habitats	GEN7; E4	Aligns with GEN7 which seeks to protect wildlife and geological features from harmful development. Also underpins the requirements for alternative use of farmland specified as a) –d) under policy E4.	ok
LSC4 – Visual Impact Appraisals	ENV1; ENV7; ENV8.	Supports the objectives set in ENV1, 7 and 8 in relation to conservation of the setting of the Conservation Area as well as the natural landscape. Visual impact appraisals will assist in the interpretation of the requirements of these policies.	ok
LSC5 – Outlying Settlements	S7.	This policy specifically aligns with the requirements of policy S7 in relation to areas beyond the Thaxted settlement boundary. LSC6 seeks to control the form and scale of development in the outlying areas of the parish.	ok

## HOUSING AND DESIGN POLICIES

NP POLICY	LOCAL PLAN POLICY	COMMENTS	CONFORMS
HD1 – Presumption in favour of Sustainable Development	H3.	Although related more to the requirements of the NPPF this policy is closely aligned with H3 to the extent that it requires reasonable accessibility to jobs, shops, services and has appropriate infrastructure.	ok
HD2 – Scale and Location of Development	H3.	Consistent with H3 in relation to the requirement for development to be <i>‘compatible with the character of the settlement and, depending on the location of the site, its countryside setting’</i> .	ok
HD3 – Local Housing Needs	H10.	Seeks to achieve a significant proportion of smaller units consistent with local needs in line policy H10.	ok
HD4 – Affordable/Special Needs Housing	H9; H11.	Directly supports policy H9 in relation to the affordable housing requirement. Also consistent with policy H11 in that development of ‘exception sites’ for affordable housing is to be <i>‘of a scale appropriate to the size, facilities and character of the settlement’</i> .	ok
HD5 – HD10 – Allocations and Opportunities	H3.	These policies all relate to the future development potential of specific sites which are not allocated in the Local Plan. . This is in most cases however consistent with policy H3 related to infilling with new houses within development limits. The sites allocations are also consistent with Policy S3 which identifies Thaxted as a Key Rural Settlement and permits development which is compatible with the settlement’s character and countryside setting.	ok
HD11 – Design Principles	GEN2.	These principles are consistent with the requirement under GEN2 that development should be <i>‘compatible with the scale, form, layout, appearance and materials of surrounding buildings’</i> and <i>‘safeguards important environmental features in its setting’</i> .	ok

## TOURISM AND LOCAL ECONOMY POLICIES

NP POLICY	LOCAL PLAN POLICY	COMMENTS	CONFORMS
TLE1 – Enhancing Tourism	TLP1.	Consistent with Thaxted specific policy in support of the provision of retail and catering facilities.	ok
TLE2 – Works to Key Historic Buildings	TLP1.	As above.	ok
TLE3 - Employment	E4; E5.	Perhaps not directly relevant to any Local Plan policy but consistent with the principles set under E4 and E5 in relation to safeguards associated with employment uses in the countryside and in relation to the re-use of rural buildings.	ok
TLE4 – Redundant Farm Buildings	E5.	Directly aligned with policy E5 particularly with regard to safeguarding the character of the countryside and <i>‘not result in a significant increase in noise levels or other adverse impacts’</i> .	ok

## INFRASTRUCTURE POLICIES

NP POLICY	LOCAL PLAN POLICY	COMMENTS	CONFORMS
IFS1 – Primary School Provision	GEN6.	Consistent with policy GEN6 which specifically states that <i>‘Development will not be permitted unless it makes provision at the appropriate time for ... school capacity’</i> .	ok
IFS2 – Primary School Expansion	GEN6.	As above.	ok
IFS3 – Thaxted Surgery	GEN6.	Again consistent with GEN6 which states <i>‘Development will not be permitted unless it makes provision at the appropriate time for ... public services... and other infrastructure’</i> .	ok
IFS4 - Footpaths	GEN1; GEN2.	Consistent with GEN1 to the extent that development <i>‘must take account of the needs of ... pedestrians’</i> and also responds to GEN2 in relation to the safeguarding of environmental features of which footpaths are a significant part.	ok
IFS5 – Recreation Ground	LC1.	Specifically aligns with LC1 in seeking to protect sports fields and open space for recreation.	ok
IFS6 – Community Hall	GEN6.	A specific policy relating to community buildings which directly aligns with GEN6 which seeks a proper provision of community facilities.	ok
IFS7 - Broadband	GEN6.	A policy related specifically to the provision of adequate telecommunications facilities and therefore consistent with GEN6 which states that <i>‘Development will not be permitted unless it makes provision at the appropriate time for ... public services... and other infrastructure’</i> .	ok

## **HOW THE PLAN CONTRIBUTES TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT**

It is a fundamental principle of the Thaxted Neighbourhood Plan that development should be sustainable in the context of the three strands as set out in the NPPF. The assessment set out below is designed to provide a simple view on the degree to which each policy meets the requirements of each strand. A three star grading means that the policy is principally designed to ensure that development is sustainable in relation to that particular strand. A two star grading indicates that the policy aligns strongly with that particular sustainability strand (albeit that this may be subsidiary to an aim related to another strand) whilst a one star grade indicates that the policy has some significance in relation to that strand. No stars indicate that the policy is neutral in relation to a particular strand.

Brief explanatory comments are also provided in relation to each policy.

In a remote, historic and beautiful environment such as Thaxted it is inevitable that the emphasis will be on environmental sustainability, although the policies often have significant ‘knock-on’ benefits for economic sustainability through the generation and maintenance of tourism; and social sustainability in terms of preserving an environment in which people want to live. Whilst the relative remoteness of Thaxted limits the potential and demand for commercial and business development, policies have been put in place to encourage economic development whilst seeking to ensure that there is no detrimental impact on the quality of the local environment. Similarly, policies have been included which are designed to enhance the quality of life of and the social wellbeing of local residents specifically relating to education, healthcare and recreational and community facilities.

Overall we believe that this is a well balanced Plan designed to ensure that development is sustainable in the context of all three NPPF strands as they relate to our community.

## HERITAGE AND CONSERVATION POLICIES

NP POLICY	Sustainability grade	COMMENTS	Contributes to Sustainable Development
HC1 – Exclusion of permitted development rights	Soc. * Econ. – Envir. ***	Helps to engender a sense of pride (social sustainability) but principal effect is ensuring that development is environmentally sustainable.	ok
HC2 – Colour Treatments	Soc. * Econ. – Envir. ***	As above.	ok
HC3 – Heritage and Development	Soc. * Econ. * Envir. ***	As above, but some economic effect as well through the promotion of tourism, the potential of which is improved through sensitive development.	ok
HC4 – Signage in the Conservation Area	Soc. * Econ. * Envir. ***	Again principally related to ensuring that development is environmentally sustainable but good signage also promotes and assists tourism as well as engendering a sense of pride. Therefore some social and economic benefits as well.	ok
HC5 – Retention of Shop Fronts	Soc. * Econ. ** Envir. **	Keeps the village centre alive and vibrant therefore some social benefit as well as significant economic and environmental advantages.	ok
HC6 – Protection of Retail frontages	Soc. ** Econ. *** Envir. **	Ensures continuing commercial activity in the central area which brings both social and economic benefits whilst additionally enriching the historic environment.	ok
HC7 – Changes to Shop Fronts	Soc. – Econ. * Envir. ***	Protects and enhances the historic environment but additionally provides a more harmonious central area which enhances tourism potential.	ok
HC8 – Local Green Spaces	Soc. *** Econ. – Envir. ***	Provides areas for recreation and enhances the quality of the built environment.	ok
HC9 – Thaxted Station	Soc. – Econ. – Envir. **	Relates to a single property but ensures the future preservation of a significant feature in the history of the village.	ok

## LANDSCAPE AND THE COUNTRYSIDE POLICIES

	Sustainability grade	COMMENTS	Contributes to Sustainable Development
LSC1 – Protection of the Countryside	Soc. – Econ. – Envir. ***	Ensures that development is environmentally sustainable in the context of rural areas.	ok
LSC2 – Development beyond the Development Limits	Soc. ** Econ. – Envir. ***	Ensures that development is environmentally sustainable through reducing the need for car-borne travel as well as protecting the natural environment but also ensure social cohesion by avoiding isolation.	ok
LSC3 – Protection and Improvement of the Landscape	Soc. – Econ. – Envir. ***	Simply protects and enhances the natural environment.	ok
LSC4 – Wildlife Habitats	Soc. – Econ. – Envir. ***	As above.	ok
LSC5 – Visual Impact Appraisals	Soc. – Econ. – Envir. ***	As above.	ok
LSC6 – Outlying Settlements	Soc. ** Econ. – Envir. ***	Seeks to protect the rural environment whilst guarding against social isolation.	ok

## HOUSING AND DESIGN POLICIES

NP POLICY	Sustainability grade	COMMENTS	Contributes to Sustainable Development
HD1 – Presumption in favour of Sustainable Development	Soc. *** Econ. *** Envir.***	General policy to ensure that all development is sustainable in a local context.	ok
HD2 – Scale and Location of Development	Soc. ** Econ. – Envir. ***	A policy designed to ensure that development is environmentally sustainable but also to help protect the social context of the village.	ok
HD3 – Local Housing Needs	Soc. *** Econ. – Envir. -	A policy designed to cater for the housing needs of the whole community.	ok
HD4 – Affordable/Special Needs Housing	Soc. *** Econ. – Envir. -	Again, a policy designed to meet the housing needs of the whole community. The emphasis therefore being on social sustainability.	ok
HD5 – HD10 – Allocations and Opportunities	Soc. *** Econ. * Envir. ***	Specific site policies designed to provide additional housing opportunities thus fulfilling a social need and bringing a degree of economic benefit. The sites have however been carefully chosen to ensure that their development would not be detrimental to the environment.	ok
HD11 – Design Principles	Soc. ** Econ. * Envir. ***	Principles which will produce quality housing preserving the character of the village and thereby assisting in maintaining the tourism potential. The main benefit though is in terms of environmental sustainability.	ok

## TOURISM AND THE LOCAL ECONOMY POLICIES

NP POLICY	Sustainability grade	COMMENTS	Contributes to Sustainable Development
TLE1 – Enhancing Tourism	Soc. ** Econ. *** Envir. ***	A policy that is designed to support tourism (economic sustainability) but also provides the opportunity for social benefits through the provision of local services whilst developing a vibrant village centre thereby enhancing the local environment.	ok
TLE2 – Works to Key Historic Buildings	Soc. ** Econ. *** Envir. ***	As above.	ok
TLE3 - Employment	Soc. * Econ. *** Envir. ***	A policy designed to support the development of commerce and enterprise whilst also ensuring the protection of the rural environment. Some social benefits would ensue through the creation of local jobs.	ok
TLE4 – Redundant Farm Buildings	Soc. * Econ. *** Envir. ***	As above.	ok

## INFRASTRUCTURE POLICIES

NP POLICY	Sustainability grade	COMMENTS	Contributes to Sustainable Development
IFS1 – Primary School Provision	Soc. *** Econ. – Envir. -	Specifically to ensure that development is socially sustainable.	ok
IFS2 – Primary School Expansion	Soc. *** Econ. – Envir -	As above.	ok
IFS3 – Thaxted Surgery	Soc. *** Econ. * Envir. *	Specifically to ensure social sustainability but also with safeguards to protect the environment and with the opportunity for some economic benefit by avoiding the need to travel for healthcare services and ensuring the economic wellbeing of the pharmacy.	ok
IFS4 - Footpaths	Soc. ** Econ. – Envir ***	Principally to ensure that development is environmentally sustainable but in encouraging recreational walking will also contribute to social sustainability.	ok
IFS5 – Recreation Ground	Soc. *** Econ. – Envir. -	A policy designed to ensure that development does not impinge on recreational space.	ok
IFS6 – Community Hall	Soc. *** Econ. – Envir. -	A policy designed to encourage future social sustainability.	ok
IFS7 - Broadband	Soc. *** Econ. *** Envir. -	A policy designed to ensure that developments provide modern facilities thereby enhancing the quality of life of the community whilst ensuring economic sustainability by giving business occupiers the systems needed for modern commerce.	ok

## **COMPATABILITY WITH EU LEGISLATION**

The making of the Thaxted Neighbourhood Plan does not breach and is otherwise compatible with, EU obligations; and the making of it is not likely to have any significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

### **SEA and HRA**

European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The EU Directive has been transposed into UK legislation through the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). Regulation 9 states that the responsible body (the local planning authority) shall determine whether or not a plan is likely to have a significant effect and that before making such a determination it shall take into account the criteria set out in Schedule 1 of the Regulations and consult the consultation bodies (Natural England, Historic England and the Environment Agency). Regulation 11 states that within 28 days of making the SEA screening determination it shall

- Send to each consultation body a statement of its reasons for determination (where it is determined that the plan does not require an environmental assessment).
- Bring to the attention of the public that it has determined that the plan is not likely to have significant environmental effects.
- Make copies of the determination available to view.

On 13<sup>th</sup> April 2018, Uttlesford District Council (UDC) issued an SEA screening determination which confirmed that the NP was not likely to have any significant environmental effects. This was following consultation with the consultation bodies in January, February and March 2018.

In line with Regulation 11 of the SEA regulations, UDC sent the SEA screening determination to the consultation bodies within 28 days of the Screening determination and issued a statement of its reasons for the determination. The SEA screening determination was made available to view on the UDC website and Thaxted NP website at [www.thaxtednp.com](http://www.thaxtednp.com).

In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) this document is also submitted alongside the Neighbourhood Plan.

The NP Screening Determination Statement also concludes that the making of the NP is not likely to have a significant effect on a European site, either alone or in combination with other plans or projects.

### **Human Rights**

The Neighbourhood Plan has been prepared having regard to the fundamental rights and freedom guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 2010.

Everyone in Britain is protected by the Act. The “protected characteristics” under the Act are (in alphabetical order):

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

The aims, principles and the policies in the Neighbourhood Plan have been assessed for their potential effects on persons with protected characteristics. The conclusion was that there were no potential negative effects identified and a number of areas where the plan could be broadly positive for persons with protected characteristics. This applies particularly to people who need more suitable housing due to decreased mobility.